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LABOR LEGISLATION OF 1916



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

WHOLE NO. 213.

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REVIEW OF LABOR LEGISLATION OF 1916.

INTRODUCTION.

During the year 1916 the legislatures of 11 States, the Philippine Islands and Porto Rico, and the Federal Congress met in regular session, besides which the legislatures of five States were called in extra session, that of Illinois thus meeting twice. With the exception of the extra sessions of South Dakota and Tennessee, laws or resolutions affecting labor were enacted or adopted by all of these bodies, and are reproduced in the present bulletin. Not included in the above is an extra session of the Legislature of Maine, called to approve a revision of the Code of the State. The industrial commissions and like bodies in a number of States also issued orders or regulations having the force of laws, and these also are reproduced.

Besides the legislation of 1916, attention should be called to the referendum vote of the people of Maine on the "54-hour law" for women and children, enacted at the 1915 legislative session, the operation of which was suspended until a vote could be had at the State election in September. Another piece of legislation of the year 1915 is the antitipping law of Tennessee, vetoed by the governor, this veto having been subsequently held to be void. The Maine statute appears in its proper place in the legislation of 1915, while that of Tennessee, not having been before reproduced, will be found in the present bulletin.

Previous labor legislation is collected in Bulletin No. 148, undertaken as a complete compilation of laws in force at the close of the year 1913, and in Bulletins No. 166 (1914) and No. 186 (1915). Separate compilations have been made of laws relating to the compensation of workmen for injuries, both because of their bulk and of the special interest of the subject. These are to be found in Bulletins Nos. 126, 185, and 203.

Important legislation of the year affects the employment of women and children, the number of acts on this subject being, as usual, quite considerable. Of most general interest is the Federal statute regulating interstate commerce in the products of child labor. The State of South Carolina advanced the minimum age of employment from 12 to 14; while the Maryland statute on the subject was amended to extend the scope of the 14-year standard in that State. Of interest more because of the relation to a recent and growing educational movement than because of the number of children affected thereby are the amendments of the laws of a few States for the purpose of meeting the conditions resulting from the establishment of vocational training schools.

The establishment of a maximum workday for adult males is a movement of slow growth, but it continues to progress. The Mississippi statute applicable to manufacturing establishments was slightly amended, while the Legislature of South Carolina established a 10-hour limit for the labor of employees on interurban railways. Besides these is the act of Congress establishing 8 hours as the standard period for the determination of a day's work in the computation of wages of employees engaged in operating trains on steam railroads.

The question of social insurance also continues to receive attention, not only in that aspect of it which is covered by workmen's compensation laws, but also in the extension of provisions for the relief of widowed mothers unable to maintain homes for their children; while the Legislature of Massachusetts established a commission on social insurance, to take a broader view of the field.

CONTRACT OF EMPLOYMENT.

PRIVATE EMPLOYMENT.

The right of all persons of adult years to contract freely with regard to the performance of labor has become subjected to a number of limitations by reason of the inequalities developed in our economic system. The legislation of the year under review is rather evenly divided in the restrictions laid upon employers and employees, a statute of Porto Rico (No. 58), amending Revised Statutes, section 5924, and declaring it larceny for an employer to defraud a laborer by making or causing false reports as to the financial standing or ability of the employer. On the other hand, the Legislature of Virginia (ch. 13), penalizes the making of contracts to perform farm labor, securing advances thereon, and fraudulently refusing to perform the service contracted for, the offense being punishable as larceny. Probably as restrictive on the employee should be classed the

Tennessee statute (ch. 185, Acts of 1915), which forbids employees of hotels, restaurants, cafés, barber shops, dining cars, railroad companies and sleeping-car companies to receive tips. The public is also forbidden to give, and the employers or companies to allow the giving of tips, nor may the law be evaded by including in any bill for services a sum of this description.

Congress continued in three of its appropriation acts its prohibition of past years on the making of efficiency tests and the payment of bonuses for extra work in navy yards, arsenals, etc. A new restriction of a rather limited class of persons is laid by Congress (No. 85) in its prohibition of the civil employment of enlisted men in the Army, Navy, and Marine Corps, including noncommissioned officers, musicians, and privates, where such employment would compete with the customary employment and regular engagement of local civilians. The intent to secure the employment of local labor is apparent also in acts requiring public printing to be done within the State. The law of Mississippi on this subject was amended (ch. 135) by requiring that bidders for such work must have plants within the State, or be bona fide residents thereof and engaged in the printing business. Bids from outside may be received if State printers combine to prevent competition.

The examination and licensing of workmen as a means of securing efficiency and public safety is an obvious limitation on the freedom of contract, but is justified for various reasons, dependent on the employment. The Legislature of Rhode Island (ch. 1383) amended without much modification the law of the State on the subject of the licensing of barbers. Several States amended their laws as to chauffeurs, the Legislature of Massachusetts (ch. 140) raising to \$1 the fee for the renewal of an operator's license, while that of New Jersey (ch. 137) reduced the minimum age for procuring a license from 18 years to 16 and increased the annual fee from \$2 to \$3. A new statute of Porto Rico (No. 75) establishes the minimum age of chauffeurs offering their services for hire, at 18 years. A medical certificate of physical ability and mental capacity is required, as well as an examination as to practical knowledge and ability. The fee for examination and license, payable but once, is \$5. In Rhode Island (ch. 1354) a new motor-vehicle law was enacted, the general provisions as to chauffeurs being the same as in the preceding law; the same is true of the amendment of the Virginia statute, the law (ch. 522) accepting a recommendation by two reputable citizens in lieu of an examination, the annual license fee being \$2.50.

The Illinois statute on the examination, etc., of horseshoers was amended (p. 29, extra session of 1915), but only as regards the salaries of the members and secretary of the examining board.

Operators of moving-picture machines are the subject of an act (ch. 184) of the New York Legislature, the statute exempting from the requirement of a license operators of miniature apparatus using slow-burning films.

The law of Massachusetts on the subject of the registration of electricians was amended (ch. 199) by striking out the provisions as to hearings prior to the revocation of licenses, and as to the review of such revocations.

A Maryland statute (ch. 704) prescribes a graduated fee for plumbers' licenses ranging from \$5 to \$15, according to the size of the city or town; while in New York (ch. 397) villages are authorized to adopt building and sanitary codes on a vote of the board of trustees, including provisions for the examination and licensing of plumbers. Licenses are required in the cities of the State, and a statute (ch. 305) amends the existing law by requiring plumbers to procure a sign of prescribed dimensions bearing the words "licensed plumber," the same to be displayed during the continuance of business, and to be surrendered to the city authorities on the retirement of the holder from business.

Standing on a somewhat different footing, but expressing the idea of necessary qualifications for engaging in specified lines of work, is a New York act (ch. 424) extending earlier provisions of the law as to illiterate employees on railroads by requiring that not only locomotive engineers, but also firemen, engine foremen, hostlers, trainmen, and flagmen, shall be able to read and write the English language and see and understand signals.

As restrictive of the personal habits of certain classes of employees in the interest of the public, notice may be taken under this head of a Virginia statute (ch. 372) which makes it a misdemeanor, punishable by fine or jail sentence, or both, for a chauffeur, motorman, engineer, or other person running an automobile, car, truck, engine, or train to be intoxicated while on duty.

Under this head also may be noted the protection of persons in the status of employees, in the exercise of their rights as citizens. Thus a Mississippi statute (ch. 245) penalizes any discrimination as to employment or business undertakings against persons who are members of the National Guard on account of such membership. Employers are protected by this act as well as employees. A law of Kentucky (ch. 15) fixes a penalty against employers who coerce, discharge, or threaten with discharge any employee on account of his vote. Of a somewhat different nature, but proper for mention in this connection, is an act of the Oklahoma Legislature (ch. 25) providing that persons who are absent from their own voting precincts on election day may cast their ballots at another precinct of the State, such

ballots to be mailed to the home precinct for counting. Laws of this class were first enacted in connection with railroad employment, but, as in the present instance, have come to be of general inclusion in a few States.

PUBLIC EMPLOYMENT.

An exact classification of laws providing for the retirement of public employees would not, perhaps, group them with laws affecting the contract of employment, though there is doubtless a connection, even if indirect. The State of Massachusetts has made provision for retirement systems for various classes of the employees of the State, the persons affected being given the option of accepting or rejecting the provisions of the laws, a date having been set prior to which the choice should be made. An act supplemental to this (ch. 164) provides that persons who have rejected the retirement provision in the past and now desire to avail themselves of its benefits may do so by giving notice during the year 1916, though no time prior to the election shall be counted as a part of the service period on which retirement is to be based. In the Philippine Islands (No. 2589) provision is made for the retirement of permanent officers and employees in the civil service after six years of service, if such retirement is not prejudicial to the operation of the bureau affected. The benefit is a limited one, consisting of various percentages of the basic salary, according to the term of service, payable for a period of but three years; in case of the death of the beneficiary before this period is complete the unpaid balance goes to the estate.

LIABILITY FOR INJURIES.

A long-standing classification has placed as one of the incidents of the employment status the liability of the employer for injuries befalling employees on account of the former's negligence. The present-day movement toward workmen's compensation tends to transfer that subject to the field of social insurance, though obviously the method of compensation awards is the substitute for and successor of the liability system. As indicated in the introduction, the subject of compensation laws is considered in a separate bulletin, and, as compared with liability legislation, this represents much the larger activity of the States. In two States, however, neither of which has as yet any compensation legislation, laws were enacted prescribing the liability of railroad companies for injuries to their workmen. In both these States (Virginia, ch. 444; South Carolina, No. 557), the law enacted follows closely the provisions of the Federal statute governing interstate commerce. The particular respects in which this is true are in the abrogation of the

defense of fellow service, in the enactment of the principle of comparative negligence, and in the denial to the employer of the defenses of contributory negligence, and assumed risks where there is a violation of safety laws. In both laws also contracts of waiver are forbidden. The South Carolina statute provides that punitive damages shall not be recovered under the act, while that of Virginia limits its operations to steam roads for general traffic only, electric lines and mine and mill roads not being included. The law of Virginia on this general subject was modified by another act (ch. 287), which directs that contributory negligence must be pleaded by the defendant in his bill of particulars, though either party may amend pleadings to avoid surprise. The defendant may, however, take advantage of any contributory negligence disclosed in the plaintiff's testimony.

Another phase of liability is presented in an act of Porto Rico (No. 51), amending the law declaring the liability of conductors, engineers, etc., in charge of cars, engines, or other vehicles, who cause injury or death by acts of gross negligence or carelessness; separate penalties are provided for nonfatal injuries and for death.

WAGES.

Legislative regulations affecting wages address themselves mainly to the matter of securing the payment of the amounts of wages agreed upon in the contract of employment, only exceptionally concerning themselves with the question of what these amounts shall be. This rule has been varied in a number of States, however, by prescriptions of the amounts to be paid for labor on public works. Thus the Legislature of Maryland (ch. 134) provides that for work on the public roads of Allegany County the minimum amount payable shall be \$2. This is the minimum standard fixed as the earnings for a day of 9 hours; overtime may be worked in cases of emergency, with pro rata pay for any excess over 9 hours. A similar effect as to overtime is contemplated in the Federal statute (No. 252) establishing an 8-hour day as the standard working-day, not restricting overtime work, but directing that any excess over 8 hours shall be paid for by a pro rata addition to the regular daily rate.

Direct intervention in the matter of amounts of wages in private industry is found in the minimum wage laws existing in a number of States. The new legislation of the year in this field is an amendment by the Massachusetts Legislature (ch. 303) fixing the composition of the commission charged with the administration of the State law. It is directed that one member shall be an employer of female labor, one may be a woman, and one may be a representative of labor. Decrees of this commission are noted under the heading "Employment of women and children."

The time of payment is considered in several States, a law of South Carolina (No. 546) establishing a weekly pay day for all employees of corporations engaged in the manufacture of textiles; while a Kentucky statute (ch. 21) establishes a semimonthly pay day for employees of all corporations organized for pecuniary profit, retention of 18 days' wages being allowed. Other laws in this field are amendatory, one of Massachusetts (ch. 229) adding hotels in cities to the list of establishments which must pay their employees weekly, while another act of the same State (ch. 14) places the enforcement of the law in the hands of the State board of labor and industry instead of the district police or factory-inspection force. Complaints may be made within 3 months after a violation, instead of but 30 days, as formerly. The Louisiana law is amended (No. 108) by specifying oil companies and mining companies as being included in the semimonthly pay-day law of that State; the amendment also strikes out the maximum limitation, found in the original law, of the term of imprisonment for violations. The Mississippi statute is amended (ch. 241) by inserting the words "or on the second and fourth Saturdays" following the direction that payments shall be made twice during each calendar month; the retention of 10 days' pay is also allowed instead of 7 days', as formerly.

To secure the freedom of employees as traders is the object of enactments forbidding coercion as to the place where purchases of supplies may be made by them. A new law in this field is that of Louisiana (No. 188), which makes it unlawful to require employees to deal with any specified individual, firm, or corporation, or to punish or blacklist, in any way, an employee for failing thus to deal; an exception is made as to the purchase and sale of uniforms. A law of similar intent has been in force in the Philippine Islands, and was amended during the legislative session of 1916. The earlier act was restricted in its application to the Moros and non-Christian tribes, but was, by the amendment (No. 2537), made of general application, with an added provision that wages shall be paid in legal tender unless at the express request of the employees. A somewhat later act (No. 2549), embodies the identical provisions of the old law as amended, except that it omits the minimum penalty for violations. This act apparently supersedes the older laws.

Approaching this same question from a somewhat different angle is a law of Mississippi (ch. 91), establishing an occupation tax on the maintenance of boarding or commissary cars supplying goods and merchandise to employees and others. Under this law box cars of two or more outfits pay a tax of \$100 per annum in counties in which a city of 10,000 population or more exists, the minimum fee of \$10 being charged in counties with towns having less than 5,000 popula-

tion. This act does not apply to railroads selling supplies to none but their own employees.

The matter of the assignment of wages was taken up by two legislatures, that of Louisiana enacting a new law (No. 102), which requires a license for brokers lending money on the security of wages pledged, the fee being \$500 when the capital is in excess of \$25,000, and \$250 when it is below that sum. A separate fee must be paid for each office maintained, and local authorities may exact other fees for local license in addition to those charged by the State. Eighteen per cent is the maximum annual interest that may be charged, and annual reports of operations are required. No assignment of wages is valid without the employer's acceptance, and if the assignor is a married man his wife must sign the assignment papers. Violations subject the broker to a fine of from \$250 to \$500, with a forfeiture of the license and of the loans outstanding. The Massachusetts statute was amended (ch. 208) by exempting three-fourths of an employee's weekly wages from assignment.

Having for their object the security of the payment of wages, laws are found in practically every State giving liens for the value of service rendered or work done, and binding on the subject matter of the labor. The growth of new industries and the development of methods of handling large undertakings call for modifications in existing laws, and as amendments accumulate it also becomes desirable to recodify the entire law on the subject. Instances of both kinds occur in the legislation for the year 1916, new laws in Louisiana giving liens for automobile repairs (No. 82), the same being binding for a term of 90 days, and for railroad construction work (No. 98), the lien subjecting roadbeds, tracks, rights of way, and franchises to the claims of persons furnishing material or performing labor. Another law of the same State (No. 229) is an enactment of a general nature, repealing conflicting laws, and giving a preferred privilege for labor and materials. The Massachusetts act on this subject is amended (ch. 306) in the matter of procedure as to the enforcement of liens; while a new law of New Jersey (ch. 126) prescribes the rights of bleachers, dyers, and finishers of cotton goods in the material treated by them. The New York Legislature enacted a law (ch. 507) of a generally amendatory nature, giving definitions, the extent of the liens granted, regulations as to filing notice, etc. No lien provided for may interfere with the rights of laborers receiving daily or weekly wages. A South Carolina statute (No. 375) grants a lien on real estate for labor and materials, the same to have precedence over the rights of the contractor.

Instead of giving a lien on the property, provision may be made requiring the contractor to give a bond, so that the owner of the

property shall not be involved in the contractor's failure to pay his own debts. Such provisions are found in two Louisiana statutes, one (No. 232) directing that contracts for the drilling of oil wells shall be in writing and recorded in the office of the county recorder of mortgages, such recordation giving a lien on the well, appliances, and adjacent ground not exceeding 10 acres. The owner of the property must require the contractor to give bond to secure payments for labor and materials furnished the latter. The other act (No. 262) is an amendment to an act of 1912 on the subject of building contracts. The statute is applicable only in cases where the amount involved is in excess of \$500, the provisions as to record and the giving of a bond being the same as in the law just noted.

A Georgia statute (p. 94) relates only to contracts for public works and declares all contracts void unless a bond has been given to secure the payment of the contractor's obligations for labor and materials. Additional security may be required if apparently necessary; action on the bond must be brought within one year from the completion and acceptance of the work.

HOURS OF LABOR.

Like the regulation of wages, the regulation of the hours of labor of adult males is usually not attempted, except in industries of dangerous character or those affecting public welfare. A few States have gone beyond this, however, Mississippi being one, and its legislature has again (ch. 239) amended the law of the State applicable to manufacturing establishments, permitting a variation from the 10-hour day for night workers, allowing them to work $11\frac{1}{2}$ hours for five nights and $3\frac{3}{4}$ the sixth night, making a total of 60 hours per week. A South Carolina law applicable to textile mills is also amended (No. 547) by adding the declaration that "Sixty hours per week shall be regarded as six whole days and be paid for accordingly." The law also sets limitations on the making up of lost time and requires a schedule of work to be posted. A new section is added to the Criminal Code by the same act, providing that no docking for lost time shall be for a larger amount than the actual producing value of the machine for the time during which it was not in operation.

As affecting the public interest, the regulation of the hours of labor on railroads has for some time been recognized as valid. The Federal 16-hour law, which is a restrictive statute, was amended (No. 68) by establishing a minimum penalty for violations (\$100), leaving the maximum of \$500 unchanged. Likewise restrictive is a new act of the South Carolina Legislature (No. 544) fixing at 10 hours per day the permissible work time for "any employee" on interurban railways. The new Federal statute (No. 252), known as the 8-hour railroad

law, applies to employees engaged in any capacity in the operation of trains on steam roads in interstate commerce. It is not a restrictive law as to permissible hours of labor, but makes 8 hours "the measure or standard of a day's work for the purpose of reckoning the compensation for services of all employees" so engaged. As already stated, pro rata payments must be made for overtime work. A commission is provided for to observe the operations of the act and report thereon within from six to nine months after the law becomes operative (Jan. 1, 1917). Pending such report the compensation of employees shall not be reduced below the present standard day's wage.

Regulations affecting women and children only are noted in the section devoted to these classes of employees.

Service on public work is subject to regulation at the will of the State, so that the hours of labor thereon may be fixed as the State may determine. In Massachusetts the question of acceptance of an 8-hour day for public employees is put by the legislature into the hands of the municipalities in so far as it relates to their employees, and a new statute (ch. 240) adds the proviso that 48 hours shall constitute a week's work as well as that 8 hours shall constitute a day's work, subject, however, to the acceptance of this provision by the local authorities. Another amendment made by this same act adds State employees in the nautical school, on police boats, and in charge of armories to the list of persons to whom the law does not apply. The New York law fixing 8 hours as a day's labor on public works is amended by two acts (chs. 151, 152), the net effect of which is to place the penalty clause in the labor law itself instead of in the Criminal Code of the State, together with some modification of the methods of enforcing penalties.

Bearing directly on this subject will be the reports of the State Board of Health of Massachusetts on the subject of conditions of labor of employees in hotels and restaurants, an investigation on this subject having been directed (Resolves, ch. 74) with a view to the establishment of a day of rest for such employees; and of the Massachusetts State commission on social insurance on the subject of industries of continuous operation, which are to be investigated by it (Resolves, ch. 164), the report to embody such drafts of bills as may be deemed practical and expedient for the regulation of labor therein.

HOLIDAYS.

Closely related to the foregoing is the subject of Sunday and holiday labor, laws relative to the former of which at least have been of long standing. The encroachments of modern living conditions in

the matter of work on Sunday are marked in two amending laws in this field, one of Massachusetts (ch. 146) allowing licensed inn-holders and victualers to sell on Sunday cooked meals to be consumed off the premises, with the provision that no intoxicating liquors shall be included; while in Virginia (ch. 435) the delivery on Sunday of ice cream made on another day is classed as a work of necessity.

Massachusetts, after long delay, provides (ch. 104) that New Year's Day shall be a legal holiday, making complete the list of States of the Union thus recognizing the day. February 12, Lincoln Day, is made a legal holiday in Kentucky (ch. 107), while a Maryland law (ch. 633) declares March 25 a holiday to be known as Maryland Day.

The growing recognition of the Saturday half holiday finds place in the Massachusetts law (ch. 258) which amends an earlier act granting such half holiday for certain public employees by allowing the holiday to all employees in the designated lines of service instead of to permanent employees only and during the entire year instead of for the summer months only.

PROCURING EMPLOYMENT.

The distribution of labor and the means of preventing unemployment are problems that demand continued and increasing attention. The Legislature of California, by a resolution (ch. 8) adopted at its extra session of the year, indorses a suggestion made by the Secretary of Labor of the United States in his third annual report as to the tenure of public lands and the furnishing of financial aid to unemployed persons in taking up holdings. More direct is the method of the New York Legislature, which created (ch. 586) a bureau of farm settlement, the chief to be appointed by the commissioner of agriculture, the duties of this officer to be to arrange for the immigration and settlement of farm labor, to secure lands on sale or lease, etc.

An amendment to the law of the same State regulating the operation of private employment offices is found in an act (ch. 587) which by way of exception permits a division of fees where contracts are secured for theatrical engagements, provided such division can be effected without injury to the applicant for a position. The Virginia statute on the same subject is largely rewritten (ch. 168), the law in its present form requiring a register to be kept showing the name, address, age, sex, nativity, and trade or occupation of the applicant for work, and the name, address, and nature of the employment offered in the case of applicants for help. This register is to be open to inspection by the State officials. The maximum fee allowed is \$3, which is to be returned in full on demand if no posi-

tion is secured within 30 days. The sending of females to places of immoral resort is prohibited, as are the making of false statements, enticing employed persons in order to earn fees, and the dividing of fees between agents and employers.

Another law of Virginia (ch. 517) reflects the results of economic conditions in the restriction placed on the activities of so-called labor agents. The law is enacted as an emergency one, it being declared that the industries of the State are being crippled by irresponsible itinerant agents. An annual fee in a prohibitive amount (\$500) is to be charged such agents, who must secure a prior certificate from the judge of the court of the city or county in which the agent proposes to carry on his work, to the effect that the applicant is of good character and honest demeanor. This act does not apply to employment agencies where business is done inside the office and not by solicitors, for which the license tax is fixed at \$25.

LABOR DISPUTES.

The principal enactment in this field is by the Legislature of South Carolina, a law having been enacted (No. 545) by this body providing for a State board to be appointed by the governor, charged with the investigation of labor disputes with the purpose of conciliation. The board is to consist of three members with initial terms of two, four, and six years, respectively, succeeding appointments to be for the term of six years. One member is to be a representative of labor and another of capital, while the third is to represent the general public. They may themselves act as arbitrators on the request of both parties, where conciliation has failed, or they may nominate or appoint other arbitrators. As a board of conciliation they have the power to summon witnesses, compel the production of books and papers, inspect premises, and require the parties to a dispute to testify in executive session. If a majority of the board recommends such action, they may report their findings to the governor or the general assembly. The only other action in this field was taken by the Massachusetts Legislature, which amended its act requiring notice of strikes, etc., in advertisements for labor, by providing (ch. 89) that the termination of strikes shall be decided on the application of the employer after a full hearing of all persons concerned, to be represented by counsel if desired, after three days' notice by publication in three daily papers. This act was further amended (ch. 143) by transferring its enforcement to the State board of labor and industry from the board of conciliation and arbitration.

HYGIENE AND SAFETY.**FACTORIES, ETC.**

Precautions against the dangers of fire are found in a statute of Kentucky (ch. 19), which provides for the appointment of a State fire marshal whose powers, among other things, extend to the enforcement of all laws as to the prevention of fires, the manufacture, storage, etc., of combustibles and explosives, the installation of fire-alarm systems, fire extinguishers, fire escapes, etc., this work to be carried out in conjunction with local officials. He is also authorized to make inspections, to fix regulations and issue orders as to safety provisions, to require alterations where necessary for safety, and to teach safety and fire prevention by the establishment of museums, the giving of lectures, etc. The New York law is amended by providing (ch. 62) that where there is a space of 30 feet horizontally from another wall or an elevation of 50 feet above buildings standing nearer, the requirement of fireproof windows may be waived. Another act (ch. 466) transfers to the State industrial board the duty of regulating fire drills, formerly in the hands of the State fire marshal; this act also excepts from the requirement of the installation of fire signals and the observance of fire drills establishments equipped with a designated type of fire-sprinkler system. The provisions of the Virginia Code were extended (ch. 514) to mills or places where the manufacture of goods of any kind is carried on, and also to mercantile establishments and office buildings over three stories in height, or over two stories if as many as 15 persons are employed above the second floor. Local authorities have held the power to prescribe types of fire escapes to be installed in the various cities and towns of the State, and this act provides that if no selection had been made before July 1, 1916, the State commissioner of labor should give notice, and if the proper steps were not taken within 60 days he himself should establish the standard, though new installations should not be required where a former law was complied with, unless the equipment was inadequate.

Laws of New Jersey (ch. 260) and Rhode Island (ch. 1351) are directed to the specific point of the safety of elevators, the former requiring an interlocking device to be installed to prevent a movement of the car until the door or gate is closed and fastened, while the latter modifies the prescriptions of an earlier law as to this point, relieving from the installation of automatic gates if there is an interlocking device preventing movement while the gates are open. Confined to a single class of establishments is an act of the Virginia Legislature (ch. 515) which directs the installation of

wash rooms and toilets for the use of employees in foundries. Another law of this State (ch. 50) and one of Kentucky (ch. 37) have for their subject matter the sanitation, etc., of establishments in which food products are prepared. Both laws require sleeping places to be separate from the rooms where food is prepared or stored, call for the installation of separate and sanitary toilets and wash rooms, and forbid the employment of persons affected by contagious or infectious diseases. The Virginia statute is confined to establishments in which animals are killed for food or parts of animals are prepared for food for human use, while that of Kentucky is of more general application, and contains additional requirements as to the supply of cuspidors and the prohibition of spitting on the floors and walls.

A general law on the subject of safety, though not establishing standards, was enacted by the Louisiana Legislature (No. 146), providing penalties for a known failure to provide "proper safeguards on machinery," or knowingly permitting defective machinery to remain in a factory or other place where workmen are employed.

Other laws under this head are one of Massachusetts (ch. 115) requiring that in mercantile or manufacturing establishments where the work calls for a "substantially complete" change of outer clothing separate lockers with lock and key for the use of employees shall be furnished; one of Maryland (ch. 207), which amends the Baltimore City charter so as to abolish the city inspection service and place the duty of inspection in the hands of the State board of labor and statistics; and one of South Carolina, which is a factory regulation, though not perhaps coming under the head of hygiene or safety; this act (No. 391) adds as an alternative penalty imprisonment at hard labor, or both fine and imprisonment, for failure to comply with the law of that State directing that the races shall be segregated in textile factories. A law of Mississippi establishing fees for the inspection of factories is amended (ch. 95) by adding factories canning farm produce to the establishments excepted from the operation of the act. In Rhode Island (ch. 1379) the appropriation for inspectors' expenses is increased over the previous year by \$300.

The industrial commissions or boards of a number of States issued orders affecting questions of safety and sanitation, in some cases in establishments employing only women and children, while in others their application was more general. The Industrial Welfare Commission of California established detailed regulations of sanitary conditions in canneries in which women and children are employed in the preparation of fruits and vegetables, the provisions relating to lighting, ventilation, construction, toilet rooms, wash rooms, etc.

In New Jersey the department of labor has fixed standards for guards about dangerous machinery, giving details as to height, strength, mode of construction, etc., for various classes of conditions. Other regulations apply to guards for transmission machinery, inspection, repair, and the wearing of proper clothing by employees.

The Industrial Board of New York amended its rule No. 2 with reference to stairways in certain factories, limiting its application to establishments in which more than 25 persons are employed above the second floor, omitting the general provision as to manufacturing, etc., and fixing a schedule for required installations under specified conditions. A new rule (No. 4) was issued regulating the construction of fire escapes used as means of exit in buildings of five stories or less, and in buildings from six to nine stories in height, separate regulations being made for old and new installations. Fire escapes are not to be accepted as a required means of exit on buildings more than nine stories in height. Rules 400 to 445 inclusive, relating to factory elevators and hoistways, were amended in a number of minor details early in the year 1915, reducing by two the number of rules on this subject published in Bulletin No. 186, the material being somewhat differently arranged and new details added.

The Industrial Commission of Ohio adopted regulations for iron and steel foundries and for brass foundries quite similar to those adopted by similar bodies in New York and Pennsylvania, and like them making special provision for core-making rooms in which women are employed. Sanitation, lighting, provisions for safety, the supply of water-closets and washing facilities, and the supply of suitable lifting devices are among the subjects prescribed.

The Industrial Welfare Commission of Oregon laid down provisions as to the sanitation of establishments in which women and minors are employed. The items touched upon are cleanliness, lighting, ventilation, the provision of toilet and wash rooms, the supply of drinking water, the use of tables, benches, and chairs, etc.

MINE REGULATIONS.

Legislation under this head is small in amount and of slight effect. In Maryland (ch. 410) the mine inspector provided for Allegany and Garrett counties is placed directly under the State board of labor and statistics, other slight changes being made in the act; while in Virginia (ch. 458) the owner is also charged with the responsibility, along with the operator or agent, of employing a mine foreman. Some changes are made in the methods prescribed for ordering timbers, and miners are forbidden to work in places known to be dangerous or that might have been known to be dan-

gerous by the exercise of ordinary care; the law declares, however, that the mere happening of an accident is not in itself to be considered as proof of the lack of such care or of the negligence of the company.

Orders issued by the Industrial Commission of Ohio supplement the mine regulations established by the legislature of that State, indicating in detail the requirements as to the duties of supervisory officials and of the various classes of employees. The question of safety is emphasized, obedience to orders and instructions being urged "even in cases of dispute, as safety is the first consideration and the 'primary motto' of this department."

RAILROADS.

The Mississippi law prescribing the installation of telltales or warning strings at bridges or other structures over tracks is amended (ch. 228) by requiring such erections where the bridge or other object is 22 feet above the top of the rail instead of 23 feet, as formerly, and where there is not at least 7 feet between the running board of the cars and the lowest projection of the overhanging object. The South Carolina statute prescribing the installation of headlights of a standard power fixed a time limit which was extended by an act (No. 476) which allowed until February 2, 1917, for the completion of this change.

EMPLOYMENT OF WOMEN AND CHILDREN.

The laws under this head are numerous and some of them of considerable importance, notably the Federal statute (No. 249) prohibiting interstate commerce in products of the labor of children employed in mines or quarries under the age of 16, or in mills, canneries, workshops, factories, or manufacturing establishments under the age of 14 years; also where work is done in excess of 8 hours per day or for more than 6 days per week, or between the hours of 7 p. m. and 6 a. m. by children between the ages of 14 and 16 years. The law affects goods produced in establishments where there was employment of the prohibited nature within a period of 30 days prior to the removal of the products. The Attorney General of the United States, the Secretary of Commerce, and the Secretary of Labor are directed to make rules and regulations for the enforcement of this law, which is to be in effect one year from the date of its enactment, i. e., September 1, 1917. The Secretary of Labor and persons authorized by him may enter and inspect establishments for the purpose of enforcing this act. Boys' and girls' clubs are exempt from its operation, and dealers are protected by shippers' guaranties; also acts in good faith are not punishable.

The Legislature of South Carolina raised the minimum age for employment of children in factories, mines, and textile establishments from 12 to 14 years (No. 361); while in Maryland (ch. 222) the 14-year limitation is extended in its scope, leaving only canning and packing establishments open for the employment of children 12 years of age. The act adds other occupations to the list of those forbidden to children under 16 years of age and cuts out the proviso which authorized the issue of permits for theatrical appearances for a period of two weeks. An employment ticket must be shown by children applying for employment certificates, signed by the prospective employer, stating the occupation, industry, and the place of prospective employment. The law formerly prohibited the employment of girls under 18 in occupations requiring constant standing; the age limit is now fixed at 16 years. Schedules of hours of employees under 16 must be kept posted in establishments employing such persons. Boys 10 years of age, instead of merely those "under 12," may serve paper routes from 3.30 to 5 p. m. Various minor amendments are made, the amount of penalties for violations is reduced, the inspection force is reorganized with increases of salaries, and a new section is added prescribing an 8-hour day and a 6-day week, and forbidding nightwork between 7 p. m. and 7 a. m. for children under 16 years of age.

The law of New York as to the issue of employment certificates was amended (ch. 465) by modifying somewhat the educational requirements, and also the required evidence as to age. The time during which an application for a physician's certificate as to age must be on file where the records of age are lacking is reduced from 90 days to 60 days, and children 14 but not 15 years of age must, in addition to other evidence, show a certificate of graduation from a public elementary school or its equivalent, or a certificate of the completion of the elementary course. The Rhode Island statute is amended (ch. 1378) by requiring that the employer have possession of the certificates of employed children, these to be returned to the school committee on the termination of the employment. Children seeking certificates must have an employment ticket. Three salaried physicians are provided for in the city of Providence to make examinations of children applying for certificates, instead of paying them on a fee basis.

A Massachusetts statute relating to the employment of children in street trades raised the age below which permits are required from 14 to 16 years (ch. 242). Children may sell on permit only such articles as adult peddlers may sell without permits. Persons employing a minor to peddle without a license where one is required are penalized. The law of Kentucky is amended (ch. 23) by allowing the employ-

ment of nonresident children under the age of 16 years to act in theaters if an adult custodian is present during the performance and accompanies the child to and from the theater. The law of New York as to prohibited employments is amended (ch. 278) so as to allow permits to be issued to children under 16 years of age to take part in the production of motion-picture films. The application must describe accurately the part to be played and all things to be done by the child. Permits will be granted only on hearing, and may be revoked at will by the party granting them.

Special provisions are made in the laws of Massachusetts and New Jersey for the employment of children attending part-time vocational schools or cooperative courses. The law of Massachusetts (ch. 95) allows employment in such courses between the ages of 14 and 16 on the securing of an employment certificate, the illiteracy test being modified; in New Jersey employment of this kind is permitted to children above the age of 14, subject to the limitations as to the 8-hour day and 6-day week (ch. 242). In Massachusetts also vacation permits may be issued to illiterate children between the ages of 14 and 16 (ch. 66). Another law of this State (ch. 82) exempts married women who are illiterate minors from compulsory attendance on evening schools, as required by a general law.

The compulsory school law of Louisiana (No. 27) affects children between the ages of 7 and 14 years, and requires 140 days' attendance, or the full school term, if of shorter duration, but excepts the children of needy, widowed mothers. A similar law of Georgia (p. 101) covers the ages from 8 to 14, requires four months' attendance, beginning with the opening of the school, but exempts, among other reasons, for the necessity of the child's labor for the support of a parent or other dependent member of the family; power to decide as to necessity is vested in the local board of education.

An act of the Legislature of Maine of 1915 (ch. 350), fixing the hours of labor of women and children at 54 per week, was suspended in its operation by a petition for a referendum vote. It was approved at the general election (Sept. 11, 1916), a large majority favoring it. The legislation in this field for the year 1916 consists of amendments, a Louisiana statute (No. 177) striking out the provision of the act of 1908 allowing extra work for 20 days before Christmas. The prohibition of nightwork after 7 o'clock for boys under 16 and girls under 18 is not to apply to persons working on Saturday nights in stores and mercantile establishments in which more than 5 persons are employed, this limitation of numbers being a new provision. The Maryland statute is also strengthened (ch. 147) by striking out the proviso permitting overtime work in seasonal employment in Allegany County. Women may work for 12

hours in retail mercantile establishments outside of Baltimore City on Saturday, and on Christmas Eve, and for 5 preceding days, if two rest intervals of 1 hour each are allowed and the customary maximum 9-hour day is maintained during the rest of the year. The Massachusetts law permitting overtime work in seasonal occupations is also amended (ch. 222) by placing the power to determine what are such occupations in the hands of the State board of labor and industry.

Another act of a restrictive nature is one of Louisiana (No. 220), forbidding the issue to women of retail licenses to sell intoxicants, and forbidding any woman or minor to serve intoxicating liquors or to serve any sort of liquors in a barroom, cabaret, or other place where intoxicating liquors are sold.

The industrial welfare commissions of California and Oregon and the Minimum Wage Commission of Massachusetts established the conditions of employment of women and minors in certain occupations under the provisions of the laws of those States. In California the only subject considered is that of employment in canneries, orders fixing the rates of wages, both time and piece, and the hours of labor, with provisions for overtime, etc. In Massachusetts the regulations apply only to wages, decrees being made which fix the wages of females, both experienced and during apprenticeship or the period of learning, in the brush industry, for laundry work, and for employment in retail stores.

The rulings of the Oregon commission are broader in scope, and apply to minors of either sex under the age of 18 years as well as adult women. Hours per day and days per week, rest periods, night-work and rates of wages are all considered. Somewhat different provisions are made in certain respects for employment in the city of Portland and the State at large. Gradations of wages during the period of learning or apprenticeship are established for various kinds of occupation. The occupations taken up by these orders are mercantile, manufacturing, personal service, laundry, office, public housekeeping, and telephone and telegraph. Besides rules applying to these specific occupations there are certain general regulations, and others described as special; these latter, however, are of general application.

BUREAUS OF LABOR, ETC.

Important changes were made in the State bodies administering labor legislation in Maryland and New Jersey. In Maryland (ch. 406), the old bureau of statistics and information, with a single chief official, was abolished and a State board of labor and statistics created, with three commissioners at its head—a chairman and two advisory members. This board takes over the duties and powers of

the former bureau and is charged with the duty of collecting statistics, especially as to wages, the causes of strikes, etc., and those relating to all industrial activities of the State. It is to maintain a public employment agency, promote arbitration and conciliation, and make public matters of general interest likely to attract immigration to the State. The last-named duty is taken over from an earlier bureau of immigration, which was abolished at the same session of the legislature (ch. 397). The new board is given an annual sum of \$35,000 for its maintenance.

The Department of Labor of New Jersey is reorganized (ch. 40) with seven bureaus and a commissioner at a salary of \$6,000 at its head. This official is appointed by the governor, while he himself appoints an assistant commissioner, chief inspectors, inspectors, and other assistants. His term of office is 5 years. The duties of the old commissioner and department of labor are taken over, the bureaus being designated as bureau of inspection, of structural inspection, of electrical equipment, of hygiene and sanitation, of engineers' and firemen's licenses, of industrial statistics, and of employment. Each of these bureaus has a chief official, the assistant commissioner being head of the bureau of inspection, their duties being such as are generally indicated by the titles of the different divisions of the department.

A minor change in the law of Kentucky (ch. 95) authorizes the department of agriculture, labor and statistics to publish annually a handbook of agricultural and industrial opportunities without requiring its submission to and approval by the governor as heretofore. In Massachusetts the State board of labor and industry was directed by a former law to act in conjunction with the industrial accident board of the State in passing upon safety devices and means of preventing accidents. This law was changed (ch. 308) by transferring this power to the State board of labor and industry acting alone.

An inspector was added to the staff of the department of commerce and labor of the State of Georgia (p. 113), his duties being to aid in enforcing the act of 1914 relative to the employment of children in factories, and any other laws coming under the jurisdiction of the department.

SOCIAL INSURANCE.

The widest recognition as yet accorded any branch of the subject of social insurance in the United States is directed to the provision of compensation for injuries to workmen. As stated in the introduction, this matter is taken up in separate bulletins, Bulletin No. 203 giving the laws complete as existing at the end of 1916. Closely connected with this branch of the subject is a law of Louisiana (No. 270)

making it unlawful for employers to require or accept any payments from employees by way of deductions from their wages to meet the costs of the employers' insurance against loss on account of payments for injuries. Another law in this general field is one of Massachusetts (ch. 12) amending the insurance law of the State so as to waive the requirement of a personal examination of insured persons where employees are being insured as a group and an inspection is made by a competent person.

The mitigation of the after effects of physical injuries is made the subject of an inquiry to be carried on by the Board of Education of the State of Massachusetts (Resolves, ch. 75), which is directed to study what other States and countries have done by way of special training for injured persons to the end of making them self-supporting; the board is to give its opinion as to the advisability of undertaking such work, and offer drafts of bills if thought expedient. Another resolution of the same legislature (ch. 157) authorized the creation of a commission on social insurance, 2 members from the senate, 4 from the house, and 3 to be appointed by the governor. This commission is to consider questions of insurance against loss due to sickness, unemployment, and old age, and report on the various forms of insurance, with drafts of bills. Expenses and the cost of clerical assistance are allowed, but no provision is made for salaries.

The matter of relief by way of mothers' pensions was taken up by the Legislature of Maryland (ch. 670), the act creating a board for mothers' relief for Baltimore City, consisting of 3 members, not more than 2 of whom shall be of the same sex. Compensation of the board is by days of service, the terms of appointment being 2, 3 and 4 years at first, and for 4 years thereafter. Relief is to be granted to mothers of children under 14 years of age who are of approved character and unable without assistance to maintain a home. The allowance is \$12 per month for the oldest child, \$10 for the next, and \$6 for each other child, no single family to receive in excess of \$40. Three investigators are provided for for the city of Baltimore at salaries of \$900 each. The county commissioners of the counties are to exercise similar powers in the administration of relief in their respective jurisdictions. Ten thousand dollars is appropriated for administrative expenses for the city of Baltimore, and \$5,000 for the counties. Relief payments are to be provided by tax levies, the payments being made out of the county and city funds, respectively.

The law of New York on this subject was amended (ch. 504) by eliminating the commissioner of public charities as an ex officio member of boards of child welfare in cities, all appointments to be made by the mayor for terms of nine years, one new member to be appointed each year. Other changes were of minor importance.

CONVICT LABOR.

The solution of the question of how to satisfy the humanitarian and economic demands that convicts should be given suitable employment without at the same time competing undesirably with free labor continues to receive attention, the apparent answer favored at the present time being the employment of convicts in road building. Such is the effect of a Kentucky statute (ch. 36) authorizing the employment of convicts in the building of highways and the getting and preparation of material therefor; one of Maryland (ch. 211) authorizing boards of county commissioners and the State roads commission, through the State board of prison control, to use State convicts for work on public highways, county commissioners being empowered to use county convicts also, on this kind of work; and one of Mississippi (ch. 166) authorizing labor on public roads and levees. This act also authorizes the labor of convicts on private lands to get firewood and other timber, but only for use on the State farm. Other acts of the Mississippi Legislature (chs. 575, 576) authorize the employment of convicts at grading, clearing, and working at various State institutions when not needed on the State farm, and a detail of four convicts to care for the grounds about the governor's mansion. The Conservation Commission of New York is authorized (ch. 451) to employ convicts "for the purpose of producing or planting trees."

The Oklahoma Legislature at its extra session of the year passed three laws on the subject of convict labor, one (ch. 29) authorizing work on highways by State convicts on application from county commissioners, one (ch. 37) providing a revolving fund for the establishment of industrial enterprises at the State penitentiary, and the third (ch. 40) providing for a binder twine plant at the State prison at McAlester for the manufacture of twine, cordage, and bagging. The New York law was amended (ch. 533) by making certain exemptions as to the requirement that State institutions purchase their supplies from the State prison factories. The Virginia Legislature passed five separate laws on the subject, the first (ch. 239) being practically a reenactment of an earlier law as to the employment of convicts in making agricultural lime and road materials from shells and limestone, the second (ch. 297) authorizing a judge or justice to sentence a prisoner, where a jail sentence is impossible, to the performance of work on the highways for a like period; the third (ch. 399) merely amends the provision as to the employment of convicts at and about the public buildings and grounds of the State at Richmond or elsewhere; the fourth (ch. 482) repeals section 4172 of the code, which contemplated the use of convicts in manufactures, the erection of State buildings, work in shops,

etc.; while the fifth (ch. 489) directs that short-term convicts (not over five years), instead of being sentenced to the penitentiary, may be required to perform work on the highways and other public works. If physical or other reasons render such form of employment undesirable, the convict may be placed in the penitentiary or at work at the State quarries or on the State farm, as the superintendent of the penitentiary may determine.

A Georgia statute (p. 52) amends section 1207 of the Penal Code by apportioning convicts for road work in the counties according to the road mileage of the county instead of according to its population, as under the old law.

LAWS OF VARIOUS STATES RELATING TO LABOR ENACTED SINCE JANUARY 1, 1916.

[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, in Bulletin No. 186, which contains the labor legislation of 1915, in Bulletin No. 203, which contains all compensation legislation in force at the end of the year 1916, and in the present bulletin, which contains the labor legislation of 1916, with the exception of the compensation laws. Instead of reproducing the text of amendments 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. Orders and rules of industrial or welfare commissions and like bodies, having the force and effect of laws, are also reproduced. Owing to their volume and technicality, details of construction, installation, etc., are abridged or omitted. A cumulative index of the laws printed in Bulletins Nos. 148, 166, 186, and in the present bulletin is to be found on pages 155 to 198.]

CALIFORNIA.

ORDERS OF THE INDUSTRIAL WELFARE COMMISSION.

Wages and hours of labor in canneries.

1. No person, firm, or corporation shall employ or suffer or permit any woman or minor to work in the fruit and vegetable canning industry in any of the following occupations at piecework rates less than the following: Piece rates.

Occupation.	Variety.	Minimum piece rate.
Cutting.	Apricots -----	\$0. 225 per 100 lbs. (or \$0. 09 per 40 lbs.)
Cutting.	Pears -----	\$0. 375 per 100 lbs. (or \$0. 15 per 40 lbs.)
Cutting.	Cling peaches --	\$0. 225 per 100 lbs. (or \$0. 09 per 40 lbs.)
Cutting.	Free peaches ---	\$0. 125 per 100 lbs. (or \$0. 05 per 40 lbs.)
Cutting.	Tomatoes -----	\$0. 03 per 12 quarts.

Occupation.	Variety.	Size of can.	Minimum piece rate.
Canning.	All varieties of fruit ----	No. 2½	\$0. 015 per doz. cans
Canning.	All varieties of fruit ----	No. 10	\$0. 036 per doz. cans
Canning.	Tomatoes -----	No. 2½	\$0. 01 per doz. cans
Canning.	Tomatoes -----	No. 10	\$0. 024 per doz. cans

2. No person, firm, or corporation shall employ or suffer or permit any woman or minor to work in the fruit and vegetable canning industry in any occupation at time rates less than the following: Time rates.

Class.	Minimum time rate.
Experienced hands -----	\$0. 16 per hour
Inexperienced hands -----	\$0. 13 per hour

Any woman or minor shall be deemed an experienced hand who has worked in the said industry for more than three weeks; and every employer in the fruit and vegetable canning industry shall, when demand is made by any woman or minor employed, furnish such employee with a statement setting forth the period of employment of such employee in his establishment.

- Hours.** 3. No person, firm, or corporation shall employ or suffer or permit an adult woman, eighteen years of age or over, to work in the fruit and vegetable canning industry for more than ten hours in any one day, or more than sixty hours in any one week, except in case of emergency: *Provided, however,* That in no case shall the hours of employment of any woman exceed seventy-two hours in any one week; *Provided further,* That the provisions of this section shall not apply to those occupations coming under the provisions of the Statutes of California, 1913, chapter 352, "An act limiting the hours of labor of females," etc.
- Overtime.** 4. No person, firm, or corporation shall employ or suffer or permit an adult woman, eighteen years of age or over, to work in case of emergency at a wage less than one and one-fourth times the foregoing minimum time or piece rates. Emergency work shall be all work performed by any woman in excess of ten hours in any one day, or all work performed by any woman or minor in excess of six calendar days in any one week.
- Children.** 5. No person, firm, or corporation shall employ or suffer or permit any minor child under the age of eighteen years to work in the fruit and vegetable canning industry for more than eight hours in any one day or more than forty-eight hours in any one week.
- Records.** 6. Every person, firm, or corporation employing women and minors in the fruit and vegetable canning industry shall keep a record of the work done and time worked by such women and minors. Such records shall be kept in a manner and form approved by the industrial welfare commission.
- Order to be posted.** 7. Every person, firm, or corporation employing women and minors in the fruit and vegetable canning industry shall post a copy of this order in a conspicuous place in each room in which women and minors are employed.
- February 14, 1916.

Sanitary conditions in canneries.

1. No person, firm, or corporation shall employ or suffer or permit any woman or minor to work in any fruit or vegetable canning establishment in which the conditions of employment are below the following standards:
- Lighting.** (1) Every workroom (hereafter constructed) must be supplied with adequate natural light during the working daylight hours.
Every workroom (now constructed and which is not so equipped as to furnish adequate natural light during the working daylight hours) must be supplied with sufficient artificial light properly placed.
Every workroom must be supplied during the working hours when daylight is not available with sufficient artificial light properly placed.
- Ventilation.** (2) The ventilation of each workroom shall be adequate and there shall be sufficient provision for preventing excessive humidity by the removal of escaping steam.
- Floors.** (3) Each workroom shall have an impermeable floor, made of cement or tile laid in cement, brick, wood, or other suitable non-absorbent material which can be flushed and washed clean with water. Floors must be tight and hard and in good repair, and be pitched to provide for drainage so that there will be no unreasonable depth of water. All excess of water or overflow must be immediately removed. Wooden racks shall be provided wherever women are obliged to work on wet floors, or cement or tile floors, and such racks shall be not less than three inches in height.
- Toilet rooms.** (4) Toilet rooms shall be completely partitioned off from workrooms and the doors must be so located, or protected by screen, that the water-closet compartment shall not be visible from the outside.

(5) Toilet rooms shall have adequate natural or artificial light so that every part of the room and of the interior of each compartment shall be easily visible.

(6) Toilet rooms shall be sufficiently ventilated and the ventilation shall be only to the outside of the building.

(7) The floors of such toilet rooms shall be of cement, tile laid in cement, wood, brick, or other nonabsorbent material and shall be washed and scoured daily and shall be kept in good repair.

(8) All walls of toilet rooms and water-closet compartments unless constructed of glazed tile, brick, etc., shall be kept covered with a nonabsorbent light-colored paint, varnish, or other impervious compound.

(9) Every water-closet shall be in a separate compartment which must be not less than twenty-eight inches wide and provided with a door. Water-closets.

(10) Partitions of water-closet compartments shall be not less than six feet high and shall extend not nearer the ceiling and floor than one foot.

(11) The number of water-closets shall be not less than one to every twenty women employed, or majority fraction thereof, based on the maximum number of women employed at one time.

(12) Every water-closet shall have a bowl of vitreous china, or of first quality cast iron, porcelain enameled inside and out, or of other approved material. Every such bowl shall be provided with adequate facilities for flushing and shall be set entirely free from inclosing woodwork and so installed that the space around it can be easily cleaned.

(13) The bowls of water-closets shall be provided with seats of wood or other nonheat-absorbing material and shall be coated with varnish or some other waterproof substance.

(14) An adequate supply of toilet paper shall be provided in every water-closet compartment.

(15) All toilets shall be kept clean and the bowls and seats of water-closets shall be scrubbed at least once a day. All toilets, wash rooms, lavatories and water-closet compartments shall be kept clean.

(16) Each place of employment shall be supplied with sufficient pure drinking water and the faucets shall be placed so that they are convenient to the employees. Common drinking cups are prohibited. Individual cups must be used or sanitary drinking fountains must be installed. Water supply.

(17) There shall be wash rooms and lavatories adjacent to toilet rooms; and all wash rooms and lavatories shall be supplied with soap, running water, and towels, and shall be maintained in a clean and sanitary condition. Common towels shall not be used or permitted and individual or paper towels must be supplied. Wash rooms.

(18) The number of washbowls, sinks, or other appliances shall be not less than one to every twenty women. Twenty inches of sink with one faucet shall be considered as an equivalent of one washbowl.

Spring faucets shall not be used except where washbowls are provided.

(19) A suitable room shall be provided where women may change their clothing. A sufficient number of lockers shall be provided. Locker rooms.

(20) Every woman and minor shall be entitled to at least one hour for noonday meal: *Provided, however,* That no woman or minor shall be permitted to return to work in less than one-half hour. Time for meals.

(21) Seats shall be provided for each and every woman employed and such women shall be permitted to use the seats at all times. Seats shall be of such types as approved by the industrial welfare commission. Seats.

- Carrying. (22) No woman shall be required or permitted to carry any box, box of fruit, vegetable or refuse, or trays of cans, or any heavy burden to or from her place of work in the establishment.
- Order to be posted. 2. Every person, firm, or corporation employing women and minors in the fruit and vegetable canning industry shall post a copy of this order in a conspicuous place in each room in which women and minors are employed.
- February 14, 1916.

INDUSTRIAL ACCIDENT COMMISSION.

General safety orders.

- Gears. ORDER 1. (a) All gears, where exposed to contact, must be entirely enclosed, or equipped with side flanges extending inward beyond the root of the teeth.
- (b) All spoke gears and open web gears, which are over eighteen (18) inches in diameter, where exposed to contact, must be entirely enclosed. On large gears, such as those on heavy shears and punches, the guard must be such as to cover them to a height of seven (7) feet above the floor.
- (c) Where it is clearly impracticable to cover gears, as described above, a boxed frame of metal or wood must be installed, completely shutting off the machinery gears.
- (d) All gear guards must be kept in place while the machinery is in operation.
- Belts. ORDER 2. (a) All belts, ropes, or chains driving machinery or shafting, and all secondary belts, ropes, or chains where exposed to contact, must be guarded. In all cases the point where the belt, rope, or chain runs on to the pulley, sheave, or sprocket, if within seven (7) feet of the floor or platform, must be guarded.
- Exception:* Belts which are so small or so slow moving that they are not in any way a source of danger.
- (b) All horizontal belts, ropes, or chains driving machinery or shafting, seven (7) feet or less above the floor or platform, where exposed to contact, must be guarded. All overhead belts six (6) inches or more in width and over seven (7) feet from floor or platform, must be guarded underneath and on sides, unless so guarded that persons can not pass under them. All chain or rope drives over seven (7) feet from floor or platform must be guarded in like manner to belts over six (6) inches in width. In all cases the guard should cover the outer faces of the two pulleys or sheaves and extend upward to such a point, and be attached in such a way, that in case the belt, chain, or rope breaks, the guard will withstand the whipping force.
- (c) Vertical and inclined belts must be substantially guarded as follows:
1. If the guard must be less than fifteen (15) inches from the belt, with a complete enclosure of wood or metal to a height of six (6) feet above the floor.
 2. If the guard can be placed with at least fifteen (15) inches clearance from the belt, with a two-rail railing at least three and one-half (3½) feet high.
- Pulleys. ORDER 3. (a) Pulleys must be so placed as to allow the width of the belt between two pulleys, or between the pulley and the shaft hanger or bearing, or a hook must be provided, or a guard placed adjacent to the pulley to prevent the belt from leaving the pulley.
- (b) All machines must be equipped with a loose pulley or a clutch or some other adequate means of stopping the machine quickly.
- (c) All pulleys or parts of pulleys within seven (7) feet of the floor must be guarded, if exposed to contact.
- Clutches. ORDER 4. (a) All clutches must be completely guarded where exposed.

ORDER 5. (a) A permanent belt shifter must be provided for all loose pulleys, and must be located within easy reach of the operator. The construction of belt shifters must be such as to make it impossible for the belt to creep back on to the tight pulley. All belt shifters must be equipped with a lock or some other device to prevent accidental shifting.

Belt shifters.

ORDER 6. (a) All transmission shafting, either horizontal or vertical, in workrooms or in passageways leading to workrooms, and located within seven (7) feet of the floor or platform, must be guarded.

Shafting.

(b) Dead ends of shafts less than seven (7) feet from the floor or platform, or wherever exposed to contact, must be guarded.

ORDER 7. (a) All projecting set screws on moving parts must be removed, countersunk, or protected by a solid collar, or a headless set screw must be used. No part of the set screw must project above the surface.

Set screws.

ORDER 8. (a) All sprockets must be guarded, if exposed.

Sprockets.

ORDER 9. (This applies to flywheels of machines and not to flywheels of engines, which must be guarded in accordance with Safety Orders for Stationary Engines.)

Flywheels.

All parts of flywheels with spokes, which are seven (7) feet or less above the floor, must be guarded as follows:

(a) If guard is at least fifteen (15) inches in the clear from both sides and face of wheel, a fence may be used at least three and one-half ($3\frac{1}{2}$) feet high, to be either solid or of substantially supported wire mesh or close slats.

(b) If guard is less than fifteen (15) inches in the clear from both sides and face of wheel, a fence must be provided at least five (5) feet high, the fencing to be either solid or of substantially supported wire mesh or close slats.

Exception: Flywheels which are so small, or so slow moving that they are not in any way a source of danger.

(c) All flywheel pits must be surrounded with a toe board not less than six (6) inches in height.

ORDER 10. (a) Where practicable, grinding wheels must be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. This guard must be adjusted close to the wheel and extend forward over the top of the wheel to a point at least thirty (30) degrees beyond a vertical line drawn through the center of the wheel.

Grinding wheels.

(b) Arbor ends must be guarded.

(c) Speed of wheels must not exceed the speed guaranteed by the manufacturer.

(d) Where practicable, grinding wheels must be provided with safety flanges.

[Then follows a table of rates of speed for various diameters.]

ORDER 11. (a) All movable ladders (except substantial step-ladders) must be provided with either sharp points at the foot or wide, rough surface feet, or other effective means to prevent slipping. Ladders for use in oiling overhead shafting, where necessary to rest same on the shafting, must be arranged to hook over the shafting.

Ladders.

ORDER 12. All stairways must be equipped with handrails, the top of which shall be 30 inches vertically from the nose of the tread, as follows:

Stairways.

(a) Where the stairway is not built next to a wall or partition, rails must be placed on both sides.

(b) If stairway is closed on both sides, at least one handrail must be provided.

(c) If width is greater than four (4) feet, rails must be provided on each side.

(d) If width is eight feet or greater, rails must be provided on each side and in center of stairway, except in cases where in the judgment of the industrial accident commission a center railing would be impracticable.

- (e) All stairways must be properly lighted either by natural or artificial light.
- Platforms and runways.** ORDER 13. (a) All elevated walks, runways, or platforms, except on loading or unloading sides of platforms, if four (4) feet or more from the floor level, must be provided with a two-rail railing not less than three and one-half (3½) feet high. If height exceeds six (6) feet above floor level, a toe board must be provided to prevent material from rolling or falling off.
- (b) Wherever permanent elevated platforms are in frequent use they must be equipped with a permanent stairway or stationary ladder.
- Swinging doors—Windows.** ORDER 14. (a) All swinging doors in stairways and all doors swinging both ways in general passageways must be provided with windows. One window must be provided for each section of double swinging doors. Both sides of the doors must be provided with adequate light, either natural or artificial, during the hours of active operation in the department in which said swinging doors are located. The windows must be kept free from dirt or other obstruction to the vision.
- Passages.** ORDER 15. (a) All passageways and gangways must be kept clear and in good repair and free from nails or obstructions over which persons may stumble and fall.
- Key and key-seats.** ORDER 16. (a) All projecting keys in shafting, where exposed, must be cut off or guarded, and all keyseats in ends of shafts, where exposed, must be filled flush or guarded.
- Exception:* When in the opinion of the Industrial accident commission it is impossible to fill or guard the keyseats of machines without interfering with the operation of the machine.
- Floor openings.** ORDER 17. (a) All floor openings must be guarded with a railing not less than three and one-half (3½) feet high, having a toe board not less than six (6) inches high, and an additional railing midway between the toe board and top rail, railings to be constructed in a safe and substantial manner, of either pipe, metal work, or wood. One or more sides may be on hinges, or if hinges are impracticable, sockets may be used.
- (b) All chutes or stairway openings which can not be guarded as required in (a) must be provided with a hinged cover, which, when open, must be guarded in a safe and substantial manner.
- Hoistways.** ORDER 18. (a) Any platform outside of a building, or any opening giving access to a yardarm, used for the purpose of hoisting or lowering material by tackle or other means from one level to another (not including platform elevator) must be guarded according to standards for floor openings.
- Conveyors.** ORDER 19. (a) All conveyors shall, where exposed to contact, be guarded. If conveyor runs in a trough within three (3) feet above a floor level, or just below a floor level, it shall be either completely covered with a substantial lid, or enclosed by a railing, and necessary crossings provided and guarded.

Engine Safety Orders.

- Guards.** ORDER 100. (a) All stationary steam engines, gas engines, air compressors, electric generators and pumps must have all gears, belts, pulleys, clutches, shafts, keys and keyseats, collars, set screws, and sprockets guarded according to the orders as set forth in general safety orders issued by this commission. (Portable engines and pumps, such as logging engines, portable hoisting engines and engines and pumps used in construction work are not classed as stationary engines.)
- Governors.** ORDER 101. (a) Each engine must 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. All belt, rope or chain-driven governors must be equipped with a safety device which will stop the engine in case the belt, rope, or chain should break.
- (b) Projecting rotating parts of all engine governors shall be provided with substantial guards.

ORDER 102. (a) Valve gears must 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 governor belt stop will be considered sufficient for slide or four-valve engines.) Valve gears.

ORDER 103. (a) All parts of engine room not accessible from the floor and requiring attention must be provided with adequate runways, rough tread platforms, or rough tread stairways. Runways, etc.

(b) Where stairways are not practicable, fixed ladders must be installed, the rungs of which shall be not less than six (6) inches in clear from wall or column. (The use of metal ladders is strongly advocated.)

(c) The protection of platforms and runways shall be in accordance with order 13 of the general safety orders.

ORDER 104. (a) No repairs must be made on any vertical or horizontal engine, compressor or pump until the engine has been securely blocked, or other provisions made to prevent revolving or reciprocating parts from turning over accidentally. Making re-pairs.

ORDER 105. (a) Wherever floors, stairways, or platforms in engine rooms become slippery they shall be equipped with rough surface plates or treads. Slippery floors, etc.

ORDER 106. (a) In engine rooms all floor openings must be protected by a substantial covering or be guarded in accordance with order 17 of the general safety orders. (The use of rough tread metal plates is advocated for floor opening covers.) Floor openings.

ORDER 107. Flywheels on stationary steam engines, gas engines, air compressors, electric generators, and pumps must be guarded as follows: Flywheels.

(a) If guard is at least fifteen (15) inches and not more than eighteen (18) inches in the clear from each side and face of the wheel, a fence may be used at least three and one-half (3½) feet high, consisting of two rails, the bottom rail of which must be at a point eighteen (18) inches from the floor, and no rails shall be spaced a greater distance than twenty-four (24) inches between centers.

(b) If guard is less than fifteen (15) inches in the clear from each side, and each face of the wheel, a substantially supported wire mesh or close slat guard with openings not greater than two (2) inches in any direction, must be provided at least to the top of the wheel, if the wheel does not extend over five (5) feet in height, and in no case shall this guard be less than three and one-half (3½) feet high. If the top of the wheel is more than five (5) feet in height, the guard must be at least five (5) feet high.

(c) All flywheel pits must be surrounded with toe boards not less than six (6) inches high.

(d) In case the above method of protection is not desired, flywheels must be housed completely with substantially supported wire mesh, close slats or solid material.

(e) Where it is necessary to move flywheels for starting, guards may be removed temporarily, but must be replaced immediately after such operation is complete.

(f) All rope-drive wheels and pulleys from main engine to jack-shaft must be covered with a substantial housing to prevent lashing of broken rope.

(g) Every engine transmitting power by means of a rope drive must be equipped with a telltale which will give ample warning of the stranding of the ropes.

ORDER 108. (a) All cranks and connecting rods of center crank engines and of high-speed side-crank engines shall be equipped with a complete and substantial metal housing which may be provided with doors where necessary. Side cranks.

(b) All slow-speed side-crank engines shall be provided with a guard at least fifteen (15) inches in the clear from the crank pin, and at least three and one-half (3½) feet high.

- Exits.** ORDER 109. (a) Two exits shall be provided for each engine room, said exits to readily open from the inside without the use of a key.
 (b) In engine rooms below ground level, at least one exit must be isolated from the engine room by a fireproof enclosure, the entrance of which must be provided with a door at floor level.
 (c) All engine rooms shall be properly ventilated to prevent the accumulation of noxious vapors, odors, and fumes.
- Drainage.** ORDER 110. (a) All trenches, tunnels, and pits in engine rooms and leading therefrom shall have proper drainage and ventilation and be kept in a sanitary condition.
 (b) All sumps and sewage tanks in engine rooms shall be tightly covered and ventilated to the outside atmosphere, using a vent not less than four (4) inches in diameter, and so located as not to endanger the safety of anyone in the vicinity.
- Discharges.** ORDER 111. (a) All traps, drains, and trap discharges from engines shall be piped to a line, blow-off tank or other safe place of discharge.
 (b) The discharge of all engine exhaust pipes must be located so as not to endanger the safety of anyone in the vicinity.
- Laundry safety orders.*
- Extractors.** ORDER 200. (a) All extractors must be equipped with metal guards which must entirely cover the opening to the outer shell.
 The guard must always be kept in position when the extractor is in motion.
- Flat-work ironers.** ORDER 201. (a) All flat-work ironers must be equipped with guards in front of the feed rolls to prevent the hands of operators from being drawn into the rolls. When the so-called doffer roll is used and it is propelled by other power than the ribbon or apron feed, a guard must be placed in front of this roll.
 (b) An extension of the stopping device of all flat-work ironers must be installed across the front of the machine so that it may be readily operated from the customary feeding position by any feeding operator.
- Bosom starchers and ironers.** ORDER 202. (a) All bosom starchers and bosom and combination ironers must be equipped with guards placed near enough to the rolls and the ironing board to prevent the hands of the operator from being drawn under the rolls.
 The belts must be so arranged that when operator removes his or her foot from controller the board will move toward operator.
- Collar and cuff ironers.** ORDER 203. (a) All collar and cuff ironers must be equipped with guards in front of the first rolls to prevent the hands of the operator from being drawn into the rolls.
- Brakes.** ORDER 204. (a) All washing machines and tumblers must be equipped with brakes or other devices to prevent the inner cylinders from moving during the loading and unloading process.
- Gears, etc.** ORDER 205. (a) All gears, belts, pulleys and sprockets, and shafting connected with laundry machinery shall be guarded in accordance with General Safety Orders issued by the Industrial Accident Commission of the State of California.
- Water supply.** ORDER 206. (a) All boilers, heaters, or appliances not made for high pressure, but used for heating water for laundry purposes, must take their supply from an open supply tank.
 The vertical height, measured from the bottom of the boiler or said appliance to the top of the supply tank, shall not exceed fifty (50) feet.
 (b) The minimum size of supply pipes from supply tank to boiler or said appliance shall be one inch (1").
 (c) There shall be no valves or stopcocks between the supply tank and the boiler or said appliance.
 (d) There shall be no source of supply to the boiler or said appliance other than from the supply tank.

Elevator safety orders.

[Orders 300-336 relate to the inspection, installation, and equipment of elevators (including dumb-waiters and sidewalk elevators) and escalators. Inspections are required every three months for passenger elevators, every six months for other power elevators, and annually for elevators operated by hand. Construction and operation are regulated in detail, with special reference to control and the use of safety gates and doors.]

Window cleaning safety orders.

ORDER 400. (a) In every building hereafter erected, having windows with sills twelve (12) feet or more above the grade and so constructed that it is usual and practicable for a person to stand on the outside sill or ledge in order to clean said windows, there shall be provided a safety device to be approved by the industrial accident commission. Safety device required.

(b) Where windows are so constructed and it is usual and practicable to clean same from the inside, employers shall not allow any alterations, changes, or obstructions which will make it necessary to clean said windows from the outside, unless said windows be constructed to make section (a) applicable, or a special safety device, approved by the industrial accident commission, be installed.

(c) Employers shall not allow any alterations, changes, or obstructions to windows erected in conformity with section (a), which will in any way interfere with the safety devices which are thereon provided.

ORDER 401. (a) Where safety belts are used, rings, bolts, and all fittings for holding same shall be of bronze, brass, or other equivalent durable metal and shall be securely fastened as follows. Rings, etc.

[Then follows details of installation.]

ORDER 402. (a) In all cases where safety devices are provided in conformity with order 400 (a), persons cleaning windows must use said device. Devices to be used.

ORDER 403. (a) The practice of window cleaners passing from window to window on the outside is prohibited, except where a railing or handhold is provided or where the window ledge is less than twelve (12) feet above the grade and at least twenty-four (24) inches wide. Passing between windows.

ORDER 404. (a) When it is necessary to wash or clean reversible and pivot windows, either of which is prevented from properly operating by obstructions or by the design of said windows, they shall be provided with safety appliances of approved design. Reversible windows.

(b) All movable ladders, except substantial stepladders, shall be provided with rough surface feet or other suitable means to prevent slipping. Ladder feet.

(c) A man shall be placed at the foot of all ladders while they are being used for window cleaning, excepting ladders less than fifteen (15) feet in length and ladders of the window cleaners type less than eighteen (18) feet in length, whose sides are of one piece and spaced at least twenty-four (24) inches apart at the base and meeting at the top of said ladders. Watcher.

(d) No ladders shall be used above grade on the outside of buildings except where they are securely fastened so as to prevent their slipping or falling. Ladders to be fastened.

Woodworking safety orders.

ORDER 600. (a) All circular saws must be guarded by hooded guards and must be provided with spreaders or splitters and/or dogs, which shall be located at the rear of the saws. Guards must also be provided to prevent contact with that part of the saw which is underneath the table. Circular rip saws.

- Exception:* Where special work is being done, which will prevent the use of a guard and/or splitter or dogs, such guard and/or splitter or dogs may be omitted, but in cases where such special work is temporarily carried on, a guard and/or splitter or dogs must be provided and put in place during all operations other than that involved in special work.
- Crosscut saws.** ORDER 601. (a) All crosscut saws of the swinging type must be guarded. Knuckle guards must be attached to the swing frame.
(b) All swing cut-off saws must be provided with a device which will return the saw to the back of the table and prevent a rebound.
(c) Means shall be provided on swing cut-off saws to prevent the counterweight throwing the saw forward into the travel.
(d) The rear side of crosscut swing saws must be guarded.
(e) All circular crosscut saws must be guarded by hoods where the saws are held on fixed horizontal bearings.
- Band saws.** ORDER 602. (a) Guards must be installed to cover both upper and lower wheels of all band saws.
The up-travel of all band saws must be completely guarded, and the down-travel must be guarded with a shield extending down to the guide rolls.
- Wood jointers.** ORDER 603. (a) All wood jointers must be equipped with cylindrical cutter heads of the safety type.
(b) A suitable automatically adjusted guard must be placed over the whole cutting space in the table.
- Sanding machines.** ORDER 604. (a) Disc sanders must have the circumference and back of the revolving head thoroughly guarded.
(b) Belt sanders must have both pulleys enclosed.
- Mortising machines.** ORDER 605. (a) Thumb guards must be provided on all mortising machines to prevent the hands of the operator from coming in contact with the chisel, except on mortising machines of such type that it is not required to use a clamp which would bring the hands of the operator into close proximity to the cutting edge.
- Shapers.** ORDER 606. (a) All knife heads of wood shapers and similar heads of other machines, not automatically fed, must be guarded, or forms must be used in which the part operated on is securely fastened.
Exception: Where special work is being done which will prevent the use of a guard, said guard may be omitted, but in cases where such special work is temporarily carried on, a guard must be provided to put in place during all operations other than that involving special work.
(b) All knife heads of woodworking machines which are automatically fed, such as stickers, planers, etc., when exposed to contact, must be guarded.
- Tenoning machines.** ORDER 607. (a) Cutting heads and saws of tenoning machines must be guarded.
- Lighting.** ORDER 608. (a) Ample light, either natural or artificial, must be provided around woodworking machinery.
- Gears, etc.** ORDER 609. (a) All gears, belts, pulleys and sprockets and shafting connected with woodworking machinery shall be guarded in accordance with the general safety orders issued by the industrial accident commission.
- Multiple unit drive.** ORDER 610. (a) Where practicable, not more than ten machines shall be driven in one unit. Where a greater number than ten machines are driven from one line shaft, a clutch, tight and loose pulley shifter, switch, idler or other mechanical means shall be provided in that room or department which will immediately stop all machinery in that group.

Electric utilization safety orders.

[Orders 700-771 relate to the equipment and installation involved in the use of electricity for illumination, communication, and power. Besides general requirements that all such equipment "shall be of such construction, and so installed and maintained as to reduce the life hazard as far as is reasonably pos-

sible," details of methods and materials to be used are set out in detail, spacing, position, installation, guarding, inspection, and other items being provided for, for the various classes of devices and apparatus.]

Boiler safety orders.

[Orders 800-821 relate to the inspection and equipment of steam boilers except those under Federal inspection, those used exclusively for agricultural purposes, those of 12 horsepower or less, on which the pressure does not exceed 15 pounds to the square inch, and boilers on automobiles and road motor vehicles. Annual inspections are required, with provisions for preparation of boilers, marking, and equipment. An elaborate code of specifications is included by reference, this being the boiler code, edition of 1914, of the American Society of Mechanical Engineers, with certain changes and additions.]

Air pressure tank safety orders.

[Orders 900-911 relate to the construction and inspection (biennial) of air pressure tanks, the rules applying to such tanks where the pressure exceeds 25 pounds to the square inch, with the exception of tanks under Federal inspection and those used exclusively for agricultural purposes. They are chiefly technical, relating to construction and equipment.]

Trench construction safety orders.

ORDER 1000. (a) These orders shall apply to all excavation of trenches. Scope and definitions.

(b) Trench means any excavation, other than railroad or highway cuts, in which the greatest depth is equal to or greater than the width.

(c) Sheeting means all planking or metal, or both, used to support the sides of trenches.

(d) Sheet-piling means all planking or metal, or both, used to exclude running material.

(e) Shoring and bracing means the supporting elements of sheeting and sheet-piling.

(f) Stringers are the horizontal, longitudinal components of shoring and bracing.

ORDER 1001. (a) All materials used for sheeting and sheet-piling shall be in good condition, and all timbers used shall be sound, straight, free from cracks, shakes, and large or loose knots and of the required dimensions throughout. Timbers.

ORDER 1002. (a) Where running material is encountered, the sides of all trenches four (4) feet or more in depth shall be secured by the use of sheet-piling and suitable braces, as defined in these orders. Use of sheet-piling.

(b) Where trench is between four (4) feet and seven (7) feet in depth, wooden sheet-piling shall be not less than two (2) inches in thickness. Where trench is over seven (7) feet in depth wooden sheet-piling shall be not less than three (3) inches in thickness.

ORDER 1003. (a) The sides of all trenches in hard, compact material which are five (5) feet or more in depth and over eight (8) feet in length shall be securely held by shoring and bracing. If the unit tunnel method is used, the length of earth left in place between the separate unit trenches shall be not less than one-half the depth of the trench, and shall be considered as taking the place of shoring and bracing. Shoring and bracing.

(b) All trenches of over eight (8) feet in length and five (5) feet or more in depth in hard, compact material shall be braced at intervals not exceeding eight (8) feet with two (2) inch by six (6) inch planks, or heavier material, placed vertically in the

trench opposite each other against the walls. These braces shall, if possible, extend to the bottom of the trench; otherwise as low as possible to clear the top of pipe, sewer, conduit, or other material to be placed in the bottom of the trench.

(c) The braces in trenches shall be supported by screw jacks or by timbers placed normal to both braces, cleated and rigidly screwed or wedged. The timbers shall be not less than those given in the following table:

Width of trench.	Size of timbers.
1 ft.-3 ft. incl.-----	4 x 4 inches.
3 ft.-6 ft. incl.-----	4 x 6 inches.
6 ft.-8 ft. incl.-----	6 x 6 inches.

(d) The number of horizontal strut braces, either screw jacks or timbers, required for each pair of vertical braces shall be determined by the number of zones of four (4) feet each into which the depth of trench may be divided. One horizontal brace shall be required for each of these zones. Trenches, the depth of which can not be divided equally into these standard zones, shall have an extra horizontal brace supplied for the short remaining zone if such zone is greater in length than one-half of four (4) foot unit. In no case, however, shall horizontal braces be spaced greater than five (5) feet center to center.

(e) The bracing and shoring of trenches must be carried along with the excavation, and must in no case be omitted except that where a mechanical digger is used the shoring shall be placed to within ten (10) feet of the lower end of the boom.

(f) Stringers shall be not less in strength than two (2) by six (6) inch clear timber.

Saturated,
etc., ground.

ORDER 1004. (a) Trenches in saturated, filled, or unstable material (not running material) shall be sheeted to an extent adequate to hold the material in place. The supporting elements of this sheeting shall be in accordance with the requirements for shoring and bracing as given in these orders.

Excavated
material.

ORDER 1005. (a) Excavated material shall not be placed nearer than one (1) foot to the edge of the trench.

Ladders.

ORDER 1006. (a) All trenches five (5) feet or more in depth shall be supplied with at least one ladder for each 200 feet in length or fraction thereof, which ladder shall extend from the bottom of the trench to at least two (2) feet above the top. Ladders shall be constructed with two sides of at least one and one-half (1½) inch by three (3) inch timber or its equivalent in strength, and the rungs shall be placed one (1) foot on centers and securely fastened to the sides.

GEORGIA.

ACTS OF 1916.

Employment of children—School attendance.

(Page 101.)

SECTION 1. Every parent, guardian, or other person having charge and control of a child between the ages of eight and fourteen years, who is not exempted or excused as hereinafter provided, shall cause the said child to be enrolled in and to attend continuously for four months of each year a public school of the district or of the city or town in which the child resides; which period of attendance shall commence at the beginning of the first term of said school in the year. Such attendance at a public school shall not be required where the child attends for the same period some other school giving instruction in the ordinary branches of an English education, or has completed the fourth grade of school work as prescribed by the State board of education, or where, because of poverty, the services of the child are necessary for the support of a parent or other member of the child's family dependent on such services, * * * or where, for other good reason (the sufficiency of which shall be determined by the board of education of the county or city or town in which the child resides), the said board excuses the child from such attendance, such boards being authorized to take into consideration the seasons for agricultural labor and the need for such labor, in exercising their discretion as to the time for which children in farming districts shall be excused. * * *

Attendance required.

Dependent parents, etc.

Approved August 19, 1916.

Factory, etc., regulations—Inspector.

(Page 113.)

SECTION 1. The commissioner of commerce and labor shall have the power and authority to appoint one factory inspector to aid in the enforcement and observance of the new child-labor law, and such other laws as are now or may hereafter come under the jurisdiction of the department of commerce and labor.

Appointment authorized.

SEC. 2. Said inspector shall work under the direction and supervision of the commissioner of commerce and labor, and shall make a written report of each inspection of factories, manufacturing establishments, workshops, and mercantile establishments to said commissioner, to be of [on] file in the department of commerce and labor, and shall collect such information and statistics as the commissioner may direct and under the direction and supervision of the commissioner may institute proceedings against any person, firm or corporation found violating any of the laws with the enforcement of which said department is charged.

Duties.

SEC. 3. The inspector shall receive a salary of \$1,200 per annum, payable in the manner prescribed for other statehouse officials, and shall further receive out of the contingent fund of the department of commerce and labor his necessary traveling expenses while on the road making inspections and collecting information and statistics for the department, said expense vouchers to be approved by the commissioner of commerce and labor.

Salary, etc.

Approved August 19, 1916.

KENTUCKY.

ACTS OF 1916.

CHAPTER 13.—Protection of employees as voters.

SECTION 2. It shall be unlawful for any corporation, person, company, or individual to coerce, or direct, any employee to vote for any party, or person who may be a candidate for any office, in this State, or for any person who may be a candidate for a nomination for any office, or to threaten to discharge such employee if he votes for any candidate; or if such employee is discharged on account of his exercise of suffrage, or to give out, or circulate any statement or report that such employees are expected, or have been requested or directed by such corporation, person, individual or company, or by any one acting for such, or any such, to vote for any person, group of persons, or measure, and any person, corporation or company, violating this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed and not less than \$1,000 nor more than \$5,000 or imprisonment in the county jail not to exceed six months or both.

Coercion of voters, etc., a misdemeanor.

Penalty.

Approved March 13, 1916.

CHAPTER 19.—Fire marshal—Factory, etc., regulations.

SECTION 29. The State fire marshal, in conjunction with or through other public officers upon whom any such duties are imposed, if any, shall enforce all laws and ordinances of the Commonwealth and the several counties, cities and other political subdivisions thereof relating to:

Duties of fire marshal.

(a) The prevention of fires, and the inspection of property periodically or otherwise, or any other regulations or methods adopted for the prevention of or reduction of loss by fire, or to promote the safety of persons in case of fire.

(b) The manufacture, storage, sale and use of combustibles and explosives.

(c) The installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment.

(d) Fire escapes and other means of exit from or access to buildings or parts of buildings or other property, in case of fire.

(e) The investigation of the cause, origin and circumstances of fire and the detection and suppression of arson.

SEC. 30. The State fire marshal, in conjunction with or through other public officers upon whom such duties are imposed, if any, shall have power, and it shall be his duty:

Powers.

(a) To supervise and make or cause to be made periodically a thorough inspection of all property within the cities and towns having fire departments, and so far as practicable all other property within this Commonwealth.

(b) To call to his aid individuals, or committees of commercial, industrial, labor, civic or public organizations or bodies, for formulating regulations to require that all buildings, structures and other premises be constructed, made and kept safe from loss or damage or loss of life or injury to persons by fire; to make and put in force such regulations; and to enforce the same as provided by law.

* * * * *

- Inspection.** SEC. 37. In addition to the powers and duties of other deputy fire marshals, the chief of the fire department is required, in person or by officers or members of his fire department designated by him for that purpose, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspection shall be subject to the supervision and direction of the State fire marshal and shall be made at least once in six months in all of the territory served by such fire department, and not less than once in three months within the fire limits or the congested district subject to conflagration as the common council shall have designated or shall thereafter designate and oftener as the chief of the fire department may order.
- Orders.** * * * Whenever any of said officers shall find a building or other structure which, for want of repairs, lack of sufficient fire escapes, or by reason of age, dilapidated conditions, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such building, he or they shall order the same to be remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings. If such order is made by any deputy, such owner or occupant may, within five days, appeal to the State fire marshal, who shall, within ten days, review such order and file his decision thereon, and unless by his authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in said order. If any person fails to comply with the order of any officer under this section, or with the order as modified on appeal herein provided and within the time fixed, then such officer is hereby empowered and authorized to cause such buildings or premises to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied as the case may be, at the expense of such person, and if such person within thirty days thereafter fail, neglect, or refuse to pay said officer the expense incurred thereby by him, such officer and those employed to do the work shall have a prior lien on the real estate on which said building was located for said expense. The State fire marshal or any deputy may at all reasonable hours enter any buildings, structures or premises within his jurisdiction, to make any inspection, investigation or examination which is authorized to be made under this section: *Provided*, That this shall not apply to the interior of private dwellings, except when a fire has occurred or when such officer shall have reason to believe that dangerous conditions exist in such dwelling. No person shall obstruct, hinder or delay any such officer in the performance of such duty.
- Enforcement of orders.** SEC. 38. Every owner or other person having charge of or control over any building, structure or other premises in this section [act] designated "owner," shall construct, keep and make such building, structure or other premises in this section [act] designated "building," safe from loss or damage to property or loss of life, or injury to persons by fire, in this section [act] designated "fire loss."
- Duty of owners.** SEC. 39. No such owner shall require, permit or suffer the public or any employee to go or be in any such place which is not safe, and no such owner shall fail to furnish, provide and use reasonably adequate protection and safeguards against fire, or fail to adopt and use processes and methods reasonably adequate to render such places safe, and no such owner or other person shall fail or neglect to do every other thing reasonably necessary to prevent a fire loss in such building so under his charge or control.
- Same.-**

SEC. 40. The State fire marshal is vested with the power and jurisdiction over, and shall have such supervision of, every such building in this Commonwealth as may be necessary to enforce all laws, ordinances and all lawful orders requiring any such place to be safe, and requiring protection from such fire loss. Jurisdiction over buildings.

SEC. 41. The State fire marshal shall have power and authority: Orders, etc., as to safety.

(a) To appoint advisers and to promote and secure the appointment and service of committees of commercial, industrial, labor, civic and other organizations, who shall, without compensation, assist the State fire marshal in establishing standards of safety, and the State fire marshal may adopt and incorporate in his general orders such safety recommendations as he may receive from such advisers and committees.

(b) To establish and maintain museums and exhibits of safety and fire prevention, in which shall be exhibited equipment, safeguards and other means and methods for protection against fire loss, and to publish and distribute bulletins on any phase of this general subject.

(c) To cause lectures to be delivered, illustrated by stereopticon or other views, diagrams or pictures, for the information of such owners or other persons, and the general public, in regard to the causes and prevention of fires and related subjects.

SEC. 42. The State fire marshal shall have the power, after a hearing had upon his own motion or upon complaint, by general or special orders or otherwise: Orders as to equipment, etc.

(a) To declare and prescribe what protection, safeguards or other means or methods will be best adapted to render any such building safe as required by law, ordinances or lawful orders.

(b) To fix such reasonable standards, and prescribe, modify and enforce such reasonable orders for the adoption, installation and maintenance of equipment, safeguards and other means or methods of protection as nearly uniform as possible, as shall be necessary to carry out all laws, ordinances and lawful orders relative to the prevention of such fire loss.

(c) To fix and order such reasonable standards for the construction and maintenance of such buildings as shall render them safe from such fire loss.

(d) To require the performance of any other act necessary for the prevention of such fire loss.

SEC. 43. Upon the fixing of a time and place for holding a hearing for the purpose of considering and issuing a general safety order or orders as authorized by section 42, the State fire marshal shall cause a notice of such hearing to be published in two or more daily newspapers of general circulation published and circulated in this Commonwealth, such newspapers to be designated by him for that purpose. No defect or inaccuracy in such notice or in the publication thereof shall invalidate any general order issued by the State fire marshal after hearing had. Hearings.

SEC. 44. Whenever the State fire marshal, after a hearing had upon his own motion or upon complaint, shall find that any building is not safe or that the practices or means or methods of operation or processes employed or used in connection therewith are unsafe, or do not afford adequate protection against such fire loss, in any such place, the State fire marshal shall make and serve such order relative thereto as may be necessary to render such place safe from such fire loss, and may in said order direct that such additions, repairs, improvements or changes be made and such equipment and safeguards be furnished, provided and used, as are reasonably required to render such place safe, in the manner and within the time specified in said order. The said fire marshal may fix the time within which any general or special order shall take effect or shall be complied with by any person affected thereby; and may on his own motion or upon application of any owner or any other person affected thereby, grant such time as may reasonably be necessary for compliance with such order. Orders as to changes.

Every such owner and every other person shall obey and com-

- ply with each and every requirement of every general or special order made by the State fire marshal under this section, and shall do everything necessary and proper to secure compliance with and observance of every such general or special order.
- Local authorities.** Sec. 45. Nothing contained in this act shall be construed to deprive the authorities of any county, city or any other municipality, of any power or jurisdiction over or relative to any such building: *Provided*, That, whenever the State fire marshal shall, by order, fix a standard of safety from fire loss, such order shall 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. A copy of every such order shall be filed by the State fire marshal in each county, city or other municipality with the officer or board having jurisdiction over such matters.
- Orders to be recorded.** Sec. 46. The State fire marshal shall enter all orders, general or special, in a permanent record. Every order, general or special, of the State fire marshal made and entered under this section shall be admissible as evidence in any prosecution for the violation of any of its provisions. Unless proceedings for a rehearing upon such order or a review thereof shall have been instituted and be pending, and it shall not then have been finally determined, the provisions of such order shall be presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement of safety from such fire loss.
- Violations.** Sec. 47. Any owner, occupant or other person having control over or charge of any building, structure or other premises and any other person required to do or perform any act herein required, or any other law relating to the State fire marshal, who shall violate any provision of such laws or any part thereof, or who shall fail or refuse to comply with any such provision or any part thereof, or who shall violate or fail or refuse to comply with any lawful order made under such laws, or who, directly or indirectly, knowingly induced another so to do, shall be punished by a fine of not less than ten dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment. In any prosecution under this subsection it shall be deemed prima facie evidence of a violation that the accused has failed or refused to comply with any order, rule, regulation or requirement of the State fire marshal relative to the safety of any building, structure or premises, and the burden of proof shall thereupon rest upon the accused to show that he has complied with such order, rule, regulation or requirement. Every violation of the provisions contained in sections 39, 40 and 45 or any part or portion thereof by any person or corporation is a separate and distinct offense and, in the case of a continuing violation thereof, each day's continuance thereof shall constitute a separate and distinct offense.
- Approved March 15, 1916.

CHAPTER 21.—*Payment of wages—Semimonthly pay day.*

- Scope of law.** SECTION 1. Every corporation for pecuniary profit engaged in any enterprise or business within the State of Kentucky shall, as often as semimonthly, pay to every employee engaged in its business all wages or salary earned by such employee to a day not more than eighteen (18) days prior to the date of such payment.
- Absent employees.** e m - And 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 is discharged therefrom shall be paid in full following his or her dismissal or voluntary leaving 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 its employees or by any other means, secure exemption from the provisions of this act. And each any [and]
- Waivers.**

every employee of a 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 in this State.

Sec. 2. Any corporation coming within the meaning of this act violating the provisions of section one (1) of this act shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) 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 (1) of this act shall constitute a separate offense.

Approved March 15, 1916.

CHAPTER 23.—*Employment of women and children.*

[This act amends section 331-A 1, of chapter 72, Acts of 1914, by adding thereto the following:]

Provided, however, That nothing in this act shall prevent a child under sixteen years of age from being employed to perform or from performing in a duly licensed theater if such child is not an inhabitant or resident of the Commonwealth of Kentucky and at the time of such performance is accompanied by or in the custody, care or control of a parent, guardian, governess, teacher or some other adult custodian who remains in the wings or behind the curtains or scenery in such theater during the performance of such child and accompanies such child to and from the theater to the child's place of abode while performing at such theater.

Violations.

Employment
of children in
theaters.

CHAPTER 37.—*Factory; etc., regulations—Manufacture of food products.*

SECTION 1. Every building, room, basement, inclosure or premises, occupied, used or maintained as a bakery, confectionery, cannery, packing house, slaughterhouse, creamery, cheese factory, restaurant, hotel, grocery, meat market, or as a factory, shop, warehouse, any public place or manufacturing establishment used for the preparation, manufacture, packing, storage, sale or distribution of any food as defined by statute, which is intended for sale, shall be properly and adequately lighted, drained, plumbed, and ventilated, and shall be conducted with strict regard to the influence of such conditions upon the health of the operatives, employees, clerks, or other persons therein employed, and the purity and wholesomeness of the food therein produced, prepared, manufactured, packed, stored, sold or distributed.

Sanitation,
etc.

Sec. 2. The floors, side walls, ceilings, furniture, receptacles, implements and machinery on every such establishment or place where such food intended for sale is produced, prepared, manufactured, packed, stored, sold or distributed, and all cars, trucks, and vehicles used in the transportation of such food products, shall at no time be kept or permitted to remain in an unclean, unhealthy or insanitary condition; and for the purpose of this act, unclean, unhealthful and insanitary conditions shall be deemed to exist if * * * the clothing of operatives, employees, clerks or other persons therein employed, is unclean.

Cleanliness.

Sec. 3. The side walls and ceilings of every bakery, confectionery, creamery, cheese factory and hotel or restaurant kitchen shall be so constructed that they can easily be kept clean; and every building, room, basement or inclosure occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food shall have an impermeable floor made of cement or tile laid in cement, brick, wood or other suitable material which can be flushed and washed clean with water.

Construction
of rooms.

- Toilet rooms, etc.** SEC. 5. Every such building, room, basement, inclosure, or premises occupied, used, or maintained for the production, preparation, manufacture, canning, packing, storage, sale or distribution of such food shall have adequate and convenient toilet rooms, lavatory or lavatories. The toilet room shall be separate and apart from the room or rooms where the process of production, preparation, manufacture, packing, storing, canning, selling and distributing is conducted. The floors of such toilet rooms shall be of cement, tile, wood, brick or other nonabsorbent material, and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues and pipes discharging into soil pipes or shall be on the outside of and well removed from the building. Lavatories and wash rooms shall be adjacent to toilet rooms, or when the toilet is outside of the building, the wash room shall be near the exit to the toilet and shall be supplied with soap, running water and towels and shall be maintained in a sanitary condition.
- Cuspidors.** SEC. 7. Every person, firm, or corporation operating or maintaining an establishment or place where food is produced, prepared, manufactured, packed, stored, sold or distributed shall provide the necessary cuspidors for the use of the operatives, employees, clerks and other persons, and each cuspidor shall be thoroughly emptied and washed out daily with water or a disinfectant solution, and five ounces thereof shall be left in each cuspidor while it is in use. Whoever fails to observe the provisions of this section shall be guilty of a misdemeanor, and punished as hereinafter provided.
- Expectoration.** SEC. 8. No operative, employee, or other persons shall expectorate on the food, or on the utensils, or on the floors or side walls of any building, room, basement or cellar where the production, preparation, manufacture, packing, storing or sale of any such food is conducted. Operatives, employees, clerks, and all other persons who handle the material from which such food is prepared or the finished product, before beginning work, or after visiting toilet or toilets, shall wash their hands thoroughly in clean water. Whoever fails to observe or violates the provisions of this section shall be guilty of a misdemeanor and punished by a fine of not more than twenty-five dollars.
- Washing hands.** SEC. 9. It shall be unlawful for any person to sleep, or to allow or permit any person to sleep in any workroom of a bakeshop, kitchen, dining room, confectionery, creamery, cheese factory, or any place where food is prepared for sale, served or sold, unless all foods therein handled are at all times in hermetically sealed packages.
- Sleeping in workrooms.** SEC. 10. It shall be unlawful for any employer to require, suffer or permit any person who is affected with any contagious or venereal disease to work, or for any person so affected to work, in a building, room, basement, inclosure, premises or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution or transportation of food.
- Discased employees.** SEC. 11. It shall be the duty of the officials in charge of the enforcement of the pure food laws of the State, and of the State board of health, and the county and city health officers, and the duly appointed agents of all such, to enforce the provisions of this act, and for that purpose such officers shall have full power at all times to enter every such building, room, basement, inclosure, or premises occupied or used or suspected of being occupied or used for the production, preparation or manufacture for sale, or the storage, sale, distribution or transportation of such food, to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid; and if upon inspection any such food producing or distributing establishment, conveyance, or any employer, employee, clerk, driver or other person is found to be violating any of the provisions of this act, or if the production, preparation, manufacture, packing, storage, sale, distribution or transportation of such food is being conducted
- Enforcement.**
- Violations.**

in a manner detrimental to the health of the employees and operatives, or to the character or quality of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector making the inspection or examination shall report such conditions and violations to the chief pure food official, or to the State board of health, or to the chief county or city health officer, as the case may be, and such officer or officers shall thereupon issue a written order to the person, firm or corporation responsible for the violation of condition aforesaid to abate such condition or violation or to make such changes or improvements as may be necessary to abate them, with[in] such reasonable time as may be required in which to abate them. * * *

Approved March 23, 1916.

CHAPTER 95.—*Department of Agriculture, Labor and Statistics—Reports.*

SECTION 1. Section thirty-six of chapter four, Kentucky Statutes, Carroll's Edition, nineteen hundred and fifteen is hereby amended and made to read as follows:

Sec. 36. He shall before the assembling of each regular session of the general assembly compile a report giving a general review of the agricultural, horticultural, mineral and industrial resources of the State with brief notices of each county, the character of labor generally employed in mines, factories and the cultivation of the soil and the price paid therefor and such other information as he is required to gather; he shall have a sufficient number not exceeding five thousand printed for the use of the general assembly and for general distribution. He shall annually prepare a condensed statement of the condition and capacity of the State as regards its agricultural, horticultural and mineral resources[,] its manufacturing and domestic arts, average price of land and labor in the different sections, its traveling, exporting and educational facilities, a brief review of its climate, its geographical position and general topography and other suitable subjects designed to induce immigration to this State which statement in the form of a report the commissioner may cause to be printed in a cheap pamphlet form.

Biennial reports.

Annual statements.

(Neither approved nor disapproved by the governor.)

70404°—Bull. 213—17—4

LOUISIANA.

ACTS OF 1916.

ACT No. 27.—*Employment of children—Compulsory school attendance.*

SECTION 1. From and after September the first, 1916, every parent, guardian, or other person residing within the State of Louisiana, having control or charge of any child or children between the ages of seven and fourteen years, both inclusive, shall send such child or children to a public or private day school under such penalty for noncompliance herewith as is hereinafter provided. Scope of law.

SEC. 2. The minimum session of attendance required under this act shall be one hundred forty days, or for the full session of the public schools where the public-school session is one hundred forty days or less, and children shall be required to enter school not later than two weeks after the opening of the session or term. Term.

SEC. 3. The following classes of children between the ages of seven and fourteen years shall be exempted from the provisions of this act, the parish school board to be the sole judge in all such cases; (a) children mentally or physically incapacitated to perform school duties; (b) children who have completed the elementary course of study; (c) children living more than two and one-half miles from a school of suitable grade and for whom free transportation is not furnished by the school board; (d) children for whom adequate school facilities have not been provided; (e) children whose services are needed to support widowed mothers. Exemptions.

Approved June 23, 1916.

ACT No. 102.—*Assignments of wages—Wage brokers.*

SECTION 1. No person, firm or corporation shall engage in the business of making advances or loans of money on assignments of salaries or wages, or on salaries or wages without assignments or orders, without first having obtained a license to do such business in the manner hereinafter provided. License re-

SEC. 2. There is hereby levied an annual license tax by the State of Louisiana for the conduct of such business which shall be graded according to the actual capital in use in said business as follows: Tax.

First class—Where the capital in use is more than \$25,000 the license shall be \$500.

Second class—Where the capital in use is less than \$25,000 the license shall be \$250.

Provided, That if any person, firm or corporation carrying on the business designated in section 1. shall conduct more than one office or place of business whether in the same or under different names, such person, firm or corporation shall pay a separate license for each and every office or place of business it shall conduct according to the hereinabove specifications. Two or more offices.

SEC. 3. The police jury, commission council, city council, or other governing body of any parish, city, town or village, shall be empowered to levy an additional license which shall be graded according to the capital in use as specified in section 2 of this act. Local li-

- Reports.** SEC. 5. Whenever the State shall issue a license to do business as herein provided, the officer issuing such license shall report to the State commissioner of labor and industrial statistics, the name and address of the person, firm or corporation to which such license is issued, and it shall be the duty of said commissioner within thirty days of the issuance of such license to require a report from the licensee under oath, on blanks to be furnished at the expense of the State, containing the name of the person, firm or corporation engaged in said business, the location of the place of business, and the amount of capital in use in said business at the date of making such report, and all other funds used in loanable capital in said business and obtained other than through capital contribution.
- Interest.** SEC. 6. The borrower shall not be permitted to pay, nor the lender to charge, whether in the form of interest, commissions, discounts, or fees of whatsoever sort, a total of more than eighteen per cent per annum for the actual length of time the money is used.
- Records.** SEC. 7. Any person, firm or corporation engaged in the business mentioned in section 1 of this act, shall keep a full, true and correct record of all loans and advance[s] made by him or it, which record shall show the names and addresses of the person, firm or corporation to whom such loans are made, the rate of interest and the terms of such loans or advances; and shall also keep a true and correct record of all sums repaid to him or it on account of such loan or loans as principal, or interest thereon, or as commissions or as a fee or fees of any and every sort connected therewith.
- Employer to accept.** SEC. 8. No assignment of or order for wages to be earned in the future, shall be valid in favor of the person, firm or corporation engaged in business as provided for in this act, against the employer of the person making such assignment or order, until such assignment or order is accepted in writing by said employer.
- Wife to sign.** SEC. 9. No assignment of or order for wages or salaries to be earned in the future shall be valid when made by married men, unless the written consent of his wife to the making of such assignment or order is attached thereto: *Provided*, That where a married man is living separate and apart from his wife for a period of five months prior to such assignment or the giving of such order, then such consent shall not be required.
- Violations.** SEC. 10. Any person, firm or corporation who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum of not less than \$250 nor more than \$500.
- Forfeitures.** SEC. 11. Any person, firm or corporation who shall be convicted of a violation of the provisions of this act shall have his or its license to do business under the provisions of this act, summarily revoked, and all loans made or entered into in contravention of the provisions of this act shall be canceled and declared void and of no force and effect.

Approved July 5, 1916.

ACT No. 108.—*Payment of wages—Semimonthly pay day.*

SECTION 1. Act No. 25 of the acts of the General Assembly of Louisiana for the year 1914 [shall] be amended and reenacted so as to read as follows:

[The amendment to section 1 consists in inserting the words "oil companies and mining companies" after the word "association," in the first line; also inserting the words "or engaged in boring for oil and in mining operations" before the words "employing as many as ten men."

[Section 2 is amended by striking out the maximum limitation of the term of imprisonment (sixty days) imposable for a violation of the act.]

ACT No. 146.—*Factory, etc., regulations—Safety appliances.*

SECTION 1. Any corporation, company, concern or other employer or any officer of any corporation, company, concern or other employer who shall knowingly fail to provide proper safeguards on machinery or who shall knowingly permit any defective machinery to remain in any factory or other place where workmen are employed shall be guilty of a misdemeanor and shall be punished by a fine as provided in section two. Duty of employers.

SEC. 2. Any violator of this act shall be punished by a fine not exceeding five hundred dollars (\$500) and not less than ten dollars (\$10).

Approved July 5, 1916.

ACT No. 177.—*Employment of women and children.*

SECTION 2. Sections four and five of act 301 of 1908 [shall] be amended and reenacted so as to read as follows:

SEC. 4. No child or person under the age of 18 years, and no woman shall be employed in any of the places and industries enumerated in section 1 of this act for a longer period than ten hours per day of [or] 60 hours per week. There shall be one hour allowed each day for dinner, but such dinner time shall not be included as part of the working hours of the day. In case two-thirds of the employees so desire, time for dinner may be reduced at their request to not less than thirty minutes: *Provided*, That this shall not apply to persons working in stores or mercantile establishments on Saturday nights, in which more than five persons are employed. Any violation of this provision shall be punishable by a fine of not less than \$25 or more than \$50, or by imprisonment in the parish jail (parish prison in New Orleans), for not less than ten days or more than six months, or both, in the discretion of the court. Hours of labor.

SEC. 5. No boy under the age of 16 years, and no girl under the age of 18 years, shall be employed at any work before the hour of 6 in the morning, or after the hour of 7 at night: *Provided*, That this shall not apply to persons working in stores or mercantile establishments on Saturday nights, in which more than five persons are employed. Any violation of this provision shall be punishable by a fine of not less than \$25 nor more than \$100, or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than six months, or both, in the discretion of the court. Time for meals.

Approved July 6, 1916.

ACT No. 188.—*Coercion of employees—Company stores.*

SECTION 1. It shall hereafter be unlawful for any person, individual, firm or corporation acting either for themselves, or as agents or otherwise to coerce or require any of their employees to deal with or purchase any article of food, clothing or merchandise of any kind whatsoever from any individual, person, firm or corporation. Coercion forbidden.

SEC. 2. It shall be unlawful for any individual, person, firm or corporation or employer of labor to exclude from work or to punish or blacklist any of said employees for failure to deal with another or to purchase any article of food, clothing or merchandise whatsoever from another or at any place whatsoever: *Provided, however*, That this act shall not apply to the sale and purchase of uniforms. Same.

SEC. 3. Any violation of this act shall be a misdemeanor and punishable by a fine of not less than \$50 or more than \$100, or imprisonment for at least 30 days or not more than 90 days, or both, at the discretion of the court. Penalty.

Approved July 6, 1916.

ACT No. 220.—*Employment of women and minors in barrooms.*

SECTION 1. Section 5 of Act No. 176 of 1908, approved July 3, 1908, [shall] be amended and reenacted, so as to read as follows:

Licensing fe-
males.

Sec. 5. Hereafter no license as a retail liquor dealer, or as a retail malt and vinous liquor dealer, shall be issued to any woman; and no person, firm or corporation conducting a barroom, cabaret, coffee house, café, beer saloon, liquor exchange, drinking saloon, grogshop, beerhouse, beer garden, or other places where spirituous, vinous or malt liquors or intoxicating beverages are sold in this State, shall employ any woman or girl, or minor, to serve any intoxicating or nonintoxicating liquors or permit any woman, girl or minor to serve intoxicating or non-intoxicating liquors in any barroom, cabaret, coffee house, café, beer saloon, liquor exchange, drinking saloon, grogshop, beerhouse or beer garden or other place, where spirituous, vinous or malt liquors or intoxicating beverages are sold.

Employment
forbidden.

Penalty.

Sec. 2. Any person violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine in a sum not less than \$50 nor more than \$500 or be imprisoned in the parish jail or parish prison for not more than two (2) years, or by both such fine and imprisonment.

Approved July 6, 1916.

ACT No. 270.—*Employers' liability insurance—Deductions from wages for premiums.*

Deducting
premiums for-
bidden.

SECTION 1. It shall be unlawful for any person, firm or corporation, or his or its agent or representative, directly or indirectly, to deduct from the wages or other compensation of any employee of such person, firm or corporation, any contribution to pay, or toward the payment of, any premium or other charge of employer's liability insurance, or to demand, request or accept of any employee such contribution or payment for such purposes; or to demand or request of any employee that he or she make any payment or contribution for such purpose to any other person, firm or corporation.

Penalty.

Sec. 2. Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding five hundred (\$500) dollars, or by imprisonment in the parish prison or jail not exceeding a year, or by both such fine and imprisonment, at the discretion of the court.

Approved July 6, 1916.

MARYLAND.

ACTS OF 1916.

CHAPTER 147.—Employment of women—Hours of labor.

SECTION 1. Section 14 of * * * an act to amend article 100 of the Code of Public General Laws * * * is hereby repealed and reenacted, so as to read as follows:

Sec. 14. No female shall be employed or permitted to work in any manufacturing, mechanical, mercantile, printing, baking or laundering establishment more than ten hours in any one day, nor more than sixty hours in any one week, nor more than eight hours in any one day, if any part of her work is done before six o'clock in the morning or after ten o'clock in the evening of the said day, nor shall any female be employed or permitted to work for more than six hours continuously at any one time in any of the aforesaid establishments in which three or more such persons are employed, without an interval of, at least, a half hour, except that such female may be so employed for not more than six and a half hours continuously at one time, if she shall not be permitted to work during the remainder of the day in her said employment: *Provided, further*, That the invalidity of any portion of this act, shall in no way affect the validity of any other portion thereof, which can be given effect, without such invalid part. But the provisions of this section shall not apply to females employed in the canning or preserving, or preparing for canning or preserving of perishable fruit and vegetables: *And provided further*, That in any retail mercantile establishments located outside of the city of Baltimore a female may be permitted to work on Saturdays and on Christmas Eve and the five working-days next preceding Christmas Eve not more than twelve hours, if during each of such Saturdays and Christmas Eve and five days aforesaid the female so employed shall have at least two rest intervals of not less than one hour each, and this provision shall only apply to such mercantile establishments as have during the remainder of the calendar year a working-day of not more than nine hours.

Ten-hour day.

Nightwork.

Time for meals.

Canneries.

Retail stores outside Baltimore.

Approved April 4, 1916.

CHAPTER 222.—Employment of children—General provisions.

SECTION 1. Section 4, etc. * * * of article 100 of the Code of Public General Laws of Maryland, * * * are hereby repealed and reenacted with amendments so as to read as follows:

Sec. 4. No child under fourteen years of age shall be employed, permitted or suffered to work in, about, or in connection with any mill, factory, workshop, mechanical establishment, tenement house, manufactory or workshop, office building, restaurant, bakery, barber shop, hotel, apartment house, bootblack stand or establishment, public stable, garage, laundry, or as a driver or in any brick or lumberyard, or in the construction or repair of buildings, or as a messenger for telegraph, telephone or messenger companies, or in any mercantile establishment, store, office, boarding house, place of amusement, club or in the distribution, transmission or sale of merchandise.

Age limit.

Canneries, etc. Sec. 5. No child under twelve years of age shall be employed, permitted, or suffered to work in, about or in connection with any canning or packing establishment.

Children under 16 years. Sec. 7. 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; sewing or lacing machine belts in any workshop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the following machines: Circular or band saw, crosscut saws, slashers, or other cutting machines; wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery, wood turning or boring machinery, picker machines or machines used in picking wool, cotton, hair or any other material, carding machines, paper-lace machines, leather-burnishing machines, job or cylinder printing presses operated by power other than foot power, boring or drill presses, stamping machines used in sheet metal and tinware or in paper and leather manufacturing or in washer or nut factories, metal or paper cutting machines, corner-staying machines in paper-box factories, corrugating rolls, such as are used in corrugated paper, roofing or washboard factories, steam boilers, dough brakes or cracker machinery of any description, wire or iron straightening or drawing machinery, rolling-mill machinery, power punches or shears, washing, grinding, or mixing machinery, calender rolls in paper or rubber manufacturing, laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or on any machine or machinery operated by power other than foot or hand power; or upon any railroad, whether steam or electric or hydraulic; or upon any vessel or boat engaged in navigation or commerce.

Same. Sec. 8. No child under the age of sixteen years shall be employed, permitted, or suffered to work in any capacity in, about or in connection with any processes in which dangerous or poisonous acids are used; nor in the manufacture or packing of paints; colors, white or red lead; nor in soldering; nor in occupations causing dust in injurious quantities; nor in the manufacture or use of dangerous or poisonous dyes; nor in the manufacture or preparation of compositions with dangerous or poisonous gases; nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; nor in scaffolding, nor in heavy work in the building trades; nor in any tunnel or excavation; nor in, about or in connection with any mine, coal breaker, coke oven or quarry; nor in any factory or establishment where tobacco or tobacco products are prepared, manufactured, assorted or packed; nor in operating any automobile, motor car or truck; nor in a pool or billiard room, theater, or moving-picture establishment; nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child; nor shall any child under the age of sixteen years be employed, permitted or suffered to appear upon the stage of any theater or concert hall in connection with any professional theatrical performance, exhibition or show.

Certificates. Sec. 9. No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in sections 4 and 5 unless the person, firm or corporation employing such child procures and keeps on file, and accessible to any attendance officer, inspector of factories, or other authorized inspector or officer charged with the enforcement of this act, the employment certificate as hereinafter provided, issued to said child; and unless such employment, permission or sufferance to work in, about or in connection with said establishments or occupations shall be in accordance with the terms and regulations laid down for said employment certificates as hereinafter provided.

Sec. 11. On termination of the employment of a child under sixteen years of age, the employment certificate issued to such child shall be returned by registered mail by the employer to the official issuing the same within twenty-four hours if said return is demanded by said child and otherwise within fifteen days of the termination of said employment, and the official to whom said certificate is so returned shall file and preserve the same until another certificate is issued to said child or until said child reaches the age of sixteen years, and on the return of said certificate shall notify the chief of the bureau of statistics and information of said return. Any child whose employment certificate has been returned as above provided shall be entitled to a new certificate without reexamination except a physician's certificate that the child is physically able to undertake the work for which the new certificate is to be issued, and such reissue of a certificate shall be subject to all conditions as to recording and reporting governing the original issue.

Return of certificates.

Reissue.

Sec. 12. An employment certificate shall be issued in Baltimore City only by the chief of the Maryland Bureau of Statistics and Information, and in the counties by said chief or by the county superintendent of schools of the county in which said child resides, or by some person designated in writing by said superintendent. The employment certificate shall be issued only upon application in person of the parent, guardian, or legal custodian of the child desiring such employment, or if said child have no parent, guardian or legal custodian, then by next friend, but no certificate shall be issued by any person for any child then in, or about to enter such person's own employment, or the employment of a firm or corporation of which said person is a member, officer or employee. Employment certificates shall be of two classes: General employment certificates and vacation employment certificates. General employment certificates shall entitle the child to work during the entire year; vacation employment certificates shall entitle the child to work during the entire year excepting during such time as said child is required to attend public or private school under the provisions of the laws now in force, or hereafter to be enacted.

Who to issue certificates.

Sec. 13 (as amended by chapter 701, Acts of 1916). The person authorized to issue a general employment certificate shall not issue such certificate until he has received, examined, approved and made a record of the following papers, duly executed, viz:

Evidence.

(1) The school record of such child properly filled out and signed, as provided in this act, which school record shall be furnished without charge to any child applying therefor by the superintendent or teacher in charge of the school or schools attended by said child.

(2) A certificate signed by a physician appointed by the officer authorized to issue such permit stating that such child has been examined by him, and, in his opinion, has reached the normal physical development of a child of its age and is in sufficiently sound health and physically able to be employed in the occupation or process for which a permit is applied for.

Physician's certificate.

(3) Evidence of age showing that the child is fourteen years old or upward, which shall consist of one of the following proofs of age and shall be required in the order herein designated as follows:

Age.

(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 births, which certificate shall be prima facie evidence of the age of such child.

(b) A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

(c) In case none of the proofs required by subdivisions (a) or (b) of this section can be produced, the officer issuing said permit may issue a temporary permit allowing said child to work for ten

If proofs are lacking.

days, and shall accept as full proof of age the sworn affidavit of the child's parent, guardian, legal custodian, or next friend, such affidavit containing the name of said child, alleged age, place and date of birth and present residence and any other matter that may assist in determining the age of the child, and the further affidavit that the evidence of age required by subdivisions (a) or (b) of this section can not be produced by the applicant; and if, upon investigation by the officer no facts appear contradicting any of the material statements of such application, the officer may after 10 days issue a regular permit for such child: *Provided*, That the officer issuing permits shall not accept the foregoing affidavit unless said affidavit be accompanied by the written certificate of the physician appointed by the officer authorized to issue such permits, certifying that he has made a physical examination and inspection of said child and verily believes said child to be of the full age of fourteen years, and whenever practical all information required by subdivision (c) and paragraph (2) of this section shall be embraced in one certificate.

The officer issuing the certificate shall require the evidence of age specified in subdivision (a) in preference to that specified in subdivisions (b) or (c), and the evidence of age specified in subdivision (b) in preference to that specified in subdivision (c), and shall not accept the evidence of age permitted by subdivision (c) unless he shall receive and file in addition thereto or as part thereof an affidavit of the parent, guardian, legal custodian or next friend showing that no evidence of age specified in any preceding subdivision or subdivision[s] of this section can be produced by the applicant.

Employment ticket. (4) An employment ticket signed by the prospective employer, stating the occupation, industry, and place in which such child is to be employed.

Personal appearance. Sec. 14. No employment certificate shall be issued until the child in question has personally appeared before and been examined by the officer issuing the certificate, nor until such officer, after making such examination, has signed and filed in his office a statement that the child can read intelligently and write legibly simple sentences in the English language.

Vacation employment. Sec. 15. The person authorized to issue a vacation employment certificate shall not issue such certificate until the child in question has personally appeared before said person authorized to issue said certificates, and until said person so authorized has received and approved the following papers duly executed, viz:

(1) Evidence of age, showing that said child is twelve years or upwards, which evidence of age, shall consist of A, B or C, as set forth in section 13 above, or in lieu of said evidence A, B or C, in case they can not be presented, a statement from a regular physician designated by said person authorized to issue said certificate, certifying that he has examined said child and that in his opinion said child is of the age of twelve years or upward, together with the affidavit of the parent, guardian, legal custodian or next friend of such child, that such child is above the age of twelve years.

(2) A statement from a regular physician designated as above, certifying that he has examined said child, and that in his opinion said child is physically able to undertake the work for which said certificate is to be issued.

Forms, etc. Sec. 16. All employment certificates shall be issued on forms supplied by the bureau of statistics and information. All certificates issued in Baltimore City shall be in duplicate and one copy shall be retained in the files of said bureau for the period of four years from the date of issue. All certificates issued in any of the counties of Maryland shall be made out in duplicate and one copy shall be delivered by the person issuing said certificate to the bureau of statistics and information and shall be preserved in the files of said bureau for the period of four years from the date of said issue; and the person issuing said certificate in any of the

said counties, shall also make a record of each application for any employment certificate upon blanks furnished by said bureau, and shall preserve same for a period of four years from the date of application. Whenever a certificate shall be refused to any child, a statement of the name and address of said child, together with the reasons for the refusal of said certificate and the school which said child should attend, shall be forwarded by the person refusing to issue said certificate to the county superintendent of schools of the county in which said child resides, if the child resides in one of the counties of this State, and to the bureau of statistics and information, and said statements shall be placed on file and preserved until such time as such child, if living, shall have reached the full age of sixteen years. All employment certificates shall also contain the name and address of the prospective employer and the nature of the occupation in which said child is to be engaged, and no certificates shall be valid excepting in the hands of the employer so named and for the occupation so described.

Sec. 23. No female under sixteen years of age shall be employed permitted or suffered to work in any capacity where such employment compels her to remain standing constantly.

Sec. 25. Every employer shall post and keep posted in a conspicuous place in every establishment wherein any person under the age of sixteen years is employed, permitted or suffered to work, a printed copy of the sections of this act relating to hours of labor, and a schedule stating the maximum number of hours such person may be required or 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. Such copies and the printed form of such schedules shall be prepared by the Maryland Bureau of Statistics and Information and be furnished by it on application of such employer, and the employment of any such person for a longer time in any day than so stated, or at any other time than as stated in said schedule shall be deemed a violation of the provisions of this act.

Sec. 26. No boy under twelve years of age and no girl under sixteen years of age shall in any city having a population of 20,000 or over distribute, sell, expose, or offer for sale newspapers, magazines, or periodicals in any street or public place: *Provided*, That nothing in this section shall apply to any boy who at the time of the passage of this act is duly licensed to sell newspapers under section 28, but any such boy shall be entitled to have his permit renewed upon its expiration unless otherwise disqualified: *And provided further*, That a permit and special badge may be issued to boys not less than ten years of age authorizing the holder to distribute newspapers on a regular route between the hours of three-thirty and five o'clock p. m.

Sec. 28. No boy under sixteen years of age shall in any city having a population of 20,000 or over distribute, sell, expose or offer for sale in any street or public place any newspapers, magazines, or periodicals, or work in any of the trades or occupations mentioned in section 27, unless he complies with all the legal requirements concerning school attendance and unless a permit and badge as hereinafter provided shall have been issued to him by the officer authorized to issue employment permits under this act, upon the application in person of the parent, guardian or custodian of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian, then upon the application of his next friend, being an adult.

Sec. 29. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined and approved the following papers duly executed, viz:

(1) Evidence that such boy is of the age required by section 26 or 27, as the case may be. Such evidence of age shall consist of the proof of age required for the issuing of an employment certificate, as specified in section 13, subdivision (3) of this article.

Preservation.

Refusals.

Prospective
employer.Seats for
girlsAct to be
posted.

Newsboys, etc.

Street trades.

Permits, etc.

Evidence.

(2) The written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school with the grade such child shall have attained. After having received, examined and approved such papers, the officer shall have authority, in his discretion, to issue to the child a permit and badge: *Provided*, That in the case of a boy between the ages of fourteen and sixteen having an employment certificate, such certificate shall be accepted by the officer issuing such permit and badge in lieu of any other requirements. The officer issuing such permits and badges shall keep a complete list of all children to whom permits and badges have been issued as herein provided, and said officer may require every such child to deposit a sum of money equal to the cost price of said badge not to exceed fifty cents for each additional badge, which sum shall be returned to the child upon surrender of the badge.

- Contents.** Sec. 30. Such permit shall state the name and the date and place of birth of the child, the name and address of the parent or guardian or custodian or next friend making application for such permit, and shall describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such child, and shall further state that the papers required by the preceding sections have been duly examined and signed and that the child named in such permit has personally appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit. Every such permit on its reverse side shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.
- Badges.** Sec. 31. The badge provided for herein shall be worn conspicuously at all times by such child while so working. All such permits and badges shall expire one year from the date of issue, and no such permit or badge shall be authority beyond the period fixed therein for its duration.
- Transfer.** No child to whom such permit and badge are issued shall transfer the same to any other person. He shall exhibit the same upon demand at any time to any officer charged with the duty of enforcing the provisions of this act relating to street trades.
- Violations.** Sec. 37. Any person, firm, or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through agents, servants, or foremen, employs, permits, or suffers any child to work, and whoever having under his control as parent, guardian, custodian or otherwise, any child, permits or suffers such child to be employed or to work, in violation of any of the provisions of this act, shall for a first offense be punished by a fine of not more than ten dollars; for a second offense by a fine of not more than fifty dollars, or by imprisonment for not more than ten days or by both such fine and imprisonment.
- Retaining certificates.** Sec. 39. Any person, firm or corporation, retaining an employment certificate in violation of section 11 of this act shall be fined not more than ten dollars.
- Failure to have certificates.** Sec. 40. Every employer who fails to procure and keep on file employment certificates for all children employed under the age of sixteen years, as provided in section 9 of this act, shall be fined not more than ten dollars.
- Failure to post act.** Sec. 41. Any employer who fails to post and keep posted the printed notices and schedules required by section 25 of this act in the manner therein specified shall be fined not more than ten dollars.
- Interfering with officials.** Sec. 42. Any person, firm or corporation who hinders or delays any factory inspector, attendance officer or any officer charged with the enforcement of any of the provisions of this act in the performance of his or her duties, or refuses to admit or locks out any such inspector or officer from any place which said inspectors or officers are authorized to inspect, shall be punished by a fine of

not more than ten dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment.

Sec. 43. Any inspector of factories or other authorized inspector, attendance officer, superintendent of schools or other person authorized to issue employment certificates or permits and badges as required by this act, or other person charged with the enforcement of any of the provisions of this act, who knowingly and willfully violates or fails to comply with any of the provisions of this act, shall be fined not more than ten dollars, and if an employee of the bureau of statistics and information, in addition thereto shall be subject to dismissal by the chief of said bureau.

Violations by officials.

Sec. 46. Any person who either for himself or herself or as agent of any other person or of any corporation, 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 act, or who shall furnish or sell articles of any description to a minor after having received written notice from any officer charged with the enforcement of this act, or from the officer issuing the permit and badge required by section 28, that said minor is unlicensed to sell such articles, or who shall furnish or sell to any minor required to have a permit and badge as provided by section 28, any newspapers, magazines or periodicals with the knowledge that said minor intends to sell the same, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than ten days or by both such fine and imprisonment; and any sale of such articles at less than the current retail price thereof shall be prima facie evidence that the person so selling had knowledge that the minor to whom said sale was made intended to resell said articles.

Furnishing articles unlawfully.

Sec. 48. The chief of the Maryland Bureau of Statistics and Information is hereby authorized to appoint four inspectors at a compensation not exceeding one thousand dollars each per annum, and three officers whose duty it shall be to issue and supervise the issuance of employment certificates, and to act as inspectors, at a compensation not exceeding twelve hundred dollars each per annum, and one officer who shall act as inspector of street trades, at a salary not exceeding twelve hundred dollars per annum, to carry out the provisions of this act; they shall also be allowed their actual expenses when away from the city of Baltimore on the business of their office; they shall be attached to and be part of the Maryland Bureau of Statistics and Information, and be subject to the order of the chief of said bureau, whose duty it shall be to see that the provisions of this act are enforced; and said chief of said bureau is further empowered to designate one or more regular physicians and other attendants who shall be attached to and be part of the Maryland Bureau of Statistics and Information, and be subject to the order of the chief of said bureau, and who shall have such duties and receive such compensation as shall be determined upon by said chief: *Provided, however,* That the total compensation of all physicians and attendants so employed by said chief of the Maryland Bureau of Statistics and Information shall not exceed twenty-five hundred dollars per annum.

Inspectors.

Expenses.

SEC. 2. A new section of said article 100 * * * to be known as section 22A, is hereby enacted to read as follows:

Sec. 22A. No child under the age of sixteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation mentioned in section 4 of this act (1) for more than six days in any one week, (2) nor more than forty-eight hours in any week, (3) nor more than eight hours in any one day; or (4) before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein.

Six-day week.

Hours of labor.

Nightwork.

Approved April 11, 1916.

CHAPTER 406.—*State board of labor and statistics.*

SECTION 1. Sections 1 and 2 of article 89 of the Annotated Code of Maryland, Volume II, title "Statistics and Information as to Branches of Industry," hereby are respectively repealed, and respectively reenacted with amendments, so as to read as follows:

Board created. Section 1. A commission is hereby created which shall be known as the State board of labor and statistics, to be composed of three commissioners. Immediately upon the taking effect of this act, the governor shall appoint such commissioners. The term of office of each of said commissioners shall be two years, and until his successor shall be appointed and shall have qualified. Vacancies shall be filled by the governor for the unexpired term. The governor may at any time remove any commissioner from office for inefficiency, neglect of duty or malfeasance in office. The governor shall designate one of said commissioners to be the chairman of the board. The other two commissioners shall be known as advisory members of the board. A majority of the members of the board shall constitute a quorum for the transaction of all business. The salary of the chairman shall be two thousand five hundred dollars (\$2,500) per annum, and the salary of each of the advisory members of the board shall be five hundred dollars (\$500) per annum. The said board shall be allowed for actual and necessary expenses incurred in the discharge of its duties.

Bureau abolished. Upon the appointment and qualification of the said State board of labor and statistics, the bureau of statistics and information, and the chief of the industrial bureau, shall be abolished, and all of the powers and duties conferred by this article, or by any other law or laws of this State, upon the said bureau, or its chief, shall thereupon be transferred to and imposed and devolved upon the State board of labor and statistics hereby created, together with all records, documents, papers, moneys and all property and things of or appertaining to said bureau of statistics and information, and its chief, all in like manner and with the same effect and to the same extent as if the said State board of labor and statistics had been originally named in this article, or in said law or laws, as the body upon which said powers and duties were conferred.

Employees. The State board of labor and statistics is authorized and empowered to appoint or employ such deputies, inspectors, assistants and employees of every kind as may be necessary for the performance of the duties now or hereafter imposed upon it by this or any other law: *Provided, however,* That such appointments and employments, and the compensation to be allowed therefor, shall in each and every case be subject to the approval of the governor.

Duties. Sec. 2. It shall be the duty of the said State board of labor and statistics:

First. To collect statistics concerning and examine into the condition of labor in this State, with especial reference to wages, and the causes of strikes and disagreements between employers and employees.

Second. To collect information in regard to the agricultural conditions and products of the several counties of the State, the acreage under cultivation and planted to the various crops, the character and price of lands, the live stock, et cetera, and all other matters pertaining to agricultural pursuits, which may be of general interest and calculated to attract immigration to the State.

Third. To collect information in regard to the mineral products of the State, the output of mines, quarries and so forth, and the manufacturing industries.

Fourth. To collect information in regard to railroads and other transportation companies, shipping and commerce.

Fifth. To keep a bureau of general information, and to this end all officers and institutions of this State, including officers of the general assembly, are directed to transmit to the State board of labor and statistics all reports, as soon as published.

Sixth. To classify and arrange the information and data so obtained, and as soon as practicable after entering upon the duties of its office, publish the same in substantial book form and annually thereafter revise and republish the same.

SEC. 2. A new section hereby is added to said article 89 of the Annotated Code of Maryland, title "Statistics and Information as to Branches of Industry," the same to be subtitled "State Employment Agencies," to follow immediately after section 2 of said article, to be known as section 2A, and to read as follows:

Public employment offices.

Sec. 2A. It shall be the duty of the State board of labor and statistics to organize, establish and conduct free employment agencies, in such parts of the State as such board may deem advisable, for the free use of the citizens of the State of Maryland, for the purpose of securing employment for unemployed persons who may register in said agencies, and for the purpose of securing help or labor for persons registering as applicants for help or labor. The said board shall investigate the extent and the cause or causes of unemployment in this State, and the remedies therefor adopted and applied in the States of this country and in other countries, and report thereon to the governor, and shall do all in its power to bring together employers seeking employees and working and laboring people seeking employment.

Offices to be established

SEC. 3. A new section hereby is added to article 89 of the Annotated Code of Maryland, title "Statistics and Information as to Branches of Industry," subtitle "Arbitration of Labor Disputes," said new section to be subtitled "Arbitration of Disputes between Employers and Employees," to follow immediately after section 10 of said article and subsection, to be known as section 11, and to read as follows:

Arbitration.

Sec. 11. It shall be the duty of the State board of labor and statistics to do all in its power to promote the voluntary arbitration, mediation and conciliation of controversies and disputes between employers and employees, and to avoid resort to lockouts, boycotts, black lists, discriminations and legal proceedings in or arising out of such controversies and disputes and matters of employment. In pursuance of this duty, the said board may, whenever it deems advisable, but subject to the approval of the governor, appoint boards of arbitration for the consideration and settlement of such controversies and disputes, and may provide for the necessary expenses of such arbitration boards, and for such reasonable compensation to the members serving thereon as the said board may deem proper, not exceeding, however, the sum of five dollars per day for each member for each day during which such member is engaged in work upon such arbitration boards. The said board shall prescribe rules of procedure for such arbitration boards, and the said arbitration boards shall have the power to conduct investigations and hold hearings, to summon witnesses, and enforce their attendance through the ordinary processes of law in the cities and counties in which such arbitration boards may meet, subject to all the penalties for nonattendance to which witnesses in ordinary civil cases are subject, and in like manner may require the production of books, documents and papers and may administer oaths, all to the same extent that such powers are possessed and exercised by the civil courts of the State; and said arbitration boards shall make, report and publish findings for the settlement of such controversies and disputes. The said board of labor and statistics shall itself have like power to conduct investigations and hold hearings, summon and enforce the attendance of witnesses, administer oaths, require the production of books, documents and papers, and make and publish reports and findings with respect to any and all matters covered by this section. Subject to the approval of the governor, the board may appoint and designate a deputy, and fix his compensation, who shall be known as the chief mediator, and who, together with any assistants who may be assigned by the board, shall have in charge the execution of the provisions of this section, under the direction and supervision of the board. The chief mediator may act upon

Board to mediate, etc.

Local boards.

Powers.

Chief mediator.

any board of arbitration, but in such event he shall receive no compensation therefor in addition to his ordinary salary. Nothing in this section contained shall affect the provisions with respect to arbitration and award contained in article 7 of the Annotated Code of Maryland, title "Arbitration and Award," nor the provisions with respect to arbitration contained in sections 223 to 228, inclusive of the Baltimore City charter.

SEC. 4. Section 53 of article 100 of the Annotated Code of Maryland, * * * hereby is repealed; and two new sections hereby are added to article 89 * * * to be known respectively as sections 12 and 13, and to read as follows:

Transfer of powers as to woman and child labor.

Sec. 12. Upon the appointment and qualification of the State board of labor and statistics, all the powers and duties specified and set forth in sections 1 to 55, inclusive, of article 100 of the Annotated Code of Maryland, volumes II and III, title "Work—Hours of, in Factories," subtitles "Employment of Miners" and "Hours of Labor for Females," including the receiving and giving of notices, issuing certificates, papers and badges, preparing and furnishing blanks and forms, making complaints and reports, making payments and visiting, inspecting and entering premises, as said powers and duties are conferred by the provisions of said article 100 upon the bureau of statistics and information, or its chief, and upon the inspector and assistant inspectors of female labor, or upon any other inspectors, officers or employees therein named, shall thereupon be transferred to and imposed and devolved upon the State board of labor and statistics, together

Records, etc.

with all records, documents, papers, moneys, and all property and things of or appertaining to the said bureau of statistics and information, and the said inspector and assistant inspectors of female labor, all in like manner and to the same extent and with the same effect as if the said State board of labor and statistics had been originally named in said article as the body upon which said powers and duties were conferred: *Provided, however,* That the powers of the county superintendent of schools in the counties with respect to employment certificates and the issue thereof, and the provisions with reference to school attendance officers and schools' records shall not be affected by this section. Immediately upon such transfer of powers and duties, the said bureau of statistics and information and the chief of the industrial bureau shall be abolished as aforesaid, and the inspector and assistant inspectors of female labor shall also be abolished.

Issue of employment certificates.

Sec. 13. Upon the appointment and qualification of the State board of labor and statistics, all the powers and duties specified and set forth in sections 264 to 275, inclusive, of article 27 of the Annotated Code of Maryland, Volume III, title "Crimes and Punishments," subtitles "Health—Workshops and Factories" and "Health—Workshops and Factories—Sweating System," including the making of registrations, preparing and furnishing blanks and forms, receiving applications, statements, certificates, papers, and information, making inspections and entries, issuing and revoking licenses, consulting records and giving information, as said powers and duties are conferred by said sections 264 to 275, inclusive, of said article 27, upon the bureau of statistics and information, or its chief, or any inspectors, deputies, assistants, officers or employees thereof, shall thereupon be transferred to and imposed and devolved upon the State board of labor and statistics, together with all records, documents, papers, moneys, and all property and things of or appertaining to the said bureau of statistics and information, all in like manner and to the same extent and with the same effect as if the said board of labor and statistics had been originally named in said sections as the body upon which said powers and duties were conferred.

Inspection of factories, etc.

SEC. 5. A new section hereby is added to article 89 * * * to be known as section 14 and to read as follows:

Sec. 14. The sum of eleven thousand, six hundred and sixty-six dollars and sixty-six cents (\$11,666.66) for the portion of the present fiscal year intervening between the first day of June, 1916, and the first day of October, 1916, and the sum of thirty-five thousand dollars (\$35,000) annually for the fiscal years ending September 30, 1917, and September 30, 1918, respectively, or so much thereof as may be necessary annually for the maintenance of the State board of labor and statistics, and the performance of the duties placed upon it by existing law or laws, or by any law or laws passed at the present session of the General Assembly of Maryland, and by all laws hereafter to be passed and the payment of the salaries and expenses of said board and its officers, deputies, assistants, inspectors and employees, is hereby appropriated, and shall be payable on the order or orders of the said board from time to time, as in law provided; and the comptroller shall draw his warrant upon the treasurer of Maryland, as in law provided, for the said appropriation. Appropriations

Sec. 6. A new section hereby is added to article 89 * * * to be known as section 15, and to read as follows:

Sec. 15. All violations of any of the provisions of any of the laws the enforcement of which is by this act transferred to the State board of labor and statistics, which may be committed before this act takes effect, shall be prosecuted and punished as if this act had not been passed. Violations.

All violations of any of the provisions of such laws which may be committed after this act takes effect, shall be prosecuted and punished in accordance with the terms thereof; and whenever such laws confer any rights or privileges of any kind upon any of the boards, commissions, bureaus, inspectors or officials whose powers and duties are by this act transferred to the State board of labor and statistics, and whenever such laws impose any duties or obligations of any kind upon any corporations, firms or individuals with respect to any of the said boards, commissions, bureaus, inspectors, or officials, then all violations of such provisions of such laws shall be prosecuted and punished as if the State board of labor and statistics had been named in such laws as the body having such rights or privileges or to which such duties or obligations were owed.

Approved April 18th, 1916.

CHAPTER 407.—*Employment of children—Hours of labor—Violations.*

SECTION 1. Section 240 of article 27 of the Annotated Code of Maryland, title "Crimes and Punishments," * * * hereby is repealed and reenacted, so as to read as follows:

Sec. 240. Any person who shall so employ a child or suffer or permit such employment shall be guilty of misdemeanor, and upon conviction, shall be fined not less than one hundred dollars; one-half of which shall be paid to the State board of labor and statistics, which is hereby invested with the general duty and power of enforcing this law. Misdemeanor.

Approved April 18, 1916.

CHAPTER 410.—*Mine regulations.*

SECTION 1. Sections 196, 197, 199 and 209Q of article number one of the Code of Public Local Laws of Maryland, * * * and sections 150, 151, 153 and 164P of article number twelve of the Code of Public Local Laws of Maryland, * * * hereby are repealed and reenacted with amendments; said sections as so reenacted to read as follows:

Section 196 of article 1 and section 150 of article 12.

70404°—Bull. 213—17—5

[The amendment to the sections consists in authorizing the appointment of the mine inspector for Allegany and Garrett counties by the State board of labor and statistics, with the approval of the governor, instead of by the governor, by and with the advice and consent of the senate. The salary is to be fixed by the board, with the approval of the governor, whereas the law formerly fixed a salary of \$1,500.

[Section 197 of article 1 and section 151 of article 12 are amended merely by substituting the State bureau of labor and statistics as the party with which reports must be filed in lieu of with the governor.

[Section 199 of article 1 and section 153 of article 12, as amended, read as follows:]

Temporary
vacancies.

In case the inspector becomes incapacitated to perform the duties of his office or receives a leave of absence from the said board, it shall be the duty of the said board to appoint, upon said mine inspector's application, or that of five miners or five operators, some competent person to fill the office of inspector until the said inspector shall be able to resume the duties of his office, and the person so appointed shall be paid in the same manner as hereinbefore provided for the inspector of mines.

[Section 209Q of article 1, and section 164P of article 12 are amended in subsection G, by substituting the State board of labor and industries as the party to which recommendations shall be made, in lieu of the governor.]

CHAPTER 670.—*Mothers' pensions.*

Board re-
ated.

SECTION 1. There is hereby created a board to be known as the board for mothers' relief for Baltimore City, to consist of three members, not more than two of whom shall be of the same sex, to be appointed by the mayor of Baltimore City for a term of four years as hereinafter provided and until their successors have been appointed and qualified. The board for mothers' relief shall sit at such times and as often as the business before it justifies and if any member shall absent himself or herself from five (5) consecutive meetings without giving a satisfactory excuse to the board, his or her office shall become vacant and the mayor shall make an appointment to fill such vacancy. The salary of the members of the board shall be five dollars (\$5) per day for each member, for each and every day the board shall sit, and in addition, the necessary expenses incurred in the discharge of his or her duties.

Organization. Within thirty days after the passage of this act the mayor of Baltimore City shall appoint one member for a period of two years, one for a period of three years, and one for a period of four years, and thereafter as these terms expire, the mayor shall make such appointment for a term of four years. The board shall choose from among its members a chairman, a vice chairman, and a treasurer.

The board shall have the power to employ a secretary and a stenographer. The salary of the secretary shall be twelve hundred dollars (\$1,200) per year and that of the stenographer one thousand dollars (\$1,000) per year.

The duties of the secretary and stenographer shall be to conduct the correspondence of the board, keep a record of its business, assist in investigations of applications, and keep on file applications and such other business as the board may direct. The board for mothers' relief for Baltimore City shall have an office allotted it in the city hall of Baltimore City, in the courthouse of Baltimore City or in such other municipal building as may be obtained.

Duties.

It shall be the duty of the board for mothers' relief for Baltimore City to investigate every application for relief, to hear all witnesses for applicants, and to carry out the provisions of this

act as embodied in all its sections and see to the administration of this act in all its particulars as relating to Baltimore City.

Each member of the board shall for the purpose contemplated by this act have power to issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts, take depositions within or without the State of Maryland as now provided by law, compel the productions of pertinent books, pay rolls, papers, records, documents and testimony: *Provided, however,* That instead of appointing the board for mothers' relief of Baltimore City, as provided in this section, the mayor and city council of Baltimore may, in its discretion, devolve the duties imposed by this act upon said board for mothers' relief upon the supervisors of city charities of Baltimore City.

Powers.

Sec. 2. Nothing in this act shall be construed to affect or interfere with the provisions of the laws of Maryland as now existing relating to the jurisdiction of the supreme bench of Baltimore City, the circuit courts of the State of Maryland, or the juvenile court of Baltimore City in regard to the custody and control of infants.

Relation to courts.

Any mother of a child or children under the age of fourteen (14) years whose husband is dead, and who is unable to support it or them and maintain her home, may present a written application or petition for relief to the county commissioners of the county wherein she resides or to the board for mothers' relief for Baltimore City, if she resides in Baltimore City.

Procedure.

Such application or petition shall be verified by three witnesses and shall set forth the following:

Her name, the name of her husband, the date of the death of her husband, the name or names of her children, the dates and places of their birth and the time and place of her marriage.

Her residence and the length of time she has been a resident and the address or addresses of her place 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.

A statement of all the property belonging to her and to each of her children, which statement shall include any future or contingent interest she or any of them may have.

A statement of the efforts made by her to support her children. The name, relationships, and addresses of such of her and her husband's relatives that may be known to her.

The child or children for whose benefit the relief is granted must be living with the mother of such child or children.

Conditions for relief.

The relief shall be granted only when, in the absence of such relief, the mother would 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 order giving relief, when such work can be done by her without the sacrifice of health or the neglect of home and children.

Such a mother must be a proper person, worthy and fit, to bring up her children.

A mother shall not receive such relief who is the owner of real property or personal property other than the household goods.

A mother shall not receive such relief who has not resided in the county where the application is made, or in the city of Baltimore, at least three years before making such application.

Whenever any child shall arrive at the age of fourteen years (14), the relief granted to the mother for such child shall cease: *Provided,* That if a child of fourteen years of age be ill or is incapacitated for work, the mother shall receive the funds for its care, during such illness or incapacity for work, until such child is sixteen years of age.

Ceases when.

Sec. 3. A copy of the application or petition provided for in section 2 hereof, and a notice of the place where and time when it will be presented, must be served on, or mailed to, the county

Service of application.

commissioners in the county wherein the applicant or petitioner resides or to the board for mothers' relief for Baltimore City, if applicant or petitioner resides in Baltimore City.

Hearing.

SEC. 4. Upon the receipt of the application or petition and notice, the county commissioners, or the board for mothers' relief for Baltimore City, shall set a time and examine under oath all who desire to be heard: *Provided, however,* That the county commissioners of the county wherein applicant or petitioner resides or if the applicant resides in Baltimore City, the said board shall, of themselves or through their agents, before said hearing, examine into the truth of the facts set forth in the above-mentioned application or petition, and shall file a report of its findings with the juvenile court of the county wherein applicant or petitioner resides or with the circuit court if no juvenile court exists in said county, or with the juvenile court of Baltimore City, if the applicant or petitioner resides in Baltimore City, for review and disposition, setting forth, in full, the results of their investigations. The county commissioners in the counties or the board for mothers' relief in Baltimore City may in their discretion issue subpoenas for the attendance of witnesses and adjourn the hearings from day to day and shall hear such witnesses as shall be produced by the applicant or petitioner or others.

Order.

SEC. 5. If, upon the completion of the examination, provided for under section 4 hereof, the juvenile or circuit court in the counties or the juvenile court for Baltimore City, concludes that unless relief is granted, the mother will be unable to support and educate her children, and that they may become a public charge, it shall make an order directing that there shall be paid to the mother monthly, upon the first day of each month, out of the county funds, by the county treasurer or out of the funds of Baltimore City, by the city comptroller, as the case may be, the following amounts for the maintenance and support of the children under fourteen (14) years of age:

Schedule.

Twelve dollars (\$12) per month for the oldest child, ten dollars (\$10) per month for the next oldest child, and six dollars (\$6) per month for each additional child, not at any time, however, exceeding forty dollars (\$40) per month for any one family. And the board of estimates and the mayor and city council of Baltimore, and the county commissioners of the respective counties of this State are authorized and directed to levy such tax, not exceeding one-tenth of a mill, as may be necessary and sufficient to carry out the provisions of this act, or to provide for the same out of the proceeds of the general tax levy.

County commissioners to act.

SEC. 6. It shall be the duty of the county commissioners in the several counties wherein applicant or petitioner resides, or the board for mothers' relief for Baltimore City, wherein applicant or petitioner resides, to see that any widow mother thus committed to their 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 that said family shall be visited at least once every two months.

The county commissioners, in the county in which applicant or petitioner resides or the board for mothers' relief for Baltimore City shall report to the juvenile court, or, if none exists, to the circuit court in such county or to the juvenile court for Baltimore City, in the case of any widow mother who does not properly care for and educate her child or children, or when they find that she no longer needs such support. The circuit court or the juvenile court shall thereupon revoke any order made pursuant to this act, at any time, with or without notice, and in lieu thereof make any order that in the judgment of the court may protect the welfare of the child or children.

Use of funds.

SEC. 7. Should the fund or funds available be insufficient to permit of an allowance to only a part of the mothers coming within the provisions of this act, the county commissioners in the several counties or the board for mothers' relief for Baltimore

City, shall select in their discretion those in most urgent need of such allowance, and submit such selections, after full investigation, to the circuit or juvenile court of such counties or to the juvenile court for Baltimore City for approval, which shall accept the same or make a different selection on its own account, which shall then be conclusive.

SEC. 8. The board for mothers' relief for Baltimore City shall have the power to employ assistant investigators, not at any time to exceed three, at a salary of nine hundred dollars (\$900) per year for each investigator, at such time that the board finds itself physically unable to conduct investigations, by reason of the burden of work, whose duties shall be to thoroughly investigate all applications or petitions and to make stated visits to the homes of the applicants or petitioners and for such other work as the board may prescribe. The board for mothers' relief for Baltimore City may also call for the assistance of the probation officers of the juvenile court to assist it in making like investigations and reports.

Investigators.

SEC. 9. Any person knowingly and willfully procuring, or attempting to procure any allowance or relief, by false testimony or representation, for herself or 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 fifty dollars (\$50) and not more than two hundred and fifty dollars (\$250) or by imprisonment in the county jail of the county wherein the offense occurs or the city jail of Baltimore City for a period of not more than six months or by fine and imprisonment.

Fraud.

SEC. 10. In order to administer this act an annual appropriation of ten thousand dollars (\$10,000) is hereby made for the establishment and maintenance of the board for mothers' relief for Baltimore City, and five thousand dollars (\$5,000) for administrative purposes, to be divided among the various counties of Maryland in proportion to the population of these counties, to be paid to the county commissioners in the several counties to assist them in making investigations and for the work of supervision.

Appropriation.

SEC. 11. A detailed report of the number of beneficiaries, the amount expended, the advantages of the system, improvements and recommendations, shall be made by the board of [for] mothers' relief for Baltimore City and by the county commissioners in the several counties of the State to the members of the General Assembly of Maryland at the beginning of the session of one thousand, nine hundred and eighteen (1918).

Reports.

SEC. 13. In the event that this act should be held to be invalid as to the counties other than Baltimore City or as to any of them, it shall nevertheless remain in full [force] and effect as to Baltimore City.

Validity.

Approved April 18, 1916.

CHAPTER 701.—*Employment of children.*

[Amendment. See section 13, chapter 222.]

CHAPTER 704.—*License tax—Employment offices.*

SECTION 170. Each person, firm, agency or corporation maintaining an intelligence office or employment agency in this State before doing so shall first take out a license therefor by paying an annual tax of ten dollars for each intelligence office or employment agency.

License.

Approved April 18, 1916.

MASSACHUSETTS.

ACTS OF 1916.

CHAPTER 12.—Insurance of employees—Group insurance.

SECTION 1. Section seventy-one of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven is hereby amended * * * so that said paragraph will read as follows:

Sec. 71. No life insurance company organized under the laws of or doing business in this Commonwealth shall enter into any contract of insurance upon lives within this Commonwealth without having previously made or caused to be made a prescribed medical examination of the insured by a registered medical practitioner; except that an inspection by a competent person of a group of employees whose lives are to be insured and their environment may be substituted for such medical examination in cases where the insurance is granted under a single policy issued to a given person, firm, or corporation, covering simultaneously a group of not less than one hundred lives all in the employ of such person, firm, or corporation.

Medical examination required.

Exception.

Became a law February 22, 1916.

CHAPTER 14.—Payment of wages—Weekly pay day.

SECTION 1. Section one hundred and thirteen 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:

Sec. 113. The State board of labor and industries may make a complaint against any person for a violation of the provisions of the preceding section. Complaints for such violation shall be made within three months after the date thereof, and on the trial, no defense for failure to pay as required, other than the attachment of such wages by the trustee process or a valid assignment thereof or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him, shall be valid. The defendant shall not set up as a defense a payment of wages after the bringing of the complaint. An assignment of future wages which are payable weekly under the provisions of this act shall not be valid if made to the person from whom such wages are to become due or to any person on his behalf or if made or procured to be made to another person for the purpose of relieving the employer from the obligation to pay weekly. The word "person" in this section shall include the corporations, contractors, persons, and partnerships described in the preceding section.

Complaints.

Assignment of future earnings.

Approved February 25, 1916.

CHAPTER 66.—Employment of children—Vacation permits.

SECTION 1. The second paragraph of section seventeen of chapter seven hundred and seventy-nine of the acts of the year nineteen hundred and thirteen is hereby amended * * * so that said second paragraph will read as follows:

No school record shall be issued or accepted and no employment certificate shall be granted unless the child possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws as amended by section one of

Educational requirements.

this act: *Provided, however,* That children who are over fourteen but under sixteen years of age and who do not possess such ability to read, write, and spell in the English language as is required for the completion of the fourth grade of the public schools of the city or town in which they reside may be granted an employment certificate good for the summer vacation, subject to all other provisions relating to the employment of children between fourteen and sixteen years of age.

Approved March 22, 1916.

CHAPTER 82.—*Employment of children—School attendance.*

Exemption. [This act amends section 1 of chapter 467, Acts of 1913, by exempting married women who are illiterate minors from compulsory attendance at evening schools.]

CHAPTER 89.—*Strikes, etc.—Notice in advertisements for labor.*

SECTION 1. Section five 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:

End of strike,
etc.

Sec. 5. The provisions of this act shall cease to be operative when the State board of conciliation and arbitration shall determine that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner and to the normal and usual extent. Upon the application of the employer, this question shall be determined by said board, but only after a full hearing, at which all persons involved shall be entitled to be heard and be represented by counsel. The board shall give at least three days' notice of the hearing to the strikers and employees by publication in at least three daily newspapers published in the Commonwealth.

Approved March 31, 1916.

CHAPTER 95.—*Employment of children—Cooperative courses.*

SECTION 1. Section seventeen of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended * * * is hereby further amended by adding at the end thereof the following:

Definition.

“Cooperative courses” shall mean courses approved as such by the board of education and conducted in public schools in which technical or related instruction is given in conjunction with practical experience by employment in a cooperating factory, manufacturing, mechanical or mercantile establishment or workshop.

Sec. 2. Section fifty-seven of said chapter * * * is hereby further amended * * * so as to read as follows:

Certificates.

Sec. 57. No child between fourteen and sixteen years of age shall be employed or be permitted to work in, about or in connection with any factory, workshop, manufacturing, mechanical, or mercantile establishment unless the person, firm, or corporation employing such child procures and keeps on file accessible to the attendance officers of the city or town, to agents of the board of education, and to the State board of labor and industries or its authorized agents or inspectors, the employment certificate as hereinafter provided issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building in which such children are employed: *Provided, however,* That children who are over fourteen but under sixteen years of age shall be permitted to work in mercantile establishments on Saturdays between the hours of seven in the morning and six in the evening, without such certificate: *And provided further,* That pupils in cooperative courses in public schools, as defined in section seventeen of this act, may be employed by any cooperating

factory, manufacturing, mechanical or mercantile establishment or workshop upon securing from the superintendent of schools a special certificate covering this type of employment. On termination of the employment of a child whose employment certificate is on file, said certificate shall be returned by the employer within two days after said termination to the office of the superintendent of schools from which it was issued.

SEC. 3. Section sixty-six of said chapter * * * is hereby further amended * * * so that the first paragraph shall read as follows:

Sec. 66. No child who is over sixteen and under twenty-one years of age shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment, except as provided for pupils in cooperative courses, approved as such by the board of education and conducted, in public schools, unless his employer procures and keeps on file an educational certificate showing the age of the child and his ability or inability to read and write as hereinafter provided. Such certificates shall be issued by the person authorized by this act to issue employment certificates.

Literacy.

Approved April 3, 1916.

CHAPTER 115.—*Regulation of factories, etc.—Lockers.*

SECTION 1. In any mercantile or manufacturing establishment in which the nature of the work renders it necessary for any or all employers, before beginning work, to make a substantially complete change of clothing, exclusive of underclothing, separate lockers, closets or other receptacles, each with a lock and key, shall be provided for the use of such employees.

Who to provide lockers.

SEC. 2. It shall be the duty of the State board of labor and industries to investigate all reported violations of this act, and to enforce the same by prosecution.

Enforcement.

SEC. 3. Any violation hereof shall be punished by a fine of not less than five or more than twenty dollars for each offense.

Violations.

Approved April 8, 1916.

CHAPTER 143.—*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 further amended * * * so as to read as follows:

Sec. 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 labor and industries, be punished by a fine not exceeding one hundred dollars for each offense.

Violations.

Approved April 24, 1916.

CHAPTER 146.—*Sunday labor:*

[This act amends section 3 of chapter 98, Revised Laws, by adding to the list of permitted transactions "the sale by licensed innholders and victualers of meals cooked on the premises, such as are usually served by them, not to be consumed on the premises: *Provided*, That such meals shall not consist in whole or in part of intoxicating liquors."]]

Exemption.

CHAPTER 164.—*Retirement of State employees.*

SECTION 1. Any person who has heretofore given notice in writing to the insurance commissioner that he did not wish to join the retirement association established by chapter five hundred and thirty-two of the acts of the year nineteen hundred and eleven, in accordance with clause (1) of section three thereof, may be

Election after rejection.

come a member of the said association: *Provided*, That he gives notice in writing to the insurance commissioner during the calendar year nineteen hundred and sixteen that he desires to become a member of the association.

Prior service. SEC. 2. The pension for prior service of any person becoming a member of the retirement association under the provisions of this act shall not be based upon or include any allowance for the period of time between the first day of June, nineteen hundred and twelve, and the date when such person becomes a member of the association.

Approved May 1, 1916.

CHAPTER 208.—*Assignments of wages.*

SECTION 1. Section one hundred and twenty-one 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:

Future wages. SEC. 121. No assignment of future wages shall be valid for a period exceeding two years from the date thereof, nor unless made to secure a debt contracted prior to or simultaneously with the execution of said assignment, nor unless executed in writing in the standard form herein set forth and signed by the assignor in person and not by attorney, nor unless such assignment states the date of its execution, the money or the money value of goods actually furnished by the assignee, and the rate of interest, if any, to be paid thereon. Three-fourths of the weekly earnings or wages of the assignor shall at all times be exempt from assignment, and no assignment shall be valid which does not so state on its face. No such assignment shall be valid when made by a married man unless the written consent of his wife to the making thereof is attached thereto.

SEC. 2. Section one hundred and twenty-four * * * is hereby amended * * * so as to read as follows:

Form of assignment. SEC. 124. Said standard form of assignment shall be as follows: KNOW ALL MEN BY THESE PRESENTS, that I, _____, of _____, in the county of _____, for a valuable consideration, to me paid by _____, of _____, the receipt whereof I do hereby acknowledge, do hereby assign and transfer to said _____ all claims and demands, not exempt by law, [which I now have, and all] which within a period of _____ from the date hereof I may and shall have against my present employer, and against any person whose employ I shall hereafter enter, [for all sums of money due and] for all sums of money and demands which at any time within said period may and shall become due to me for services as _____. To have and to hold the same to the said _____, his executors, administrators, and assigns to secure a debt—

(1) Of _____ dollars [with interest thereon from _____, at the rate of _____ per cent per annum], for money [or goods] actually furnished by the assignee amounting to _____ dollars.

(2) Contracted prior to the execution of this assignment. [or contracted simultaneously with the execution of this assignment.]

(3) Three-fourths of the weekly earnings or wages, which are _____ dollars, are exempt from this assignment.

IN WITNESS WHEREOF I have set my hand this _____ day of _____.

Signed and delivered in presence of _____ —h. — m. — m.
Received and entered in records of assignment of wages in clerk's office of the _____ of _____ book _____, page _____.

Construction of act. SEC. 3. The provisions of this act shall not be construed to repeal or affect the provisions of section twenty-two of chapter seven hundred and twenty-seven of the acts of the year nineteen hundred and eleven, as amended by section six of chapter six hundred and seventy-five of the acts of the year nineteen hundred and twelve.

Approved May 12, 1916.

CHAPTER 222.—*Employment of women and children—Hours of labor.*

[This act amends section 48 of chapter 514, Acts of 1909, as amended, by inserting after the word "seasons," in the first sentence thereof, the words, "and the State board of labor and industries shall determine what employments are seasonal."] Seasonal employments.

CHAPTER 229.—*Payment of wages—Weekly pay day.*

[This act amends section 112 of chapter 514, Acts of 1909, by adding hotels in cities to the list of establishments whose employees must be paid weekly.] Hotels.

CHAPTER 240.—*Hours of labor on public works—Eight-hour day.*

[This act amends section 1 of chapter 494, Acts of 1911, by further restricting to 48 the hours of labor in any week, as well as 8 per day, subject to local approval. Section 4 of the same act is amended so as to read as follows:] Hours per week.

Sec. 4. This act shall not apply to the preparation, printing, shipment, and delivery of ballots to be used at a caucus, primary, State, city, or town election, nor during the sessions of the general court to persons employed in legislative printing or binding; nor shall it apply at any time to persons employed in any State, county, or municipal institution, on a farm, or in the care of the grounds, in the stable, in the domestic or kitchen and dining room service or in store rooms or offices, nor to persons employed by the trustees of the Massachusetts nautical school, on boats maintained by the district police for the enforcement of certain laws in the waters of the Commonwealth, or in connection with the care and maintenance of State armories. Exceptions.

Sec. 3. This act shall take effect on the first day of July, nineteen hundred and sixteen: *Provided, however,* That the provisions of section one shall not take effect in any city until accepted 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, nor in any town until accepted by the voters thereof at annual meeting or at a special meeting called for the purpose. Acceptance of act.

Approved May 20, 1916.

CHAPTER 242.—*Employment of children in street trades.*

Sec. 4. Section seventeen of chapter sixty-five of the Revised Laws as amended * * * is hereby further amended by striking out the said section and inserting in place thereof the following:

Sec. 17. The mayor and aldermen or selectmen may make regulations consistent with the general laws relative to the exercise of the trade of bootblacking by minors, and to the sale or barter by minors of any goods, wares, or merchandise the sale of which is permitted by section fifteen, and may prohibit such sales or such trade, or may require a minor to obtain from them a permit therefor to be issued on terms and conditions prescribed in such regulations: *Provided,* That in the case of persons under the age of sixteen years in the cities of the Commonwealth the foregoing powers shall be vested in and exercised by the school committee. No badge or permit issued to a minor under the provisions of this section, or of sections eleven to fifteen, inclusive, of chapter eight hundred and thirty-one of the acts of the year nineteen hundred and thirteen, shall authorize the sale by a minor of any article other than those enumerated in section fifteen of this chapter. A minor who sells such articles or exercises such trade without a permit, if one is required, or who violates the conditions of his permit or any provision of said regulations shall be punished by a fine of not more than ten Who may make regulations.
Violations.

dollars for each offense. Any person who, having a minor under his control, knowingly permits him to violate any provision of this act, and any person who procures or employs a minor to violate any provision of this act, and any person who either for himself or as agent of any other person or of any corporation knowingly furnishes or sells to any minor any of the articles aforesaid with knowledge that the minor intends to sell said articles in violation of the provisions of this act, after having received written notice from the school committee that the minor is not authorized to sell said articles, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months.

Sec. 5. Chapter sixty-five of the Revised Laws is hereby amended by striking out section eighteen and inserting in place thereof the following:

Unlawful employment.

Sec. 18. A parent or other person who employs a minor in peddling without a permit or license, if one is required, or who, having the care or custody of a minor, permits him to engage in such employment, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months.

Approved May 22, 1916.

CHAPTER 303.—*Minimum wage commission.*

SECTION 1. Section one of chapter seven hundred and six of the acts of the year nineteen hundred and twelve, is hereby amended * * * so as to read as follows:

Commission established.

Sec. 1. There is hereby established a commission to be known as the minimum wage commission. It shall consist of three persons, one of whom shall be an employer of female labor and one of whom may be a woman and one a representative of labor, to be appointed by the governor with the advice and consent of the council. One of the commissioners shall be designated by the governor as chairman. The first appointments shall be made within ninety days after the passage of this act, one for a term ending October first, nineteen hundred and thirteen, one for a term ending October first, nineteen hundred and fourteen, and one for a term ending October first, nineteen hundred and fifteen; and beginning with the year nineteen hundred and thirteen, one member shall be appointed annually for the term of three years from the first day of October and until his successor is qualified. Any vacancy that may occur shall be filled in like manner for the unexpired part of the term.

Approved June 2, 1916.

CHAPTER 308.—*Joint powers of State boards—Transfer.*

Powers transferred.

SECTION 1. The powers and duties of the State board of labor and industries and the industrial accident board, sitting jointly, in accordance with the provisions of chapter eight hundred and thirteen of the acts of the year nineteen hundred and thirteen, are hereby transferred to the State board of labor and industries.

Approved June 2, 1916.

RESOLVES.

CHAPTER 74.—*Conditions of labor of employees in hotels and restaurants—Investigation.*

State board to investigate.

The State board of labor and industries is hereby authorized and directed to investigate the hours and conditions of labor prevailing in hotels and restaurants throughout the Commonwealth, and particularly to inquire into and consider the questions in-

volved in certain petitions presented to the general court during the current year, with accompanying bills known as House bills, numbers one hundred and thirty-eight and thirteen hundred and seventy-six, providing that employees of hotels and restaurants shall be granted one day's rest in every seven days, and to report the results of its investigation, with recommendations for such new legislation as may seem expedient, to the next general court not later than the tenth day of January.

Report.

Approved May 1, 1916.

CHAPTER 75.—*Special training for injured persons—Investigation.*

The board of education is hereby directed to ascertain, and to report to the next general court, on or before the second Tuesday of January, what facilities exist in this Commonwealth and what provisions have been made to give special training and instruction to persons who have suffered the loss of sight, or loss of or injury to a limb, or other severe injury, and whose earning capacity has been destroyed or impaired thereby, for the purpose of reestablishing or increasing the ability of such persons to earn a livelihood, and also to investigate and report what provision has been made or opportunity furnished for the objects aforesaid in other States and in foreign countries. The board shall include in its report a statement of its opinion as to the advisability of action on the part of the Commonwealth to establish or extend means for training and instruction as aforesaid, and shall submit drafts of such legislation, if any, as the board may deem expedient in the premises.

Board of education to investigate.

Report.

Approved May 1, 1916.

CHAPTER 157.—*Commission on social insurance.*

A special commission, to be composed of two members of the senate to be appointed by the president, four members of the house of representatives to be appointed by the speaker, and three other persons to be appointed by the governor, shall sit during the recess of the general court, and shall be known as the commission on social insurance. It shall be the duty of the said commission to study the effects of sickness, unemployment and old age in Massachusetts, to collect facts as to actual experience with the several forms of insurance therefor, and to recommend to the general court such legislation as it may deem practical and expedient to protect the wage earners of the Commonwealth from the burdens of sickness, unemployment, and old age, or any one or more of these. The State department of health and the bureau of statistics are authorized and directed to cooperate with the commission in every way feasible in carrying out the purpose of this resolve, and in case either or both of said departments shall undertake investigations deemed necessary by the commission, they shall be allowed for their necessary expenses, outside their regular appropriations, such sums as shall be approved by the governor and council.

Membership.

Duties.

The commission shall report to the next general court with drafts of such laws as it may recommend, and it shall file its report with the clerk of the senate or with the clerk of the house not later than the first Wednesday in January.

Report.

The commission shall have a room in the statehouse assigned for its use, shall give such public hearings as it may deem necessary, may employ such assistance, clerical or otherwise, as it may require, and shall receive such sums for clerical assistance, travel, and other expenses and for the compensation of its members as shall be allowed by the governor and council.

Expenses.

Approved June 1, 1916.

CHAPTER 164.—*Industries of continuous operation—Investigation.*

Report on
certain indus-
tries.

The special recess commission on social insurance established by chapter one hundred and fifty-seven of the resolves of the year nineteen hundred and sixteen, in addition to the matters already referred to said commission, shall study and investigate the subject of reasonable restrictions in the hours of labor in industries operated continuously for twenty-four hours, and shall include in its report to the next general court such recommendations, with drafts of proposed legislation, as it may deem practical and expedient. All the provisions of said chapter shall, so far as pertinent, apply to the investigation herein authorized.

Approved June 2, 1916.

MINIMUM WAGE COMMISSION.

Brush decree.

- | | |
|-------------------|---|
| Standard
wage. | 1. The lowest time wage paid to any experienced female em-
ployee in the brush industry shall be 15½ cents an hour. |
| Learners. | 2. The rate for learners and apprentices shall be 65 per cent
of the minimum, and the period of apprenticeship shall not be
more than one year. |
| Minors. | 3. These findings shall apply also to all minors. |
| Piece rates. | 4. If in any case a piece rate yields less than the minimum time
rate, persons employed under such rate shall be paid at least 15½
cents an hour. |
| In effect. | 5. This decree shall take effect on August 15, 1914, and shall
remain in effect until altered by the commission.
August 3, 1914. |

Laundry decree.

- | | |
|-------------------------|--|
| Standard
wage. | 1. No experienced female employee of ordinary ability shall be
employed in any laundry in Massachusetts at a rate of wages less
than \$8 a week. |
| Experienced,
when. | 2. No female employee of ordinary ability shall be deemed in-
experienced who has been employed in laundries for one year or
more. |
| Year's em-
ployment. | 3. A female employee shall be deemed to have been employed
in the industry for a year if her absences from her place or places
of employment during twelve months, whether consecutive or non-
consecutive, have not been of unreasonable duration. |
| Learners. | 4. The wages of learners and apprentices may be less than the
minimum prescribed for experienced employees: <i>Provided</i> ,
(a) That no female employee of ordinary ability who has been
employed in laundries for nine months shall be employed at a
rate of wages less than \$7.50 a week.
(b) That no female employee of ordinary ability who has been
employed in laundries for six months shall be employed at a rate
of wages less than \$7 a week.
(c) That no female employee of ordinary ability who has been
employed in laundries for three months shall be employed at a
rate of wages less than \$6.50 a week.
(d) That no other female employee of ordinary ability shall
be paid at a rate of wages less than \$6 a week. |
| Substandard
workers. | 5. A female employee of less than ordinary ability may be paid
less than the prescribed minimum wage: <i>Provided</i> , That the con-
ditions of section 9, chapter 706, Acts of 1912, as amended, are
complied with. |
| In effect. | 6. These recommendations shall take effect on September 1,
1915, on which date all female employees of ordinary ability who
have been employed in the industry for one year or more shall be
deemed to have served an apprenticeship of one year, and all
others shall be deemed to have begun their apprenticeship and
to be entitled to the rates as specified above.
July 1, 1915. |

Retail store decrec.

1. No experienced female employee of ordinary ability shall be employed in retail stores in Massachusetts at a rate of wages less than \$8.50 a week. Standard wage.

2. No female employee of ordinary ability shall be deemed inexperienced who has been employed in a retail store or stores for one year or more, after reaching the age of eighteen years. Experienced, when.

3. A female employee shall be deemed to have been employed in the industry for a year if her absences from her place or places of employment during twelve months, whether consecutive or nonconsecutive, have not been of unreasonable duration. Year's employment.

4. The wages of learners and apprentices may be less than the minimum prescribed for experienced employees: *Provided*, Learners.

(a) That no female employee of ordinary ability who has reached the age of eighteen years shall be employed at a rate of wages less than \$7 a week.

(b) That no female employee of ordinary ability who has reached the age of seventeen years shall be employed at a rate of wages less than \$6 a week.

(c) That no other female employee of ordinary ability shall be paid at a rate of wages less than \$5 a week.

5. A female employee of less than ordinary ability may be paid less than the prescribed minimum wage provided that the conditions of section 9, chapter 706, Acts of 1912, are complied with. Substandard workers.

6. These recommendations shall take effect on January 1, 1916, on which date all female employees of ordinary ability who have been employed in the industry for one year or more after reaching the age of eighteen shall be deemed to have served an apprenticeship of one year, and all others shall be deemed to have begun their apprenticeship, and to be entitled to the rates as specified above. In effect.

September 15, 1915.

MISSISSIPPI.

ACTS OF 1916.

CHAPTER 91.—Boarding or commissary cars—Taxation.

SECTION 1. The business of operating or maintaining grab cars, boarding cars or commissaries in box cars of two or more outfits when contracted for by an individual, or corporation furnishing or supplying employees or others with goods and merchandise, from or in said cars or outfits, in payment of wages or otherwise, shall pay a privilege tax of one hundred dollars for each county that has a city, town or village of ten thousand or more inhabitants; and for each county that has a city, town or village with a population of less than ten thousand but more than five thousand, the sum of fifty dollars; and for each county, with a city, town or village of less than five thousand the sum of ten dollars, in which such cars may be operated or maintained.

Business to be taxed.

SEC. 2. In all cases the license shall contain the name of the person, firm or corporation to whom the license is issued, and the license shall not be valid for any person, firm or corporation not named therein: *Provided*, This act shall not apply to any railroad operating its own grab car or commissary car or cars from which merchandise is sold to its employees only.

License.

Exemption.

Approved April 3, 1916.

CHAPTER 95.—Inspection of factories—Fees.

SECTION 1. Section 7 of chapter 163 of the Acts of 1914 is hereby amended so as to read as follows:

SEC. 7. Every person, firm or corporation, except woodworking establishments, and canning factories canning farm produce, employing more than five persons in the conduct of any mill, factory, manufacturing establishment, or cannery within this State where women or children are employed, shall register such establishment with the State factory inspector each year and pay an annual fee for such registration according to the following schedule: [The remainder of the section is unchanged.]

Scale of fees.

CHAPTER 228.—Railroads—Telltals at bridges, etc.

[This act amends section 4051 of the Mississippi Code of 1906 by requiring telltals at bridges, etc., having a clearance of 22 feet above the top of the rail, instead of 23 feet as formerly; also by requiring a minimum clearance of 7 feet between the running boards of the cars and the lowest projection of the bridge or other object, which lacking, a telltale must be erected.]

Height.

CHAPTER 239.—Hours of labor in manufacturing establishments.

SECTION 1. It shall be unlawful for any person, firm or corporation engaged in manufacturing or repairing, to work their employees more than ten hours per day, except in cases of emergency, or where the public necessity requires in such departments: *Provided*, That persons may work not more than thirty minutes additional each day for the first five days of the week, the additional time so worked to be deducted from the last day of the week: *Provided*, That persons who work at nightwork only, may

Ten-hour day.

work eleven and one-quarters hours for the first five nights of the week, beginning with Monday night, and three and three-quarter hours Saturday night, but sixty hours shall constitute a full week's work under the provision[s] of this act.

Exemptions. SEC. 2. Nothing in this act shall apply to railroads or their employees or to public service corporations.

Approved April 7, 1916.

CHAPTER 241.—*Payment of wages—Semimonthly pay day.*

SECTION 1. Section No. 1, chapter 167, of the Laws of 1914, [shall] be amended to read as follows:

Who to have
semimonthly
pay day.

SECTION 1. Every corporation, company, association, partnership, and individual person engaged in manufacturing of any kind in this State, employing as many as fifty or more employees, and employing public labor, and every public service corporation doing business in this State shall be required to make full payment to employees for services performed as often as once every two weeks or twice during each calendar month, or on the second and fourth Saturday, respectively, of each month, and such payment or settlement shall include all amounts due for labor or services performed up to not more than ten days previous to the time of payment, except that public service corporations shall not be required to make payment for labor or services performed up to more than fifteen days prior to the time of payment.

Retention.

Approved April 4, 1916.

CHAPTER 245.—*Protection of employees as members of the National Guard.*

Preventing
employment,
etc.

SECTION 76. Any person who, either by himself or with another, willfully deprives a member of the National Guard of his employment, or prevents his being employed by himself or another, or obstructs said member of the National Guard or his employer in respect to his trade, business or employment, because said member of the National Guard is such member, or dissuades any person from enlistment in the National Guard by threat of injury to him, physical or otherwise, in case he shall so enlist, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than ten dollars not [nor] to exceed five hundred dollars, or by imprisonment for not less than ten days nor more than six months, or both such fine and imprisonment.

Approved April 7, 1916.

NEW JERSEY.

ACTS OF 1916.

CHAPTER 40.—Department of labor.

SECTION 1. The department of labor shall be reorganized and hereafter composed of: Organization.

- First. One commissioner of labor.
- Second. One assistant commissioner of labor.
- Third. A bureau of inspection.
- Fourth. A bureau of structural inspection.
- Fifth. A bureau of electrical equipment.
- Sixth. A bureau of hygiene and sanitation.
- Seventh. A bureau of engineers' and firemen's licenses.
- Eighth. A bureau of industrial statistics.
- Ninth. A bureau of employment.

SEC. 2. The commissioner of labor shall be a citizen and resident of this State, appointed by the governor, by and with the advice and consent of the senate. He shall hold his office for the term of five years and until his successor is appointed and qualified. He shall receive a salary of six thousand dollars per annum. Com-mis-sioner.

SEC. 3. He shall be the executive and administrative head of the department. All powers and duties heretofore vested in and devolved upon the commissioner of labor or the department of labor shall hereafter be exercised and performed by him in person or under his personal supervision and control, through and by any bureau or representative thereof, duly authorized by the commissioner of labor for that purpose. When not inconsistent with the provisions of any statute, he shall assign to the various bureaus and cause to be performed through them, under his supervision and in his name, such duties as may have been or hereafter may be devolved generally upon the department of labor or upon the commissioner of labor, to the end that through the several bureaus, each performing its assigned correlated functions, the work of the department shall be economically, efficiently and promptly performed. Powers and duties.

SEC. 4. The bureau of inspection shall consist of an assistant commissioner of labor, who shall be appointed by the commissioner of labor. The assistant commissioner of labor, in the absence of the commissioner shall execute his powers and perform his duties. The salary of the assistant commissioner of labor shall be three thousand dollars per annum. There shall also be nineteen inspectors, of whom three at least shall be women. One inspector shall have practical knowledge and skill in the work in and operation of mines and quarries, and one shall be a practical baker. The inspectors shall be appointed by the commissioner of labor, and each shall receive a salary of fifteen hundred dollars per annum. Bureau of inspection.

SEC. 5. The bureau of inspection shall perform such duties as the commissioner of labor shall assign and require, under the supervision and control of the commissioner of labor. Duties.

SEC. 6. The bureau of structural inspection shall consist of a chief inspector who shall be a structural expert, and who shall be appointed by the commissioner of labor. The salary of the chief inspector of this bureau shall be two thousand dollars per annum. There shall be one inspector attached to this bureau, who shall be appointed by the commissioner of labor, at the salary of fifteen hundred dollars per annum. Bureau of structural inspection.

- Duties.** **Sec. 7.** The bureau of structural inspection shall perform, under the supervision and control of the commissioner of labor, such duties as may be assigned to it by the commissioner of labor, relating to plans for the alterations of old and the erection of new buildings, elevators, fire escapes, fire protection, and such additional correlated duties as the commissioner may direct.
- Bureau of electrical equipment.** **Sec. 8.** The bureau of electrical equipment shall consist of a chief inspector, who shall be appointed by the commissioner of labor. The salary of the chief inspector of electrical equipment shall be two thousand dollars per annum. In addition to the chief inspector, there shall be one inspector, who shall be appointed by the commissioner of labor, at the salary of fifteen hundred dollars per annum.
- Duties.** **Sec. 9.** The bureau of electrical equipment shall, under the supervision and control of the commissioner of labor, perform such duties in matters related to fire-alarm installations or other electrical equipment as the commissioner shall direct.
- Bureau of hygiene and sanitation.** **Sec. 10.** The bureau of hygiene and sanitation shall consist of a chief inspector, who shall be appointed by the commissioner of labor. The salary of the chief inspector shall be two thousand dollars per year. In addition to the chief inspector, this bureau shall consist of an expert investigator of occupational diseases, at the salary of fifteen hundred dollars per annum, and one inspector, who shall be a person having practical knowledge and skill as a metal polisher and buffer, who shall be appointed by the commissioner of labor at the salary of fifteen hundred dollars per annum.
- Duties.** **Sec. 11.** The bureau of hygiene and sanitation shall perform, under the supervision and control of the commissioner of labor, the duties devolving upon the department of labor or the commissioner of labor, with relation to the elimination of dust, fumes, and excessive heat in industrial operation, and the ventilation of factories, mills, workshops and places where the manufacture of goods is carried on, as assigned and directed by the commissioner of labor, and such additional duties correlated thereto as he shall direct.
- Bureau of engineers' and firemen's licenses.** **Sec. 12.** The bureau of engineers' and firemen's licenses shall be constituted in the manner and form prescribed by and subject to all the provisions of an act entitled "An act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines, and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be so licensed," approved April fourteenth, one thousand nine hundred and thirteen, and the amendments thereof and supplements thereto, and shall continue to exercise and perform the powers and duties conferred and devolving upon them by the provisions of that act. This bureau shall also perform, under the supervision and control of the commissioner of labor, such additional correlated duties as the commissioner shall direct.
- Duties.** **Sec. 13.** The bureau of industrial statistics shall consist of a chief of the bureau, who shall be appointed by the commissioner of labor. The salary of the chief of the bureau shall be twenty-five hundred dollars per annum.
- Bureau of industrial statistics.** **Sec. 14.** The bureau of industrial statistics shall perform, under the supervision and control of the commissioner of labor, the duties formerly vested in the bureau of labor statistics pursuant to the provisions of an act entitled "An act to establish a bureau of statistics upon the subject of labor, considered in all its relations to the growth and development of State industries," approved March twenty-seventh, one thousand eight hundred and seventy-eight, and the amendments thereof and supplements thereto, which bureau is now merged with the department of labor, and, in addition, shall publish and issue bulletins and pamphlets on matters pertaining to the work of the bureau and perform such other duties as may be assigned to said bureau by the commissioner of labor.

SEC. 15. The bureau of employment shall be constituted as contemplated by an act of the legislature entitled "An act to authorize the department of labor to establish free labor bureaus, and providing for their maintenance," approved March tenth, one thousand nine hundred and fifteen, except that the commissioner of labor shall appoint a chief of the bureau and fix his compensation and appoint such additional clerks and employees as may be necessary, and fix their compensation. By the bureau thus organized, the powers and duties devolved upon the department of labor in and by the said act shall be exercised and performed. Bureau of employment.

SEC. 16. The commissioner of labor shall appoint and assign to duty such clerks and stenographers as he may consider necessary, and fix their compensation. All offices and employments, except that of the commissioner of labor, in the department shall be within the classified service of the State, subject to all the provisions of the civil-service act. Office force.

SEC. 17. The commissioner of labor may assign or transfer stenographers or clerks from one bureau to another, or inspectors from one bureau to another, or combine the clerical force of two or more bureaus, as may be necessary or advisable, or require from one bureau assistance in the work of another bureau. The system of organization hereby created is intended to facilitate and not to retard the economical and efficient performance of the work of the department, and not to impair the control or responsibility of the commissioner over and for such work. Transfer of employees.

SEC. 18. Upon this act taking effect, the present commissioner of labor, who shall continue to hold his office in accordance with the provisions of this act, shall proceed to reorganize the department of labor as provided by this act. All the inspectors and other employees and appointees now in the service of the department shall continue in such service. The present commissioner of labor shall make all necessary appointments, assignments, and transfers from the inspectors, experts, employees, clerks and stenographers now in the employ of the department, and fill any positions required to be filled after such transfer or assignment, in accordance with the provisions of the civil-service act. Present officials, etc.

SEC. 19. The commissioner of labor may appoint and employ such additional inspectors, expert investigators or advisers, at such compensation and for such period as he may consider necessary. He may also appoint volunteer inspectors, to serve without compensation. All persons appointed under this section shall have the same rights and powers as the regular inspectors. Additional appointees.

SEC. 20. The term of office of the present commissioner of labor is hereby extended, and he shall continue to hold and execute his office for a full term of five years from the date of issue of his present commission, and until his successor, at the end of the term of five years from the date of the present commission, shall be appointed and qualified. Term extended.

SEC. 21. All officers and employees or appointees in this department shall, in addition to their compensation, be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Expenses.

SEC. 22. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repeal.

Passed March 14, 1916.

CHAPTER 242.—*Employment of children—Part-time workers.*

SECTION 1. It shall be lawful for the commissioner of education and the commissioner of labor to grant an "Age and schooling certificate" to pupils who study part time in vocational schools established under the provisions of chapter 294 of the laws of nineteen hundred and thirteen, to work in factories, workshops, mills and all places where the manufacture of goods is carried on, if said pupils shall be above the age of fourteen years; the said children to be employed part time in a factory, workshop or mill designated by the board of education, said employment Students in vocational schools.

- Revocation of certificates.** to be considered as a part of the schooling of said children: *Provided*, That either the said commissioner of education or the said commissioner of labor may revoke the said certificate at any time without assigning any cause for said revocation: *Provided*, That nothing in this act shall be construed to permit children to be employed for more than eight hours in any one day or more than six days in any week and in accordance with the provisions of chapter 252, P. L. 1914, being "An act to amend an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,' approved March twenty-fourth, one thousand nine hundred and four," which amended act was approved April seventeenth, one thousand nine hundred and fourteen.
- Working time.** Approved March 21, 1916.

CHAPTER 260.—Elevators—Safety provisions.

- Interlocking devices.** SECTION 1. Every elevator moving in a vertical shaft, used for carrying passengers now existing and in use, or hereafter constructed or installed, shall, within two years after this act becomes effective, have placed thereon or attached thereto some interlocking device that will automatically prevent the elevator car from being moved in either direction until the shaft door or gate at which the elevator car is standing is closed and securely fastened.
- Approval.** SEC. 2. Every device, before being used or installed under the provisions of this act, in any building which comes within the jurisdiction of the State department of labor, under the labor laws of this State, shall have the approval of the State commissioner of labor. Every device before being used or installed in any other building under the provisions of this act, shall have the approval of the State commissioner of labor, except in municipalities having a regularly appointed building inspector, in which case the approval of said building inspector shall be sufficient.
- Enforcement.** SEC. 3. The said commissioner of labor or the building inspector, as the case might be, shall enforce the provisions of this act by order in writing served upon the owner or owners, tenant or lessee of any building coming within the operation of this act, specifying the directions to be executed and the time limited for the completion thereof. Any person, firm or corporation neglecting to comply with the terms of such order within the time therein limited, or any extension thereof granted by the said commissioner or building inspector, shall be liable to a penalty of one hundred dollars for such failure and to a further penalty of ten dollars for each day that shall elapse after the expiration of the time limit until compliance is made with the terms of such order. Such penalties shall be cumulative, and more than one penalty may be recovered in the same action.
- Penalties.**

Approved March 22, 1916.

DEPARTMENT OF LABOR: FACTORY, ETC., REGULATIONS.

Railing Guards.

- Height.** STANDARD GUARD No. 1, RAILING (to be used only when placed 18 inches or more from any moving part). Standard No. 1 guards shall consist of a railing at least 3 feet 6 inches in height, and shall be of the double-run type with one rail 3 feet 6 inches from the floor, and an intermediate rail midway between the top rail and floor. Such rails and supports or uprights shall be constructed of 1½-inch standard iron pipe, or of angle iron 1½ inches by 1½ inches by ¼ inch. Uprights shall be spaced not more than 8-foot centers, and the entire railing shall be rigidly braced. Rail-
- Structure.**

ings constructed of wood, shall not be used, except by special permission granted by the commissioner of labor.

When ordered by the commissioner, spaces between rails shall be filled in with wire mesh, expanded metal or other material to be specified by him.

Toe boards 6 inches in height shall be provided when ordered by the commissioner. The installation of toe boards is mandatory in the case of all guards installed around flywheel pits, platforms, hoistways, hatchways and all floor openings.

Toe boards.

STANDARD GUARD No. 2 (to be used for guards 4 feet or more in height fastened to the floor and without other support or bracing. To be used in all other cases when specified by the commissioner of labor).

These guards are to consist of iron framework with suitable filling material, thus furnishing complete protection around moving parts.

Structure.

Uprights to be $1\frac{1}{2}$ inches by $1\frac{1}{2}$ inches by $\frac{1}{2}$ inch angle iron, one at each corner of the guard, top edge of the guard to be of the same construction.

Filling material to be held in place by means of $\frac{3}{4}$ -inch by $\frac{1}{2}$ -inch flat fastened to angle by means of $\frac{5}{16}$ -inch bolts or rivets spaced not more than 10-inch centers, or by means of wooden strips 1 inch by 1 inch fastened to the angle by means of $\frac{3}{16}$ -inch bolts, or in any other manner acceptable to the commissioner. Perforated or solid sheet metal may be bolted or riveted directly to the angle, or may be spot welded to the same.

When the No. 2 guard is used around a floor opening, the lower section shall be constructed of sheet metal not lighter than No. 18 gauge extending at least 6 inches above the floor. Where the guard is so located as to be exposed to heavy truck traffic, it is recommended that the entire lower section be constructed of heavy metal.

Frame work of $1\frac{1}{2}$ inches open seam tubing may also be used for this type of guard, the filling material in this case to be clamped in the seam of the tubing.

The filling material in the No. 2 guard shall be as given under the heading "filler" to follow.

STANDARD GUARD No. 3 (to be used for guards, no dimension of which is greater than 3 feet, or for larger guards which can be supported or braced at least every 3 feet, and in other cases, when specified by the commissioner).

The general construction of this guard shall be similar to that outlined under the previous heading, except that angles may be $\frac{3}{4}$ inch by $\frac{3}{4}$ inch by $\frac{1}{2}$ inch or larger. Iron pipe $\frac{1}{2}$ inch inside diameter, or $\frac{3}{4}$ -inch open seam tubing may be used.

Same.

Woven wire guards using square or diamond mesh wire not lighter than No. 12 gauge, on supports of $\frac{3}{4}$ -inch round rods, may be used without other framework in cases where a No. 3 guard is required, provided there is no unbraced area of wire greater than 36 inches by 36 inches, and provided further that supports are placed not more than 3 feet apart. The square mesh woven wire is to be not greater than 1-inch mesh, and in the case of the diamond weave, the width of the diamond must be not greater than 1 inch.

Perforated or solid sheet metal No. 22 gauge may be used without framework, provided the guard contains no unbraced area greater than 24 inches by 24 inches. For larger areas No. 18 or No. 20 gauge metal must be used. All guards of this character without framework must be provided with sufficient supports and braces to hold them rigidly in place.

The filling material in the No. 3 guard shall be as given under the heading "filler" to follow.

STANDARD GUARD No. 4 (GEAR GUARD)—These guards shall be constructed of perforated or sheet metal not lighter than No. 22 gauge, or of any of the filling materials approved by the department, with suitable angle iron or similar reinforcement.

Same.

Material. FILLER—Filling material shall be not larger than $\frac{1}{2}$ -inch mesh wire cloth, or $\frac{1}{2}$ -inch expanded metal, or perforated metal with $\frac{1}{2}$ -inch round holes when guards are placed within 4 inches of a moving part.

The following table shows the various filling materials approved by the department, and indicates the least allowable area for each material for which no additional reinforcement is required. The following figures apply to guards with substantial iron framework.

Material.	Allowable area in inches.
$\frac{1}{2}$ -inch galvanized iron wire cloth, not smaller than No. 18 gauge (galvanized after weaving)-----	24 by 24
$\frac{1}{2}$ -inch expanded metal lath, No. 24 gauge, not less than $\frac{1}{2}$ pound per square foot-----	24 by 24
$\frac{1}{2}$ -inch No. 18 expanded metal, $\frac{3}{4}$ pound per square foot--	36 by 36
$\frac{3}{4}$ -inch expanded metal, not lighter than No. 15 gauge, not less than $\frac{3}{4}$ pound per square foot-----	48 by 48
Woven wire not lighter than No. 12 gauge, 1 inch square mesh, or diamond mesh with width of diamond not more than 1 inch-----	48 by 48
Perforated or sheet metal No. 22 gauge-----	36 by 36
Perforated or sheet metal No. 18 gauge-----	48 by 48

Where the total area of a guard exceeds the amounts given above, reinforcement shall be provided to bring the area within the figure specified for the material under consideration.

GENERAL—In this specification all gauge numbers mentioned for sheet metal are U. S. standard, and all numbers for mesh wire are English standard or B. W. G.

Fastenings. All guards shall be permanently and substantially fastened in place, and where it is necessary to have access to any part of machinery covered by the guard, portions of such guard may be arranged to swing or slide. No part of the guard shall be detachable except by permission of the commissioner of labor.

Edges. All sharp edges of filling material shall be thoroughly protected, and where hand holes or doors are provided in guards, the edges shall be reinforced and protected in such a manner as to be entirely safe. Sheet metal not lighter than No. 24 gauge may be used for such protection.

Guards for transmission machinery.

- Set screws.** All projecting set screws shall be countersunk or replaced with set screws of safety type, or shall be protected by guards with smooth, cylindrical surfaces.
- Collars.** All collars shall be cylindrical, and shall contain no projecting screws or bolts.
- Keys.** All exposed keys shall be made flush or guarded. All keyways within 36 inches of a bearing shall be filled or guarded.
- Couplings.** All shaft couplings shall be of the safety type, with bolts and nuts countersunk or protected by a flange. Clamp couplings and jaw clutch couplings shall be protected by cylindrical sleeves. All shaft couplings not of the safety type, and all friction clutch couplings shall be encased with a standard guard.
- Stopping devices.** Means shall be provided for stopping shafting in each room or department, and throw-out devices shall be installed as ordered by the commissioner of labor. Such devices shall be approved friction clutches, tight and loose pulleys, or approved engine stop installations, the latter to be equipped with stations suitably located throughout the building.
- Pulleys.** Tight and loose pulleys or friction clutches shall be provided on all machines not individually motor driven. Approved belt shifters shall be provided for all tight and loose pulleys.
- Levers.** Operating levers for belt shifters or friction clutches shall be so hung that the force of gravity will tend to keep the belt on the

loose pulley, or to keep the clutch disengaged. Belt shifters of the positive type, which lock in either position are recommended.

A suitable alarm signal should be provided to notify all operatives before shafting is started. Signals.

Any portion of an overhead shaft, belt, pulley, rope drive or other moving part which is 7 feet or less from the floor or platform level, or which must be approached when in motion by any employee for any purpose whatever, shall be encased with a standard guard. Overhead shafts, etc.

All projecting shaft ends shall be cut off or guarded.

All belts 6 inches or more in width, and 7 feet or more from the floor, and which are located so that they would endanger persons below in case of breakage, shall be securely guarded underneath, and such guards shall extend to the wall or ceiling in such manner as to retain the belt should it break. Belts.

There shall be no passageway between the upper and lower parts of a belt, except by special permission of the commissioner of labor. In such cases, he shall specify the manner in which such passageways shall be protected.

All pulleys located within 36 inches of a bearing shall be entirely encased on the side toward the bearing in all cases where bearings are not self-oiling, and when specifically ordered by the commissioner. Pulleys to be cased, when.

If possible, pulleys shall be so located that the distance between pulley and bearing, or between any two pulleys, is greater than the width of the widest belt used. Where this spacing can not be secured, the spaces between pulleys, or between pulley and bearing, shall be guarded to prevent a belt wedging in the space referred to. Belt hangers shall be provided for idle belts. Belt space.

All vertical shafts and all vertical or inclined belts shall be guarded with a standard guard to a height of at least 6 feet above the floor level, except in cases where the guard can be placed 18 inches or more from any moving part, when a standard 3½-foot railing may be provided. Vertical shafts, etc.

All shafts, pulleys, belts, rope drives, chain drives, sprockets or other dangerous moving parts of transmission machinery which are less than 7 feet above the floor or platform level shall be guarded as follows: General provisions.

If the guard can be placed 18 inches or more from any moving part, a standard 3½-foot railing may be provided.

If the guard is to be placed less than 18 inches from the moving parts, it shall encase them from a point 2 inches below the lowest moving part to a point 6 feet above the floor or platform level.

When all of the moving parts are less than 6 feet above the floor or platform level, the guard need not extend to a height of 6 feet, but in such cases the guard shall completely encase the moving parts on the top and sides.

Where belts pass through the floor or where any guard is located around a floor opening, such guard shall extend to the floor level, and shall be equipped with a 6-inch solid section or toe board at the floor.

No mesh larger than ½ inch shall be used on guards located within 4 inches of a moving part.

Wherever possible, gears shall be completely encased. Where such method of protection is not feasible, gears shall be protected at least to the root of the teeth. Casing.

All exposed sprockets and chains shall be completely encased.

The factory chief or some other responsible person should make periodical inspections of all transmission machinery, and should see that oilers and other employees working about such machinery do their work in a safe and efficient manner. Repairs should be made only when machinery is shut down, and no hand oiling should be done, except when machinery is shut down. Care should be taken to see that employees are properly clothed; and loose or ragged sleeves and flowing neckties should be avoided. Inspection.

Records of all inspections of transmission machinery and also records of all repairs should be kept, as such information will be found to be of value to the purchasing department.

Removing
guards.

The law provides that no person shall remove or make ineffective any safeguard around or attached to machinery, unless for the purpose of immediately making repairs thereto. All such safeguards so removed must be promptly replaced. The penalty for violation of this section is \$50. In some cases it may be advisable to direct the attention of the employees to the penalty above mentioned; but in general it should be the aim of every employer to secure the cooperation of his employees in adopting safe methods, and in using machine guards for the purposes for which they are intended.

Variations.

All safeguarding of transmission machinery shall be done in accordance with the foregoing specification, and no other construction will be permitted, except upon written application to the commissioner of labor, which application must be accompanied by a drawing or sketch showing the exact method to be used.

NEW YORK.

ACTS OF 1916.

CHAPTER 62.—*Factory, etc., regulations—Fireproof construction.*

SECTION 1. Subdivision one of section seventy-nine-f of chapter * * * thirty-one of the Consolidated Laws, as added by chapter four hundred and sixty-one of the laws of nineteen hundred and thirteen, is hereby amended to read as follows:

1. Fireproof construction: A building shall be deemed to be of fireproof construction if it conforms to the following requirements: All walls constructed of brick, stone, concrete, or terra cotta; all floors and roofs of brick, terra cotta or reinforced concrete placed between steel or reinforced concrete beams and girders; all the steel entering into the structural parts encased in at least two inches of fireproof material, excepting the wall columns, which must be encased in at least eight inches of masonry on the outside and four inches on the inside; all stair wells, elevator wells, public hallways, and corridors inclosed by fireproof partitions; all doors, fireproof; all stairways, landings, hallways and other floor surfaces of incombustible material; no woodwork or other combustible material used in any partition, furring, ceiling or floor; and all window frames, doors, and sash, trim and other interior finish of incombustible material; all windows shall be fireproof windows except that in buildings under seventy feet in height fireproof windows are required only when within thirty feet of another building or opening on a court or space less than thirty feet wide and except further that any window not within thirty feet in a direct line of another building not in the same vertical plane, nor opening on a court or space less than thirty feet wide, nor within fifty feet in a vertical direction above the roof of a building within thirty feet, may be provided with plate glass not less than one-fourth of an inch in thickness, no light of which shall exceed seven hundred and twenty square inches in area; except that in buildings under one hundred feet in height there may be wooden sleepers and floor finish and wooden trim, and except that in buildings under one hundred and fifty feet in height heretofore constructed there may be wooden sleepers, floor finish and trim and the windows need not be fireproof windows, excepting when such windows are within thirty feet of another building.

Became a law March 21, 1916.

CHAPTER 151.—*Hours of labor—Violations.*

[This act amends section 1271, chapter 40, of the Compiled Laws by striking out from the provisions for punishment for violations of the eight-hour law in public works that paragraph which provides for forfeiture of the contract, being the final paragraph of the section. See the next chapter.]

CHAPTER 152.—*Employment on public works.*

SECTION 1. Section three of chapter * * * thirty-one of the Consolidated Laws * * * is hereby amended to read as follows:

Eight-hour day. Sec. 3. Eight hours shall constitute a legal day's work for all classes of employees in this State, except those engaged in farm and domestic service, unless otherwise provided by law. This section does not prevent an agreement for over work at an increased compensation, except upon work by or for the State or a municipal corporation or by contractors or subcontractors therewith. Each contract to which the State or a municipal corporation or a commission appointed pursuant to law is a party which may involve the employment of laborers, workmen, or mechanics shall contain a stipulation that no laborer, workman, or mechanic in the employ of the contractor, subcontractor, or other person doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life or property. The wages to be paid for a legal day's work as hereinbefore defined to all classes of such laborers, workmen, or mechanics upon all such public works, or upon any material to be used upon or in connection therewith, shall not be less than the prevailing rate for a day's work in the same trade or occupation in the locality within the State where such public work on, about, or in connection with which such labor is performed in its final or completed form is to be situated, erected, or used. Each such contract hereafter made shall contain a stipulation that each such laborer, workman, or mechanic employed by such contractor, subcontractor, or other person on, about, or upon such public work shall receive such wages herein provided for.

Rate of wages.

Violations.

Any person or corporation who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be punished, for a first offense, by a fine of five hundred dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment; for a second offense by a fine of one thousand dollars, and in addition thereto the contract on which the violation has occurred shall be forfeited, and no such person or corporation shall be entitled to receive any sum, nor shall any officer, agent, or employee of the State or of a municipal corporation pay the same or authorize its payment from the funds under his charge or control to any such person or corporation for work done upon any contract on which the contractor has been convicted of a second offense in violation of the provisions of this section.

Exceptions.

Nothing in this section shall be construed to apply to stationary firemen in State hospitals nor to other persons regularly employed in State institutions, except mechanics, nor shall it apply to engineers, electricians, and elevator men in the department of public buildings during the annual session of the legislature, nor to the construction, maintenance, and repair of highways outside the limits of cities and villages.

Violations by officials.

Sec. 2. Section four of said chapter is hereby amended to read as follows:

Sec. 4. Any officer, agent, or employee of this State or of a municipal corporation therein having a duty to act in the premises who violates, evades, or knowingly permits the violation or evasion of any of the provisions of this chapter shall be guilty of malfeasance in office and shall be suspended or removed by the authority having power to appoint or remove such officer, agent, or employee; otherwise by the governor. Any citizen of this State may maintain proceedings for the suspension or removal of such officer, agent, or employee who knowingly permits the violation of any of the provisions of this chapter.

Enforcement.

Sec. 3. Section twenty-one of said chapter is hereby amended to read as follows:

Sec. 21. The commissioner of labor shall enforce all the provisions of this article. He shall investigate complaints made to him of violations of such provisions; and if he finds that such complaints are well founded, he may issue an order, directed to the person or corporation complained of, requiring such person

or corporation to comply with such provisions, or he may present to the district attorney of the proper county all the facts ascertained by him in regard to the alleged violation, and all other papers, documents, or evidence pertaining thereto which he may have in his possession. The district attorney to whom such presentation is made shall proceed at once to prosecute the person or corporation for the violations complained of pursuant to this chapter and the provisions of the penal law. If complaint is made to the commissioner of labor that any person contracting with the State or a municipal corporation for the performance of any public work fails to comply with or evades the provisions of this article respecting the payment of the prevailing rate of wages, the requirements of hours of labor, or the employment of citizens of the United States or of the State of New York, the commissioner of labor shall, if he finds such complaints to be well founded, present evidence of such noncompliance to the officer, department, or board having charge of such work. Such officer, department, or board shall thereupon take the proper proceedings to enforce compliance with the provisions of this article.

Became a law April 7, 1916.

CHAPTER 278.—*Employment of children—Certain employments forbidden.*

SECTION 1. Section four hundred and eighty-five of chapter * * * forty of the Consolidated Laws, is hereby amended so as to read as follows:

Sec. 485. A person who employs or causes to be employed, or who exhibits, uses, or has in custody, or trains for the purpose of exhibition, use, or employment of any child actually or apparently under the age of sixteen years, or who, having the care, custody, or control of such a child as parent, relative, guardian, employer, or otherwise, sells, lets out, gives away, so trains, or in any way procures or consents to the employment, or to such training, or use, or exhibition of such child; or who neglects or refuses to restrain such child from such training or from engaging or acting, either—

Exhibitions.

1. As a rope or wire walker, gymnast, wrestler, contortionist, rider, or acrobat, or upon any bicycle or similar mechanical vehicle or contrivance; or

2. In begging or receiving or soliciting alms in any manner or under any pretense, or in any mendicant occupation; or in gathering or picking rags, or collecting cigar stumps, bones, or refuse from markets; or in peddling; or

3. In singing; or dancing; or playing upon a musical instrument; or in a theatrical exhibition; or in posing or acting, or as a subject for use in or for, or in connection with, the making of a motion-picture film; or in any wandering occupation; or

4. In any illegal, indecent, or immoral exhibition or practice; or in the exhibition of any such child when insane, idiotic, or when presenting the appearance of any deformity or unnatural physical formation or development; or

5. In any practice or exhibition or place dangerous or injurious to the life, limb, health, or morals of the child, is guilty of a misdemeanor. But this section does not apply to the employment of any child as a singer or musician in a church, school, or academy; or in teaching or learning the science or practice of music; or as a musician in any concert or in a theatrical exhibition or in posing or acting, or as a subject for use, in or for, or in connection with, the making of a motion-picture film with the written consent of the mayor of the city, or the president of the board of trustees of the village where such concert or exhibition takes place. Such consent shall not be given unless forty-eight hours' previous notice of the application shall have been served in writing upon the society mentioned in section four hundred and ninety-one of this chapter, if there is one within the county, and a hear-

Exceptions.

Motion - picture acting.

ing had thereon, if requested, and shall be revocable at the will of the authority giving it. It shall specify the name of the child, its age, the names and residence of its parents or guardians, the nature, time, duration, and number of performances permitted, together with the place and character of the exhibition; and where any child is to be employed in the making of a motion-picture film it shall provide that the child is to be employed only in the manner described and set forth in the statement in writing submitted with the application, as hereinafter provided. Any person applying for such consent for the use or employment of any such child or children in any place in the State, in posing or acting for or as a subject for use in or in connection with the making of a motion-picture film shall submit with such application a true and accurate statement in writing setting forth and describing in detail the entire part to be taken and each and every act and thing to be done and performed by such child in the making of such film to the local official having authority to issue such permits or of any such society having jurisdiction in such place. But no such consent shall be deemed to authorize any violation of the first, second, fourth, or fifth subdivision of this section.

Became a law April 24, 1916.

CHAPTER 424.—*Railroads, etc.—Illiterate employees.*

SECTION 1. Section nineteen hundred and eighty-two of article one hundred and seventy-eight of chapter * * * forty of the Consolidated Laws is hereby amended to read as follows:

Who must be able to read, etc.

Sec. 1982. It shall be a misdemeanor for any person, firm, or corporation engaged in the operation of a railroad within this State, whereon steam or electricity is used as a motive power, to employ in or about the operation of any engine, train, or trains any engineer, assistant engineer, fireman, engine foreman, hostler, trainman, or flagman who is unable to read the time-tables of such railroad and ordinary handwriting in the English language or unable to speak, hear, and understand the English language, or to see and understand the signals required by the book of rules governing the operations of the engines and trains on such railroad; or for any person, firm, or corporation in his own behalf, or in the behalf of any other person or corporation, knowingly to employ or use a person so unable to read, speak, hear, and understand the English language, or to see and understand the signals aforesaid as such engineer, assistant engineer, fireman, engine foreman, hostler, trainman or flagman; or to employ a person as a telegraph operator who is under the age of eighteen years, or who has less than one year's experience in telegraphing, to receive or transmit a telegraphic message or train order for the movement of trains: *Provided, however,* That this section shall not apply to flagmen at street or highway crossings.

Became a law May 4, 1916.

CHAPTER 465.—*Employment of children—General provisions.*

SECTION 1. Section seventy-one of chapter * * * thirty-one of the Consolidated Laws, * * * is hereby amended to read as follows:

Employment certificate.

Sec. 71. Such certificate shall be issued by the commissioner of health or the executive officer of the board or department of health of the city, town, or village where such child resides or is to be employed, or by such other officer thereof as may be designated by such board, department, or commissioner for that purpose, upon the application of the parent, guardian, or custodian of the child desiring such employment. Such officer shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed, namely: The school record of such child properly filled out and signed as provided in this article; also, evidence of age showing that the child is four-

teen years old or upwards, which shall consist of the evidence thereof provided in one of the following subdivisions of this section and which shall be required in the order herein designated as follows:

(a) Birth certificate; passport or baptismal certificate: A duly attested 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; or a passport; or a duly attested transcript of a certificate of baptism showing the date of birth of such child. Evidence.]

(b) Other documentary evidence: In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested and who has presented the school record, is in fact over fourteen years of age, and that satisfactory documentary evidence of age can be produced, which does not fall within any of the provisions of the preceding subdivisions of this section, and that none of the papers mentioned in said subdivisions can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent, for its action thereon, a statement signed by him showing such facts, together with such papers as may have been produced before him constituting such evidence. The commissioner of health, or when officially authorized, the issuing officer of the board or department of health may then accept such evidence as sufficient as to the age of such child, and a record of such evidence shall be fully entered on the minutes of the board at the next meeting thereof.

(c) Physicians' certificates: In cities of the first class only, in case application for the issuance of an employment certificate shall be made to such officer by a child's parent, guardian, or custodian who alleges his inability to produce any of the evidence of age specified in the preceding subdivisions of this section, and if the child is apparently at least fourteen years of age, such officer may receive and file an application signed by the parent, guardian, or custodian of such child for physicians' certificates. Such application shall contain the alleged age, place, and date of birth, and present residence of such child, together with such further facts as may be of assistance in determining the age of such child. Such application shall be filed for not less than sixty days after date of such application for such physicians' certificates, for an examination to be made of the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, then and not otherwise the officer may direct such child to appear thereafter for physical examination before two physicians officially designated by the board of health, and in case such physicians shall certify in writing that they have separately examined such child and that in their opinion such child is at least fourteen years of age such officer shall accept such certificates as sufficient proof of the age of such child for the purposes of this section. In case the opinions of such physicians do not concur, the child shall be examined by a third physician and the concurring opinions shall be conclusive for the purpose of this section as to the age of such child. Physicians' certificates.]

Such officer shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, place and date of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor. Preferred evidence.]

Personal appearance. Such employment certificate shall not be issued until such child further has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and write correctly simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. In every case, before an employment certificate is issued, such physical fitness shall be determined by a medical officer of the department or board of health, who shall make a thorough physical examination of the child and record the result thereof on a blank to be furnished for the purpose by the industrial commission and shall set forth thereon such facts concerning the physical condition and history of the child as the industrial commission may require.

School records. In case the evidence of age, filed as in this section provided, shows such child to be fourteen years old but fails to show such child to be fifteen years old, no employment certificate shall be issued unless such child, in addition to complying with all the requirements of this section and producing the school record described in section seventy-three, shall also present a certificate of graduation properly issued in the name of such child, from a public elementary school, or school equivalent thereto or parochial school, or a preacademic certificate issued by the regents, or a certificate of the completion of an elementary course issued by the education department.

Act in effect. Sec. 163. [Identical with sec. 71.]

Sec. 3. This act shall take effect February first, nineteen hundred and seventeen.

Became a law May 9, 1916.

CHAPTER 466.—*Factory, etc., regulations—Protection against fire.*

SECTION 1. Section eighty-three-a of chapter * * * thirty-one of the Consolidated Laws, as added by chapter three hundred and thirty of the laws of nineteen hundred and twelve * * * is hereby amended to read as follows:

Signal systems. Sec. 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, except in buildings in which every square foot of the floor area on all stories is protected with an automatic sprinkler system having two adequate sources of water supply and approved by the public authorities having jurisdiction, and in which also the maximum number of occupants on any one floor does not exceed by more than fifty per centum the capacity of the exits as determined by subdivisions one, two, three, four, five, six, and seven of section seventy-nine-e of this chapter. 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.

Drills. 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, except in buildings in which every square foot of the floor area on all stories is protected with an automatic sprinkler system having two adequate sources of water supply and approved by the public authorities having jurisdiction, and in which also the maximum number of occupants on any one floor does not exceed by more than fifty per centum the capacity of the exits as determined by subdivisions one, two, three, four, five, six, and seven of section seventy-nine-e of this chapter.

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.

Enforcement.

Became a law May 9, 1916.

CHAPTER 504.—*Mothers' pensions—Boards of child welfare.*

SECTION 1. Section one hundred and fifty of chapter * * * twenty-four of the Consolidated Laws, as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen, is hereby amended to read as follows:

Sec. 150. The board of child welfare of a city wholly including one or more counties shall consist of nine members. The members of the board shall be appointed by the mayor for such terms that the term of one 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 nine years. If a vacancy occur, otherwise than by expiration of term in the office of a member of the board, it shall be filled for the unexpired term. At least three members of the board shall be women. The members of such a board heretofore appointed by the mayor are continued in office until the expiration of their terms, respectively. The additional appointive member of such board shall be appointed by the mayor, within ten days after this section as amended takes effect, for a full term of nine years.

Appointment.

SEC. 2. Subdivision four of section one hundred and fifty-two of such chapter, as added by chapter two hundred and twenty-eight of the laws of nineteen hundred and fifteen, is hereby amended to read as follows:

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 to be made by the board 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.

D u t y o f
boards.

Became a law May 10, 1916.

CHAPTER 586.—*Employment offices—Bureau of farm settlement.*

SECTION 1. * * * Chapter one of the Consolidated Laws is hereby amended by inserting therein, after article eleven, a new article, to be article eleven-a, to read as follows:

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ARTICLE 11-A.

Bureau estab-
lished.

Sec. 266. There shall be in the department of agriculture a bureau of farm settlement. The head of such bureau shall be a director, who shall be appointed by the commissioner of agriculture. Such director shall exercise his powers and duties subject to the supervision and control of the commissioner. The commissioner shall employ such clerical and other assistants as are needed to enable such director to properly exercise his powers and duties. The salary and compensation of such director and assistants shall be fixed by the commissioner within the amount appropriated therefor by the legislature. They shall also receive their actual necessary expenses incurred in the performance of their duties, within the amount appropriated.

Duty of direc-
tor.

Sec. 267. The director shall—

1. Formulate plans for and promote the settling by desirable immigrant rural laborers with their families in farming sections.
2. Secure from the proprietors of farm lands proposals relating to the sale or leasing of such lands for the above purposes and the employment of such laborers on farms.
3. Obtain and disseminate information and data relating to such laborers, and especially their availability for farming and farm labor.
4. Assist in the organization of local societies and associations for the promotion of farm settlements by such laborers and for the collection of information and data for the use of the director.
5. Communicate with prospective immigrant laborers in any part of the world and present the inducements and advantages offered for settlement and employment on farms in this State and bring about intercommunication between them and proprietors of farm lands.
6. Expedite the making of agreements of sale, leasing, or employment between proprietors of farm lands and such laborers.
7. Negotiate and arrange for the immigration and settlement of such farm laborers.

Became a law May 18, 1916.

CHAPTER 587.—*Employment offices.*Theatrical en-
gagements.

[This act amends section 183 of chapter 20 of the Compiled Laws, relating to securing contracts for theatrical employments and permits the use of a statement in an approved form in lieu of a contract. Section 185 is also amended so as to permit the division of fees for theatrical engagements, where such division will be without injury or loss to the applicant for a position.]

INDUSTRIAL BOARD RULES AND REGULATIONS.

RULE No. 2 (as amended, 1916).—*Inspection and regulation of factories—Stairways in certain factories.*

To what
buildings ap-
plicable.

Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second floor, all interior stairways, serving as required means of exit, and the landings, platforms, and passageways connected therewith, shall be inclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories.	Contents combustible, no sprinkler.	Contents non-combustible, no sprinkler.	Contents combustible and sprinkler.	Contents non-combustible and sprinkler.
Three.....	Stairways inclosed.
Four.....	do.....	Stairways inclosed.
Five.....	do.....	do.....	Stairways inclosed.

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

Definitions.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

Where the stairway extends to the top floor of the building, such partitions shall extend to three feet above the roof, except in buildings with roofs of noncombustible material, in which case the partitions may stop at the under side of the roof.

Partitions.

All openings in such partitions shall be provided with self-closing doors constructed of fire-resisting material, except where such openings are in the exterior wall of the building.

The bottom of the inclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

Inclosures.

Such inclosure of stairways shall not be required where there is an interior inclosed fireproof stairway, or where there is an exterior inclosed fireproof stairway.

A horizontal exit, as defined in section 79-f, subdivision 9 of the Labor Law, will be accepted as a compliance with this rule.

Exits.

RULE No. 4.—Fire escapes as means of exit.

When in accordance with the provisions of section 79-b-1 of the Labor Law, a fire escape is accepted as a required means of exit on buildings erected prior to October 1, 1913, such fire escape shall conform to the following requirements:

(a) Fire escapes hereafter erected on buildings five stories or less in height constructed prior to October 1, 1913, will not furnish safe and adequate means of escape for the occupants in case of fire in buildings in which there are more than twenty-five persons employed above the second floor unless such fire escapes comply with the provisions of section 79-b-4, and in addition thereto, there is at least one opening on each and every floor leading to the balcony with an unobstructed width of at least two feet and an unobstructed height of at least six feet which shall be protected by a self-closing fire door or a fireproof casement window, extending to the floor level or within six inches thereof. Fire escapes hereafter erected on buildings five stories or less in height, constructed prior to October 1, 1913, in which there are less than twenty-six persons employed above the second floor, shall comply with the provisions of section 79-b-4.

Construction; new installations.

(b) Fire escapes erected prior to October 1, 1913, on buildings five stories or less in height, will not furnish safe and adequate means of escape for the occupants in case of fire in buildings in which there are more than twenty-five persons employed above the second floor, unless said fire escapes comply with the provisions of section 79-b-5, and in addition thereto there shall be at least one opening on each balcony with an unobstructed width of at least two feet and an unobstructed height of at least six feet, except where fireproof windows have been installed, which permit

Old installations.

- of an unobstructed opening three feet wide by three feet high.¹ Where steps are required on the inside of a factory leading to the opening as above specified, the top step shall be not less than six inches, nor more than twelve inches below the level of the sill. The width of the balconies shall be not less than thirty-six inches. The balconies, wellholes, and connecting stairs shall be properly guarded with railings at least three feet high. Passages between guard railings and projecting parts of the building shall be not less than fourteen inches in the clear. Connecting stairs and wellholes shall be not less than eighteen inches in the clear. Treads shall be flat, at least six inches in width, and substantially constructed. Fire escapes erected prior to October 1, 1913, on buildings five stories or less in height, in which there are less than twenty-six persons employed above the second floor shall comply with the provisions of section 79-b-5 and windows must permit of an unobstructed opening of three feet wide by three feet high.
- Compliance required.** (c) On buildings five stories or less in height, erected prior to October 1, 1913, fire escapes which do not comply with the above requirements, will not afford adequate and safe means of escape for the occupants of such buildings in case of fire, and will not be accepted as a required means of exit.
- Higher buildings; new installations.** (d) Fire escapes hereafter erected on buildings six, seven, eight, and nine stories in height, constructed prior to October 1, 1913, shall comply with the provisions of section 79-b-4, and in addition thereto, with the following requirements: The balconies and stairs shall be screened on the outside to a height of at least five feet above the landings and the center of the treads. The screening may consist of No. 10 U. S. gauge wire with not more than one and one-half inch mesh, or bars at least one-half inch in diameter placed not more than six inches between centers, or with grille work; all to be substantially installed and braced.
- Old installations.** (e) Fire escapes erected prior to October 1, 1913, on buildings six, seven, eight, and nine stories in height, shall comply with the provisions of section 79-b-4, except that openings leading to balconies may be at or about window sill level; and except that balconies shall not be less than three feet wide and except that, if the building is not more than six stories high, the connecting stairs may be at an angle not to exceed 60 degrees from the horizontal. Steps shall be provided on the inside of the factory leading to openings. Balconies and stairs shall be screened as prescribed in subdivision "d" of this rule.
- Buildings above nine stories.** (f) Fire escapes will not be accepted as a required means of exit on buildings more than nine stories in height.
- Obstructions, etc.** (g) Fire escapes serving as required means of exit shall be kept free from snow, ice, and all obstruction. They shall be maintained structurally safe and kept well painted.
- Egress to roof.** (h) If there be safe egress from the roof to an adjoining or near-by structure, the fire escapes shall be continued to the roof.

Factory elevators and hoistways.

- Future installations.** **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 used for passenger and employees' elevators shall have inclosures extending from floor to ceiling on all sides where there are door openings into the car. The door openings in the hoistway inclosures shall have gates or doors that will fully guard and protect the opening. On all other sides of the hoistway where there are no openings into the car the hoistway shall be inclosed not less than six feet high. Such hoistway shall be inclosed by walls, windows, screens, or partitions. Hoistway inclosures; passenger elevators.

RULE 403. Existing hoistways, or hoistways reconstructed in an old building, used for freight elevators, shall have inclosures not less than six feet high on all sides of the hoistway where there are no openings into the car; no inclosures will be required on the sides of the hoistways that have openings into the car other than the protection specified in rules on hoistway gates or doors. Freight elevators.

Hoistway ledges shall have smooth bevel guards set directly under all projections as specified in rule 405.

RULE 404. For future installations in new buildings, the hoistway inclosures for all passenger[s] and employees, and for freight elevators shall extend from floor to ceiling on all sides and on each story of the hoistway. New installations.

The inclosure shall be set close to the hoistway line, allowing only necessary space for the doors and their fastenings between the inclosures and the edge of the floor sill.

The hoistway door openings shall have gates or doors that will fully guard and protect the openings.

Such hoistway inclosures, gates, and doors shall in all respects comply with the requirements prescribed for the prevention of fire by the Labor Law.

RULE 405. 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 (60) degrees from horizontal. Ledges.

RULE 406. In existing and future installations sliding hoistway gates or doors used for passenger and employees' elevators shall be full automatic, manually operated, self-closing, or equipped with interlocking devices. When doors are manually operated, they shall be fitted with a substantial lock or latch and so arranged that they can not be opened from the outside, except with a key. This rule shall also apply to vertical sliding gates or doors, except that doors so constructed that a section slides up and a section slides down shall be provided with a device which will prevent the car from leaving the landing until the gates or doors are closed. Gates or doors.
Passenger elevators.

RULE 407. Vertical or horizontal sliding gates or doors for freight elevators that were installed previous to the adoption of these rules may remain in place as installed, provided the gates or doors are sufficiently high and strong for the particular requirements where they are used. Freight elevators.

When gates are less than five feet six inches (5' 6") high and are set closer than twelve (12) inches from the hoistway line, telltale chains not less than four (4) feet long and six (6) inch centers shall be suspended from the landing edges of the car platform.

RULE 408. Hinged or swinging gates or doors may be used for elevators that carry passengers and employees or for freight elevators. Such gates or doors shall be manually operated or self-closing; when manually operated, they shall be provided with electric contact or such other devices, approved by the commis- Swinging gates.

sioner of labor, as will insure the gates or doors being closed and locked before the car can start from the landing. When such doors or gates are self-closing, auxiliary gates of approved type shall be provided.

When manually operated double-swinging doors or gates are used, the closing of electric contact devices shall be dependent on the closing of each door.

When an electrical contact device is used it shall be provided with an inclosed switch in the car to temporarily short-circuit the contact wiring in cases of emergency.

Keys shall be available for unlocking such gates or doors from the outside in emergency cases.

Crossbars.

RULE 409. The crossbars of vertically sliding inclosure gates or doors for freight elevators 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. The bars of the gate shall be spaced so there will not be more than two (2) inches between the bars.

Sliding gates.

RULE 410. Vertical sliding hoistway gates or doors hereafter installed for freight elevators shall be self-closing or manually operated, and if manually operated shall be equipped with a device which will insure the doors or gates being closed before the car leaves the landing. When 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; when it is impracticable to comply with these provisions the commissioner of labor shall have authority to modify this rule to suit individual conditions.

Same.

RULE 411. Vertical sliding hoistway gates or doors hereafter installed for freight elevators shall be self-closing or manually operated, and if manually operated shall be equipped with a device which will insure the doors or gates being closed before the car leaves the landing. When set twelve (12) or more inches from the edge of the hoistway line they shall be not less than three feet six inches (3' 6") high and not more than ten (10) inches from the floor; when it is impracticable to comply with these provisions the commissioner of labor shall have authority to modify this rule to suit individual conditions. Tell-tale chains not less than (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. When automatically operated trapdoors are used in the hoistway, it will be unnecessary to provide telltale chains attached to the car platform.

Trapdoors.

RULE 412. Automatically operated trapdoors 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 trapdoors 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 413. 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 unless otherwise specified in these rules, 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: *Providing*, 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.

RULE 414. Passenger or employees' elevator car door openings shall have doors or gates that shall be kept closed while the car is in motion, unless the hoistway inclosures and doors on the open sides of the elevator are set so there is no more than three (3) inches clearance between the car platform and the hoistway inclosures and door at all points throughout the car travel. Passenger cars.

No locks will be required on the car gate or door 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 the landing, or they shall have electrical contacts or other approved devices that will stop the car in case any such gate or door is opened.

RULE 415. 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. Trapdoor in top.

RULE 416. 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. Lifting capacity.

RULE 417. 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. Freight cars.

RULE 418. The 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 more than one and one-half (1½) 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 upwards for handling bulky material. Tops.

RULE 419. 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. Lifting capacity.

RULE 420. For existing power elevators, except carriage hoists and sidewalk type 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. Depth of pits.

RULE 421. In future installations there shall be not less than six (6) inches 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 headroom 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 to 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 above and below.

- Clearance for counterweight.** RULE 422. In future installations the clearance space between the top of the counterweight and the overhead beams when the car strikes the pit buffers shall not be less than eighteen (18) inches for cars of one hundred (100) feet per minute, and the clearance space shall be six (6) inches additional for every fifty (50) feet increase in normal car speed. 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.
- Safety equipment.** RULE 423. All elevators that are used for carrying passengers or employees, and all freight elevators, unless otherwise specified in these rules, shall have safety devices of types 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 devices shall be located under the car platform.
- Speed governor.** RULE 424. 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.
- 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.
- Lighting.** RULE 425. The cars shall be properly lighted at all times when they are in service; artificial illuminants shall be used when necessary.
- Location of controlling devices.** RULE 426. 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 opening. This rule shall also apply to existing installations when deemed necessary by the commissioner of labor.
- Same.** RULE 427. 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.
- Guards.** RULE 428. 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 devices.** RULE 429. 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.
- Ropes.** RULE 430. 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.

RULE 431. 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.

Factors of safety.

RULE 432. Gate or door counterweights shall be guarded on all exposed sides.

Guards for counterweights.

RULE 433. In future installations, all counterweights shall have their sections strongly secured together with tie rods passing through all the weights.

Tie rods.

RULE 434. 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 on both sides with substantial metal shields 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 shields shall be not less than six feet six inches (6' 6'') and the shields shall extend to within eighteen inches of the floor. In existing installations where the clearance space between the car and the counterweight is insufficient to install a metal shield, the counterweight may be guarded on one side only with a metal shield of the same height as above or a wall or partition. Where the counterweight is guarded on one side only, four (4) telltale chains not less than four (4) feet long shall be suspended from the bottom of the counterweight.

Guards at bottom;

RULE 435. 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.

At top.

RULE 436. 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.

Exemptions.

RULE 437. Counterweights that pass through the floors outside of the hoistway shall be guarded throughout their entire travel.

Openings through floors.

RULE 438. 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 403.) No person shall be permitted to ride on such hoists, and signs to that effect shall be posted on the inclosure.

Carriage hoists.

RULE 439. 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 the 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' 5'') high.

Hand-power elevators.

RULE 440. 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.

Operating slots.

- Exit facilities.** **RULE 441.** 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 headroom from the floor of the passage. The lowest terminal of such elevator shall be above the bulkhead.
- Exits from bottom.** **RULE 442.** In all factory buildings there shall be passageways 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.
- Signs.** **RULE 443.** All elevator cars shall have a conspicuous sign which shall show the load that can be safely carried on the elevator.
- Maintenance.** **RULE 444.** 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. Monthly 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.
- Operators.** **RULE 445.** Every elevator used for carrying passengers or employees must be in charge of a competent and reliable operator not less than eighteen years of age. This rule shall not apply to push-button or automatically operated type elevators.

OHIO.

ORDERS OF THE INDUSTRIAL COMMISSION.

Mines.

- All superintendents, mine bosses, mine foremen, or any persons exercising supervisory power over employees who have supervision over the general safety of the miners, must familiarize themselves with the mining laws of the State of Ohio and see that all rules and regulations are lived up to for the purpose of promoting greater safety to life, limb and property—and they will be held strictly responsible. Duties of superintendents, etc.
- RULE 1. All means of ingress and egress to the mines must be kept safe and sanitary—free from loose stone and other lurking dangers. Entrances.
- RULE 2. The rules governing haulage trips where men are hauled to and from work, must be properly observed. Haulage rules.
- RULE 3. Where men are lowered and hoisted in and out of the mine, neither tools nor explosives are permitted in the cage with men. The number in the cage must not exceed ten—the number fixed by law. Hoisting workmen.
- RULE 4. The necessary timber must be located at suitable and convenient places in the mine for those requiring same. Timber.
- RULE 5. Stone or loose slate must be taken down or properly timbered in all haulage ways. Stone, etc.
- RULE 6. Every miner must keep his room properly timbered. Properly timbered does not mean any given number of posts, but the number necessary to make the place safe. Timbering.
- RULE 7. If a place is designated by chalk mark for setting timber, the miner must not be permitted to proceed further until such timber is set. Timber to be set.
- RULE 8. Explosives must not be taken in or out of the mine when the wires are charged, except in properly insulated car or box especially provided for such purpose, and then, only, when animal haulage is not available. Moving explosives.
- RULE 9. Men must not be permitted to get in or out of mine cars when being hauled in man trips while trips are in motion. Getting on or off cars.
- RULE 10. A machine must be properly shielded when in operation as required by law. Shields.
- RULE 11. All motors must be provided with headlights and kept in good condition, and rear end of trips must be provided with trip rider or proper marker. Lights for cars.
- RULE 12. Lawful lights must be maintained on curves of motor and rope roads and all other important points. Curves.
- RULE 13. Pushing cars ahead of motor, or running switches must be avoided wherever possible. Pushing cars, etc.
- RULE 14. All abandoned or dangerous places must be properly fenced off. (The word "fenced" means that the fence must be built in such a way that part of it would have to be removed before a man could get through.) Fencing.
- RULE 15. Where men are lowered and hoisted in and out of the mine, see that engines, ropes, and safety catches, or other safety appliances, are kept in safe working order. Safety appliances.
- RULE 16. In mines generating fire damp or other explosive gases, see that no one enters until after mine has been properly examined and reported safe by fire boss. All places found with accumulations of gas must be fenced off and properly marked "danger signals" at all approaches to said working places, includ-
- Inspection of gaseous mines.

- ing break throughs. The fire boss must report on a blackboard outside of mine before anyone is permitted to enter and must make a daily written report of his examination in a book furnished by the State for that purpose and a copy of same forwarded to the deputy inspector. All mines must be kept free from standing gas. This paragraph means that working territory, break throughs, and jaws will be marked in the customary way with "danger signs" and has no application to paragraph fifteen (15), which refers to abandoned works.
- Moving explosives.** RULE 17. Attention is again called to the law regulating the transportation of powder and other explosives, and also to the section of the law requiring the miner to provide himself with suitable box.
- Rules to be observed.** RULE 18. All rules issued by this department, superintendent and mine bosses, or their representatives, as they apply to the personal safety of men in and around the mines, must be observed.
- Landings.** RULE 19. All shafts where men are hoisted must use what are commonly known as "fans," or some other safety device, for landing cage where men are getting on and off of cage.
- Approaches to hoists.** RULE 20. All approaches to man hoist must be kept free from mine cars, electric wires, and combustible matter. There should be comfortable seats fixed where men can sit to await their turn to be hoisted. Under no conditions will they be allowed to assemble on the bottom. They must approach the shaft from other point than the main bottom landing.
- Hauling workmen.** RULE 21. Miners who ride into the mine in trip, where agreement has been made to haul them in, must be seated in mine cars, and no more permitted in cars than can be comfortably seated, and must be governed by all rules of running such trips.
- Miner to inspect.** RULE 22. Upon arrival at his working place each miner shall thoroughly examine same, and shall not commence to mine or load until it is made safe, and he shall be very careful to keep his working place in a safe condition at all times.
- Dangerous places.** RULE 23. Whenever a working place is dangerous the miner shall cease work and notify mine foreman or his assistant of such danger, and upon leaving the place he shall place a "warning" at entrance thereto to warn others from inadvertently entering into the danger, and no person shall begin or resume work in such place until it is properly secured under directions of mine foreman or his assistant.
- Instructions to be observed.** RULE 24. Where instructions are given by the mine boss or his representative, either verbally or by chalk marks, where timbers should be set, it shall be the duty of miner to carry out such instructions. This is the safest course to follow, even in cases of dispute, as safety is the first consideration and the "primary motto" of this department.
- Care.** RULE 25. Miners must be careful of material and must not waste by covering up or otherwise destroying same.
- Shot firing.** RULE 26. Rules governing the firing of shots must be observed. Where rules govern the firing of shots at stated intervals, the miners must carefully carry out the provisions of such rules.
- Warning.** RULE 27. A miner firing shot on the rib (whether the rib is thick or thin) shall give warning to the miner working on the opposite side of the rib in which such shot is fired.
- Subsequent precautions.** RULE 28. When a miner fires a shot he must not return to examine same within five minutes. He must then examine the roof very carefully in the case of overcharged or flying shot. Posts must be replaced that have been blown out from the effect of shots.
- Successive shots.** RULE 29. Where two or more holes are to be fired in the same working place, five minutes must elapse between each shot, and the miner's first duty is to examine place before igniting second or any succeeding shots. Failure to do this has been a fruitful source of serious and fatal accidents throughout the State in the past, due to the eagerness of the men to get out of the mine as soon as possible.

- RULE 30.** In drilling out missed shots where powder is used a miner must not use the drill within twelve inches of the cartridge. The last twelve inches shall be removed by use of needle, and in all places where detonating caps are used the drilling out of the hole is strictly prohibited, and a new hole must be drilled. Missed shots.
- RULE 31.** The needle used in preparing the blast shall be made of copper, and the tamping bar shall be made of wood or shall be tipped with at least five inches of copper. The use of any other tool for tamping is strictly forbidden in any of the mines of this State. Needles and bars.
- RULE 32.** Miners must in no way tamper with electric wires. This means all wires—positive and negative. Electric wires.
- RULE 33.** Miners must not loiter in entries, on switches, or in other than their working places; and must not interfere with motors, motormen, trip riders, drivers, machine runners, pumpers, fan men, or machinery. Loitering, etc.
- RULE 34.** Where coal is undercut by machinery, miners must not drill rib holes until the cut is made, and in this way avoid drilling on the solid; as holes on the tight would be considered solid shooting, which is strictly prohibited by law. Drilling.
- RULE 35.** In rooms undercut by machinery, there should be a light flanker in the center, or what is known as an opening shot. In many places miners are shooting their coal without an opening shot, and this is a very dangerous practice, especially where there is heavy draw slate; and many accidents have happened on account of the powder cutting the slate across the face and along rib when rib shots only are fired; while if an opening shot is fired, it gives the miner an opportunity to better care for his place in the way of posting and taking down the slate. Opening shots.
- RULE 36.** Machinemen must not move the machine while the cutter chain is in motion. Moving machines.
- RULE 37.** When connecting the power cable to electric wires, machinemen shall make negative or ground connections before connecting the positive; and when disconnecting the cable, they shall disconnect the positive line before disconnecting the negative or ground. Electric connections.
- RULE 38.** When the positive feed wires extend into rooms, machinemen must connect such wires to the positive wire on the entry before connecting the power cable; and as soon as the power cable is disconnected, shall disconnect wire from wire on the entry. Many accidents are attributable to interference above cited. Same.
- RULE 39.** Machinemen must use care that cables do not make contact with metallic rails of the track, and must avoid, where possible, leaving the cable in water. Contacts.
- RULE 40.** Where props which have been placed by a miner for the security of the roof have been removed, machinemen must reset such props as promptly as possible. Props.
- RULE 41.** Motormen and trip riders must use care in handling locomotives and cars, and must see that the motor has headlights and that they are kept in good working condition. Duties of motormen.
- RULE 42.** On trips where no trip rider is employed, it is the duty of the motorman to see that a "signal" or "marker" is properly placed on the rear end before starting trip. Markers.
- RULE 43.** Motormen must see that brakes are in good working condition, and must approach all curves, crossings, trapdoors, and junction points with trip under perfect control. Brakes, etc.
- RULE 44.** Motormen must not run the locomotive with trip ahead of locomotive, except in cases where it is unavoidable, and then only at a speed that will guarantee the greatest degree of safety; and the extreme limit shall be two miles an hour. Placing of cars.
- RULE 45.** It is the duty of motorman or trip rider, where one is employed, to see that no person or persons other than those authorized ride on trips, loaded or empty, except such as are designated by mutual agreement and provided for the transportation of men to and from their work, as sanctioned by law. Riding on trips.

- Trip riders.** **RULE 46.** The trip rider in charge of rope haulage trips shall see that a proper signal, light, or marker is attached to rear end of trip, or the end opposite to which he rides before starting the trip; and he shall be governed by the same regulations as govern motormen and trip riders under motor and rope haulage in rule 45.
- Drivers.** **RULE 47.** Drivers must not travel in haulage ways with mule while current is on trolley wire.
- Cars on grades, etc.** **RULE 48.** Drivers must use care in handling cars, especially going down extreme grades, and must have trip under control at curves, trapdoors, and junction points, either with brakes or sprags.
- Not to ride where.** **RULE 49.** The drivers must not ride the front end, or between loaded cars.
- Two or more drivers.** **RULE 50.** Where two or more drivers are hauling in the same entries, the second or following drivers must keep continuous lookout for the driver ahead and keep trip under sufficient control to avoid accident.
- Riding on cars.** **RULE 51.** Drivers must see to it that no one is permitted to ride in empty or loaded cars, except those authorized to do so by superintendent, mine boss, or his assistant.
- Trapdoors.** **RULE 52.** Trapdoors for the assistance of the ventilation of the mine are of no use while standing open, and it is the duty of every person to see that they are kept shut, except when persons or trips are passing through.
- Violations.** **RULE 53.** All violations of the above rules by superintendents, mine bosses, mine foremen or anyone exercising supervisory power, or by miners, or any of the employees in and around the mines, shall be reported promptly to * * * [the] chief deputy and safety commissioner, division of mines, the Industrial Commission of Ohio, Columbus, Ohio.

Foundries.

- Definitions.** **RULE 1.** 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.
- RULE 2.** 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 floors 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 3.** Except as otherwise specified, these rules shall, as to the subjects covered herein, exempt foundries from the general rules relating to such subjects.
- Entrances.** **RULE 4.** 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 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 foundry during the loading or unloading of the cars.
- Gangways.** **RULE 5.** Main gangways where metal is carried by hand, bull or truck ladles shall be not 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.

RULE 6. 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 rails shall be flush with the floor. Every gangway shall be kept in good condition at all times.

Same.

RULE 7. 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 Commission of Ohio.

Ventilation.

RULE 8. 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 the clearance of same. Large castings may be chipped or cleaned by hand in the molding room or where cast 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 and chipping castings.

This rule shall not apply if mechanical contrivances are used for cleaning castings and the dust and particles arising therefrom are effectively removed satisfactorily to the Industrial Commission of Ohio.

RULE 9. 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 does not prohibit the use of a water barrel for the purpose of cleaning castings. Sand-blast operations shall be carried on in the open air or in a separate room used solely for that 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 form approved by the Industrial Commission of Ohio.

Tumbler mills.

RULE 10. No cores shall be blown out of castings by compressed air unless such work is done outside the foundry or in a special or dust-proof inclosure approved by the Industrial Commission of Ohio.

Blowing out cores.

Men employed in cleaning castings by compressed air or sand blast shall wear eye guards and helmets; such helmets shall be of such designs as to meet the approval of the Industrial Commission of Ohio.

RULE 11. Where fumes, gases, and smoke are emitted from drying ovens in such quantities as to be detrimental to the health or eyes of the 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 operations of traveling cranes, but other effective means shall be provided for the removal of such fumes, gases and smoke.

Drying ovens.

RULE 12. Where natural light is insufficient properly to light the foundry, artificial light of sufficient power shall be provided, in the discretion of the Industrial Commission of Ohio.

Lighting.

The continuous use of hand torches or other lamps that emit injurious smoke or gases is prohibited.

- Walls.** RULE 13. Interior walls of foundries shall be whitened, in the discretion of the Industrial Commission of Ohio.
- Heating.** RULE 14. Proper and sufficient heat shall be provided and maintained in every foundry. The use of the open salamander stove, or stoves of that type, when used for heating purposes shall be prohibited. Open fires may be used for the purpose of drying molds or cores, if coke containing less than 1% of sulphur be used.
- Ladles.** RULE 15. All hand and bull ladles shall be dried outside the foundry, or in accordance with rule 7.
A sufficient number of sheet-iron shields shall be available in foundries for use in covering hand and bull ladles.
- Drying clothing.** RULE 16. Suitable facilities shall be provided for drying the clothing of such employees as may be found necessary at the discretion of the Industrial Commission of Ohio, and may be located in the wash room, the locker room, or in a room used exclusively for that purpose.
- Water-closets.** RULE 17. In every foundry where water-closets or privy accommodations are permitted by the Industrial Commission of Ohio to remain outside of the foundry, the passageway leading from the foundry to the said water-closets or privy accommodations shall be so constructed that the employees in passing thereto or therefrom shall not be exposed to outdoor atmosphere, and such passageways, water-closets, and privy accommodations shall be properly heated during cold weather.
- Same.** RULE 18. 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 (45) or fractional part thereof in excess of one hundred and twenty-five (125) persons employed, one additional water-closet shall be provided.

- Urinals.** RULE 19. In every foundry there shall be provided one urinal; where more than thirty (30) and less than eighty (80) males are employed, two urinals shall be provided, and thereafter one additional urinal shall be provided for every eighty (80) males employed or fractional part thereof. At least two linear feet of trough or slab urinal shall be considered the equivalent of one urinal.
- Washbasins.** RULE 20. 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 provided. Twenty inches of sink shall be considered the equivalent of one washbasin.

RULE 21. Wash rooms 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.

Wash rooms.

This rule shall apply to existing foundries at the discretion of the Industrial Commission of Ohio.

RULE 22. Individual lockers, arranged for locking, shall be provided for employees, and shall be placed either in a room used exclusively for that purpose, in the wash room, the drying room, or at convenient places in the molding room. The necessity for individual lockers, number, etc., shall be determined by the Industrial Commission of Ohio.

Lockers.

NOTE.—The general sanitary rules of the Industrial Commission of Ohio shall apply in all matters not specifically covered in rules 16 to 22, inclusive.

RULE 23. The floor beneath and immediately surrounding the cupola shall slope and drain away from the base of same.

Floors.

RULE 24. Persons tapping or stopping up cupolas must wear goggles to protect the eyes.

Eye guards.

RULE 25. 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.

Inspection of tools.

A monthly inspection shall also be made of the chains and cables on counterweights in connection with drying ovens, and reports of such inspections shall be made on forms prescribed by the Industrial Commission of Ohio, and shall be kept on file for its inspection.

RULE 26. Trunnions on flasks hereafter constructed shall be carefully designed for the loads 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.

Trunnions.

RULE 27. All fire ways or pits connected with drying ovens, when built in the floor, shall at all times be protected by either a substantial protecting cover or a standard guardrail.

Fire ways.

RULE 28. All trapdoors shall be guarded when open, either by standard guardrails or watchmen, and all pits shall be properly covered or railed when not in use, and sufficiently guarded at other times. All casting pits must be free from water and abnormal dampness.

Trapdoors.

RULE 29. All passageways and stairways shall be properly lighted, and inclined runways and stairways, charging decks, and platforms shall be guarded with rails conforming to the standards of the Industrial Commission of Ohio.

Passageways.

RULE 30. All ladles pouring from the lip, of 2,000 pounds or over capacity, shall be equipped with a worm-gear device for tilting same.

Ladles.

All crane, truck, and trolley 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 the overturning of same.

RULE 31. The use of high explosives is absolutely prohibited on the foundry premises, unless effective protection is provided.

Explosives.

RULE 32. The breaking of castings by the use of a drop inside the foundry during the general working hours is prohibited.

Dropping castings.

- Where a drop is used for the breaking of castings or scrap outside of the foundry, a permanent shield of heavy planking or other protection shall be provided.
- Use of protective devices.** **RULE 33.** Every employee in every foundry shall use the devices furnished for his protection by his employer where there is a hazard connected with his employment.
- Rooms where women are employed.** **RULE 34.** 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 wood covered with metal, or other materials approved by the Industrial Commission of Ohio, and there shall be in such partition only such openings as are required by the nature of the business.
- Openings to oven room.** **RULE 35.** All openings in partitions between the oven room and the room in which the females are employed shall be vestibuled with either 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 Industrial Commission of Ohio. Such devices shall be kept in such a condition that gases, fumes, and smoke shall be effectually trapped.
- Temperature of cores.** **RULE 36.** No female employed in any core-making room shall be permitted to handle cores which have a temperature of more than one hundred and ten (110) degrees Fahrenheit.
- Weight.** **RULE 37.** No female employed in any core-making room shall be permitted to make or handle cores when the combined weight of core, core box, and plate at which she is working shall exceed fifteen (15) pounds.
- Brass foundries.** **RULE 38.** A brass foundry is 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. Foundries where aluminum only is melted shall be covered by the rules governing iron, and steel foundries.
- Cellars.** 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).
- Basements.** 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.
- Rules applicable.** **RULE 39.** The rules relative to dust, smoke, gases, or fumes, ventilation, sanitation, heat, light, gangways and aisles, safety appliances, cleaning rooms, wash 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.
- 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.
- Guards.** **RULE 40.** 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 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 done by mechanical means.
- Lifting.** Where the combined weight of crucible tongs and molten metal exceeds one hundred (100) pounds, the same shall be removed from furnace and deposited on the floor by mechanical means.
- Smoke traps.** **RULE 41.** 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.

RULE 42. Where 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.

Space.

RULE 43. Hoods shall be provided directly above all skimming blocks and brass melting furnaces using gas or oil as fuel, which will effectually trap all gases and fumes generated in the melting of the metal; these hoods shall be provided with outlet pipes to lead the gases and fumes to the outer air.

Hoods.

Ventilators shall be provided over all other furnaces used for melting brass or composition metal, to effectively remove the gases above the furnaces.

RULE 44. Brass foundries shall be provided with natural light from at least two sides or from at least one side and skylights in the roof.

Lighting.

RULE 45. All persons removing pots containing molten metal from furnaces and handling same shall be provided with protection for legs and feet.

Leg guards.

RULE 46. 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 47. 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 48. No brass foundry shall hereafter be constructed with a clearance of less than fourteen (14) feet between the lowest point of the ceiling and the floor, except that where a peak, sawtooth, monitor or arch roof is constructed the side walls may be of a minimum height of twelve (12) feet.

Height of rooms.

RULE 49. No foundry shall hereafter be located in a cellar unless the ceiling shall be at least fourteen (14) feet in height measured from the surface of the finished floor to the under side of the ceiling; and if the foundry is located or intended to be located in the front part of the building, unless the ceiling of the foundry 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 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 on 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 heating.

Cellar foundries.

RULE 50. In case any foundry that was legally operated in a cellar or basement on January 1st, 1916, 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.

Same.

The occasional operation of a foundry for the purpose of evading this rule shall not be deemed a continuance of use thereof.

Boiler rules.

[An act of June 14, 1911, amended May 6, 1913 (secs. 1058-7 to 1058-30, General Code), authorizes a board of boiler rules, with the duty of formulating rules "for the construction, installation, inspection, and operation of steam boilers." In its purview are all steam boilers and their appurtenances except boilers of railroad locomotives and other boilers subject to inspection under Federal laws, portable boilers used for drilling for water, gas, or oil and for agricultural purposes and for road and bridge work, boilers on automobiles, and boilers of less than 15 pounds pressure to the square inch equipped with approved safety devices.

Under an act of 1913 (p. 95), the State industrial commission is given charge of this work, and this commission has issued an edition of the rules, dated January, 1916, comprising 128 pages of rules, charts, tables, and formulas covering the various matters within the power of the board.]

OREGON.

INDUSTRIAL WELFARE COMMISSION.

CODE OF RULINGS.

Section 1—Definitions.

1. A minor is any boy or girl under the age of eighteen years. Minor.
2. An "apprentice" is a person employed for a continuous period for the purpose of learning the occupation in which she is employed so that she may fit herself to command the minimum wage of such occupation at the end of her apprenticeship. Apprentice.
3. "Experienced woman" means a woman who has completed her apprenticeship. An experienced woman shall be considered to remain an experienced woman and entitled to the minimum wage as such while in the same line of business, with or without change of employers; but the commission will take into consideration cases in which, by change of employers, or by lapse of time between periods of employment, such experienced woman may have lost her standing as such and may not be entitled to the minimum wage, and the commission may, in its discretion, and upon proper showing made, require such woman to work for such period and wage as it shall determine to be proper before she shall be reinstated as an experienced woman. Experienced woman.
4. "Person" shall include person, firm, institution, corporation, and association. Person.
5. "Mercantile occupation" shall include the work of those employed in establishments operated for the purpose of trade in the purchase or sale of any goods or merchandise, and includes the sales force, the wrapping employees, the auditing or check-inspection force, the shoppers in the mail-order department, the receiving, marking, and stock-room employees, sheet-music saleswomen, and pianists who are sheet-music demonstrators. Mercantile occupation.
6. "Manufacturing occupation" shall include all processes in the production of commodities. Included in this term is the work performed in dressmaking shops and wholesale millinery houses, in the workrooms of retail millinery shops, and in the drapery and furniture covering workrooms, the garment alteration, art needlework, fur garment making, and millinery workrooms in mercantile stores, and the candy-making department of retail candy stores and of restaurants. Manufacturing occupation.
7. "Personal service occupation" shall include manicuring, hairdressing, barbering and other work of like nature, and the work of ushers in theaters. Personal service.
8. "Laundry occupation": A laundry is a place where clothes are washed or cleaned by any process, by any person, firm, institution, corporation, or association, and laundry work shall include all the processes connected with the receiving, marking, washing, cleaning, ironing, and distribution of washable and cleanable materials. The work performed in laundry departments in hotels and factories shall be considered as laundry work. Laundry occupation.
9. "Office occupation" includes the work of those employed as stenographers, bookkeepers, typists, billing clerks, filing clerks, cashiers, checkers, invoicers, comptometer operators, auditors, attendants in physicians' and dentists' offices and all kinds of clerical work. Office occupation.

- Public house-keeping. 10. "Public housekeeping occupation" includes the work of waitresses in restaurants, hotel dining rooms, boarding houses, and all attendants employed at ice cream and light-lunch stands and steam table or counter work in cafeterias and delicatessens where freshly cooked foods are served; and the work of chambermaids in hotels and lodging houses and boarding houses, and the work of janitresses and car cleaners and of kitchen workers in hotels and restaurants. A retail candy department which is conducted in connection with an ice cream, soft drink, or light-lunch counter, or with a restaurant, will be classified as a public housekeeping establishment.
- Telephone occupation. 11. "Telephone occupation" includes the work of operators of switchboards in public and private exchanges.
- Exemptions. 12. No provision of this code applies to agricultural labor, domestic service, teaching, or nursing.

Section II—Employers' records.

- What required. Every person who employs women or minors shall keep a record containing the following information concerning each of such employees:
1. Name.
 2. Address.
 3. Age: Adult or minor. (If a minor, give exact age.)
 4. Single. Married.
 5. Date of employment.
 6. Wage at which employed.
 7. Length of experience in present occupation.

Section III—Minors.

- Hours of labor. 1. No person shall employ any minor girl in any occupation in the State of Oregon more than nine hours in one day and in no case more than fifty hours in one week.
2. No person shall employ any minor boy in the State of Oregon for more than ten hours in any one day.
3. No person shall employ any minor boy or minor girl under sixteen years of age, in the State of Oregon, more than eight hours in any one day.
- Six-day week. 4. No person shall employ any minor girl or minor boy in the State of Oregon more than six days in one calendar week.
- Rest period. 5. No person shall employ any minor girl for more than six hours of continuous labor between the hours of 7 a. m. and 6 p. m., without a rest period of at least forty-five minutes.
- Nightwork. 6. No person shall employ any minor girl in any occupation in the State of Oregon after the hour of 6 o'clock p. m. on any day.
- Wage rate. 7. No person shall employ any minor boy or minor girl between the ages of sixteen and eighteen years in any occupation in the State of Oregon at a weekly wage rate of less than \$6, except as arranged by the commission in the case of apprentices.

Section IV—Hours of labor for women.

- Hours per week. 1. No person shall employ any woman in any occupation in the State of Oregon more than fifty-four hours in any one week except in fruit and vegetable canneries, where women may be employed for sixty hours a week.
- Hours per day. 2. No person shall employ any woman in the State of Oregon more than nine hours in any day except in offices, woolen mills, and fruit and vegetable canning, packing and preserving establishments, where women may be employed not to exceed ten hours in any one day.
- City of Portland. 3. No person shall employ any woman in any office establishment in the city of Portland for more than fifty-one hours in any one week.

4. No person shall employ any woman in a mercantile establishment in the city of Portland more than eight hours and twenty minutes in one day nor for more than fifty hours in one week. City of Portland.

Section V—Rest periods for women.

1. No person shall employ any woman in any occupation in the State of Oregon between 7 a. m. and 8.30 p. m. for more than six hours of continuous labor without a rest period of at least forty-five minutes. Time pre-scribed.

2. No person shall employ any woman in the State of Oregon in any manufacturing or laundry establishment later than 8.30 o'clock p. m. Nightwork.

3. No person shall employ any woman in the city of Portland in a mercantile establishment, other than in a confectionery store or a cigar stand in a hotel, later than 6 o'clock p. m., nor in the State of Oregon, outside of the city of Portland, with the same exceptions, later than 8.30 o'clock p. m. City of Portland.

4. No person shall employ any woman or minor girl in the State of Oregon on two successive days without an interval of nine hours' rest between such days. Night's rest.

5. No woman or minor girl in the State of Oregon who has been employed by one employer in any occupation in one day shall accept employment later in the same day from any other employer for more time than will make the combined hours of employment for such day exceed nine hours. Work for two employers.

6. No person shall employ any woman in the State of Oregon in any occupation, except in telegraph and public housekeeping establishments, and except in telephone establishments outside of the city of Portland, more than six days in any one calendar week; in telephone establishments outside of the city of Portland no person shall employ any woman for more than fourteen consecutive days without one full day of rest and one day of not more than six hours of labor. Weekly day of rest.

7. No person shall employ any woman in any telegraph establishment in the State of Oregon for seven consecutive days without allowing one day during which the hours of employment shall not exceed six hours. Shorter work-day.

Section VI—Wages.

1. No person shall employ any experienced woman paid by time rates of payment in any occupation in the State of Oregon, outside of the city of Portland, at a weekly wage rate of less than \$8.25. Weekly rate.

2. No person shall employ any experienced woman paid by time rates of payment in any occupation in the city of Portland at a weekly wage rate of less than \$8.64. City of Portland.

3. No person shall employ any experienced woman in any mercantile establishment in the city of Portland at a weekly wage rate of less than \$9.25. Mercantile establishments.

4. No person shall employ any experienced woman in the city of Portland in any office at a monthly wage rate of less than \$40. Office work.

5. The average weekly wage rate for all women employed at piece rates in any manufacturing or laundry establishment in the State of Oregon, outside of the city of Portland, shall be not less than \$8.25, and in the city of Portland not less than \$8.64, and at least seventy-five per cent of such employees shall be paid not less than said minimum wage, and not more than twenty-five per cent of such employees shall be paid less than said minimum wage: *Provided, moreover,* That after any woman or girl has been employed at prevailing piece rates for three weeks, she shall then be paid not less than \$6 a week, even if the amount earned at piece rates be less than that sum. In determining such average wage a period of not less than sixty days shall be taken as a basis. Laundry work.

Board and lodging. 6. When lodging and board, or either of them, is furnished by any employer to any woman or minor girl employed in any occupation, as part payment of the wages of such woman or minor girl, not more than \$1.40 per week for lodging and not more than \$2.80 per week for board shall be deducted by such employer from the weekly wage of such woman or minor girl. Board shall be considered to be twenty-one meals in each week. A fraction of a week's lodging or board shall be computed upon the above basis.

Section VII—Apprenticeship.

Length of term. 1. The maximum length of the apprenticeship term for women workers paid by time rates of payment in all occupations shall be one year. This term, except in telephone establishments, shall be divided into three equal periods of four months each. No person shall employ any woman in any occupation, except the telephone occupation, for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.

The apprenticeship term for telephone establishments shall be divided into four equal periods of three months each. No person shall employ any woman in any telephone establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$6.60; nor for the third period at a weekly wage rate of less than \$7.20; nor for the fourth period at a weekly wage rate of less than \$7.80.

Beginners. 2. Any woman employed at piece rates in manufacturing and laundry establishments may be employed for three weeks at the prevailing piece rates, after which time she shall be paid not less than \$6 per week, even if the amount earned at piece rates be less than that sum. (See Code, Sec. VI, above.)

Payment for instruction. 3. In occupations where a charge is made for teaching, the minimum wage for apprentices shall be paid over and above such charge, and a deduction of the teaching fee from the minimum wage required for the learner shall be a violation of the wage order governing such occupation: *Provided, however,* That the industrial welfare commission will grant a permit upon application to employers in towns where no vocational training school is conducted, whereby the employer may deduct from the minimum wage for apprentices a charge for instruction in the shop for a specified time, which charge must be satisfactory to the apprentice and must be approved by the commission.

Section VIII—Emergency overtime.

Special license. 1. In case of business emergency the commission, upon application and showing made to it, will issue a special license governing the emergency in question for the employment of adult women beyond the regular legal hours, on condition of the payment of overtime at the rate of time and a half on the basis of the worker's salary.

Report. 2. Any person who is granted such emergency overtime license shall furnish the commission on or before the fifth day of the following month a written statement of the daily time, the regular rate, and the overtime wage of each woman who has worked overtime in the preceding month, together with the name and address of each such employee, and said statement shall be verified by the person who has been granted said emergency overtime license or by some person in his behalf who has knowledge of the facts.

Section IX—Sanitation.

Scope of rules. No person subject to chapter 62 of the Laws of 1913 shall employ or permit any woman or minor to work in any occupation in the State of Oregon in which the conditions are below the following standards:

1. Every room and the floors, walls, ceilings, windows, and every other part thereof and all fixtures therein shall at all times be kept in a clean and sanitary condition. Cleanliness.
2. A sufficient quantity of drinking water, within reasonable access to all workers, shall be provided with sanitary appliances for drinking. A common drinking cup shall not be used. Drinking water.
3. All rooms shall be properly and adequately lighted during working hours. Artificial illumination in every workroom shall be installed, arranged, and used so that the light furnished will at all times be sufficient and adequate for the work carried on therein and prevent unnecessary strain on the vision or glare on the eyes of the worker. Lighting.
4. The ventilation of each room shall be adequate, and there shall be sufficient provision for preventing excessive humidity, and an amount of cubic air space necessary to health must be allowed for each employee. Ventilation.
5. In every establishment there shall be provided suitable and convenient toilets separate from those used by the opposite sex, and the number of such toilets shall be not less than one to every twenty women or minors employed at one time or majority fraction thereof. Such toilets must be thoroughly ventilated and open to the outside air, and such toilets must at all times be kept in a clean and sanitary condition. Toilet rooms.
6. Wash-room accommodations, separate and apart from those used by male persons, must be provided; and individual towels, either cloth or paper, must be furnished. The washing facilities must be adequate, and the wash rooms must be kept in a clean and sanitary condition. Wash rooms.
7. A suitable space, effectively screened, must be provided for women to change their street clothes for working clothes, and where practicable individual lockers should be provided. Dressing rooms.
8. Tables and benches, so constructed as to give the greatest possible comfort and convenience to women and minor employees, considering the requirements of the work upon which they are employed, must be provided, and convenient and comfortable seats must also be furnished where the nature of the work is such that employees may sit while working. Tables, benches, and chairs.
9. Signs must be placed in all rooms forbidding expectoration on the walls or floors, and suitable and sanitary receptacles must be provided for this purpose. These receptacles must be cleaned daily. Expectoration.
10. Where there are less than four women employed by any person, the industrial welfare commission may, upon application and showing, release such applicant from compliance with the foregoing regulations or any part of same. Exemptions.

ORDERS.

No. 6.—*Employers' records.*

Every person who employs women or minors shall keep a record containing the following information concerning each of such employees: ^{What re-}quired.

1. Name.
2. Address.
3. Age: Adult. Minor (if a minor, give exact age).
4. Single. Married.
5. Date of employment.
6. Wage at which employed.
7. Length of experience in present occupation.

Said order shall become effective from and after September 1, 1916.

After such order is effective, it shall be unlawful for any employer in the State of Oregon affected thereby to fail to observe and comply therewith, and any person who violates said order 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 not less than ten days nor more than three months, or by both such fine and imprisonment in the discretion of the court.¹

July 3, 1916.

No. 8.—*Mercantile occupations.*

- Hours. 1. No person shall employ any woman in the State of Oregon, outside of the city of Portland, in any mercantile establishment for more than nine hours in any one day, nor for more than 54 hours in any one week.
- Wages. 2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any mercantile establishment at a weekly wage rate of less than \$8.25.
- Apprenticeship. 3. The length of the apprenticeship term for women workers in mercantile establishments shall be one year, and such apprenticeship term shall be divided into three equal periods of four months each. No person shall employ any woman in any mercantile establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.
- Six-day week. 4. No person shall employ any woman in the State of Oregon in a mercantile establishment for more than six days in one calendar week.
- Rest period. 5. No person shall employ any woman in any mercantile establishment for more than six hours of continuous labor without a rest period of at least 45 minutes.
- Nightwork. 6. No person shall employ any woman in the State of Oregon, outside of the city of Portland, in a mercantile establishment other than cigar stands in hotels and confectionary stores, later than 8.30 o'clock p. m.
- Definition. "Mercantile occupation" shall include the work of those employed in establishments operated for the purpose of trade in the purchase or sale of any goods or merchandise, and includes the sales force, the wrapping employees, the auditing or check-inspection force, the shoppers in the mail-order department, the receiving, marking, and stock-room employees, sheet-music saleswomen, and pianists who are sheet-music demonstrators.

Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 7 is of similar effect, applying only to the city of Portland. It differs in making eight hours and twenty minutes the measure of a day's work, and fifty hours a week's work. The standard weekly wage is \$9.25, and the evening quitting time is 6 o'clock.]

No. 10.—*Manufacturing occupations.*

- Hours. 1. No person shall employ any woman in the State of Oregon in any manufacturing establishment, except in a woolen mill, for more than nine hours in any one day. No person shall employ any woman in any manufacturing establishment in the State of Oregon for more than 54 hours in any one week.
- Wages. 2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any manufacturing establishment at time rates of payment, at a weekly wage rate of less than \$8.25.
- Apprenticeship. 3. The length of the apprenticeship term for women workers paid by time rates of payment in manufacturing establishments shall be one year, and such apprenticeship term shall be divided

¹ The same penalty clause is appended to each of the orders issued. The law also requires orders to be posted in all establishments affected by them. Earlier orders (1 to 5) are repealed.

into three equal periods of four months each. No person shall employ any woman in any manufacturing establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.

4. The average weekly wage rate for all women employed at piece rates in any manufacturing establishment in the State of Oregon, outside of the city of Portland, shall be not less than \$8.25, and at least seventy-five per cent (75%) of such employees shall be paid at not less than said minimum wage rate and not more than twenty-five per cent (25%) of such employees shall be paid at a weekly wage rate of less than \$8.25: *Provided, moreover,* That after any woman or girl has been employed at prevailing piece rates for three weeks she shall then be paid not less than \$6 per week, even if the amount earned at piece rates be less than that sum. In determining such average wage, a period of not less than sixty days shall be taken as a basis.

5. No person shall employ any woman in the State of Oregon in any manufacturing establishment for more than six days in one calendar week.

6. No person shall employ any woman in any manufacturing establishment for more than six hours of continuous labor without a rest period of at least 45 minutes.

7. No person shall employ any woman in the State of Oregon in any manufacturing establishment later than 8.30 o'clock p. m.

"Manufacturing occupation" shall include all processes in the production of commodities. Included in this term, is the work performed in dressmaking shops, and wholesale millinery houses, in the workrooms of retail millinery shops, and in the drapery and furniture-covering workrooms, the garment alteration, art needlework, fur garment making and millinery workrooms in mercantile stores, and the candy-making department of retail candy stores, and of restaurants. Fruit and vegetable drying, canning, preserving and packing establishments are excluded from the above order.

Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 9 is of similar effect, applying only to the city of Portland. It differs in making \$8.64 the standard weekly wage.]

No. 12.—*Personal service occupation.*

1. No person shall employ any woman in the State of Oregon, outside of the city of Portland, in any personal service establishment for more than nine hours in any one day nor for more than 54 hours in any one week.

2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any personal service establishment at a weekly wage rate of less than \$8.25.

3. The length of the apprenticeship term for women workers in personal service establishments shall be one year, and such apprenticeship term shall be divided into three equal periods of four months each. No person shall employ any woman in any personal service establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.

4. No person shall employ any woman in the State of Oregon in any personal service establishment for more than six days in one calendar week.

5. No person shall employ any woman in any personal service establishment for more than six hours of continuous labor between the hours of 7 a. m. and 8.30 p. m., without a rest period of at least 45 minutes.

Definition. "Personal service occupation" shall include manicuring, hair-dressing, barbering and other work of like nature, and the work of ushers in theaters.

Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 11 is of similar effect, applying only to the city of Portland. It differs in making \$8.64 the standard weekly wage.]

No. 14.—*Laundry occupation.*

Hours. 1. No person shall employ any woman in the State of Oregon in any laundry establishment for more than nine hours in any one day nor for more than 54 hours in any one week.

Wages. 2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any laundry establishment at time rates of payment at a weekly wage rate of less than \$8.25.

Apprenticeship. 3. The length of the apprenticeship term for women workers paid by time rates of payment in laundry establishments shall be one year, and such apprenticeship term shall be divided into three equal periods of four months each. No person shall employ any woman in any laundry establishment for the first period at a weekly wage rate of less than \$6, nor for the second period at a weekly wage rate of less than \$7, nor for the third period at a weekly wage rate of less than \$8.

Piece rates. 4. The average weekly wage rate for all women employed at piece rates in any laundry establishment in the State of Oregon, outside of the city of Portland, shall be not less than \$8.25, and at least seventy-five per cent (75%) of such employees shall be paid at not less than said minimum wage rate and not more than twenty-five per cent (25%) of such employees shall be paid at a weekly wage rate of less than \$8.25: *Provided, moreover,* That after any woman or girl has been employed at prevailing piece rates for three weeks she shall then be paid not less than \$6 per week, even if the amount earned at piece rates be less than that sum. In determining such average wage a period of not less than sixty days shall be taken as a basis.

Six-day week. 5. No person shall employ any woman in the State of Oregon in any laundry establishment for more than six days in one calendar week.

Rest period. 6. No person shall employ any woman in any laundry establishment for more than six hours of continuous labor without a rest period of at least 45 minutes.

Nightwork. 7. No person shall employ any woman in the State of Oregon in a laundry establishment later than 8.30 o'clock p. m.

Definition. A laundry is a place where clothes are washed or cleaned by any process by any person, firm, institution, corporation, or association, and laundry work shall include all the processes connected with the receiving, marking, washing, cleaning, and ironing and distribution of washable and cleanable materials. The work performed in laundry departments in hotels and factories shall be considered as laundry work.

Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 13 is of similar effect, applying only to the city of Portland. It differs in making \$8.64 the standard weekly wage.]

No. 16.—*Telephone and telegraph occupation.*

Hours. 1. No person shall employ any woman in the State of Oregon in any telephone or telegraph establishment for more than nine hours in any one day nor for more than 54 hours in any one week.

2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any telephone or telegraph establishment at a weekly wage rate of less than \$8.25. Wages.

3. The maximum length of the apprenticeship term for women workers in telephone or telegraph establishments shall be one year. Apprenticeship.

The apprenticeship term for telephone establishments shall be divided into four equal periods of three months each. No person shall employ any woman in any telephone establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$6.60; nor for the third period at a weekly wage rate of less than \$7.20; nor for the fourth period at a weekly wage rate of less than \$7.80.

The apprenticeship term for telegraph establishments shall be divided into three equal periods of four months each. No person shall employ any woman in any telegraph establishment for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.

4. No person shall employ any woman in the State of Oregon, outside of the city of Portland, in any telephone establishment for 14 consecutive days without one full day of rest and one day of not more than six hours' work. Day of rest.

5. No person shall employ any woman in any telegraph establishment in the State of Oregon for seven consecutive days without allowing one day during which the hours of employment shall not exceed six hours. Shorter work-day.

6. No person shall employ any woman in any telephone or telegraph establishment for more than six hours of continuous labor between the hours of 7 a. m. and 8.30 p. m., without a rest period of at least 45 minutes. Rest period.

Upon application and showing, the commission may, upon such terms as it deems proper, release any applicant, employing less than ten operators, from compliance with rule number four. Exemptions.

Any rural telephone establishment of limited service which does not demand the uninterrupted attention of an operator, may obtain, upon application and showing before the commission, a special license for the employment of operators for wages and daily hours different from those required by the above order; such wages and hours must be satisfactory to the employee as well as to the employer and be approved by the commission.

Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 15 is of similar effect, applying only to the city of Portland. It differs in making \$8.64 the standard weekly wage, in requiring a weekly day of rest for telephone employees, and in omitting, of course, the provision as to rural telephone establishments.]

No. 18.—*Office occupation.*

1. No person shall employ any woman in the State of Oregon, outside of the city of Portland, in any office for more than 54 hours in any one week. Hours.

2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any office at a weekly wage rate of less than \$8.25. Wages.

3. The maximum length of the apprenticeship term for women workers in offices shall be one year and such apprenticeship term shall be divided into three equal periods of four months each. No person shall employ any woman in any office for the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8. Apprenticeship.

- Six-day week. 4. No person shall employ any woman in any office in the State of Oregon for more than six days in one calendar week.
- Rest period. 5. No person shall employ any woman in any office for more than six hours of continuous labor between the hours of 7 a. m. and 8.30 p. m. without a rest period of at least 45 minutes.
- Definition. "Office occupation" includes the work of those employed as stenographers, bookkeepers, typists, billing clerks, filing clerks, cashiers, checkers, invoicers, comptometer operators, auditors, attendants in physicians' and dentists' offices, and all kinds of clerical work.
- Said order shall become effective from and after September 1, 1916.

July 3, 1916.

[Order No. 17 is of similar effect, applying only to the city of Portland. It differs in making 51 hours a week's work and establishing a monthly standard wage of \$40.]

No. 20.—*Public housekeeping occupation.*

- Hours. 1. No person shall employ any woman in the State of Oregon in any public housekeeping establishment for more than nine hours in any one day, nor for more than 54 hours in any one week.
- Wages. 2. No person shall employ any experienced woman in the State of Oregon, outside of the city of Portland, in any public housekeeping establishment, at a weekly wage rate of less than \$8.25.
- Apprenticeship. 3. The maximum length of the apprenticeship term for women workers in public housekeeping establishments shall be one year, and such apprenticeship term shall be divided into three equal periods of four months each. No person shall employ any woman in any public housekeeping establishment during the first period at a weekly wage rate of less than \$6; nor for the second period at a weekly wage rate of less than \$7; nor for the third period at a weekly wage rate of less than \$8.
- Rest period. 4. No person shall employ any woman in any public housekeeping establishment for more than six hours of continuous labor between the hours of 7 a. m. and 8.30 p. m. without a rest period of at least 45 minutes.
- Board and lodging. 5. When lodging and board, or either of them, is furnished by any employer to any woman or minor girl employed in any occupation as part payment of the wages of such woman or minor girl, not more than \$1.40 per week for lodging and not more than \$2.80 per week for board shall be deducted by such employer from the weekly wage of such woman or minor girl. Board shall be considered to be 21 meals in each week. A fraction of a week's lodging or board shall be computed upon the above basis.
- Definition. "Public housekeeping occupation" includes the work of waitresses in restaurants, hotel dining rooms, boarding houses, and all attendants employed at ice cream and light-lunch stands and steam table or counter work in cafeterias and delicatessens where freshly cooked foods are served; and the work of chambermaids in hotels and lodging houses and boarding houses and the work of janitresses and car cleaners and of kitchen workers in hotels and restaurants.
- A retail candy department, which is conducted in connection with an ice cream, soft drink, or light-lunch counter or with a restaurant will be classified as a public housekeeping establishment.
- Said order shall become effective from and after September 1, 1916.
- July 3, 1916.
- [Order No. 19 is of similar effect, applying only to the city of Portland. It differs in making \$8.64 the standard weekly wage rate.]

No. 21.—*Minors.*

- Hours. 1. No person shall employ any minor girl in any occupation in the State of Oregon more than nine hours in one day and in no case more than fifty hours in one week.

- 2. No person shall employ any minor boy in the State of Oregon for more than ten hours in any one day. Hours.
 - 3. No person shall employ any minor boy or minor girl under sixteen years of age, in the State of Oregon, more than eight hours in any one day. Same.
 - 4. No person shall employ any minor girl or minor boy in the State of Oregon more than six days in one calendar week. Six-day week.
 - 5. No person shall employ any minor girl for more than six hours of continuous labor between the hours of 7 a. m. and 6 p. m., without a rest period of at least 45 minutes. Rest period.
 - 6. No person shall employ any minor girl in any occupation in the State of Oregon after the hour of 6 o'clock p. m., on any day. Nightwork.
 - 7. No person shall employ any minor boy or minor girl, between the ages of 16 and 18 years, in any occupation in the State of Oregon at a weekly wage rate of less than \$6, except as otherwise arranged by the commission in the case of apprentices. Wages
- Said order shall become effective from and after September 1, 1916.

July 3, 1916.

No. 22.—*Sanitary Code.*

[Matter under this head is identical in language with Section IX—Sanitation, of the Code of Rulings, above.]

No. 23.—*Special regulations.*

- 1. No person shall employ any woman or minor girl in the State of Oregon on two successive days without an interval of nine hours rest between such days. Night's rest.
- 2. No woman or minor girl in the State of Oregon who has been employed by one employer in any occupation in one day shall accept employment later in the same day from any other employer for more time than will make the combined hours of employment for such day exceed nine hours. Work for two employees.
- 3. In occupations where a charge is made for teaching, the minimum wage for apprentices shall be paid over and above such charge, and a deduction of the teaching fee from the minimum wage required for the learner, shall be a violation of the wage order governing such occupation: *Provided, however,* That the industrial welfare commission will grant a permit upon application to employers in towns where no vocational training school is conducted, whereby the employer may deduct from the minimum wage for apprentices, a charge for instruction in the shop for a specified time, which charge must be satisfactory to the apprentice, and must be approved by the commission. Payment for instruction.
- 4. (a) In case of business emergency the commission, upon application and showing made to it, will issue a special license, governing the emergency in question, for the employment of adult women beyond the regular legal hours, on condition of the payment of overtime at the rate of time and a half on the basis of the worker's salary. Overtime work.
- (b) Any person who is granted such emergency overtime license, shall furnish the commission on or before the fifth day of the following month, a written statement of the daily time, the regular rate and the overtime wage of each woman who has worked overtime in the preceding month, together with the name and address of each such employee, and said statement shall be verified by the person who has been granted said emergency overtime license, or by some person in his behalf who has knowledge of the facts. Reports.

Said order shall become effective from and after September 1, 1916.

July 3, 1913.

PHILIPPINE ISLANDS.

ACTS OF 1916.

ACT No. 2549.—*Company stores—Payment of wages in scrip.*

SECTION 1. It shall be unlawful for any person, firm, or corporation engaged in any business or enterprise in the Philippine Islands in any manner to force, compel, or oblige any laborer or other employee employed by him to purchase merchandise, commodities, or personal property of any kind or nature from such person, firm, or corporation, or from any other person, firm, or corporation, or pay or cause to be paid the wages due a laborer or employee by means of tokens or objects other than legal tender of the Philippine Islands, unless payment in objects, other than tokens and their similars, be expressly requested by the laborer or employee.

Coercion as to trading.

Payment to be in legal tender.

SEC. 2. Every person violating the provisions of this act and every member of a firm, and every director or officer of a corporation, who knowingly consents to any violation of this act or directs the same, shall, for each offense, be punished by a fine of not more than two hundred pesos, or by imprisonment for a period of not more than six months, or by both such fine and imprisonment, in the discretion of the court.

Violations.

Enacted, January 21, 1916.

ACT No. 2589.—*Retirement of public employees.*

SECTION 1. Whenever a regularly and permanently appointed officer or employee in the Philippine civil service who is actually in the service and who has rendered continuous faithful and satisfactory service for at least six years applies to the Governor General for retirement from said service and the Governor General shall find, after receiving the recommendation of the director of civil service and the chief of the bureau or office concerned, that such officer or employee making the application has in every way been efficient up to and including the date of retirement, and the retirement applied for will not prejudice or obstruct the regular and efficient operation of the bureau affected, the Governor General, in his discretion, may grant such retirement, and, in consideration of the services rendered, an annual gratuity for three consecutive years according to the following schedule: An officer or employee who at the time of retirement shall have rendered at least ten years of continuous service may receive an annual gratuity of thirty-three and one-third per centum of the salary last received; thirty per centum of such salary when nine but less than ten years of continuous service have been rendered; twenty-six and two-thirds per centum of such salary when eight but less than nine years of continuous service have been rendered; twenty-three and one-third per centum of such salary when seven but less than eight years of continuous service have been rendered; twenty per centum of such salary when six but less than seven years of continuous service have been rendered. The gratuities herein provided for may be paid in the Philippines or in the United States, as the retired official or employee may desire, in monthly installments, and in the event of death shall be payable to his estate: *Provided, however,* That any officer or employee entitled to the benefits of this act, and who is entitled to

Retirement, when.

Schedule.

any benefits from any pension fund created by authority of the Philippine Legislature, shall be required to designate which of such benefits he desires to take advantage of, and in such case he shall be entitled only to the benefits so chosen: * * *

Reemploy-
ment.

SEC. 5. No person retired under the provisions of this act shall be reappointed or reemployed under the Government of the Philippine Islands until he shall have first refunded the entire amount of his retirement gratuities, and in case of reappointment or reemployment under this condition his salary for a period of at least three years thereafter shall not exceed the salary at the time of retirement; and by accepting such reappointment or reemployment and refunding the gratuities paid him he shall waive all future claim to the provisions of this act and to the payment of such gratuities as were refunded when he again shall retire or resign.

Enacted, February 4, 1916.

PORTO RICO.

ACTS OF 1916.

ACT No. 51.—*Negligence of employecs on railroads, etc.*

SECTION 1. Section 328 of the Penal Code of Porto Rico [sec. 5776, R. S.] * * * is hereby amended to read as follows:

Sec. 328. Every conductor, engineer, brakeman, switchman, or other person having charge wholly or in part of any railroad car, locomotive, automobile, train or steamboat, and any train dispatcher, telegraph operator, station agent, or other person wholly or in part charged with the duty of dispatching or directing the movements of any such car, locomotive, automobile, train or steamboat, who, through gross negligence or carelessness, suffers or causes the same to collide with another car, locomotive, automobile, train or steamboat, or with any other object or thing whereby the death of a human being is produced, is punishable by imprisonment in the penitentiary for a maximum term of five years.

If as a consequence of the collision, injury is suffered by any person, such conductor, engineer, brakeman, switchman or other person shall be punishable by imprisonment in jail for a maximum term of two years, or by a maximum fine of one thousand dollars, or by both penalties in the discretion of the court.

Approved April 13, 1916.

ACT No. 5S.—*Employment of labor—Fraud.*

SECTION 1. Section 470 of the Penal Code of Porto Rico is hereby amended so as to read as follows:

Sec. 470. Every person who knowingly and designedly, by false or fraudulent representation or pretenses, defrauds any other person of money, labor, or property, or who causes or procures others to report falsely of his wealth or mercantile character, and by thus imposing upon any person obtains credit and thereby fraudulently gets into possession of money, labor, or property, is punishable in the same manner and to the same extent as for larceny of the money or property so obtained, or of any amount of money equal to the value of the services or labor. Punishable as larceny.

Approved April 13, 1916.

RHODE ISLAND.

ACTS OF 1916.

CHAPTER 1351.—*Factory regulations—Elevators.*

SECTION 1. Section 5 of chapter 78 of the General Laws * * * is hereby amended so as to read as follows :

Sec. 5. It shall be the duty of the owner, agent or lessee of any such factory, manufacturing or mercantile establishment, where hoisting shafts or wellholes are used, to cause the same to be properly and substantially inclosed or secured if, in the opinion of the inspectors, it is necessary to protect the life or limbs of those employed in such establishments. The owner, agent or lessee of any factory, manufacturing, or mercantile establishment shall inclose or cause to be inclosed all freight elevator shafts on all sides thereof, and shall provide or cause to be provided an entrance or entrances thereto by means of an automatic or semiautomatic sliding gate or gates, not less than six feet in height, except on the top floor where the gates shall be not less than four feet in height. Said gate or gates shall be so constructed as to close by the action of the elevator on leaving each floor, unless such elevator is equipped with a suitable device to prevent the movement of the car until the elevator shaft, gates or doors are closed, as provided for passenger elevators in the section 16 of chapter 129 of the General Laws.

Guards re-
quired for
hoistways, etc.

Approved March 25, 1916.

CHAPTER 1378. — *Factory regulations — Employment of children.*

SECTION 1. Section 1 of chapter 78 of the General Laws, entitled "Of factory inspection," * * * is hereby amended so as to read as follows :

Section 1. Clause 1. No child under fourteen years of age shall be employed or permitted or suffered to work in any factory, or manufacturing or business establishment within this State, and no child under sixteen years of age shall be employed or permitted or suffered to work in any factory or manufacturing or business establishment within this State between the hours of eight o'clock in the afternoon of any day and six o'clock in the forenoon of the following day.

Age limit.

Clause 2. No child under sixteen years of age shall be employed or permitted or suffered to work in any factory or manufacturing or business establishment unless said person, firm, or corporation employing him or her shall have in his, their or its possession an age and employment certificate, given by or under the direction of the school committee of the city or town in which said child resides ; such certificate shall state (a) the name of said child ; (b) the date and place of birth of said child ; (c) the height, color of eyes and hair, and complexion of said child ; (d) the name and place of residence of the person having control of said child ; and such certificate shall certify (1) that said child has completed fourteen years of age, (2) that said child is able to read at sight and write legibly simple sentences in the English language, and (3) that said child has been examined physically by a licensed physician, and that said physician has certified that said child is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed. The statements contained in such certificate in regard to the name,

Nightwork.

Certificates.

date and place of birth of said child, shall be substantiated by a duly attested copy of the birth certificate, baptismal certificate, or passport of such child. After the official authorized to issue the age and employment certificate above named has determined that the child applying for such certificate is fourteen years of age and can read and write as above required said official shall send such child to a physician for a physical examination: *Provided*, That the physical examination of any such child who resides in the city of Providence shall be made by either of the physicians appointed as hereinafter provided by the commissioner of public schools, and no age and employment certificate shall be issued to any child until the physician as above provided shall certify in writing that said child is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed. For making the physical examination and certifying as to the health, the physician, except those physicians appointed by the commissioner of public schools under this act, shall receive from the State the sum of one dollar. He shall render to the secretary of the State board of education his account, properly certified by the official authorized to issue the age and employment certificate required by this section. 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 twelve hundred dollars, annually, on vouchers approved by the commissioner of public schools.

Physical examination.

Certificates to be kept on file.

Form.

Clause 3. Such age and employment certificate may be applied for, the examination made, and the certificate completed at any time, but such age and employment certificate shall be kept on file and not delivered by the official authorized to issue the same until he shall have received a written statement signed by the employer, or by an authorized manager, superintendent or agent of the employer, with the name and address of the employer agreeing to employ the child in accordance with the provisions of this act, and all provisions of law governing such employment and upon termination of the employment of said child, to dispose of said certificate as hereinafter provided. All such certificates shall be delivered to the employer when issued and in force and in no case to the child.

Clause 4. All such age and employment certificates issued shall be uniform throughout the State, and in the following form, or such substantially similar form as may be approved by the secretary of the State board of education.

AGE AND EMPLOYMENT CERTIFICATE.

This certifies that I am the (father, mother, guardian, or custodian) and have control of (name of child), whose signature appears below, and that (he or she) was born at (name of town or city), in the county of _____ and State (or country), of _____, on the (day) of (month), A. D. —, and is now (number of years and months) old.

(Signature of child.)

(Signature of person having control of said child and his or her residence.)

(Town or city and date.)

I hereby approve the foregoing certificate of (name of child); whose height is (feet and inches); eyes are (color); hair is (color); and complexion is (fair or dark).

I certify that said (name of child) is able to read at sight and write legibly simple sentences in the English language, and that I have reason to believe that said (name of child) has completed fourteen years of age, is of the age therein certified, and has been certified to according to law as in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed.

(Signature of person authorized to approve and sign, with official character and authority.)

(Town or city and date.)

Clause 5. Such certificate shall, within five days after termination of the employment of said child be by the employer returned to the school committee which issued it or to such person as such committee shall designate and shall be kept on file until the official authorized to issue such certificate shall have received a written statement as hereinbefore provided, that such child will be employed in accordance with the provisions of law and that upon the termination of such employment, said certificate will be disposed of as herein provided. Certificates to be returned.

Clause 6. In case it appears to the satisfaction of the school committee, or person authorized to give such certificate, that neither the birth certificate, baptismal certificate nor passport of such child can be produced, the age and employment certificate may be granted on other evidence satisfactory to the secretary of the State board of education. Evidence of age.

Clause 7. All certificates required by this chapter relating to the qualification of children employed in any factory, or manufacturing or business establishment coming under the provisions of this chapter, shall be kept by the employer at the place where such child is employed, and shall be shown to the factory inspectors provided for by this chapter, or either or any of them, on demand by said inspector or inspectors; and the proprietor or manager of any such factory or manufacturing or business establishment who shall fail to produce or shall refuse to show to any factory inspector any such certificate when demand is made therefor shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than ten nor more than fifty dollars. Employer to keep on file.

Clause 8. Whenever any factory inspector shall have reason to doubt the accuracy of any statement made in any such certificate concerning the age or other qualifications of any child employed thereunder, such inspector shall demand such certificate of the employer of such child, and upon receiving the same shall give such employer a receipt therefor. If after investigation such inspector shall find that such certificate should not have been issued to said child under the provisions of this law, then he shall deliver such certificate to the person who issued it, and shall order it to be canceled, and shall forthwith notify the said employer that such child must not be longer employed. Every employer or proprietor or manager of any factory or manufacturing or business establishment who shall continue to employ such child after receiving such notice from any factory inspector shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty imposed by section 12 of this chapter. Investigations in case of doubt.

Clause 9. Whenever any factory inspector shall have reason to doubt that any child employed in any factory or manufacturing or business establishment, and not provided with an age and employment certificate, has reached the age of sixteen years, such factory inspector shall make demand on such child's employer that Same.

such employer shall either furnish him within ten days a certificate of age issued by the same authority and based on the same evidence required for the issuance of age and employment certificates, or shall cease to employ such child or permit or suffer such child to work in such factory or manufacturing or business establishment. In case such employer shall fail to deliver such certificate to the factory inspector, within ten days after such demand, and shall thereafter continue to employ such child, or permit or suffer such child to work in such factory or manufacturing or business establishment, such employer shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty imposed by section 12 of this chapter, and proof of the making of such demand and of failure to deliver such certificate shall be prima facie evidence, in any prosecution brought for a violation of this provision, that such child is under 16 years of age and is unlawfully employed.

Certificate to
be returned.

Clause 10. When any child employed under the provisions of this section leaves his or her employment, the person, firm, or corporation by whom such child has been employed shall, within five days after said child has left the employment of said person or corporation, return said certificate to the school committee which issued it, or to such person as the school committee may designate. The school committee of each town, or such person as the school committee may designate to issue the certificate provided for in this section, shall keep on file a copy of each certificate granted, together with the evidence on which such certificate was granted.

Approved April 14, 1916.

CHAPTER 1379.—*Factory regulations—Expenses of inspector.*

[This act amends section 4, chapter 78, of the General Laws by providing a maximum expense fund of \$2,600 annually, instead of \$2,300 as formerly.]

SOUTH CAROLINA.

ACTS OF 1916.

ACT No. 361.—*Employment of children—Age limit.*

SECTION 1. Section 422 of the Criminal Code, 1912, is hereby amended * * * so that the said section, when so amended, shall read as follows:

Sec. 422. No child under the age of fourteen shall be employed in any factory, mine, or textile establishment of this State after January 1, 1917. Age limit.

Approved February 29, 1916.

ACT No. 391.—*Factory, etc., regulations—Segregation of races.*

[This act amends act No. 69, Acts of 1915, by adding the following:]

Sec. 2-A. Any firm, person, or corporation engaged in cotton textile manufacturing violating the provisions of this act shall be punished by a fine not to exceed one hundred dollars for each offense or imprisonment at hard labor for a period not to exceed thirty days or both at the discretion of the judge. Penalty for violations.

Approved February 17, 1916.

ACT No. 476.—*Railroads—Headlights on locomotives.*

[This act extends to February 2, 1917, the time allowance for the equipment required by act No. 452, Acts of 1912.]

ACT No. 544.—*Hours of labor of employees on interurban railways.*

SECTION 1. From and after the passage of this act it shall be unlawful for any interurban railroad or interurban railway in this State to require any employee to labor for more than ten hours in each twenty-four hours of the day: *Provided*, That the provisions of this act shall not apply in case of accidents or unavoidable delays. The provisions of this act shall not apply to any interurban railroads, operating over forty miles in length. Ten-hour day.

Sec. 2. For the purposes of this act the phrases "interurban railroad" and "interurban railway" shall be construed to include all railroads and railways operated by electricity whose main business consists in the transportation of passengers or freight from one municipality to another. Definition.

Sec. 3. Any firm, person or corporation violating the provisions of this act shall be guilty of a misdemeanor, and for each offense, upon conviction, shall be fined not more than one hundred dollars or imprisoned for not more than thirty days. Violations.

Approved March 25, 1916.

ACT No. 545.—*Arbitration and conciliation—State board.*

SECTION 1. A board of conciliation for the investigation and arbitration of industrial disputes and strikes is hereby created, to be composed of three members, to be appointed by the governor as hereinafter provided. State board created.

- Terms of service.** **of** SEC. 2. The terms of the members of said board first appointed shall be for two, four and six years, respectively, from the date of their appointment, and thereafter upon the expiration of a term of a member of said board his successor shall be appointed for a term of six years, appointed [appointments] to fill vacancies caused by death, resignation or otherwise before the expiration of such term, shall be made for the residue of such terms in the same manner as herein provided for original appointments.
- Duties.** SEC. 3. The duties of the board of conciliation shall be to investigate industrial disputes or strikes or lockouts arising between employer and employees or capital and labor; to ascertain, as near as may be, the cause or causes of such industrial disputes or strikes or lockouts, to make a finding of fact in respect thereto; to report their findings of fact to the governor as soon as may be, and annually to the General Assembly of the State of South Carolina (subject to the proviso hereinafter made), to endeavor as far as possible, to induce both sides to such an industrial dispute or strike or lockout to arrive at an agreement; to remove misunderstandings or differences; to nominate, appoint, or act as arbitrators when so requested by both sides to the controversy, and, in general to remove as much as possible the causes for industrial disputes or strikes or lockouts, and to induce an amicable settlement of the same.
- Powers.** SEC. 4. The board of conciliation shall have the power to summon witnesses and compel them to testify; to compel the production of books or documents relating to questions in dispute; to inspect property with respect to which there is a dispute; with relation to industrial disputes or strikes or lockouts; to examine into working conditions and sanitary conditions, and at all times to have access to any property or premises necessary to such inspection.
- Same.** SEC. 5. The board of conciliation shall have power to summon before it and to examine in public or in executive session any persons concerned in such strike or lockouts, or industrial disputes or any other person within the State of South Carolina, and to make a report to the governor or to the general assembly, of such testimony and its recommendation with respect thereto: *Provided, however,* That no report shall be made in such cases where a majority of such board of conciliation shall deem it inadvisable so to do.
- Report.**
- Compensation.** SEC. 6. The compensation of the board shall be ten (\$10) dollars per day to each member in attendance while actually employed in the performance of the duties herein prescribed in addition to traveling expenses.
- Sessions.** SEC. 7. The board can be called into session, and into the performance of its duties and functions, by the governor.
- Qualifications of members.** SEC. 8. One of the members of the said board of conciliation shall be an employer of labor in behalf of an incorporated company; one to be a member of a recognized labor union, the third member to be appointed on recommendation of the two so appointed as aforesaid: *Provided,* That in case the two members appointed as aforesaid do not agree on the third member within thirty days after their appointment, then the governor shall use his discretion in the appointment of the third member without recommendation, so that at least one member shall be neither an employer of labor in behalf of an incorporated company or an employee of any such company.
- Duties.** SEC. 9. The duties and functions of the board of conciliation hereby created shall be the conciliation of industrial disputes or strikes or lockouts, and the removal of cause for industrial disputes or strikes or lockouts; and their powers and the terms of this act shall be favorably construed for the promotion of that end.

Approved March 25, 1916.

ACT No. 546.—*Payment of wages—Weekly pay day in textile mills.*

SECTION 1. All corporations engaged in textile manufacturing in this State shall have a regular pay day once in every week for the payment of the wages which have been earned by the laborers during the preceding week and any such manufacturing corporation refusing to have a weekly pay day shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense.

Approved March 30, 1916.

ACT No. 547.—*Hours of labor—Deductions from wages—Textile mills.*

SECTION 1. Section 421 of Volume II, Code of Laws of South Carolina, Criminal Code, is hereby amended by striking out the whole of said section and inserting in lieu thereof the following:

Sec. 421. Ten hours a day or sixty hours a week: *Provided*, That the hours of a single day shall not exceed eleven hours, except for the purpose of making up lost time as hereinafter provided, shall constitute the hours for working all operatives and employees in cotton and woolen manufacturing establishments engaged in the manufacture of yarns, cloth, hosiery and other products for merchandise, except mechanics, engineers, firemen, watchmen, teamsters, yard employees and clerical force, and sixty (60) hours work per week shall be regarded as six full days and be paid for accordingly. All contracts for longer hours of work other than herein provided in said manufacturing establishments shall be, and the same are hereby, declared null and void: and any person that requires, permits, or suffers any person to work a longer time than so stated, shall be deemed guilty of a misdemeanor in each and every instance, and, on conviction in a court of competent jurisdiction, shall be fined a sum of money not less than \$25 nor more than \$100, or imprisonment not exceeding thirty days: *Provided*, That nothing herein contained shall be construed as forbidding or preventing any such manufacturing company from making up lost time to the extent of sixty hours per annum, beginning from January 1 of each year current with the loss of time incurred, where such lost time has been caused by accident or other unavoidable cause: *Provided, further*, That such lost time shall be made up within three months after the lost time was incurred: *Provided, further*, That all manufacturing establishments subject to the provisions of this section shall cause to be posted in a conspicuous place in every room where such persons are employed, a notice printed in plain type, stating the number of hours work required of them on each day of the week, the exact time for commencing work in the morning, stopping at noon for dinner, commencing after dinner, and stopping at night; the form of such notice shall be approved by the commissioner of agriculture, commerce, and industries: *Provided, further*, That should any manufacturer desire to make up any lost time caused by accident or unavoidable cause to the extent allowed in this section, he shall post in each room a typewritten notice, stating the exact time that will be made up, the exact time lost, when lost, and for what cause. A complete record of all lost time, and time made up by dates, in hours and minutes shall be kept by the proper officer of the manufacturing establishment, and presented on demand of the factory inspector. Failure to comply with any requirements in this section shall be deemed a violation of this act.

Sec. 2. Said section [shall] be further amended by adding another section to be known as section 421-A, as follows:

Weekly pay day required.

Hours per day and week.

Exceptions.

Lost time.

Schedule of work.

Deductions for absence. Sec. 421—A. All regular hands working [in] cotton and woolen mills in this State, whether working by the day, hank, piece, or cut, upon absence from their said work, for any cause shall not be docked, nor have deducted from their regular wages, more than the said machine operated by them would have produced in the time of the absence of the said regular hand from his work, and all spare or extra hands that are employed to keep up or run the machine or machines operated by the regular hands, shall be paid full amount deducted from the regular hand's wages. Any person or corporation violating any of the provisions of this section shall be fined not less than fifty (\$50) dollars, and not more than one hundred (\$100) dollars for each offense or be imprisoned for not less than ten (10) nor more than thirty days.

Approved March 29, 1916.

ACT No. 557.—*Liability of railroad companies for injuries to employees.*

Liability for damages. SECTION 1. Every common carrier by railroad while engaging in commerce within the State of South Carolina 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 and children of such employee; and, if none, of such employees' parents; and, if none, then of the next of kind [kin], for such injury or death resulting in whole or in part from the negligence of any of the 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. And in every such action the jury may give such damages, as they may think proportioned to the injury or injuries resulting from such death to the parties respectively, for whom and for whose benefit such action shall be brought; and the amount so recovered shall be divided among the before-mentioned parties, in such shares as they would have been entitled to if the deceased had died intestate and the amount recovered had been personal assets of his or her estate.

Amount.

Comparative negligence. SEC. 2. In all actions hereafter brought against any such common carrier by 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 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 common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Assumption of risks. 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 the death of any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Waivers. SEC. 4. Any contract, rule, regulation, or 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 any 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 the person entitled thereto on account of the injury or death for which said action was brought.

Set-offs.

Sec. 5. No action shall be maintained under this act unless commenced within two years from the day the cause of action accrued. Limitation.

Sec. 6. Any right of action given by this act to a person suffering injury shall survive to his or her personal representatives, for the benefit of their [the] surviving widow, or husband and children of such employee; and if none such employee's parents, and if none, then of the next of kin of such employee. But in such case there shall be only one recovery for the same injury. Survival of right of action.

Sec. 7. 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. Scope of act.

Sec. 8. Nothing in this act shall be held to limit the duty or liability of common carriers or to impair the rights of their employees under any other act or acts of the general assembly of this State not inconsistent with the provisions of this act, but the remedies and provisions herein shall be held to be in addition to and cumulative of existing remedies. Construction.

Sec. 8a. Punitive damages shall not be recoverable in cases arising under this act so far as the same are not in conflict with this act. Punitive damages.

Approved April 14, 1916.

TENNESSEE.

ACTS OF 1915.

CHAPTER 185.—*Tips for employees of hotels, etc.*¹

SECTION 1. It shall be unlawful in this State for any hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company to willfully 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, barber shop, dining car, or any passenger on any railroad train or sleeping car, to give any employee any such gratuity and it shall be unlawful for any employee of any hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company to receive any gratuity or tip. Tips forbid-
den.

SEC. 2. By "gratuity" or tip as used in this act, is meant any extra compensation of any kind which any hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company or the manager, officer or any agent thereof in charge of the same, allows to be given an employee or which any person gives to any employee, or which is received by any employee, and is not a part of the regular charge of the hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company for the thing bought or service rendered, or a part of the services which by contract it is under duty to render. No hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company 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 made by the hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company must be made by it in good faith, a charge for the service which it renders, exclusive of the service which it furnishes to its employees. Definition.

SEC. 3. Each hotel, shall post notice of this act in the office and in each room, and each restaurant, café and barber shop shall post at least two notices of this act in two conspicuous places in same, and each dining car, railroad or sleeping-car company doing business within this State, shall post two notices of this act in conspicuous places in each sleeping car, and each café, hotel or dining-car operator shall have printed in a conspicuous place on their menu cards or bills of fare, the synopsis of the provisions of this act. Evasions.

SEC. 4. Any hotel, restaurant, café, barber shop, dining car, railroad or sleeping-car company and the manager, officer or agent of same in charge, violating this act or willfully allowing the same to be violated in any way shall each be subject to a penalty of not less than \$10 nor more than \$50 for each tip allowed to be given. If any person shall give an employee any gratuity or tip each person shall be subject to a fine of not more than \$25 nor less than \$5 for each offense. If any of the above employees shall receive any gratuity or tip, he or she shall be subject to a fine of not more than \$25 nor less than \$5 for each offense. Should any hotel, restaurant, café, barber shop, dining car, railroad company or sleeping-car company fail, neglect or refuse to post notice of this act as required herein, such hotel, Notice to be
posted.

¹ This act was vetoed by the governor and therefore omitted from the regular compilation of the laws of 1915. The veto was subsequently held by the supreme court of the State to be invalid, and the bill was declared to be a law. Violations.

restaurant, café, barber shop, dining car, railroad or sleeping-car company shall be subject to a fine not to exceed \$100 for each day it shall fail.

Enforcement. SEC. 5. It shall be the duty of the circuit judges and the courts of like jurisdiction to especially call the attention of the grand jury to the provisions of this act at each term of the court.

Became a law March 29, 1916.

VIRGINIA.

ACTS OF 1916.

CHAPTER 13.—*Contracts of employment with intent to defraud.*

SECTION 1. If any person, with intent to injure or defraud his employer, enters into a written contract of employment or for the performance of personal service to be rendered within one year in and about the cultivation of the soil and thereby obtains from the landowner, or the person so engaged in said cultivation of the soil, money or other thing of value under such contract, and fraudulently refuses to perform such service, or to refund the said money or other thing of value so obtained, [he] shall be deemed guilty of the larceny of the said money or other thing of value so received.

Fraudulent
farming con-
tracts.

Approved February 5, 1916.

CHAPTER 50.—*Factory, etc., regulations—Manufacture of food products.*

SECTION 1. The following rules and regulations and standards are hereby established for the sanitation of slaughterhouses, abattoirs, packing houses, sausage factories, rendering plants or other places where animals are slaughtered for sale for human food or where animal carcasses, or parts thereof, are prepared for human food.

Scope of law.

First. Every building or room used as a slaughterhouse, abattoir, packing house, sausage factory, rendering plant, or similar establishment shall be properly lighted, drained, plumbed and ventilated and conducted with due regard for the purity and wholesomeness of the meat food products therein produced and with strict regard to the influences of such conditions upon the health of the operatives, employees and clerks.

Sanitation,
etc.

Second. The floors, side walls, ceilings, receptacles, implements, machinery, and the clothing of the operatives, shall at all times be kept in a clean, healthful and sanitary condition. * * *

Cleanliness.

Third. The sleeping places for persons employed in such establishments shall be separate and apart from the room in which meat food products are manufactured, packed, stored or distributed. No person shall be permitted to work in any such establishment who is known to be afflicted with any contagious or infectious disease, or any skin disease. Every such establishment shall be provided with a convenient wash room and toilet of sanitary construction, but such toilet shall be entirely separate and apart from any room used for the preparation, manufacture or storage of meat food products. * * *

Sleeping
places.

Diseased per-
sons.

Toilets.

Sec. 2. The dairy and food commissioner, by and with the approval of the Board of Agriculture and Immigration of Virginia is hereby empowered to fix and establish such rules and regulations in accordance with the provisions of this act as may be necessary for its enforcement.

Enforcement.

Approved February 17, 1916.

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CHAPTER 168.—*Employment offices.*

SECTION 1. An act * * * [chapter 155, Acts of 1910, shall be amended and reenacted so as to read as follows:

Register to be kept.

SECTION 1. Every person, firm or corporation who shall agree or promise, or who shall advertise through the press, or by letter, to furnish employment or situations to any person or persons shall 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 employment for which such help shall be wanted. Such registers 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 or obtaining employment or help, said fee shall in no case exceed the sum of three (\$3) 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 thirty days after registration 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 licensee shall not send out an applicant for any employment within the provision of this act without having first obtained a bona fide order therefor in writing, stating the terms and conditions of employment.

Fees.

Sending females to immoral places.

SEC. 2. 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 to any house or place kept for immoral purposes, or to any person for immoral purposes. No such licensed agency shall publish or cause to be published any false information or make any false promises 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 register 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 of obtaining other employment through such agency.

False statements, etc.

Inducing to leave employment.

Dividing fees.

SEC. 3. It shall be unlawful for any person, firm or corporation, or any person employed or authorized by such person, firm or corporation to hire or discharge employees, to receive any part of any fee or any percentage of wages or any compensation of any kind whatever, that is agreed upon to be paid by any employee of said person, firm, or corporation to [for] any employment with said person, firm or corporation.

Enforcement.

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 proper. Any person convicted of a violation of any of the provisions of sections one, two and three shall be guilty of a misdemeanor, and, upon conviction in any court of competent jurisdiction, shall be fined not less than ten (\$10) dollars nor more than two hundred (\$200) dollars for each offense: *Provided*, That any such bureau or agency who shall knowingly send any female help or servants to any place of bad repute, house of ill fame or assignation house or to any house or place kept for

Violations.

immoral purposes, or to any person 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 hundred (\$100) dollars nor more than one thousand (\$1,000) dollars or by imprisonment in the penitentiary not less than one (1) year nor more than ten (10) years, or by both such fine and imprisonment.

Approved March 13, 1916.

CHAPTER 287.—*Liability of employers for injuries to employees—Contributory negligence.*

SECTION 1. If, in an action of tort for personal injuries, the defendant intends to rely upon the contributory negligence of the plaintiff as a defense to said action, then upon motion, such contributory negligence shall be set forth in a bill of particulars by the defendant with the same particularity as is required of the plaintiff, in his declaration or bill of particulars, setting forth the negligence of the defendant. But the court may at any time during the trial permit the plaintiff or defendant to amend his bill of particulars to avoid being taken by surprise, upon such terms as may be proper. But the defendant shall not be precluded from relying upon contributory negligence disclosed to the defendant by the plaintiff's testimony.

Contributory negligence to be pleaded.

Approved March 18, 1916.

CHAPTER 372.—*Intoxication of certain employees.*

SECTION 1. It shall be unlawful for any chauffeur, motorman, engineer or other person to drive or run any automobile, car, truck, engine, or train while under the influence of intoxicants.

Scope of law.

SEC. 2. If any person violates the provisions of this act he shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than five dollars nor more than one hundred dollars, or be confined in jail not less than thirty days, nor more than ninety days, or both in the discretion of the justice or jury trying the case.

Violations.

Approved March 20, 1916.

CHAPTER 435.—*Sunday labor.*

[This act amends section 3799 of the code, as amended by chapter 180, Acts of 1908, by adding the following:]

Provided, That for the purpose of this act, the delivery on the Sabbath Day of ice cream manufactured on some day other than the Sabbath Day shall be construed as a work of necessity.

Delivering ice cream.

CHAPTER 444.—*Liability of employers for injuries to employees—Railroad companies.*

SECTION 1. Every common carrier whose motive power is steam and engaged in intrastate trade or commerce, shall be liable to any of its employees, or, in case of his death, to his personal representative, for all damages, but in case of death not to exceed ten thousand dollars which may result in whole or in part from the negligence of any of its officers, agents or employees, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, ways, works or other equipment.

Liability for damages.

SEC. 2. In all actions or motions hereafter brought against any such common carrier to recover damages for personal injuries to any employee, or where such injuries have resulted in his death, the fact that such employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be

Comparative negligence.

- 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 of [by] such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.
- Assumption of risks.** 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 statute enacted for the safety of employees contributed to the injury, or death of such employee.
- Waivers.** Sec. 4. Any contract, rule, regulation, or 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 any 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 the person entitled thereto on account of the injury or death for which said action was brought.
- Scope of law.** Sec. 5. The term "common carrier" as used in this act shall include the receivers or other persons or corporations charged with the duty of the management or operation of the business of a common carrier, whose motive power is steam; but shall not include persons, firms or corporations owning or operating steam railroads when such railroads are primarily and chiefly used as incidental to the operation of coal, gypsum, or iron mines, or saw mills, nor shall it apply to any railroad owned or operated by any county.
- Declaration under Federal law.** Sec. 6. The declaration or other pleading in any such action may embrace in one or more counts thereof a cause of action growing out of any act of Congress of the United States of America for said injury or death, without being demurrable on this account and without the plaintiff being required to elect under which statute he claims: *Provided*, That the provisions of this act shall not apply to electric railways or roads that are in part electric, operated wholly within this State.

Approved March 21, 1916.

CHAPTER 458.—*Mine regulations.*

- Who responsible.** [This act amends section 13 of chapter 178, Acts of 1912, by adding the owner of a mine to the list of persons charged with the duty of employing a mine foreman, and changes slightly the procedure in procuring supplies of timber for props, etc. Miners are forbidden to continue to work in places known to be unsafe or which might be recognized as such by ordinary care, "but the happening of an accident shall not in itself be held to be evidence of such knowledge, or lack of ordinary care on his part, or of negligence on the part of the company."]
- Evidence.**

CHAPTER 514.—*Factory, etc., regulations—Fire escapes.*

- Fire escapes to be provided.** SECTION 1. An act entitled an act to provide fire escapes from buildings of over three stories * * * [section 1067a, code of 1904, shall] be amended and reenacted so as to read as follows: Section 1. It shall be the duty of the owner or owners of every factory, workshop, mill or place where the manufacture of goods of any kind is carried on, * * * mercantile establishment and office building of over three stories in height, or where as many as fifteen persons are employed, * * * above the second story of such building, then of three stories in height, * * * to provide for the safe exit of the occupants thereof in case of fire by the erection, construction or maintenance in good condition of

fire escapes of the most improved modern design. The character and design of said fire escapes shall, in cities and towns be selected by the council of said cities and towns; and where the buildings are not located in cities or towns by the board of supervisors of the county. But in case of any city, town, or county which has not prior to the first day of July, nineteen hundred and sixteen, made such selection, the commissioner of labor shall give sixty days' notice to the mayor of such city or town, or the chairman of the board of supervisors of such county of his intention to prescribe adequate fire escapes for such city or town or county; and if, at the expiration of said sixty days, council of such city or town, or the board of supervisors of such county has failed to adopt proper regulations by ordinance, legal order or otherwise governing the erection of said fire escapes, then the commissioner of labor shall proceed to prescribe and publish regulations governing the erection, character and design of adequate fire escapes for such city, town, or county, which regulations shall have the same force and effect as if adopted by the council of such city or town, or board of supervisors of such county. But this act shall not be construed to compel the owners of any such buildings who have complied with the law as it now stands and whose fire escapes have been approved by the council of any city or town or the board of supervisors of any county, to change the character and design of their fire escapes should the said council or the said board of supervisors select a different character and design of fire escapes; unless it shall appear that such fire escapes now in use are inadequate, and provided that this act shall not apply to cities having a board or committee of public safety.

Character and design.

Sec. 2. Any owner or owners of such buildings who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than one hundred dollars for each month they shall fail to provide such fire escapes.

Violations.

Approved March 23, 1916.

CHAPTER 515.—*Factory, etc., regulations—Foundries.*

SECTION 1. Chapter three hundred and thirty-three of the acts of nineteen hundred and fourteen, [shall] be amended and reenacted by adding an independent section thereto to read as follows:

Sec. 2. Every such person, firm or corporation shall provide adequate and proper wash rooms and toilets for the use of their employees, such wash rooms and toilets to be provided with at least one washbowl and one commode for every six molders, such wash rooms and toilets to be connected with the shop and to be shielded from the weather. Such person, firm or corporation shall provide such wash rooms and toilets within thirty days after being notified by the commissioner of labor, or other proper officer so to do, and upon refusal or failure so to do shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined ten dollars for each day after the expiration of the said thirty days, until such wash rooms and toilets are provided.

Wash rooms, etc.

Approved March 23, 1916.

CHAPTER 517.—*Labor agents.*

SECTION 1. Sections one hundred and twenty-eight and one hundred and twenty-nine of * * * [the tax bill of 1903, shall] be amended and reenacted so as to read as follows:

Sec. 128. Any person who solicits, hires, or contracts with, laborers, male or female, to be employed by persons other than himself, and every agent of such person, except as provided in the next following section, shall be deemed to be a labor agent; and no person shall engage in such business without having

Who are labor agents.

License re-quired. first obtained license therefor. Every person who shall without a license conduct business as a labor agent, shall pay a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500).

Fee. Sec. 129. Every person who engages in the business of a labor agent except as hereinbelow provided shall pay annually five hundred dollars (\$500) for the purpose of transacting the said business, but before any such license shall be issued, the applicant shall produce a certificate from the corporation court of the city, or the circuit court of the county in which such labor agent proposes to have his office, or of the county in which he proposes to do business, that to the personal knowledge of the judge of such court, or from the information of credible witnesses under oath before such court, the court is satisfied that the applicant is a person of good character and honest demeanor: *Provided*, That labor agents in cities and towns of the Commonwealth who have and keep a regular office in such city or town, and who transact all their business in such office, and who do not in person or by agent solicit, or hire or contract with laborers outside of such office, or attempt so to do, except by written or telegraphic or telephonic communication, shall be required to pay annually only twenty-five dollars (\$25) license tax for such privilege, and the license so paid for and obtained shall permit all the employees and agents of such person who assist in the prosecution of such work in such office only, as aforesaid, to aid therein.

Local offices.

Emergency. Sec. 2. An emergency existing by reason of the fact that industries are being crippled by the employment of laborers by irresponsible and itinerant labor agents to be transported to other States, this act shall be in force from its passage.

Approved March 17, 1916.

UNITED STATES.

ACTS OF 64TH CONGRESS--FIRST SESSION, 1915-16.

ACT No. 68.—*Railroads—Hours of labor.*

[This act amends section 3 of chapter 2939, Acts of 1906-7, by making the penalty for violations "not less than \$100 nor more than \$500," instead of "not to exceed \$500."] Penalties.

ACT No. 85.—*Civil employment of enlisted men.*

SECTION 1. Hereafter no enlisted man in the active service of the United States in the Army, Navy, and Marine Corps, respectively, whether a noncommissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life, for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions. Competitive employment forbidden.

Approved June 3, 1916.

ACT No. 249.—*Employment of children—Interstate commerce in products of child labor.*

SECTION 1. No producer, manufacturer, or dealer shall ship or deliver for shipment in interstate or foreign commerce any article or commodity the product of any mine or quarry, situated in the United States, in which within thirty days prior to the time of the removal of such product therefrom children under the age of sixteen years have been employed or permitted to work, or any article or commodity the product of any mill, cannery, workshop, factory, or manufacturing establishment, situated in the United States, in which within thirty days prior to the removal of such product therefrom children under the age of fourteen years have been employed or permitted to work, or children between the ages of fourteen years and sixteen years have been employed or permitted to work more than eight hours in any day, or more than six days in any week, or after the hour of seven o'clock post meridian, or before the hour of six o'clock antemeridian: *Provided*, That a prosecution and conviction of a defendant for the shipment or delivery for shipment of any article or commodity under the conditions herein prohibited shall be a bar to any further prosecution against the same defendant for shipments or deliveries for shipment of any such article or commodity before the beginning of said prosecution. Scope of act.

SEC. 2. The Attorney General, the Secretary of Commerce, and the Secretary of Labor shall constitute a board to make and publish from time to time uniform rules and regulations for carrying out the provisions of this act. Administration.

SEC. 3. For the purpose of securing proper enforcement of this act the Secretary of Labor, or any person duly authorized by him, shall have authority to enter and inspect at any time mines, quarries, mills, canneries, workshops, factories, manufacturing establishments, and other places in which goods are produced or held for interstate commerce; and the Secretary of Labor shall have authority to employ such assistance for the purposes of this act as may from time to time be authorized by appropriation or other law. Enforcement.

- Duty of dis-** **SEC. 4.** It shall be the duty of each district attorney to whom
trict attorneys. the Secretary of Labor shall report any violation of this act, or
to whom any State factory or mining or quarry inspector, commis-
sioner of labor, State medical inspector, or school-attendance
officer, or any other person shall present satisfactory evidence of
any such violation to cause appropriate proceedings to be com-
menced and prosecuted in the proper courts of the United States
without delay for the enforcement of the penalties in such cases
herein provided: *Provided*, That nothing in this act shall be con-
strued to apply to bona fide boys' and girls' canning clubs recog-
nized by the Agricultural Department of the several States and
of the United States.
- Exemption.**
- Violations.** **SEC. 5.** Any person who violates any of the provisions of section
one of this act, or who refuses or obstructs entry or inspection
authorized by section three of this act, shall for each offense prior
to the first conviction of such person under the provisions of this
act, be punished by a fine of not more than \$200, and shall for
each offense subsequent to such conviction be punished by a fine
of not more than \$1,000, nor less than \$100, or by imprisonment
for not more than three months, or by both such fine and im-
prisonment, in the discretion of the court: *Provided*, That no
dealer shall be prosecuted under the provisions of this act for a
shipment, delivery for shipment, or transportation who establishes
a guaranty issued by the person by whom the goods shipped or
delivered for shipment or transportation were manufactured or
produced, resident in the United States, to the effect that such
goods were produced or manufactured in a mine or quarry in
which within thirty days prior to their removal therefrom no
children under the age of sixteen years were employed or per-
mitted to work, or in a mill, cannery, workshop, factory, or manu-
facturing establishment, in which within thirty days prior to the
removal of such goods therefrom no children under the age of
fourteen years were employed or permitted to work, nor children
between the ages of fourteen years and sixteen years employed or
permitted to work more than eight hours in any day or more than
six days in any week or after the hour of seven o'clock post-
meridian or before the hour of six o'clock antemeridian; and in
such event, if the guaranty contains any false statement of a ma-
terial fact, the guarantor shall be amenable to prosecution and
to the fine or imprisonment provided by this section for violation
of the provisions of this act. Said guaranty, to afford the pro-
tection above provided, shall contain the name and address of the
person giving the same: *And provided further*, That no producer,
manufacturer, or dealer shall be prosecuted under this act for the
shipment, delivery for shipment, or transportation of a product
of any mine, quarry, mill, cannery, workshop, factory, or manu-
facturing establishment, if the only employment therein, within
thirty days prior to the removal of such product therefrom, of a
child under the age of sixteen years has been that of a child as to
whom the producer or manufacturer has in good faith procured,
at the time of employing such child, and has since in good faith
relied upon and kept on file a certificate, issued in such form,
under such conditions, and by such persons as may be prescribed
by the board, showing the child to be of such an age that the ship-
ment, delivery for shipment, or transportation was not prohibited
by this act. Any person who knowingly makes a false statement
or presents false evidence in or in relation to any such certificate
or application therefor shall be amenable to prosecution and to
the fine or imprisonment provided by this section for violations
of this act. In any State designated by the board, an employment
certificate or other similar paper as to the age of the child, issued
under the laws of that State and not inconsistent with the pro-
visions of this act, shall have the same force and effect as a certi-
ficate herein provided for.
- Guaranty.**
- Acts in good**
faith.

SEC. 6. The word "person" as used in this act shall be construed to include any individual or corporation or the members of any partnership or other unincorporated association. The term "ship or deliver for shipment in interstate or foreign commerce" as used in this act means to transport or to ship or deliver for shipment from any State or Territory or the District of Columbia to or through any other State or Territory or the District of Columbia or to any foreign country; and in the case of a dealer means only to transport or to ship or deliver for shipment from the State, Territory, or district of manufacture or production.

Definition.

SEC. 7. This act shall take effect from and after one year from the date of its passage.

Act in effect.

Approved September 1, 1916.

ACT No. 252.—*Railroads—Eight-hour standard workday.*

SECTION 1. Beginning January first, nineteen hundred and seventeen, eight hours shall, in contracts for labor and service, be deemed a day's work and the measure or standard of a day's work for the purpose of reckoning the compensation for services of all employees who are now or may hereafter be employed by any common carrier by railroad, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads, and electric interurban railroads, which is subject to the provisions of the act of February fourth, eighteen hundred and eighty-seven, entitled "An act to regulate commerce," as amended, and who are now or may hereafter be actually engaged in any capacity in the operation of trains used for the transportation of persons or property on railroads, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads, and electric interurban railroads, from any State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from one place in a Territory to another place in the same Territory, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States: *Provided*, That the above exceptions shall not apply to railroads though less than one hundred miles in length whose principal business is leasing or furnishing terminal or transfer facilities to other railroads or are themselves engaged in transfers of freight between railroads or between railroads and industrial plants.

Standard work day.

Scope of law.

SEC. 2. The President shall appoint a commission of three, which shall observe the operation and effects of the institution of the eight-hour standard workday as above defined and the facts and conditions affecting the relations between such common carriers and employees during a period of not less than six months nor more than nine months, in the discretion of the commission, and within thirty days thereafter such commission shall report its findings to the President and Congress; that each member of the commission created under the provisions of this act shall receive such compensation as may be fixed by the President. That the sum of \$25,000, or so much thereof as may be necessary, be, and hereby is, appropriated, out of any money in the United States Treasury not otherwise appropriated, for the necessary and proper expenses incurred in connection with the work of such commission, including salaries, per diem, traveling expenses of members and employees, and rent, furniture, office fixtures and supplies, books, salaries, and other necessary expenses, the same to be approved by the chairman of said commission and audited by the proper accounting officers of the Treasury.

Commission to observe and report.

- No change of rates. **SEC. 3.** Pending the report of the commission herein provided for and for a period of thirty days thereafter the compensation of railway employees subject to this act for a standard eight-hour workday shall not be reduced below the present standard day's wage, and for all necessary time in excess of eight hours such employees shall be paid at a rate not less than the pro rata rate for such standard eight-hour workday.
- Overtime.
- Violations. **SEC. 4.** Any person violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100 and not more than \$1,000, or imprisoned not to exceed one year, or both.

Approved September 3, 1916.

Approved September 5, 1916.

[This act is constitutional. Congress has power to fix the hours of labor on railroads engaged in interstate commerce, to determine wage rates, and to arbitrate disputes in such a manner as to secure the continued operation of the roads. *Wilson v. New*, 37 Sup. Ct., 298.]

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