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## CONTENTS.

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<b>Review of labor legislation of 1917:</b>		<b>Page.</b>
Introduction.....		5, 6
Contract of employment.....		6-9
Examination and licensing of workmen.....		9-11
Wages.....		12-16
Public works.....		12, 13
Private employment.....		13-16
Hours of labor.....		16-18
Public employment.....		16, 17
Private employment.....		17, 18
Holidays and rest days.....		18, 19
Hygiene and safety.....		20-29
Factories.....		20-25
Mine regulations.....		25-27
Railroads.....		27, 28
Street railways.....		28, 29
Buildings, etc.....		29
Employment of children and women.....		30-36
Emergency suspension of labor laws.....		37, 38
Employment offices—unemployment.....		38-41
Bureaus of labor.....		41-44
Mothers' pensions.....		44-46
Retirement funds.....		46, 47
Employers' liability.....		47
Reports of accidents.....		47, 48
Accident insurance.....		48
Labor organizations.....		48
Labor disputes.....		48-49
Cooperative organizations.....		49, 50
Civil rights of employees.....		50, 51
Vocational education.....		51-53
Convict labor.....		53-57
Commissions on housing, welfare, etc.....		57, 58
<b>Laws of various States relating to labor enacted since January 1, 1917:</b>		
Alaska.....		59, 60
Arizona.....		61-64
Arkansas.....		65-72
California.....		73-95
Orders of the industrial accident commission.....		92-95
Colorado.....		97-105
Connecticut.....		107-111
Delaware.....		113-125
District of Columbia.....		127
Florida.....		129
Georgia.....		131-133
Hawaii.....		135, 136

<b>Laws of various States relating to labor enacted since Jan. 1, 1917—Concluded.</b>		<b>Page.</b>
Idaho.....		137, 138
Illinois.....		139-158
Indiana.....		159
Iowa.....		161
Kansas.....		163-174
Orders of the industrial welfare commission.....		173, 174
Louisiana.....		175
Maine.....		177-182
Maryland.....		183-185
Massachusetts.....		187-193
Decrees of minimum wage commission.....		191-193
Michigan.....		195-199
Minnesota.....		201-206
Missouri.....		207-210
Montana.....		211-216
Nebraska.....		217-221
Nevada.....		223, 224
New Hampshire.....		225-231
New Jersey.....		233-243
Regulations of department of labor.....		240-243
New Mexico.....		245-246
New York.....		247-254
Rules of industrial commission.....		254
North Carolina.....		255
North Dakota.....		257-259
Ohio.....		261-265
Oklahoma.....		267-270
Oregon.....		271-276
Pennsylvania.....		277-299
Safety standards of industrial board.....		286-299
Philippine Islands.....		301-303
Porto Rico.....		305-313
Rhode Island.....		315
South Carolina.....		317
South Dakota.....		319
Tennessee.....		321-325
Texas.....		327-333
Utah.....		335-346
Vermont.....		347-350
Washington.....		351-354
Orders of industrial welfare commission.....		352-354
West Virginia.....		355-360
Wisconsin.....		361-368
Orders of industrial commission.....		367, 368
Wyoming.....		369-373
United States.....		375-383

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

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## REVIEW OF LABOR LEGISLATION OF 1917.

BY LINDLEY D. CLARK.

### INTRODUCTION.

Legislative sessions were held in 1917 in 51 jurisdictions of the United States, besides the sessions of the Federal Congress. Laws classifiable as labor laws were enacted by all of these legislatures, with the exception of the Legislatures of Kentucky and Mississippi in extra session. Orders and regulations issued by industrial commissions of some of the States, representing the results of their investigations and conclusions, are reproduced, as far as available. The present bulletin is a supplement to Bulletin No. 148, which undertakes to present the labor laws in force at the close of the year 1913, with the exception of those which relate to workmen's compensation. This latter class of laws, on account of its bulk and special interest, is reproduced in Bulletin No. 203 and in a supplemental bulletin, No. 241. A cumulative index presented in the present bulletin covers the material contained in Bulletin No. 148 and succeeding supplements thereto (Nos. 166, 186, and 213).

A result of the economic conditions caused by the world-wide war is found in a number of laws creating councils of defense, commissions of public safety, etc., some of them being given power to undertake industrial adjustments occasioned by the emergency of war. Another result of the war was a proposal made and carried out in a few States to waive or provide for the waiver of labor laws under certain circumstances, the assumption being that such waiver would facilitate production. Fortunately but little legislation of this kind appears. Another type of emergency legislation was enacted in two States, looking toward compelling all able-bodied men to be engaged regularly in some productive and useful occupation—a type of law that is entirely without precedent in this country in recent times.

The number of laws and changes in existing laws relating to the employment of women and children continues almost without diminu-

tion; while the idea of provision of support for needy mothers with children under employment age was extended to a considerable number of States.

Judging by the number of enactments on the subject, the question of the employment of convicts continues to occupy a prominent place in the legislative mind; while employment and unemployment, the needs of social insurance for other disabilities than those due to industrial accident, and the subject of the best preparation of young persons for industrial usefulness are also prominent. While this last subject, i. e., that of vocational education, is not strictly within the definition of labor legislation usually followed, in that it does not directly affect the status of employers or employees, it is of interest to note the rapidity and extent of the acceptance of the Federal proposal to cooperate with the States in the matter. Only a bare enumeration will be made under this head, however, and a summary presentation will be made, as heretofore, of certain groups of laws the text of which is not reproduced.

### CONTRACT OF EMPLOYMENT.

On account of its rank as a constitutional provision, the first item to be noted under this head is negative rather than positive, being an amendment to the constitution of North Carolina, adopted November 7, 1916, forbidding special acts of the legislature relating to labor, trade, mining, or manufacturing (Art. II, sec. 29).

The Civil Code of Porto Rico is amended by an act (Vol. II, No. 12) relating to the discharge of certain employees before the expiration of their terms of employment. The former provision of a presumption in favor of the employer in the matter of proof is stricken out.

Undertaking to restrict directly the power of the employer to terminate a contract of hiring at will, are laws of Michigan (No. 92) and Ohio (p. 603), making it unlawful for railroad companies to discharge employees against whom charges have been filed by spotters or detectives without hearings held in which the person charged is permitted to face his accuser. Somewhat analogous is a law of California (ch. 747), requiring public-service corporations to furnish workmen leaving their employment clearance cards or service letters if requested.

A Colorado statute (ch. 54) makes it an offense for an employer to obtain, knowingly and designedly, labor or services by false pretenses providing severe penalties. In Tennessee (ch. 48), an employer enticing employees by misrepresenting the wages to be paid in the new employment is guilty of fraud, and if offering new employment, is required to give bond to cover the difference in wages promised, and

to protect the original employer from loss caused by fraudulent promises or contracts.

Fraud on the part of the workman is penalized by a statute of New Hampshire (ch. 3), which provides fine or imprisonment for a workman who receives advances of goods, money, or transportation on an agreement to labor at logging, and without cause fails to do the work or to repay advances. Laws of similar tenor formerly existing in the States of Maine and South Carolina were repealed, and no new enactments made on the subject (Me., ch. 231; S. C., Act No. 197). Laws of this class are clear attempts to enforce specific performance of the labor contract, and are contrary to the spirit of the law as generally construed. Enforcement of such contracts, however, is permissible, at least in a negative sense, by forbidding an employee who has been inducted into trade or business secrets of his employer to engage in competitive business, for himself or with another employer, either indefinitely or for a limited time. Thus an act of the Michigan Legislature (No. 171) exempts from the prohibitions of the anti-trust law of the State contracts in which an employer has furnished his employees a route list under an agreement not to work for another employer in the same line, in the same territory, for a period of 90 days after the conclusion of his employment.

A result of recent development in the economic conditions of the localities represented is found in laws of Idaho (ch. 145) and Minnesota (ch. 215). These laws forbid interference with employment through the practice of what is designated as criminal syndicalism—the doctrine which advocates crime, sabotage, violence or unlawful methods of terrorism as a means of accomplishing industrial or political reform. Teaching or encouraging such doctrines or practices, or assembling for the purpose, as well as permitting such assemblages, subjects offenders to severe penalties. Departing less widely from the older methods of dealing with a somewhat similar problem is an act of the Legislature of Kansas (ch. 167) which classes as vagrants persons loitering without visible means of support and refusing to work when work at fair wages is offered, or threatening violence to fellow-workmen or to employers of labor.

In this connection may be mentioned the compulsory service laws of Maryland (extra session, ch. 33) and West Virginia (second extra session, ch. 12), though these laws are emergency laws, applicable only to conditions existing by reason of the state of war. The Maryland statute is to be effective when the governor decides that its operation is desirable for the protection and welfare of the State on account of emergency conditions. It applies to male persons between the ages of 18 and 50 inclusive, who, if not regularly and usefully employed, must register with the clerk of the court of the county of

residence for assignment by the governor to occupations essential to the general welfare, to be carried on either as public or private employments. Standard wages and hours are to be observed, and payments are guaranteed by the State. The West Virginia law covers male residents, "between the ages of 16 and 60 years," requiring them to be habitually and regularly employed at a useful occupation, the law to be enforced as a vagrancy law. These laws apply to residents, without regard to citizenship.

A law of New Hampshire (ch. 146) forbids, during time of war, attempts to influence or coerce any person not to work in any shop, factory, etc., and makes it unlawful to encourage strikes or lockouts therein, while the plant is engaged in producing military or naval supplies.

An act of 1913 of the New Hampshire Legislature requires employers advertising for labor to give notice of existing labor disputes, if any. This act was amended (ch. 212) by adding a clause forbidding the knowing publication of any advertisement not complying with the provisions of the act. A law requiring such notice was enacted for the first time in Porto Rico (No. 17).

Two additional States have taken legislative notice of the too prevalent custom of employees making purchases for their employers receiving bonuses from dealers or repairmen, the acts in question being directed specifically against chauffeurs and supply and repair men in the motor vehicle business (Connecticut, ch. 333, sec. 29; Minnesota, ch. 75). These acts for the protection of the employer find their counterpart in laws of California (ch. 172) and Ohio (p. 614) which undertake to protect workmen from the abuses sometimes practiced in the hiring of men by foremen, who accept gifts or require commissions from persons seeking employment or advancement in the establishments in which such foremen have power to hire and discharge. The acceptance of such bonuses or gifts is forbidden under severe penalties by the laws named.

Another California statute (ch. 108) provides that where an employer requires employees to furnish bonds or photographs, the cost of the same shall be borne by the employer.

The subject of medical and hospital fees was taken up by the Legislature of Oregon (ch. 393), the act permitting reasonable deductions from the wages of employees, but if a complaint is made, the industrial accident commission fixes the amounts; the fund thus formed is to be regarded as a trust fund, and in no wise for the financial benefit of the employer, and an annual statement must be made to the industrial accident commission, which also supervises its use. The supervision of such funds in California, regulated by an act of 1915, is declared (ch. 73) to be in the hands of the railroad

commission only in the case of railroad funds, such funds of other public utilities and employers generally being supervised by the industrial accident commission of the State.

The remaining items under this head relate to public employment, an act of Arizona (ch. 90, sec. 50) directing that where money is spent for State improvements under the appropriation made by the act, the contractor must file a detailed statement showing efforts to procure "actual, bona fide resident citizens," before he shall be allowed to hire other workmen; while a law of Massachusetts (ch. 260) adds teamsters to the enumeration of mechanics and laborers in the employment of whom preference shall be given to citizens.

The highway law of Montana (ch. 172) requires employers to furnish to the county treasurer a complete list of all persons in their employment who are liable for a special road tax, and makes the employer liable for the payment of the tax, permitting him to reimburse himself from the employee's wages.

The United States Congress continues its prohibition of the use of various appropriations for payment for work where stop watches or other efficiency tests are applied, or bonuses are paid to workmen (chs. 4, 180).

### EXAMINATION AND LICENSING OF WORKMEN.

The laws under this head are in large measure amendatory of existing legislation on the subject, and, as might be expected, relate most frequently to chauffeurs. One State, however (Michigan, Act No. 178), amends its law as to the examining and licensing of barbers, requiring one member of the examining board to be a journeyman, and forbidding persons working under temporary permits or apprentices' certificates to open or operate shops as proprietors or managers. The fee for a State certificate for holders of certificates from other States is reduced from \$5 to \$3, while a fee of \$1 is fixed for an apprentice's certificate.

The law of California as to chauffeurs is amended (ch. 22) by limiting the term of all licenses to one year, though operators not employed as chauffeurs pay no renewal fee. Laws of Connecticut (ch. 232) authorize the governor to appoint a commissioner of motor vehicles to enforce statutes on the subject; (ch. 131) provide for suspensions and revocations of chauffeurs' licenses on second and subsequent convictions for offenses; and (ch. 333) fix the minimum age of chauffeurs at 18 years, require demonstration of ability, and fix an annual license fee of \$2—in the main resembling the earlier law on the subject, which is repealed.

In Delaware (ch. 16) the fee for examination is reduced from \$5 to \$3. Laws of Florida (chs. 7275, 7276) amend previous acts, and

require a minimum age of 18 years, the passing of an examination prescribed by the State comptroller, and fix the license fee at \$2, requiring annual renewals. In Maryland the law originally fixed 16 years as the minimum age for chauffeurs; an amendment of 1912 advanced the limit to 18 years. An act of the extra session of 1917 (ch. 32) allows licenses to be issued in the discretion of the commissioner of motor licenses to persons between the ages of 16 and 18 as a war emergency measure. An amendment to the Minnesota law provides (ch. 320) that a chauffeur operating a machine when intoxicated forfeits his license, which can not be renewed for a term of three months, and further is guilty of a misdemeanor; while in Oregon (ch. 29) the employment of a chauffeur addicted to drunkenness is penalized if the employer is engaged in the transportation of passengers; and any chauffeur must be discharged if a passenger gives written notice, on oath, of the fact of the chauffeur's intoxication while on duty.

The Missouri statute of 1911 is repealed, and a new law enacted on the subject (p. 403), its provisions being practically the same as those of the former statute, except that a nonresident chauffeur may work for 60 days in Missouri on presenting a license from the State of his residence. The Legislature of Montana (ch. 75) also enacted a new motor vehicle law, repealing the act of 1913, but making unimportant changes in the points relating to examination, etc., of chauffeurs. A license revoked for cause may be held not more than six months before renewing; though the registrar may refuse to renew a license if he deems the applicant not qualified to receive it, but with right of the applicant to appeal to the courts. In New Hampshire (ch. 151) the commissioner of motor vehicles may appoint local examiners of applicants for licenses, who shall also have power to enforce the laws as to motor vehicles. An act of the Texas Legislature (ch. 207) fixes 18 years as the minimum age for applicants for a chauffeur's license, requires the certificate of two reputable citizens as to trustworthiness, sobriety, and competence, and establishes an annual license fee of \$3. The same amount is fixed as the fee for the first examination in Vermont (No. 132), that for annual renewals remaining at \$2.

In one State (North Dakota, ch. 118) a State board is established for the examination of electricians. Examinations are to be given according to the grades of license desired, the fee for a master's license being \$5, for a journeyman's \$3, and for a special electrician's \$2. Licenses are valid for a term of two years, and are renewable without examination on payment of a proper fee—presumably the same amounts as for the original licenses.

A specific field of electrical operation is that of the moving-picture business, and three States last year enacted laws relative to the licensing of operators. In Minnesota (ch. 466) and South Dakota (ch. 280) a minimum age of 18 years is fixed for such operators, and authority is given to the State fire marshal in the former State, and the commissioner of insurance in the latter, to examine operators if they think it necessary, and if found incompetent the person examined is not to act until the incompetency is satisfactorily removed. A New Jersey statute (ch. 134) provides that no license shall be required where designated types of apparatus or films are used.

Laws of California (ch. 65) and Colorado (ch. 107) authorize the State boards of health to appoint local boards for the examination of persons desiring to engage in the business of plumbing. The original fee in California is fixed at \$2.50, the annual renewal fee being \$2. Plumbers engaging in business in Colorado at the time the law takes effect are to be licensed without examination. The fee for a master's examination is fixed at \$10, the annual renewal fee being \$5, while for journeymen the examination fee is \$2, and the annual renewal fee \$1. The law of Florida is amended (ch. 7312) so as to make it applicable to cities of 7,500 instead of 10,000 population as a minimum, as formerly. The term of the license is limited to one year, but it may be renewed on payment of \$1 by masters and journeymen alike. A new law was enacted on this subject by the Legislature of Illinois (p. 520), quite similar in its general provisions to the act of 1897, which it repeals. It is applicable, however, to cities of 5,000 population instead of 10,000 as a minimum, as formerly.

Steam engineers and firemen are the subject of a law of Maine (ch. 262), which provides that municipal officers shall appoint annually an examiner; all engineers and firemen except for heating plants in buildings are to be licensed. Three grades of licenses are provided for besides a special license. The examination fee is \$2, with an annual renewal fee of \$1. In New Jersey (ch. 251) the examining boards are to be appointed from persons found eligible by the civil service commission. The administration of the law is brought more fully under the commissioner of labor, who makes rules, etc.

A statute of North Dakota (ch. 68), hardly coming under this head, but perhaps less appropriate elsewhere, requires employees in butcher shops and similar establishments to have a doctor's certificate of freedom from infectious, contagious, or loathsome diseases.

Not required by law, but approximating the idea of licensing, is the order of the Industrial Commission of Wisconsin fixing standards of skill and technical knowledge for bricklayers as conditions precedent to the giving of a certificate of ability to apprentices in this trade.

## WAGES.

### PUBLIC WORKS.

The power of the State to regulate the conditions of employment of its own employees and of those of contractors with it or its subdivisions finds expression in a few instances in laws determining the rates of wages payable to such employees. Thus in California (ch. 52) labor employed on the public highways is to be given a minimum wage of \$3 per day. The Hawaiian Legislature, by section 164 of its revised laws, fixed a minimum of \$1.25 for persons employed on public works of the Territory. This was increased to \$1.50 in 1915, and to \$2 in 1917, excepting in the county of Kalawao (No. 192). The Montana highway law (ch. 172) fixes \$4 as the minimum amount of wages to be paid; while in Nevada (ch. 205) the legislature satisfied itself by declaring that current rates of wages must be paid for highway labor.

The subject of public printing was disposed of by the Iowa Legislature (ch. 183) by directing that contractors must pay such wages as are fixed by the Typographical Union, while in Massachusetts (Resolves, ch. 128) it was directed that equal pay be given to women for equal work done, the rate to be approved by the officers in charge of printing. A law of the Philippine Islands (No. 2711, secs. 1556-1558), relating to the bureau of printing, directs that for overtime work 20 per cent be added to the regular rates, while for holiday labor double time shall be paid; the act also fixes the rate of wages and the annual increase therein to be paid apprentices. In Porto Rico also (No. 43) it was directed that employees of the territorial bureau of supplies who are paid by the hour shall receive 50 per cent increase upon their wages for holiday and overtime work.

A novel provision of the Philippine law already cited (sec. 2118) permits persons employed on provincial improvements to be paid in rice or other necessaries in lieu of currency if authorized by the provincial board, such supplies to be furnished at cost.

The time of payment of public employees is fixed by a California statute (ch. 574), which directs that all persons employed on a daily basis by counties of the first and second class shall be paid twice monthly.

To safeguard the rights of employees of contractors on public works, in a manner analogous to the provisions of mechanics' lien laws, and at the same time to protect the public, contractors on public works are required by law in a majority of the States of the Union to give bond conditioned on the payment of the sums due for labor and materials. The Arizona statute on the subject was amended (ch. 34) with regard to contracts for street improvements; the con-

tractor being required to give bond in an amount equal to one-half the contract price to cover the wages, etc., payable by him and by subcontractors. The California statute was also amended (ch. 714), the claimants being authorized to sue on the bond within six months after the completion of the work if the claim was filed in proper time. The statute of Delaware (ch. 224) applies to contracts on streets, roads, and other public improvements amounting to more than \$500, the bond to be for 75 per cent of the value of the contract. The Wisconsin statute (ch. 388) is made to apply to contracts involving \$100 or more, and is extended to public work of all kinds, whether for the State or its subdivisions, instead of to State buildings only as formerly. In Utah (ch. 36) the existing law is amended, and any State institution, county, city, etc., which fails to exact the bond prescribed by the law is declared to be directly liable to creditors. Laws of this class were also enacted in Connecticut (ch. 118); Michigan (No. 125), relating to employees on highways only; Missouri (p. 442), of similar scope with the Michigan law; Ohio (p. 642); Pennsylvania (No. 90); and the Philippine Islands (No. 2711, secs. 1921, 1923).

The highway law of Montana (ch. 172) provides for the retention of 20 per cent of the pay due the contractor at any stage of the work as security for payments to laborers and material men.

#### PRIVATE EMPLOYMENT.

Legislation as to rates of wages in private employment relates thus far in this country only to the employment of women and children, and minimum wage laws are noted under that heading.

The medium of payment is considered in laws of Illinois (p. 363), Kansas (ch. 229), and Minnesota (ch. 348). These laws are quite similar in provisions, requiring all tokens or instruments given in payment for labor to be redeemable on demand at face value, though the Kansas statute permits a future date if plainly stated, and not more than 15 days later than the date of delivery. A kindred law is that of California (ch. 141), which forbids coercion of employees in the matter of trading or buying supplies, though employers may prescribe the weight, color, etc., of uniforms required to be worn by their employees.

The time of the payment of wages was the subject of laws in a number of States, a semimonthly pay day being established in each instance. In New Mexico (ch. 16) the law relates to railways and manufacturing corporations; in Tennessee (ch. 28), to all private employments, the law further prescribing that payments shall be in lawful money, or check, or draft without discount; while the Wisconsin statute on the subject is amended (ch. 279) so as to exempt

from its application corporations owning or operating sanitariums or hospitals; an additional provision of this act requires these corporations to give notice of dismissal of their employees of the same length of time as the notice of leaving required. The semimonthly pay laws of Nebraska (ch. 218), North Dakota (ch. 187), and West Virginia (ch. 50) apply only to railroads.

Procedure for the recovery of the wages due farm laborers is prescribed by an act of the Legislature of Porto Rico (Vol. II, No. 10). Simple complaint is to be made before the court, the same to be filled out by the judge or his secretary. The commissioner of agriculture and labor may intervene in behalf of the workman, and prompt judgment is to be rendered, with punitive damages where malice or dilatory action is shown.

The payment of wages due deceased employees was considered in laws of Arizona (ch. 22) and Florida (ch. 7366). In the former State the surviving husband or wife may collect any sum of wages due not in excess of \$300 without letters of administration, while in the latter State the widow or children over 18 years of age may similarly collect wages due without regard to their amount.

The business of lending money on assignments of future earnings is increasingly the subject of legislative control. In general, formalities of records and receipts are explicitly provided for, interest rates established, charges limited, and a license is required for the conduct of the business, together with a bond to protect borrowers against violations of the provisions of the laws. A law of Colorado (ch. 93) relates to sums up to \$500 in amount where interest is charged in excess of 1 per cent per month. An additional charge of \$1 is permitted for papers, and the note must express the actual amount loaned. A copy of the assignment of the employee's wages must be filed with the employer. The Illinois statute (p. 553) applies to loans of \$300 or less where interest in excess of 7 per cent per annum is charged. The maximum interest charge permitted is  $3\frac{1}{2}$  per cent per month, and the assignment of wages must be signed by the borrower, and is valid only for existing debts or a debt simultaneously incurred. Not more than 50 per cent of current wages may be collected under such an assignment. The Maine statute (ch. 298) applies likewise to loans of \$300 or less, but only if the interest exceeds 12 per cent per annum. The maximum interest chargeable is the same as in Illinois, and the lender is forbidden to take a confession of judgment or power of attorney. Assignments must be in writing and signed by the husband or wife if the assignor is a married person, and are valid only for debts simultaneously contracted.

The Utah statute (ch. 41) resembles that of Maine with reference to the size of loans to which it applies and in the matter of joint sig-

natures. The interest rate is fixed at 3 per cent per month, and no other fees or charges may be made except in cases of foreclosure. The Minnesota statute is amended (ch. 321) so as to limit the law in its application entirely to matters affecting future earnings. The law of Tennessee (ch. 62) makes no reference to employers or wages other than in the second section, in which reference is made to engaging in the business of making loans on personal property or wages or salaries. The statute fixes rates of fees, forbids the splitting of loans, and regulates renewals. The rate of interest is limited to 6 per cent per annum.

Another aspect of the question of the assignment of wages is treated in an act of the Nevada Legislature (ch. 94), which declares that an assignment of wages made when there is an unsatisfied judgment for debt on the court records is conclusive evidence of fraud, and is void.

The protection of the rights of employees of bankrupt employers is the subject of a single amendment adopted by the Legislature of Indiana (ch. 109), extending the law which makes wages a preferred claim in assignments, etc., to specifically cover traveling salesmen and agents and manufacturers' agents.

The extent to which wages may be garnisheed is passed upon in an act of the Legislature of New Mexico (ch. 18), this act repealing existing laws on the subject. The old law permitted but 20 per cent of a workman's wages to be garnisheed where they did not exceed \$50 per month. The present act permits but 20 per cent to be taken on wages up to \$75 per month. This provision is for the benefit of heads of families, and the family, instead of the head only, must now reside in the State to get the benefit of the law. The statute applies to public employees as well as to employees of private employers.

Laws of North Dakota (ch. 152) and South Dakota (ch. 296) have for their purpose the securing of the payment of wages by contractors, the law of the former State declaring it to be fraud for a contractor to appropriate to himself payments on his contract while wage and material debts are unpaid; while in the latter State the use by him of such payments under like circumstances, if with intent to defraud, makes the contractor guilty of larceny. In Nebraska (ch. 203) it is made an offense for a contractor to fail to pay lawful claims such as would give rise to mechanics' liens, unless waivers from possible lien claimants have been secured. Of similar intent is an Oregon law (ch. 226), which makes the lessee, licensee, or person other than the owner operating any mine or lode a bailee only, and not the owner, of any metal or mineral taken, until the sums due to the lessor of the mine and the wages of workmen have been paid.

Most States have laws limiting or excluding entirely the exemption of property from execution or judgment where the action is for the recovery of wages or for designated services. The law of Missouri

is amended (p. 202) by placing blacksmiths in the class with house servants and common laborers, for whose services no exemptions will lie where the claim does not exceed \$90.

The question of the venue of suits for wages was before the Legislature of Texas, which enacted a law (ch. 124) permitting suits to be brought either at the residence of the defendant or where the labor was performed; if the employer was a railroad or canal company, or a stage or coach line, the action may be brought in any precinct in which the company operates.

In 28 jurisdictions laws were passed amending or extending their mechanics' lien laws, some States passing three or more separate enactments during the year. In the majority of cases the amendment is of slight general importance, relating frequently to procedure, modes of release, etc., or extending the usual provisions of the law of the State to specific subject matter, as automobile repairs, caring for orchards and orchard lands, work on ditches and reservoirs, repair of clocks and jewelry, etc. The law of West Virginia was entirely recodified (ch. 6), and classifies liens on the basis of the grounds therefor, fixing different periods for filing, either 90 or 60 days. Forms of notice are prescribed, rank is fixed, and methods of enforcement, discharge, etc., are set forth in full. The same is largely true of North Dakota (ch. 182) and Oklahoma (ch. 187). The law of Connecticut (ch. 95) provides for the release of liens on personal property upon the substitution of a bond given by the owner, such bond to be void if not recovered on within one year. A Wisconsin amendment (ch. 266) makes liens for repairs, etc., superior to a chattel mortgage under a contract for conditional sale, such lien to be for not more than \$75; misrepresentation on the part of the owner as to his interest in the chattel is a misdemeanor. The Washington amendment (ch. 68) also gives labor liens a priority over liens for materials. The Texas Legislature enacted a new law (ch. 17), covering mines, quarries, oil, gas, and water wells, and pipe lines, the act being declared to be cumulative of present laws and repealing none of them. Another amendment passed by the legislature of this State (ch. 171) broadened the scope and extent of the terms of the lien law of the State, so as to facilitate the obtaining of loans from Federal reserve banks.

## HOURS OF LABOR.

### PUBLIC EMPLOYMENT.

The State of Montana has established an 8-hour maximum working day for employment on public works carried on by municipal, county, and State governments. School districts of the first class are added to the list of agencies to which the law applies, and employees in or about buildings, works, or grounds used or occupied

for any purpose by any of the governmental agencies within the law are brought within its provisions (ch. 30). In contrast with the foregoing, the operation and repair of plants owned by municipalities of not over 1,000 inhabitants are exempted from the operation of the Oregon law on this subject, though the hours of employment per week may not exceed 56 (ch. 98). An 8-hour day is fixed for employment on public works in the island possession of Porto Rico by the Civil Government Act passed by the United States Congress (ch. 145).

An 8-hour day is fixed for work on public roads by the highway laws of California (ch. 52), Montana (ch. 172), and Nevada (ch. 205); in the latter State the law specifies that the time indicated is to be exclusive of that occupied in going to and returning from work.

Contracts for public printing are regulated by an act of the Iowa Legislature (ch. 183), which requires contractors to observe the working hours fixed by the typographical union; while in Massachusetts (Resolves, ch. 128) an 8-hour working day is to be the basis of the contract. Congress, in its act making appropriations for the naval service, authorized the suspension of the 8-hour law in cases of national emergency, but requires time and a half to be paid for time worked in excess of eight hours (ch. 180).

Not usually classified as labor laws, but determining the conditions of employment of classes of employees rendering public service, are laws of Minnesota (ch. 91) and Montana (ch. 91), fixing 14 hours as the maximum daily period of service of city firemen, the law in the first instance being limited to cities of the first class, while in the second it applies to cities of the second class as well. In both instances exceptions are made of cases of emergency. In Minnesota also (ch. 422) a regulation is made of the hours of labor of guards at the State prison and State reformatory, a 10-hour day being fixed, subject to variation in emergencies.

#### PRIVATE EMPLOYMENT.

The most conspicuous legislation of the year in this field is the establishment by a referendum law (ch. 55) of an eight-hour day for all classes of employments in the Territory of Alaska. The operation of this law may be suspended by the Government on the request of the Council of National Defense or of the Secretary of the Interior during the present or any future war. A Minnesota statute establishes a 10-hour day as the legal standard workday, to be so construed in the absence of contract, and an amendment of 1917 (ch. 248) provides that this shall apply unless a shorter time is provided

by law. Persons 16 years of age or over may work extra hours for extra pay, unless some statute specifically forbids it.

Apparently redundant in its precautions, the Legislature of Alaska (ch. 4) established an eight-hour day for employment in all underground mines and workings, such employment being declared injurious to health and dangerous to life and limb. Each day of violation is made a separate offense, and severe penalties are provided. A Kansas statute (ch. 242) applies to lead and zinc mines only, and fixes an eight-hour day except in emergencies where added labor is necessary to protect life or prevent irreparable injury to property.

The law of Porto Rico fixing the hours for closing commercial and industrial establishments is amended (Vol. II, No. 26) by fixing 9 o'clock on Saturday evenings instead of 10 o'clock as formerly.

Work in compressed air is the subject of an act of the Pennsylvania Legislature (No. 364), the act specifying the periods of employment permitted under different pressures, fixing decompression periods, requiring the physical examination of applicants and workmen, and directing that attendants, nurses, a hospital lock, dressing rooms, shower baths, etc., be provided.

Again stepping outside the field of labor legislation strictly speaking, mention may be made of an act of the North Carolina Legislature (ch. 181), which fixes 80 hours per week of 7 days and 12 hours per day as the maximum term of employment of student nurses, though in emergency a 16-hour day may be worked.

### HOLIDAYS AND REST DAYS.

In Alaska (ch. 1) and California (ch. 19) Lincoln's Birthday is added to the list of legal holidays, while in the former jurisdiction March 30 is also declared a holiday in commemoration of the signing of the treaty of cession of the Territory to the United States, the day being designated as Seward's Day. Lee's Birthday (January 19) is added to the list of legal holidays in the State of Tennessee (ch. 86); while the birthday of a native patriot and statesman, Luis Muñoz Rivera (July 17), is made a holiday in Porto Rico (Vol. II, No. 47). In Washington (ch. 35) Saturdays after 12 o'clock are declared to be legal holidays for public offices in cities and counties of the first class.

Sunday labor was a subject considered in several States, the results in different jurisdictions being quite divergent. Connecticut (ch. 352) enacted a law, largely duplicating existing provisions, forbidding employers to do or to require their employees to do any secular business on the first day of the week, except works of necessity and charity; another act (ch. 382) permits the sale of certain articles, as milk, bakery products, fruit, newspapers, etc. The Legislature of

Porto Rico (Vol. II, No. 26) revised the list of establishments exempted from compliance with the Sunday closing law of the island and repealed the provision allowing municipalities to require exempted establishments to be closed notwithstanding the general law. The same act makes July 4 and Labor Day full holidays instead of half holidays, as formerly, and directs that certain classes of employees be allowed a weekly day of rest.

The Georgia law forbidding the operation of freight trains on Sunday is suspended (p. 204) during the continuance of the present war, the suspension affecting municipal ordinances as well as the law of the State. So also in Massachusetts, the cultivation of land and the harvesting, conserving, and transporting of agricultural products may be carried on on Sunday during the term of the present war and until the end of the year following (ch. 207). In Oregon a still more drastic step is taken by an initiated act (ch. 1) which repeals the law closing stores, shops, groceries, bowling alleys, billiard rooms, and tippling houses for purposes of labor and traffic, and all places of amusement. Orders of the industrial-welfare commission of the State, however, forbid the employment of any person under 18 years of age, or any woman, for more than six days in one calendar week, with some exceptions as to telegraph and telephone establishments and public housekeeping.

An amendment to the North Dakota statute (ch. 222) names exemptions somewhat along the line of the Connecticut law noted above, naming also livery and garage service. The operation of barber shops on Sunday is forbidden in Nebraska (ch. 234); also in Nevada (ch. 227) in towns of 10,000 or more population. The legislatures of New Jersey (ch. 97) and Wyoming (ch. 45) authorize municipalities to regulate and control the conduct of barber shops within their boundaries, the law of New Jersey specifying the control of hours of opening and closing on week days and their operation and closing on Sundays.

An act of the Federal Congress (ch. 162) directs that where special postal clerks in post offices of the first and second classes have been required to work on any holiday, compensatory time shall be allowed within the next 30 days.

The subject of annual vacations for city firemen was passed upon in Texas (ch. 185), 15 days being granted each year in cities of more than 30,000 population; while in Wisconsin (ch. 521) firemen in cities of the first class must be allowed 24 consecutive hours off duty in each 72 hours, in the second class in each 96 hours, and in the third class in each 168 hours, though emergency conditions may prevent these allowances.

**HYGIENE AND SAFETY.****FACTORIES.**

Important laws in this field were enacted in California (ch. 586, secs. 33-54) and New Hampshire (ch. 183). In the former State the general obligation is declared to rest upon employers to furnish safe places and install safeguards, employees being forbidden to remove the same. The State industrial accident commission is given power to fix standards, issue orders, make necessary investigations, and enforce the labor laws and its orders. The commission is also to receive reports of injuries and investigate the same. The New Hampshire law is the first step in the direction of any adequate regulation of factory conditions, and applies to factories, mills, workshops, and other manufacturing establishments where 10 or more persons are regularly employed. The matters of safeguards, lighting, inspection, etc., are enumerated, and the commissioner of labor is authorized to make rules and orders, either general or special, to secure the ends in view. The commissioner is charged with the duty of inspection, and may employ two inspectors to assist in the work.

In Idaho (ch. 81) the industrial accident board is authorized to fix standards of safety, both of construction and equipment, so as to render all places of employment safe.

The California statute requiring factories to be registered is amended (ch. 177) by a provision requiring new factories to be reported, the commissioner of labor being directed to give notice to the State board of health and to local boards or health officers monthly. Another amendatory act by the same legislature (ch. 766) forbids the cleansing of wiping rags for machinery, etc., where clothing or articles of personal wear or household use are laundered. Orders of the industrial accident commission of the State relate to safety in sawmills and logging operations. Minor changes are made in the law of Connecticut in accordance with the new title of the inspection office "commissicner of labor and factory inspection," and in the provision as to service of notice (ch. 49).

The work of inspection of factories, etc., in Kansas is extended (ch. 228) to mercantile establishments and laundries and to all other places of business where labor is performed. The removal of guards is forbidden, and employers may not require or permit the use of unnecessarily dangerous machinery, the employee being also forbidden to operate the same.

An identical code regulating the lighting of factories was promulgated by the departments of labor of New Jersey and Pennsylvania.

Various changes are made in the factory law of New York (ch. 694) by way of rendering definitions and the intent of the law more explicit, a point of interest being a provision that where an employee

is found at work at prohibited employment, either with or without compensation, lack of consent on the part of the employer shall be no defense in any prosecution on account of such work. The act also substitutes the term "State industrial commissioner" for "commissioner of labor" in the section under consideration.

The safety of persons operating or using elevators was considered by the Legislature of California (ch. 74), periodical inspection being required of all elevators except those under the jurisdiction of the United States Government and those operated by employers not subject to the safety provisions of the workmen's compensation, insurance, and safety law of the State. No elevator may be operated till a permit has been granted, and the inspectors themselves must have certificates of competency. In Connecticut also (ch. 154) no elevator may be put into operation, except temporarily, in building operations or for testing while installing until officially inspected. The law of New York is amended (ch. 532) in the matter of the requirement of guards for counterweights, such guards now being required "unless found unnecessary"; cars must be suitably lighted during working hours or when in use. The industrial commissions of New York and Wisconsin revised their orders on the subject of elevators, and the Department of Labor of Pennsylvania adopted detailed regulations with regard thereto.

The subject of safety in case of fire was passed upon by several legislatures. In Arkansas the office of fire marshal is created by a law (No. 190) which is declared to have validity for 30 years. This officer is to enforce laws as to fire protection, fire-alarm systems, fire escapes, exits in factories, etc. An officer bearing the same title is provided for in Hawaii (No. 115), the insurance commissioner of the Territory to so act *ex officio*. The marshal is to appoint a chief deputy, and is directed to cooperate with local officials in enforcement of laws as to fires, inspection, fire-escape systems, and the manufacture, storage, and sale of combustibles or explosives. The law of Connecticut is amended by declaring that a ladder affixed to the premises will not be considered as a compliance with the law requiring the installation of fire escapes (ch. 247). Imprisonment for three months is made an alternative penalty, instead of fine only. A Missouri statute (p. 492) adds trustees to the list of persons who are obligated to comply with the law, and directs that stair fire escapes must be of iron or steel, structural details being added. The law of Nebraska on the subject is redrafted (ch. 179), earlier enactments being repealed. The classes of buildings required to have fire escapes are designated, and the nature and construction of such devices are prescribed. The enforcement of the law is intrusted to the State fire commissioner instead of to the commissioner of labor as formerly.

The Department of Labor of New Jersey has issued orders or rules relative to the installation of fire-alarm signal systems, classifying factory buildings for this purpose, rules being adapted to each class.

An amendment to the New York law adds provisions as to the installation and maintenance of fire-alarm signal systems, and makes it the duty of anyone discovering a fire to sound the alarm (ch. 634). Another amendment by the same legislature permits work places in establishments provided with a sprinkler system to be at a greater distance from exits than is permissible in buildings not so provided, and also gives discretion to the State industrial commission as to the number of exits required in any establishment (ch. 721). The law of Pennsylvania is amended (No. 357) by adding provisions as to fire walls which may be required by the commissioner of labor and industries. The details existing in the former act as to construction, etc., are omitted, proprietors being required to conform to specifications issued or approved by the department of labor and industry. The Texas law is revised, a general and special repeal of all prior acts being made; one fire escape is required to each 5,000 feet of lot area unless the buildings exceed five stories in height, when at least two fire escapes must be provided for each such area. If only one fire escape is erected, other means of exit must be provided. The materials used in construction are specified, and certain standards are fixed, the State fire marshal being authorized to promulgate further specifications and enforce the law (ch. 140). The Wyoming statute (ch. 18) is a new enactment in its field, and requires fire escapes or ladders on factories, workshops, etc., three or more stories in height. Two or more means of egress must be provided wherever persons are employed at labor, and doors of workrooms must not be locked. Fire escapes must be unobstructed, and the means of approach thereto must be marked.

The materials of which ladders of various kinds may be constructed, their length, maintenance, and various regulations for safety are prescribed in rules of the Department of Labor of Pennsylvania.

Sanitary provisions were considered in several laws, an act of the Delaware Legislature (ch. 231) requiring toilets to be provided if females are employed, and separate toilets if there are four or more employees and persons of both sexes are employed. Relative numbers and prescribed conditions of maintenance are determined by the act. Seats must also be provided for female employees and their use permitted. Wash rooms must be supplied, and if the work is of such a nature as to require a change of clothing, there must be dressing rooms also. In establishments in which white lead, arsenic, nicotine, or other poisons are present, or there is lint, dust, or fumes, there

must be a separate lunch room and washing facilities, with hot water, soap, and individual or paper tissue towels. If the dust or fumes are poisonous, exhaust fans must be installed. The act also contains provisions as to air space, heating, ventilation, and the supply of drinking water. The law is to be enforced by inspectors appointed by the labor commissioner.

A Missouri law requires wash rooms in foundries, and an amendment of 1917 (p. 322) adds shower baths to the equipment to be installed. The act also prescribes the width and conditions for safety of gangways in foundries, and for the ventilation of the wash rooms. The same subject was legislated upon in Tennessee (ch. 50), the act requiring shower baths, dressing rooms, and lockers to be supplied at foundries, with heat to dry the clothing of workmen if necessary. The law of New York as to the provision of toilets in factories, etc., is amended (ch. 693) so as to permit the use of certain types of installation under conditions specified by the State industrial commission instead of absolutely prohibiting them. The Rhode Island law on the same subject is amended (ch. 1522) by requiring water-closets in all factories and mercantile establishments where there is a public water service, proper provisions to be made in other localities according to the judgment of the factory inspector. The act prescribes the ratio of such installments to the number of employees, and directs provisions for privacy, etc.

Relief in case of injury is contemplated by a law of Porto Rico (Vol. II, No. 41), which requires employers of more than 50 persons in factories, etc., in rural districts to contract with a physician and provide a dispensary and hospital room properly equipped.

Rules of the Department of Labor of New Jersey establish a sanitary code for factories in general, while other rules relate to lead workers, paint grinders, etc.; the Industrial Accident Commission of California amended its orders as to canneries; the Industrial Welfare Commission of Kansas formulated a code for laundries; and the Department of Labor of Pennsylvania drew up a very detailed safety code for employees in various kinds of factories engaged in the manufacture of explosives.

Two acts of New Jersey are devoted to the subject of sweat-shops, one (ch. 176) making the law on the subject apply to buildings back of residence tenements, and also to the manufacture of "any articles whatsoever." Licenses for rooms or apartments are for a six-months period only. The act prescribes the amount of air space per employee and requires sanitary installations. The authorities are authorized to destroy manufactured articles if contagious disease is discovered in the workroom, and employment of any unlicensed person, firm, or corporation is forbidden. A supplemental act (ch. 229) authorizes the commissioner of labor to require workrooms

to be separate from living or sleeping rooms, with no connecting openings. Lighting and ventilation are to be adequate, and the commissioner may require outlets to be provided. Employers must keep registers of persons to whom work is given out, and the manufacture of articles of food, dolls, dolls' clothing, and articles of children's or infants' wear is forbidden in any tenement or portion of an apartment house used for living purposes.

A type of factory the regulation of which is directly related to the public health is that in which bread and other food products are produced. The labor aspect is in evidence, however, in an act of the Connecticut Legislature (ch. 195) which requires lockers to be furnished for employees in bakeries. An amendment to the act requires the substitution of the words "commissioner of labor and factory inspection" for the words "factory inspector" throughout. The inspection fee is fixed at \$1, and the certificate of inspection is valid for a single year. A Wisconsin act (ch. 648) is also an amendment, placing the administration of the law under the dairy and food commissioner of the State instead of the industrial commission—action that indicates that it is a health law rather than a labor law. A new enactment in the field is that of the Vermont Legislature (No. 200) which prescribes the construction of bakeries, requires toilets and lavatories to be furnished, and forbids the employment of persons affected with contagious or infectious diseases. The State board of health may require a physical examination of workmen before permitting them to be employed.

The inspection of steam boilers in power plants is the subject of an act of the Arkansas Legislature (No. 428). The commissioner of labor is to appoint a practical and experienced boiler maker, who must give his whole time to his duties, making annual inspections, and investigating and reporting on explosions of boilers. The act prescribes the tests to be used and fixes fees. Steam vessels, plants under Federal inspection, and heating plants of not more than 15 pounds pressure are exempt. In California also (ch. 202) all boilers must be inspected except those under Government inspection or in plants not covered by the workmen's compensation and insurance act. The certificates of other inspectors, as of insurance companies, etc., will be accepted, but certificates of competency must be procured from the industrial accident commission of the State by other inspectors than those acting for the commission. In Michigan (No. 174) and New Jersey (ch. 185) provision is made for the appointment by the governor of a board to formulate rules for the safe use and construction of steam boilers, such rules to have the force of law.

Extensive and detailed codes on this subject were formulated or amended by the Department of Labor of Pennsylvania and the In-

dustrial Commission of Wisconsin, and in less detail by the Industrial Commission of New York. The equipment and installation of electrically controlled engine stops are regulated by rules of the Department of Labor of New Jersey.

Acts that relate mainly to public safety, but that seem also to require mention in this place, are one of Montana (ch. 129) and one of New Jersey (ch. 243) which relate to the manufacture, etc., of explosives. The first mentioned forbids any other than officials and authorized persons to enter any factory, building, magazine, or car containing explosives, and forbids persons in charge of vehicles containing explosives to smoke, or to drive the same in a reckless manner or when intoxicated, or to unload them carelessly. The New Jersey law is to be enforced by the commissioner of labor, who issues licenses, makes inspections, etc. Provisions as to entering factories and the conduct of drivers are practically the same as in the Montana law.

Noted here for lack of a better classification is an act of the Legislature of Porto Rico (No. 14) which limits to 200 pounds the weight that a workman may be required or permitted to carry on his head, back, or shoulders.

#### MINE REGULATIONS.

In Alaska (ch. 51) and Washington (ch. 36) the legislatures codified their laws relating to mines, the former law being general in its application, while that of Washington relates only to coal mines. The laws are quite inclusive in their scope, and provide for inspection, ventilation, escape shafts, signals, and other provisions for safety, first aid to the injured, and regulate the use of explosives, the installation of machinery, etc. The Alaska law provides for cooperation with the Federal mining inspector. The law of Washington applies only to mines in which 5 or more persons are employed in one shift, inspection provisions being applicable only for 10 or more employees.

Preliminary to revision of the mining laws of the State, the Kansas Legislature (ch. 238) provided for the appointment of a commission of six persons, who shall hold hearings and draft a code of mining laws, the same to be ready to report by November 1, 1918. In Illinois also (p. 599) the governor is to appoint nine persons to study the subject of safety of life and property and the conservation of coal deposits in the State, report to be made to the next legislature. The Kansas act contains no provision for expenses or compensation, while in Illinois \$7,000 is appropriated to cover expenses and a per diem allowance to three members of the board who are neither miners nor owners of mines.

An inspector is provided for by an act of the Arkansas Legislature (No. 130), the appointee to be an experienced practical miner. The act applies to coal mines employing 10 men underground in 24 hours, quarterly inspections being contemplated, and at other times on emergency calls. The salary of the inspector is fixed at \$2,000. The law of Colorado is amended (ch. 45), the salaries of the chief inspector and deputy inspector being increased. The qualifications of applicants for foremen, assistant foremen, and fire bosses are modified, so that persons who have worked in Colorado for one year, instead of for two years, are eligible, though they must still have five years' experience in the United States. Holders of first-class certificates may act as fire bosses in gaseous mines. In Missouri an amendment (p. 339) makes the expenses of the mine inspector and his assistant payable out of the mine inspection fund instead of the general revenue fund of the State. The mode of raising the mine fund is set forth, rates of taxation and inspection fees being prescribed. An act of the Nevada Legislature (ch. 25) provides for a second deputy inspector, requires statements to be furnished by operators in all cases when commencing operations, and directs a notice to be posted as to the workmen riding on the rim, bail, or cable of a hoisting bucket or skiff. An additional inspector is provided in Tennessee also (ch. 102), and the permissible expenditures of the department are increased from \$15,000 to \$20,000 annually. Another act (ch. 111) requires reports of all accidents causing injury to persons, whether fatal or not. The mining laws of West Virginia are extended (ch. 20) to sand and clay mines and pits, quarries, and cement works, an inspector being appointed to have supervision over this class of operations. The chief of the department of mines appoints this inspector and is authorized to make and enforce suitable rules. The subject of rescue stations was passed upon by the legislatures of Kansas (ch. 239) and West Virginia (ch. 47). The purchase of equipment and the training of miners, etc., in the rendering of first aid are provided for. The Washington Code (ch. 36) also contains provisions as to rescue work; while in Pennsylvania (No. 383) an amendment requires the ambulance equipment provided for by earlier legislation to be motor ambulances, the same to be properly heated. A radius of service of 4 miles is authorized instead of 1 mile as heretofore.

Various other amendments may be noted, as the repeal of the code of signals formerly provided for by a California law (ch. 229); a requirement that where drilling is done by machinery in ground that causes dust there should be a water jet or spray, or other equally efficient means of preventing dust (Idaho, ch. 86); a permission to substitute approved equivalent equipment in lieu of the

previously prescribed chemical fire extinguisher in Illinois coal mines (p. 596); a requirement that shot firers and inspectors, gas men or fire bosses, hoisting engineers, mine foremen, and assistant mine foremen shall be examined and have certificates in Kansas, no employment being permitted in these capacities in coal mines in the State without certificate after January 1, 1918 (ch. 237); further regulations as to the use of mechanical shot-firing devices, return after firing, firing where there is dust, etc. (Kansas, ch. 240); a prescription as to the materials to be used in the construction of bathhouses and their equipment at underground mines (Kansas, ch. 241); an extension of the period within which an air or escape shaft must be sunk where the main shaft of a mine is over 1,000 feet deep, but requiring a double shift of men to be employed on the work (Kansas, ch. 243); and an amendment to the Ohio law (p. 150) requiring a hoisting attendant to be employed at shafts 50 feet deep instead of 100 feet, and striking out the provision of law allowing the owner to appeal from an inspector's order to provide an additional escape shaft where the hazards appear to warrant it.

#### RAILROADS.

An act of the Arkansas Legislature (No. 75) requires engine cabs on locomotives of designated types to be so constructed that engineers and firemen shall be under the same roof; while one of the California Legislature (ch. 784) directs that automatic bell ringers shall be installed on locomotives. Another act of the latter legislature (ch. 201) declares the powers of the industrial accident commission of the State as regards the safety of employees in shops to extend to employees in shops for the construction and repair of railroad equipment and in electrical plants as well as to employees of all other public utilities, but not so as to interfere with the prerogatives of the railroad commission. The commissioner of labor and factory inspection of Connecticut is directed (ch. 60) to examine into the lighting and sanitary conditions of railroad roundhouses. The safety appliance laws of Illinois are declared to apply to narrow-gauge roads and the locomotives and cars thereon, except as regards couplers (p. 647). It is also provided that the act shall not be construed to interfere with the powers of the public utilities commission as to the health and safety of employees, passengers, and customers of such railways.

The construction of caboose cars is the subject of an act of the Kansas Legislature (ch. 261), the law prescribing the dimensions, material, equipment, etc. An annual inspection by the State public utilities commission, a member thereof, or a person appointed by it, of all tracks, rolling stock, bridges, etc., is directed by an act of the Legislature of Maine (ch. 49). In Utah (ch. 47) the public utilities

commission may require the safe construction, equipment, and maintenance of railways, having regard to the health and safety of employees, passengers, and the general public. Accidents are to be reported to the commission, and may be investigated by it in its discretion. A law of Porto Rico (Vol. II, No. 70) directs public-service corporations to furnish and maintain reasonably safe facilities, etc., and to report all accidents causing injury or death.

Shelters for repair tracks are prescribed by a Missouri law (p. 323) wherever the construction or repair of cars is done and six or more persons are regularly employed thereat. Laws of New York (ch. 370) and Ohio (p. 560) require automatic doors to be provided on locomotives, the former law exempting engines on which mechanical stokers are in use. Footboards must be provided on switch engines under an act of the Wisconsin Legislature (ch. 375), the law being applicable to common carriers operating 50 or more miles of track. A negative provision appears in the civil government act of the United States Congress (ch. 145) relating to Porto Rico, this law providing that safety-appliance laws enacted by Congress should not apply in that jurisdiction.

Looking to the personnel rather than to the material equipment is an act of the Missouri Legislature (p. 242) requiring that flagmen or section crews must be able to read, write, and speak the English language plainly. The full-crew law of New Jersey is repealed by an act of the legislature of 1917 (ch. 94), which, instead of absolute numerical provisions, authorizes the board of public utilities commissioners to act on its own initiative or on complaint in determining the number of persons necessary to operate the trains on railways of the State. Crews employed when the act took effect were not to be reduced without the authority of the board. The liability of employees of common carriers for their negligence was legislated on in Tennessee (ch. 54), the act providing that there should be liability only for gross negligence instead of for negligence, as formerly. In Connecticut also (ch. 128) the penalty where loss of life or the breaking of a limb is chargeable to the intoxication of a railroad employee may be a fine of \$1,000 or 10 years' imprisonment, or both, instead of 10 years' imprisonment only, as provided by an earlier law.

#### STREET RAILWAYS.

The protection of employees on street railways by requiring vestibules to be provided for motormen, gripmen, etc., is contemplated by an act of the Arkansas Legislature (No. 174), such vestibules to be furnished during the months from November to March, inclusive. The Kansas law on the same subject was amended (ch. 255) by

requiring that the temperature in the vestibule should not be allowed to be less than is healthful and comfortable. Acts requiring seats to be furnished were amended in Connecticut (ch. 106) and Ohio (p. 590). In the first-named State seats must be furnished motormen on street railway cars with air brakes, without any proviso or exception, while in the latter State the law requires seats for both motormen and conductors on electric street or interurban railways.

#### BUILDINGS, ETC.

A law of Delaware (ch. 234) requires safe scaffolding, hoists, stays, ladders, and other equipment to be furnished where buildings are being erected, repaired, painted, etc. Scaffolds more than 20 feet above the ground must be equipped with safety rails. Other provisions of the act require protective flooring on high buildings and inclosed shafts for hoistways, etc. A New Jersey act (ch. 168) authorizes inspection of appliances about building operations to be made on complaint of dangerous conditions. Standard provisions for such appliances and equipment are established, and scaffolds must be constructed with guard rails and a prescribed margin of safety. Minor changes are made in the law of Porto Rico; the maximum limit for fines for violations is abrogated, and a minimum of \$25 is fixed (Vol. II, No. 46).

Laws of California (ch. 575) and Montana (ch. 171) relate to the safety of employees engaged in electrical construction. The California law relates to electrical subways, and is an amendment to the act of 1911 on this subject. Administration is placed in the hands of the railroad commission of the State, and a section is added authorizing inspection and a requirement of additions and changes to be made if thought necessary by the commission. The Montana law relates for the most part to the safety of linemen working on poles, and prescribes adequate climbing space where high-power transmission wires are found, the material to be used for cross arms, the spacing of pins, etc. Protective and first-aid devices must be furnished, and the law prescribes clearances inside of buildings, the grounding of wires, and provisions as to manholes.

An extensive and detailed electrical code was adopted by the Department of Labor of Pennsylvania, covering particulars of construction, installation, maintenance, safeguards, devices for specified conditions, and classes of equipment and uses, etc.

The same office has issued rules for the use of ladders, applicable apparently to building operations and factory conditions alike. These rules prescribe lengths, materials, construction, and regulations for safety in general.

**EMPLOYMENT OF CHILDREN AND WOMEN.**

In most instances the laws under this head are amendments designed to perfect existing laws, though a few States provide for the suspension of the laws on account of war emergencies. Four States redraft in practical entirety their existing legislation governing the employment of children, enacting something of a code upon the subject. Many of the provisions of the former laws are retained, changes being in the nature of extension and enlargement of the provisions regulating age, the issuance of employment certificates, etc. Thus in Delaware (ch. 232) the minimum age for employment generally is fixed at 14 years, though in canneries for the preservation of perishable fruits and vegetables, in which there was formerly no minimum age limit, a minimum of 12 years is provided. For employment in an enumerated list of dangerous occupations the age is fixed at 15 years instead of 14, and a 16-year minimum limit established for employment in theaters, concert halls, etc.; 18 years in electrical and transportation work, at polishing or buffing, or in explosive factories; 21 years for employment in places where liquors are sold and for messenger service at night between the hours of 10 and 6 in cities of more than 20,000 inhabitants. Employment certificates must be required for children under 16, vacation certificates being provided for for children 12 years of age and above in approved occupations. As preliminary to the issue of an employment certificate the child must furnish a medical certificate, school records, and proof of age. A maximum of 10 hours per day, but not more than 54 hours per week, and a day of rest must be allowed. An intermission of 30 minutes at midday is prescribed, and no work may be done between 7 p. m. and 6 a. m.

The Illinois law (p. 511) adds mills and canneries to the list of establishments to which it applies, places employment in bowling alleys and elevator service in the group for which a minimum age of 16 years is required, and fixes a six-day working week. Other changes are made in matters of application and methods of administration.

The newly codified Kansas law (ch. 227) makes the provision against the employment of children under 14 years of age absolute, whether the establishment is owned or operated by the parent or not, and adds mills and canneries to the list of establishments enumerated in the act. A work schedule is to be posted in each working place, and in order to procure a certificate the applicant must have a statement from his prospective employer as to the work to be done. The act contains new provisions as to evidence of age, and directs that the certificate be returned to the official issuing it on the termination

of employment, and that the original or a copy of it be by him returned to the State commissioner of labor:

The new law of Texas (ch. 59) fixes 15 years as the minimum age of employment in any factory, mill, workshop, laundry, theater, or other place of amusement, or in messenger service in towns or cities of 15,000 or more; this provision in lieu of a minimum-age limit of 15 for employment in establishments using dangerous machinery. A minimum of 17 years is fixed for employment in distilleries, breweries, mines, quarries, or to act as messenger to places of an immoral character. Children under 15 may not be employed more than 10 hours per day or 48 hours per week, and must have permits issued by a county judge before entering upon employment, such permits to be valid for terms of six months only. Permits are not required in vacation time for work other than in factories, mills, workshops, theaters, or moving-picture establishments. The children of dependent widows may begin work at the age of 12 years if able to read and write, but may not be employed in dangerous or immoral occupations.

The compulsory school-attendance law of Arkansas (No. 294) requires attendance at school for three-fourths of the session for children between 7 and 15 years of age, but makes an exception in the case of the children of needy widows. The same legislature amended the general law as to the employment of children, by authorizing the person empowered to issue work certificates to make, change, and amend rules as to evidence of age, instead of prescribing the evidence specifically in the act (No. 391). It is provided, however, that such evidence must conform with the requirements of the Federal law as to carrying products of child labor in interstate commerce. The California Legislature made a minor change (ch. 580) in its law in the matter of employment in theatrical performances, a more far-reaching piece of legislation being its act (ch. 192) authorizing the State board of education, with the approval of the governor, to close the schools as a matter of war emergency if thought necessary for planting or harvesting crops or for other agricultural or horticultural purposes. The term must not be less than six months per year, and no reduction is to be made in the teacher's salary. In New York also (ch. 689) a suspension of the compulsory-school-attendance law is authorized for the period of the war and two months thereafter in order to permit the children to engage in agricultural and garden work under rules formulated by the commissioner of education. Local boards may use school funds to provide for the supervision of the children when so employed, and for work properly done pupils are to receive school credits.

The Connecticut Legislature enacted five laws falling under the present heading, one (ch. 127) requiring the employment certificate to carry a list of occupations at which the child to whom it is issued may not be employed; the second (ch. 206) provides for prosecuting agents to be appointed to aid in the enforcement of the school-attendance laws of the State and the laws as to the employment of children; while a third law (ch. 320) fixes the salaries of such agents at \$1,600 per year instead of \$5 per day for the time actually employed, and makes other minor changes. The fourth (ch. 261) fixes 18 years as the minimum age of children employed as messengers in cities of 20,000 population or over between the hours of 10 p. m. and 5 a. m. The last law of the State to be noticed (ch. 300) fixes the hours of labor of women and of children under 16 years at not more than 58 per week in restaurants, dining rooms, barber shops, hair-dressing or manicuring establishments, or in photograph galleries. Employment between 10 p. m. and 6 a. m. is forbidden. The act does not apply to hotels, and classifies bowling alleys with mercantile establishments for the purpose of the regulation of the hours of employment of children therein.

Amendments to the Maine statute provide (ch. 146) for the acceptance of other documentary evidence of the age of a child where the evidence prescribed in the act is not obtainable, and (ch. 248) substitute the words "attendance officer" for "truant officer" in all laws relating to child labor and school attendance. The Massachusetts law prescribing time for meals is made applicable to women and persons under 18 years of age instead of to women and young persons as before, the time to be 45 minutes instead of a half hour as formerly (ch. 110); employment as telephone operators is permitted in regular service in exchanges as late as 11 p. m. for girls under 21 years of age, instead of only until 10 o'clock (ch. 294).

The Michigan law permitting children of dependent parents to begin work at the age of 14 is amended (No. 179) by limiting such permission to those who have completed the work of the sixth grade of school. Another act of the same legislature (No. 280) authorizes permits for vacation work, work on Saturdays during the school term, and on other days outside the school hours to be valid in places of employment generally, and not in canneries alone. A permanent child-welfare commission is provided for by another act (No. 293). The duties of this commission are to investigate the social and economic environment of children, the nature of their parental care, the fitness of parents to have charge of their children in specific cases, and to recommend legislation for the moral, mental, and physical well-being of the child. A law somewhat similar to the foregoing was enacted by the Legislature of North Dakota (ch. 181), but more strictly economic in its outlook. The commis-

sioner of agriculture and labor, the attorney general, and a woman who is to be an experienced welfare worker, and to act as secretary and executive officer, are to constitute a public welfare commission for the study of the economic, moral, and social conditions of women, girls, and children in factories, hotels, restaurants, stores, laundries, etc., and make report to the legislature, showing wages paid in the establishments investigated. The State hotel inspector may be called upon to report on wages, hours of labor, opportunities for recreation, moral conditions, etc., of women and girls employed in hotels and restaurants inspected by him.

Amendments to the law of New York require an increased attendance at school, 180 days instead of 160 per year, and also strengthen the educational requirements for the issue of employment certificates (ch. 563); and require lists of certified children furnished to the commissioner of labor to be accompanied by statements as to the kind of evidence of age accepted (ch. 536). The commissioner of labor is also to report each month to the local school superintendents what children under 16 years of age are found to have been illegally employed.

The compulsory-attendance law of North Carolina is made to apply to children up to 14 years of age, instead of up to 12 only (ch. 208); while in North Dakota (ch. 206) the question of necessary employment exempting the child from school attendance is to be passed upon by the State's attorney, the right of appeal being given. The South Carolina law required a record to be kept of employed children up to the age of 14 years, but by an amendment of 1917 (No. 95) the age limit was advanced to 16 years. The law of Tennessee is amended (ch. 77) by adding canneries to the list of establishments in which employment under the age of 14 is forbidden. Children may be employed not more than eight hours per day nor more than six days in the week, work between 7 p. m. and 6 a. m. being forbidden. An employment certificate is required for children under 16 years, the act containing the standard provisions as to issue, evidence, etc., including health certificates in all cases. The law of Utah, as to the employment of children under 16 in places where tobacco is sold at wholesale or retail, is amended so as to forbid their employment only at cigar stands and cigar and tobacco stores (ch. 80); an 8-hour day and 48-hour week is established for boys under 14 and girls under 16 engaged in occupations other than domestic service, agricultural labor, and fruit and vegetable packing. In Wisconsin (ch. 633) the evidence of age for the issue of employment certificates is to be such as the industrial commission requires, instead of the statutory provisions originally prescribed, which are now repealed. Another act (ch. 674) fixes the age for attendance on indus-

trial or continuation schools at from 14 to 17, instead of from 14 to 16; this act to be in effect after September 1, 1918. A minimum of eight hours attendance per week for eight months in the year is prescribed. A longer working day for five days in order to give a Saturday half holiday is no longer permitted.

Laws applicable to both women and children were passed in a few States, that of New Hampshire (ch. 196) recasting the former law and making it of general application, but excepting domestic and farm labor, nursing, and employment in hotels, boarding houses, and telegraph and telephone offices. The act forbids employment in two establishments in such a manner as to permit excess work, strikes out the proviso permitting the making up of lost time in factories, and allows additional work hours in mercantile establishments for seven days preceding Christmas. Limitations of the act may be waived in the manufacture of munitions or supplies for the United States in time of war. The Vermont law is amended (No. 177) by adding two years in a junior high school to the educational qualifications for children asking for employment certificates, fixes an eight-hour day for those under 16 years of age, instead of nine hours, and establishes a six-day week. The hours between which night work is forbidden are 7 p. m. and 6 a. m. instead of 8 p. m. and 7 a. m., and canneries are added to the list of establishments in which children under 14 years of age may not be employed. Minors between 16 and 18 and women may be employed not more than  $10\frac{1}{2}$  hours per day in manufacturing and mercantile establishments and in mines and quarries, and not more than 56 hours per week, instead of 11 hours per day and 58 per week. Other establishments are added to those in which vacations for childbirth must be allowed. The enforcement of child-labor laws is placed in the hands of the State commissioner of labor and industries instead of those of local officials. The Industrial Welfare Commission of Kansas established a form of record for women and minors employed, giving details of wages, hours, length of employment, experience, etc. In Washington (ch. 29) the industrial-welfare commission is authorized to fix standards of employment conditions in telegraph offices as well as in telephone service. Orders of this commission fix wages and hours and requirements for toilets, rest rooms, etc., for women and minors in mercantile establishments, laundry and dyeing establishments, telegraph and telephone offices, general office work, and work in hotels and restaurants.

Laws of Colorado (ch. 98) applying to both women and children, and Arizona (ch. 38) relating to women only, provide for the establishment of minimum wages. In Colorado the State industrial board is made a minimum wage commission, and it is declared to be unlawful to employ women at wages inadequate to maintain health,

or minors (under 18) at unreasonably low wages. Investigations may be made on the request of 25 persons engaged in any occupation, or on the initiative of the commission. The commission may act of itself, or may appoint wage boards, whose action is to be passed upon by the commission. If only time rates are established, substandard employees are to be granted special licenses. The Arizona statute declares \$10 a weekly minimum for any female employee in restaurants, hotels, laundries, stores, and manufacturing establishments, no provision being made as to learners. The Minimum Wage Commission of Massachusetts fixed a minimum of \$8.75 per week for adult females engaged in the manufacture of women's clothing.

The Louisiana Legislature took action that may be noted here, not by way of legislation, but in a senate concurrent resolution (No. 44), adopted in view of the considerable substitution of women for men in industry on account of the war service into which men are called, the resolution recommending that women thus taking the place of men should be given equal pay for their work.

Of the laws remaining to be considered under this head, practically all relate to the hours of labor of women. Thus the law of California permitting women to be employed in canneries and fruit-drying plants in excess of eight hours is restricted (ch. 582) to such work as is necessary to save materials from spoiling. The order of the industrial accident commission of the State, relating to wages and hours in canneries, was also amended last year. The Delaware law is extended (ch. 230) to cover restaurants, hotels, places of amusement, dressmaking establishments, and offices. A six-day week is established, and work between 10 p. m. and 6 a. m. is forbidden in mechanical and manufacturing establishments, laundries, bakeries, printing establishments, offices, and dressmaking. Thirty minutes must be allowed for a midday or evening meal, during which women are not to remain in their workrooms. The Montana Legislature passed two laws (chs. 18, 70), the second being effective as later legislation. The act is practically the same as chapter 108, Acts of 1913, which it repeals, except that it fixes an eight-hour day instead of one of nine hours, and omits the proviso as to overtime work for extra pay where life or property is in danger. Orders of the Industrial Commission of Wisconsin forbid the employment of women in factories and laundries between the hours of 6 p. m. and 6 a. m., pea canneries excepted.

Nevada enacted in 1917 its first law on the subject of the hours of labor of women, fixing an 8-hour day and 56-hour week for employment in manufacturing, mechanical, and mercantile establishments, laundries, hotels, restaurants, public lodging houses, apartment houses, places of amusement, and all express or transportation com-

panies (ch. 14). Nursing and employment in canneries are excepted. Seats are to be provided wherever females are employed.

A new subsection is added to the New York law covering employment in restaurants (ch. 535). Women may work therein 9 hours per day and 54 hours per week as the maximum, a 6-day week being prescribed. Work between 10 p. m. and 6 a. m. is forbidden. Exempted from the application of the act are singers and performers, cloakroom girls, women employed in dining rooms and kitchens in hotels, and lunch rooms maintained strictly for employees of an establishment. A reduction of hours is effected by an Ohio amendment (p. 149), a 9-hour day being provided instead of one of 10 hours, and a 50-hour week instead of one of 54 hours. A weekly day of rest is required. Work may be done for 10 hours on Saturdays in mercantile establishments, and canneries are exempt from the operation of the law, but only during the canning season. Labor in canneries is also exempt from the operation of the law of Oregon fixing a 10-hour day for women, but time and a half must now be paid for work over 10 hours, pieceworkers to be compensated in the same ratio (ch. 163). The law of Wyoming is amended (ch. 106) by exempting telephone exchanges from its operation, and fixing a 10-hour day, but limiting the weekly employment to 60 hours if 7 days are worked and 52 hours if 6 days are worked. Permitting excess employment is made a violation of the law.

Orders of the Industrial Welfare Commission of Kansas fix a 9-hour day and 54-hour week for women employed in laundries, 1 hour to be allowed for lunch; while in mercantile establishments 9 hours out of a consecutive 10 are to be a day's work, no work to be done after 9 p. m. except on one day of the week, when longer hours may also be worked.

Contingencies arising from war conditions were provided for in an act of the Legislature of Pennsylvania (No. 254), authorizing the industrial board of the department of labor of the State to permit modifications of the law of 1913, governing the employment of women in industry, on petition of the employer. Such modification can affect only the single establishment or department for which it is requested. The hours of labor may not be extended, nor can these modifications apply to manufacturing establishments.

An industrial survey as to the conditions of employment of women is provided for by an act of the Illinois Legislature (p. 519). A commission of seven is to be appointed, two to be employers of women, two representatives of women workers, one sociologist, and two physicians, a specific point of investigation to be the hours of labor of women workers and their effect on health. A report is to be submitted by December 1, 1918, and \$10,000 is appropriated for expenses and per diem allowances.

**EMERGENCY SUSPENSIONS OF LABOR LAWS.**

Besides the various specific provisions as to the suspension of laws during the period of the war, more general provision was made in a few States. Thus in Connecticut (ch. 326) the governor is authorized to suspend specific laws for specific periods if so requested by the Council of National Defense, but such suspension shall not be effective beyond the close of the war. A practically similar law was passed in New Hampshire (ch. 194); while in Vermont (No. 172) the suspension is authorized to be done by the commissioner of industries with the approval of the governor.

Mention has already been made of the authority granted the President to suspend the Federal eight-hour law in case of national emergency (ch. 180). The same act authorizes him to fix the precedence of ships and war material in time of war over other products; also to cancel or take over contracts, and to let contracts on a basis of costs plus a fixed percentage of profit.

Not strictly falling under the head of suspensions, but introducing in some cases a new factor in the control of industrial conditions, with a grant of new and unusual powers, are the laws of several States creating councils of defense. A Council of National Defense was created by an Act of Congress of August 29, 1916 (39 Stat., 619, 649). This is established "for the coordination of industries and resources for the national security and welfare" and consists of designated members of the Cabinet, who are to nominate for presidential appointment an advisory commission of seven persons specially qualified to render service in the field indicated. Cooperation with this body is contemplated under the terms of the laws creating the State bodies, as well as a coordination of the activities of the State bodies. The laws vary considerably in their scope, some giving authority to take action of a rather comprehensive nature, and providing adequate funds, while in others only an investigative or advisory capacity is contemplated, and no appropriation unless for expenses is made. In Maryland, for instance (ch. 24), the governor is to appoint a council to cooperate with the national council and councils of other States to assist in bringing about the highest effectiveness within the State, to which end it may, among other things, "organize and direct public employment labor exchanges," and cooperate with similar labor exchanges in other States and with the United States Employment Service. In Massachusetts (ch. 342) the governor is authorized to take over property with the approval of his council. The State board of labor and industries is directed to appoint a committee to consider applications for emergency suspensions of labor laws; hearings are to be had, and the board can revoke the authority of the committee in its discretion. All permits for suspensions are to be

void 60 days after the close of the war. In West Virginia (second extra session, ch. 4) the State board of public works is made a State council of defense with executive authority, besides which an advisory council appointed by the governor is provided for. The executive council may adopt and enforce rules and regulations governing the operation of railroads, mills, mines, manufacturing establishments, etc.

A number of the laws are less explicit, the common intent being fairly expressed in the declared purpose of the legislation adopted in California on the subject (ch. 32), which is to develop production, eliminate waste, and look after the interests of those on whom the burden of the War falls; or, as the Minnesota act (ch. 261) expresses it, the commissioner is to act in the event of war to secure public safety and perform all acts and things necessary and proper, so that the military, civil, and industrial resources of the State may be most efficiently applied to the maintenance of the defense of the State and Nation. In Colorado (extra session, ch. 1) the governor is directed to cooperate with the National Government in securing an adequate production of foods and the necessaries of life. Other States having councils of general authority are Georgia (p. 93), Illinois (p. 153), Louisiana (No. 7), New Mexico (extra session, chs. 3, 5), Mississippi (extra session, ch. 37), Pennsylvania (No. 106), Texas (first called session, ch. 8), and Wisconsin (chs. 82, 561, 647).

### EMPLOYMENT OFFICES—UNEMPLOYMENT.

The growing influence of the idea of public employment offices rendering free service to employers and the employed is manifested not only by Federal legislation but by that of the States as well. The Arizona Legislature (ch. 21) arranges for a State board of control whose duty is to establish free employment offices under rules and regulations prescribed by the United States Department of Labor, an annual appropriation of \$2,500 being provided. In Arkansas (No. 11) the commissioner of labor is to establish a central office; branches also are to be established where convenient to the greatest numbers of persons, the latter to be without cost to the

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NOTE.—In order to summarize the effect of the War on labor legislation, brief reference may here be made to a number of provisions noted elsewhere. First in order are the compulsory service laws of Maryland and West Virginia, noted on p. 7; next are the suspension of the Federal eight-hour law (p. 17), the authorized suspension of the eight-hour law of Alaska (p. 17), and Sunday labor laws of Georgia and Massachusetts (p. 19). The action of the legislatures of California and New York as to school attendance (p. 31), and that of New Hampshire in its woman and child labor law (p. 34), and of Pennsylvania as to the employment of women (p. 36), in providing for waivers of provisions supposed to limit production, come under this head.

A different aspect appears in the action of the Louisiana Legislature in calling for equal wages for women taking the places of men on account of war conditions (p. 35) and of that of Pennsylvania in authorizing the employment of convicts on county or almshouse farms as a war emergency (p. 56).

State. An amendment to the Colorado statute (ch. 76) authorizes the establishment of an additional office at the city of Grand Junction. The State of Georgia joins the list of those having free employment offices by an act (p. 88) which extends the scope of activities of the State department of commerce and labor, particularly by providing for the maintenance of free employment offices in concert with any person or persons, county, municipality, or government agency, including those of other States or the United States, engaged in rendering such service without profit. The Minnesota statute (ch. 113) also contemplates State and Federal cooperation in the maintenance of one or more bureaus, the expenses to be borne on an equitable basis. City and town clerks are to cooperate with the commissioner of labor of New Hampshire, as he may request, in the maintenance of free public employment offices (ch. 198).

Special classes of persons are the subject of amendments to laws of Illinois (p. 518), in which the free employment offices are especially charged to aid in securing employment for discharged convicts; in Wisconsin (ch. 513), where employment for blind adults is to be secured; and in New York (ch. 749), where the provisions of the act relating to juvenile departments in public employment offices were amended, emphasis being placed on vocational and trade training and the suitable placement of children entering industrial employment.

An attempt to meet the problem of unemployment by a different method is set forth in a statute enacted by the Legislature of Pennsylvania (No. 411), the governor of the State, the auditor general, the State treasurer, and the commissioner of labor and industry being appointed to have the custody and management of a fund of \$50,000 to be used in providing labor on public works in times of unemployment. Applicants for employment under the act must be citizens of the United States and have resided in the State of Pennsylvania for six months. The industrial board of the department of labor and industry is directed to cooperate. Of similar intent, though using different methods, is an act of the North Carolina Legislature (ch. 170), which provides for a State board of charities and public welfare, to be chosen by the general assembly on the nomination of the governor, one member to be a woman. The board is to receive expenses, but no pay for its services. It is charged with the duty of studying nonemployment, poverty, vagrancy, housing, etc.; it is also to encourage the employment of county superintendents of public welfare and cooperate with them, one duty of the latter being the finding of employment for the unemployed. The act also authorizes county commissioners throughout the State to employ such county superintendents.

The regulation of private employment agencies was likewise the subject of a number of laws, an annual license fee of \$5 being pre-

scribed by an act of the Arkansas Legislature (No. 11). A bond must be given and a register of applicants kept. A registration fee of not more than \$2 may be charged, and this must be returned if no position is obtained for the applicant within one month. Besides the provision of the Georgia law as to public offices noted above, the same act (p. 88) authorizes the commissioner of commerce and labor to superintend private employment agencies and emigrant agents. Private agencies must be licensed, the application to be indorsed by two taxpayers of the county. A bond is also required. Emigrant agents must also be licensed and give bond and make monthly reports to the commissioner showing the names, addresses, and number of people carried out of the State, the points to which taken, the kind and character of work secured by them, fees charged and by whom paid, etc.

The legislatures of Florida (ch. 7273), Tennessee (ch. 70), and Texas (ch. 36, third called session) also considered the subject of the emigrant agent, i. e., agents securing workmen to perform service outside the State. In Florida an annual fee of \$2,000 is required for each county in which business is transacted, and no fee for a fraction of a year is to be accepted. The fee provided by the Tennessee statute is \$500 annually. The Texas statute fixes a fee of \$50 for each county in which business is transacted and limits to \$2 the charge made; this must be returned within 30 days if no employment is secured.

The law of Michigan on the subject of private employment agents was amended (No. 244) merely in the matter of the nature of the bond required. A new law was enacted in Nebraska (ch. 199) repealing prior legislation. It is in the main similar to the earlier law, but differs in providing two grades of license fees, according to the population of the locality in which the business is to be carried on. The maximum limit of fine for dividing fees is stricken out, and the section penalizing employers who fail to fulfill the terms of their contracts is likewise omitted. A new law was also enacted in Oklahoma (ch. 181), the principal changes from the former law being an increase of the license fee from \$5 to \$50, and of the amount of the bond from \$250 to \$500. Receipts are to be given persons for whom employment is procured, showing all the details of the transaction. No fee may be charged for registration, and the amount of fees for service is limited; dividing fees with a superintendent, foreman, or other employing agent is forbidden. Employers are penalized if they fail to fulfill the contracts entered into. The Legislature of Tennessee enacted its first regulative law on this subject (ch. 78). The statute contains the customary provisions as to giving bond, the keeping of a register, and the procuring of a license, the license fee ranging from \$10 to \$50 annually, according to the population of the locality. Applicants for employment must be in-

formed as to the conditions of labor and the existence of labor disputes, if any, and the registration fee is to be returned if no place is procured within 10 days. The Michigan Legislature adopted a measure (No. 256) looking toward a different solution of the problem of unemployment by authorizing the formation of companies to write unemployment insurance; while in Oregon (H. Con. Res. No. 15) a committee was authorized to investigate the subject of unemployment and poverty and recommend remedial legislation.

The immigration law of the United States (ch. 29) may be noted in this connection, primarily for the reason that it makes provision for efforts to secure a distribution of aliens immigrating into this country, and in general because the whole question of immigration is closely connected with that of employment and the labor supply. The act in question retains and extends the provisions of former legislation on the subject of immigration, including the prohibition of the bringing in of contract labor, the offer of inducements for immigrants, advertising to secure immigration, etc. Illiteracy is in general a bar to admission as an immigrant. Specific provisions are made with reference to ships' crews and their discharge in the United States. Note may also be made here of a Massachusetts law (ch. 321) which creates a bureau of immigration of five persons, to be appointed by the governor, one member to be a woman and two members to be representatives of immigrant races. Service is to be given without compensation, but expenses are to be reimbursed, and for this \$10,000 is made available. The term of appointment is five years, and the bureau is charged with the duty of protecting immigrants and aiding in education, assimilation, and naturalization.

### BUREAUS OF LABOR.

Important changes are made in the laws of a few States to be noted under this head, though in most instances they were merely amendments of subordinate rank. Taking the States in alphabetical order, the first act to be noted is one of Arkansas (No. 161), which authorizes the commissioner of labor to file information for the violation of labor laws, including the minimum wage law, with any mayor, judge of a municipal court or other court of competent jurisdiction, whereupon warrants are to be issued without delay. In California (ch. 211) there is a reclassification of deputies and assistant deputies, a larger appropriation is made for rents and expenses, and the salary of the commissioner is increased from \$3,000 to \$4,000 per annum. In Connecticut (ch. 306) the title of the chief officer becomes commissioner of labor and factory inspection, instead of factory inspector, and a salary of \$1,600 is fixed instead of a per diem of \$5 for actual services.

The Illinois Legislature enacted a civil administrative code of the State (p. 2), provision being made for a department of labor, a department of mines and minerals, and a department of registration and education, among others. At the head of each department is a director, with subordinate and adjunct officers, boards, and commissions. In the department of labor are an assistant director, a chief factory inspector, a superintendent of free employment offices, a chief inspector of private employment agencies, and the industrial commission of five officers designated as industrial officers. A mine board and a miners' examining board are to be in the department of mines, besides an assistant director. In the department of registration and education an assistant director is provided for and a superintendent of registration. State and local advisory boards for free employment offices are to be appointed. The industrial commission administers the workmen's compensation and the arbitration and conciliation acts. The examination of mine inspectors, mine foremen, etc., is in the department of mines and minerals, while the department of registration and education looks after the examination and licensing of horseshoers and barbers.

The only act of the Indiana Legislature to be noted under this head is an act (ch. 79) abolishing the State bureau of statistics. The Kansas appropriation act (ch. 1) made minor changes as to the salaries and expenses of the staff of employees in the department of labor and industry. A Michigan act (ch. 98) increases the total allowance for office expenses for the department of labor from \$45,000 to \$65,000, also making increases in salaries. Considerable changes were made in the administrative provisions of the Montana law (ch. 92), the offices of inspector of boilers, inspector of steamboats, and coal-mine inspector being brought within the industrial accident board, which exercises general supervision. The appointment of inspectors is placed in the hands of this board. The New Hampshire law is amended (ch. 142) by declaring that proceedings before the labor commissioner acting as mediator of labor disputes are not to be admitted as evidence for any purpose in any judicial proceeding.

In New Jersey a supplemental law as to inspectors (ch. 58) establishes four grades and fixes the salary of each grade. Persons seeking appointment must pass a civil-service examination, while a non-competitive examination must be passed to secure promotion; appointments to the two higher grades are to be made only by promotion. Salary increases for the assistant commissioner and the chief inspector are provided for, conditioned on recommendations and the passing of examinations. Minor changes are made in the Ohio law (p. 157) authorizing investigations and hearings by one member of its industrial commission or by a deputy, orders made by such person

to be regarded as orders of the commission when approved by it, and so set forth on the records. An act of the Pennsylvania Legislature (No. 139) provides for the grading and classification of inspectors, three classes to be formed, the inspectors to be assigned thereto on the basis of results of examinations held. Another act (No. 345) increases the salaries of supervising inspectors and of the chief of the bureau of mediation and arbitration.

A reversal of the usual order is found in an act of the Philippine Legislature (No. 2668), which reduces the salary of the director of the bureau of labor from 7,000 pesos to 5,000 pesos (\$3,500 to \$2,500). Another act (No. 2711) places the bureau of labor in the department of commerce and communications; the duties of this bureau are to enforce laws as to labor and capital, promote the enactment of beneficial legislation, compile statistics as to labor and industry, inspect factories, railways, vessels, and industrial and commercial establishments, aid labor in securing a just compensation for injuries, etc. The mediation of disputes, the maintenance of a free employment office, and the supply of an attorney for legal aid to the needy are other functions of this bureau. The commissioner of agriculture and labor of Porto Rico is directed (J. Res. No. 2) to appoint an assistant to perform the duties that may be assigned to him by law and to act in the absence of the commissioner or, in case of his death or removal, until a successor is appointed and qualified.

A reorganization is made by an act of the Legislature of Utah (ch. 100), and conflicting laws are repealed. An industrial commission is created in connection with the enactment of a workmen's compensation law, the commission being charged with the enforcement of provisions contained in the act as to safe working places and guards for dangerous machinery, and with the inspection of factories and mines, the issue of orders after hearings, the gathering of statistics, etc. Employers are required to supply data requested by the commission, and to keep records of injuries and other matters to be reported upon. In Vermont, on the other hand (No. 171), the industrial accident board, created to administer the compensation law, is abolished, and its enforcement is placed in the hands of a commissioner of industries, who is to be also State inspector of factories, enforce labor laws, and make statistical reports biennially. No law is displaced by a statute of Wyoming (ch. 113), this State for the first time providing for a bureau of this nature. The chief is designated as commissioner of labor and statistics, appointment being made by the governor. A condition is prescribed that the appointee must not have been an official of a labor organization for six months prior to his appointment. He is charged with the duty of collecting statistics and enforcing labor laws, the act itself establishing regulations as to safety

devices, guards for dangerous machinery, the right of the commissioner to enter working places for inspection, etc. Coal mines and railroads are not within the purview of this office.

### MOTHERS' PENSIONS.

Although aid has long been rendered needy persons in various forms of outdoor relief, it is only of recent years that the definite provision for assistance of mothers of children under working age has been provided for in the form commonly known as mothers' pensions. The permanence and growth of the idea are indicated by the fact that 10 States having laws of this kind passed amendatory legislation in 1917, while 6 States enacted original laws on the subject. The labor aspect of these laws is negative rather than positive, benefits on account of children usually terminating when they have reached the age of permitted employment. While differing in details the principles are much the same in the different States, applicants being required to make a showing of citizenship, of the suitability of the mother to have the care of her children, of the fact of dependence, of the proper use of the funds furnished, etc. Juvenile or other courts may be charged with the supervision of the laws, or local boards provided for. The amounts allowed vary considerably, the law of Arizona (No. 70) permitting the payment of \$20 for the first child under 16 years of age, \$15 for the second, \$10 for others, with a maximum monthly benefit of \$60. The law of Arkansas (No. 326) is hardly more than local in effect, 40 of the 75 counties of the State being exempt from its operations. Benefits provided for are \$10 per month for one child under 15 years of age, and \$5 for each additional child. Benefits under the Delaware law (ch. 227) are payable only when there are children under 14 years of age, and are \$8 per month for one and \$4 for each additional child, though extra allowances may be made in cases of sickness or emergency. The administrative commissioners are required to see that children receiving this aid are sufficiently clothed and fed and attend school regularly.

Amendments to the Illinois law (pp. 220, 221) relate to questions of citizenship and other qualifications. A woman may hold a homestead of not more than \$1,000 in value, while the ability of relatives to furnish aid is not a bar to benefits, unless a judgment of a court has ordered them to support the claimant. In Iowa (ch. 150) relief may be continued until the child is 16 years of age instead of stopping at 14 as originally provided for. The Kansas statute is amended (ch. 138) by making two years' residence a test of eligibility instead of but one. Other amendments relate to procedure and the records to be kept. The law of Maine (ch. 222) contemplates aid for needy mothers not necessarily widowed or the wives of convicts or

insane persons, as is usually specified. Children under 14 years of age may receive aid to the amount of \$10 per month for one, and \$4 for each additional child, five years' residence in the State being a precedent condition. The Minnesota law is repealed and a new one enacted (ch. 223), children up to 16 years of age being entitled to assistance instead of only to 14, if they are "not lawfully entitled to apply for and receive an employment certificate." More elaborate details as to procedure and the conditions on which benefits may be received are laid down, and the juvenile court may require the mother to work a certain number of days per week if not detrimental to health or causing neglect of her home. The maximum monthly payment is fixed at \$15, with \$10 for each additional child. The Missouri law formerly applied to counties having at least 250,000 inhabitants; a new act (p. 151) provides for counties of a smaller population. Allowances are made to widows, divorced wives, and those whose husbands are convicts or permanently incapacitated, if there are children under 16 years of age. Needy women about to become mothers may also receive assistance for three weeks before and three weeks after childbirth if necessary to prevent neglect, and there is no relative able or willing to aid. Allowances are fixed at \$16 per month where there is one child and \$8 for each additional one, a maximum of \$40 being established. In Montana (ch. 83) a new law advances the maximum age of beneficiaries to 16 years instead of 14, and makes the allowance for one child \$20 per month instead of \$10. If there are two or more children, \$15 is to be allowed for the first, \$10 for the second, and \$5 for each additional child, the total not to exceed \$50. In Nevada, on the other hand (ch. 11), the maximum age of the child is reduced from 16 years to 15, \$15 being paid for each additional child instead of \$5, the maximum being \$55.

A number of restrictive provisions are incorporated in the Oregon law on the subject by an amendment of 1917 (ch. 267), among others being a requirement that the mother must be a citizen of the State and of the United States, and must show affirmatively that she was not in needy circumstances when she came into the State. The ownership of a home not in excess of \$500 in value, as appraised by the court, is not a bar to the receipt of aid. The Legislature of South Dakota repealed former laws, enacting a new law (ch. 300) embodying practically the same provisions. Investigations of applicants are to be made by the county commissioners instead of the State's attorney; a higher tax levy ( $\frac{1}{4}$  of a mill instead of  $\frac{1}{10}$ ) is also authorized. An original law was passed in Texas (ch. 120) for the aid of needy widows having children under 16, and who have been bona fide residents of the State for a term of five years and of the county for two years. The benefits provided are for one child \$12, for two children \$18, and for each additional child \$4 per month.

The West Virginia law is rewritten (ch. 46) and provides benefits for widows, abandoned wives, etc., who are mothers of two or more children under 13 years of age, if citizens of the United States, five years in the State, and three years in the county, and without real estate or personal property except household goods; \$15 is payable on account of two children, and \$5 for each additional child, the total not to exceed \$25 per month. The Wisconsin law is amended (ch. 589) so as to permit payments on account of children between 14 and 16 years of age if they are unable to secure permits to work. The maximum monthly benefits receivable by one family are fixed at \$50 in counties of more than 3,000 inhabitants. Monthly statements of expenditures and of receipts under the act must be made.

### RETIREMENT FUNDS.

With a single exception the only laws to be considered under this head relate to the public service, Hawaii (No. 220) establishing a system of pensions for police officers, city firemen, etc., while in New Jersey (ch. 91) an act of 1915, providing for pension funds for employees of street and water departments in cities of the first class, is amended by authorizing a refund of contributions of employees separating from the service after as much as one year's contributions have been paid, and providing for the admission of old employees who have failed to become subscribers on the organization of the fund; one of Pennsylvania (No. 194) strikes out the word "continuously" as qualifying the nature of service which entitles to a pension, and reduces the age for retirement from 70 years to 65 years; and one of Wisconsin (ch. 606) establishes a noncontributory retirement system for all civil service employees on the basis of one-half the salary received annually after 30 years of service if they have become inefficient or incapacitated, or after 20 years of service if disability is incurred in the performance of duty. The New Jersey Legislature by a joint resolution (No. 11) provided for a legislative committee of five persons to make a survey of the subject of pension and retirement funds for public employees, and report to the current or a future session; \$2,000 was appropriated for the expenses.

The Territory of Alaska has an old age pension law, which it amended this year (ch. 49) by adding a provision allowing a pension of \$25 per month to pioneer women 60 years of age who meet certain specified requirements. This act is alone in the provision made for an old age pension based on need and not on employment status or by means of an insurance system. That the subject of such provisions is of more general interest, however, is demonstrated by the fact that in Pennsylvania a commission is provided for, whose duty

it is to investigate old age pension systems of other States and nations, and report to the legislature in 1919. This commission of seven persons, to be appointed by the governor, is to consist of two members of the bar who have studied social problems, two employers, two members of labor unions, and a woman expert in social problems; an appropriation of \$5,000 is made for expenses (No. 413). In Ohio also (p. 520) and in Connecticut (ch. 163) provision is made for the appointment of commissions to investigate and report on the subject of old age insurance and pensions in connection with other subjects.

### EMPLOYERS' LIABILITY.

But little legislation appears under this head, the matter of redress for industrial accidents being regulated in so many States by workmen's compensation laws, which are reproduced in a separate bulletin. The law of Arkansas was amended (No. 364) by making the period of limitation three years instead of two, as formerly; this extension is made applicable to causes accruing before the date of the amending act. An amendment to the Iowa statute (ch. 403) declares judgments against railroad companies on suits for personal injuries to be liens on the property of the company in the county.

Not confined to cases of the employer's liability but applicable thereto is a provision of a North Dakota statute (ch. 179) declaring settlements for personal injuries, or contracts retaining or employing a lawyer to prosecute therefor, voidable if made while the injured person is under disability or within 30 days after the receipt of the injury. Steps to avoid such settlement or agreement must be taken within six months. Any payment made on account of the settlement is to be considered as an offset in the final determination of the case.

The New Jersey Legislature amended its law as to actions for injuries causing death (ch. 180). Action may be brought by an administrator appointed especially for the purpose unless there is an executor under a probated will. The action is to be brought within two years, and recovery is for the benefit of the widow or widower and next of kin, to be distributed as personal property. Provision is made for settlements not with the special administrator but with a general administrator. A new law in Washington on the same subject (ch. 123) repeals the existing law, designating the persons for whose benefit action may be brought by the personal representative.

### REPORTS OF ACCIDENTS.

The only act of importance under this head is one of the Wyoming Legislature (ch. 74), which directs all public utilities to report to the State public utilities commission all accidents causing loss of life or

injury to persons or property arising out of the operation of their plants, and a similar law of Porto Rico (Vol. II, No. 70). The Wyoming commission is authorized to make investigations in its discretion. The Wisconsin statute is made applicable (ch. 666) to employers of three or more persons instead of four.

Related to industrial accidents is the subject of occupational diseases, so that mention may be made here of the repeal by an act of the California Legislature (ch. 227) of an earlier law requiring physicians to report certain diseases of this nature, the compensation law of the State now making adequate provision for such reports.

### ACCIDENT INSURANCE.

The Legislature of California (ch. 614) requires certain "standard provisions" to be embodied in policies for accident insurance, among them being specific provisions for proportional benefits when the injured person changes occupations. A Michigan act (No. 256) makes provision for the formation of companies to write accident insurance, and establishes the provisions of policies; cooperative and employers' liability insurance may also be written by companies organizing under the provisions of this act.

### LABOR ORGANIZATIONS.

Legislation under this head was of minor importance, an act of the Montana Legislature (ch. 79) exempting labor, agricultural, etc., associations from the license tax assessed upon other corporations organized and doing business in the State; while in New Hampshire (ch. 177) organizations of the same classes are exempted from the operations of the antitrust law of the State. In Vermont (No. 187) the trade-mark law is made to extend specifically to the emblems or trade-mark of labor organizations. The Porto Rican Legislature enacted a new law (Vol. II, No. 42) on the protection of employees as members of labor organizations, but of the same general effect as an existing statute on the subject.

### LABOR DISPUTES.

Incidental mention is made of the subject of labor disputes in an act of the California Legislature (ch. 689) providing for the organization of a home-defense guard, a proviso being inserted that this guard is not to be used in case of strikes or other industrial disputes. The Georgia Legislature, by a resolution (No. 10, p. 997), tendered the aid of the committees of the House and Senate on the state of the Republic in behalf of an early settlement of a strike then in force on the Georgia, Florida & Alabama Railway.

Mention may be made under this head of the rejection by referendum at the election in November, 1916, of an act of the Washington Legislature of 1915 (ch. 181), which undertook to declare picketing unlawful.

Laws of Minnesota (ch. 493) and Utah (ch. 68) embody provisions quite similar to the Massachusetts act of 1914 (ch. 778) declaring labor organizations not unlawful, and restricting the issue of injunctions in labor disputes. Like that law, the statutes declare that labor is not a commodity, and that picketing and persuading are lawful. The Utah statute also contains provisions relative to trials for contempt, giving to the accused the privilege of demanding a jury, the trial to be conducted under the rules governing criminal procedure. It may be noted that the Massachusetts law was declared unconstitutional by the supreme court of that State. (*Bogni v. Perotti*, 112 N. E. 853; see Bul. 224, p. 181.) The Legislature of New Jersey also regulated punishment for contempts, limiting the power of the courts to punishment for misbehavior in the actual presence of the court unless the conduct complained of was an act of disobedience or resistance to a lawful writ, process, order, or rule of the court (ch. 37).

### COOPERATIVE ORGANIZATIONS.

Corporations for the conduct of cooperative business may be organized under special laws enacted in most jurisdictions. The purposes of such associations provided for under an Alaska statute (ch. 26) are for the conduct of the business of agriculture, dairying, mining, manufacturing, or for any mercantile or mechanical business. Any number of persons not less than five may form an association, each member to have a single vote. In Florida (ch. 7384) not less than 10 men may effect an organization, and the subject of the voting power is left to the decision of the stockholders. Illinois statutes (pp. 303, 304) authorize joint-stock corporations to change to cooperative associations by a vote of two-thirds of their members, and forbid the charging of any commission for the sale of stock. The Kansas law on the subject is amended (ch. 126) by requiring incorporators to be citizens of the United States, and a majority of them residents of the State. A new law was enacted in Michigan (No. 239), former laws being repealed. The fundamental provisions are the same, and existing corporations, companies, and associations may accept the provisions of the new law by a majority vote of the stockholders. The Oregon statute, providing for one vote per member, is changed in various ways by an act of 1917 (ch. 411), the principal departure being the authorization of an appeal from a decision reached by the method of one vote per member to a

vote on the basis of the amount of business each member does, if such vote is required to protect the welfare of the association in an emergency. The Legislature of Tennessee enacted a law on the general subject (ch. 142), but applicable only to horticulture, agriculture, and dairying.

### CIVIL RIGHTS OF EMPLOYEES.

An Ohio statute (p. 601) forbids the practice of any policy which would influence or tend to influence employees in political action, whether as candidates for office or otherwise; while in the Philippine Islands (No. 2711, sec. 2656) threats of discharge or the lowering or raising of wages to prevent or influence voting are forbidden. In Utah (ch. 92) employers are forbidden to make deductions from the wages of their employees for the expenses of political campaigns, and no one may pay another for time lost while voting or registering, though this provision is not to be construed as authorizing the employer to make deductions on account of time taken off to vote.

A form of legislation that seems to have originated in a desire to permit railroad employees to exercise their franchise right at some point most convenient for them, whether in their home precinct or not, has received such an extension as to be of practically general application. The Missouri law (p. 274), however, retains something of a labor aspect by specifying traveling salesmen and employees of railroad companies among other persons to whom the act applies; voting at primary elections is brought within the scope of the act. The Arkansas statute (No. 175) applies to railroad employees, traveling salesmen, students, and other persons unavoidably absent from the county, voting elsewhere within the State being permitted. A Michigan law (No. 203) applies to designated classes of persons who expect to be absent from their polling place, including railroad employees and sailors. This act also forbids discharge or threats of discharge for the purpose of influencing the votes of employees.

Few of the States make the limitation contained in the law of Arkansas, but permit voting where the person may happen to be, whether within the State or out of it, on conformity with the regulations prescribed. Details differ, but in general a ballot must be obtained from the proper officer of the place of residence and certified to by an election or other officer authorized to administer an oath at the place of voting, the ballot then being transmitted by mail. Other States enacting laws on the subject were Florida (ch. 7380), Idaho (ch. 142), Illinois (p. 434), Indiana (ch. 100), Iowa (amendatory, ch. 419), Minnesota (chs. 68, 120), Montana (ch. 155, repealing an earlier law), North Carolina (ch. 23, also permits registration by mail), Ohio (amendatory, p. 52), South Dakota (ch. 233), Tennessee (amenda-

tory, chs. 8, 104), Texas (first called session, ch. 40), Washington (amendatory, ch. 159), and Wisconsin (amendatory, ch. 570).

The Michigan statute noted above is in accordance with an amendment to the constitution of the State (Art. III, sec. 1), ratified at the April election of 1917, declaring that designated classes of qualified electors absent from home on election day should not by reason thereof be deprived of their right to vote, and authorizing the legislature to provide by law the method of such voting, and to extend the law to other cases than those named in the amendment.

Under this head mention may be made of an act of the Maine Legislature (ch. 259, secs. 130, 131) making it a misdemeanor to prevent the employment of a person because of his membership in the National Guard or to obstruct or annoy a member or his employer in respect of his trade, business, or employment, or to dissuade from enlisting by threats as to employment. It is also made unlawful for labor organizations to discriminate against workmen who are members of the guard. In Ohio also (p. 382) an amendatory act was passed relative to discrimination by employers on account of the membership of employees in the National Guard.

### VOCATIONAL EDUCATION.

While laws relating to vocational education are not strictly classifiable as labor laws, in no wise affecting the status of employers and employees, their educational and economic interest is such as to warrant at least some account of the marked progress that has been made in this field within the past year. An act of the United States Congress (2d sess., ch. 114, 39 Stat., 939), approved February 23, 1917, creates a board on vocational education consisting of the Secretaries of Agriculture, Commerce, and Labor, the United States Commissioner of Education, and three citizens, one representing manufacture and commerce, one representing agriculture, and one representing labor. This board is particularly charged with the encouragement of education in lines of agriculture, industry, and home economics. The plans for such education are to be formulated by the State authorities, the approval of the Federal board being required. An appropriation is made for the expenses of the Federal board, and separate funds for cooperation with the States in the work in view. Allotments are to be made for instruction in agriculture in proportion to the rural population in the States, and for instruction in industry and home economics in proportion to the urban population. The States are to meet the allotments by appropriations for the respective purposes equal to those made by the Federal Government, the allotments made to be increased from year to year until the maximum is reached in eight years. The initial appropriation made is \$1,000,000, and the maximum contemplated is \$6,000,000 per annum. Of 41 States whose legislatures met in regular session in 1917, 36

accepted the principle of cooperation set forth by the Federal law, some making specific appropriations, while others pledged the good faith of the State to meet the allotments made, still others directing a distribution of the educational funds of the State in accordance with the methods of administration laid down by the Federal law. In some States a separate board was designated as a board of vocational education, while in others the existing State board of education was authorized to act.

The promptness with which the States acted on this subject (the Federal law becoming effective only near or after the middle of the session of several of the State legislatures) is indicative of a practically universal acceptance of the system of vocational education contemplated by the act. The States whose legislatures did not act were Illinois, North Dakota, Oregon, Rhode Island, and Washington. Those accepting the provisions of the law were Arizona (ch. 44), Arkansas (No. 181), California (ch. 720), Colorado (ch. 150), Connecticut (ch. 383), Delaware (ch. 183), Florida (ch. 7376), Georgia (p. 200), Indiana (ch. 112), Iowa (ch. 300), Kansas (ch. 280), Maine (ch. 186), Massachusetts (ch. 215), Michigan (No. 189), Minnesota (ch. 491), Mississippi (extra session, chs. 18, 29), Missouri (p. 512), Montana (ch. 102), Nebraska (ch. 227), Nevada (ch. 209), New Hampshire (ch. 226), New Jersey (ch. 119), New Mexico (extra session, ch. 2), New York (ch. 576), North Carolina (ch. 95), Ohio (p. 579), Oklahoma (ch. 155), Pennsylvania (No. 281), South Carolina (Nos. 14, 44), South Dakota (ch. 227), Tennessee (ch. 57), Texas (first called session, ch. 45), Utah (ch. 124), Vermont (No. 65), West Virginia (second extra session, ch. 8), Wisconsin (ch. 494), and Wyoming (ch. 99).

The Missouri Legislature enacted a precautionary provision that if the legislature should at any time fail to make adequate appropriations for cooperative purposes, local school boards and the boards of public institutions may use any funds under their control for the purpose; while in Nevada and Iowa local communities are directed to make contributions for the purpose.

In part embodying the idea of vocational education, and in part looking toward more elementary needs, are enactments made by the legislatures of a number of States providing for evening schools. Thus the California Legislature (ch. 717) authorizes the high-school board of any high-school district to maintain evening schools, and to establish part-time vocational courses in agriculture, commerce, industries, trade, or other vocational subjects, instruction and practice or employment to alternate, the employment to be on a commercially productive basis, under the supervision of competent certified teachers. Laws of Iowa (ch. 97) and Minnesota (ch. 356) authorize the boards of school districts to maintain evening schools for persons

16 years of age or over who are from any cause unable to attend day school. A North Dakota statute (ch. 209) makes similar provision; while in Tennessee (ch. 29) the minimum limit is fixed at 15 years. In Nevada (ch. 191) the schools are to be opened to native and foreign-born youths and adults; while in New Mexico (ch. 88) such evening schools are to be maintained where there are 10 or more illiterate or semi-illiterate persons desiring them. The South Carolina law (No. 24) is for the benefit of persons over 21; while in West Virginia (ch. 74) night schools may be established for all persons, including those of foreign birth, except those required by law to attend day schools. In some cases the State is to pay all expenses, while in others the district must contribute one-half. The regular teachers are designated in some instances, and the number of hours per week and the term of the school are prescribed. The number of applicants is fixed in some States, 10 being the minimum noted. In the Philippine Islands (No. 2711, sec. 930) night schools are to be maintained if 15 pupils over the age of 14 will be accommodated.

### CONVICT LABOR.

Most of the States whose legislatures were in session in 1917 passed one or more laws on this subject. In the main, the enactments relate to specific lines of activity, as employment on roads and bridges or other forms of public works, while other acts relate to individual undertakings. In a few States laws abolishing the contract or lease system were adopted, thus effecting more important changes.

County convicts employed under a contractor for road construction in Arkansas are to be allowed \$1 per day on their fines and costs (No. 330). An amendment adopted by the Connecticut Legislature (ch. 170) changes the previously existing law and permits the employment of convicts in the manufacture or preparation of tobacco or other articles coming in contact with the mouth, the State board of health to make regulations as to inspection, etc. Another act (ch. 406) permits the employment of other than life prisoners on highways on request of the highway commissioner. The levy court may employ Delaware convicts on the roads if the sheriff does not find other employment for them (ch. 241). If such employment is found the sheriff is entitled to 10 per cent of the wages, one-half the remainder going to the convict for dependents or being allowed to accumulate for his benefit.

Three laws were passed by the Florida Legislature, one (ch. 7323) relating to county convicts, who may work on streets or be leased for work in the county, directing that camps shall be supervised by the superintendent of State convicts; the second (ch. 7324) provides for the grading of State convicts by a physician, the men

to be employed on the State farm, on highways and State institutions, or leased, while females may be employed only on the State farm or in State institutions. The time of labor is fixed at 11 hours per day maximum, and 60 hours per week, including the time occupied in going to and returning from work. The third law (ch. 7325) creates a State convict road force to be employed by the State road department and by contractors with it. In Hawaii (No. 181) a board on the compensation of persons employed is to fix the wages, the rate not to exceed 25 cents per day, the earnings to be deposited in their behalf. The Illinois law is amended (p. 640) so as to allow the making of crushed rock and other road material by convicts and to permit the sale of surplus rock, cement, etc. The Indiana Legislature (ch. 83) provided for the establishment of manufactures for State use, with a view to abolishing the system of contract labor. The highway law of the State (ch. 87) authorizes the employment of convicts in the preparation and manufacture of road-building material if the governor approves. The employment of convicts to work for private citizens outside the penitentiary grounds is forbidden in Kansas (ch. 56), surplus labor to be employed on State and county roads and other work exclusively for the benefit of the State. Another act (ch. 168) speaks of employment on streets, highways, poor farms, and public works, a credit of \$1 per day on fine and costs being allowed, no work to extend beyond 8 hours in 24. In Maryland (ch. 4) provision is made for employment on streets and highways and (ch. 15) on a State farm. A Massachusetts amendment (ch. 129) contemplates the purchase or lease of lands for improvement and cultivation by convicts, and the care and repair of public institutions and highways adjacent to such property. Michigan statutes provide appropriations for brickmaking and farm lands (No. 57) and for the maintenance by counties of farms, factories, and shops (No. 78). Counties not making such provisions may contract with those that do for the care and employment of their convicts.

An act of the Missouri Legislature (p. 153) provides for the employment of convicts on highways, a second act (p. 155) establishing a State prison board to have control of all penal institutions, with authority to purchase lands, plants, machinery, and equipment. The contracting of convict labor is forbidden, the making of supplies for State institutions, highway construction, including bridges, the manufacture of lime for fertilizer, etc., and of binder twine being contemplated. Prisoners are to be trained in occupations that will enable them to earn a livelihood when released. Employment on public roads or other public works is contemplated by an act of the Montana Legislature (ch. 60). In Nebraska an amendatory act (ch. 133) provides for employment of State convicts on highways and bridges by

counties, cities, and villages, the prisoners and camps to be under the supervision of State authorities. Another act (ch. 172) revises the law as to the employment of county convicts, creating a board of workhouse commissioners. Farm and industrial employments are named, also contracting out, specifically with any city or village in the county. A third act (ch. 265) makes appropriations for additional industries to be carried on in the State penitentiary.

The Nevada department of highways is authorized to employ or cause to be employed convicts in the State prison for the getting out of materials, building roads, etc. (ch. 169). An amendment to the New Hampshire law (ch. 45) permits employment in any occupation thought desirable, to which end machinery may be provided and tools obtained. The products are to be disposed of, so far as practicable, to the public institutions of the State; employment outside the prison walls is authorized. Another act (ch. 119) looks to the employment of convicts on public highways, in preparing road material, and in forestry.

Prisoners held for nonsupport in New Jersey may be employed at wages not in excess of 50 cents for eight hours' work, the same to be paid to dependents (ch. 157). Provision is made as to the labor of county convicts in general, all labor to be under the custody and control of the sheriff, who provides guards or attendants (ch. 271). A similar wage as in the preceding law may be paid for similar work time, all or part to go to dependents. The legislature of this State provided further (joint resolution No. 1) for a commission of investigation to report on conditions in penal institutions, and upon the State-use system, employment on roads, prison farms, etc. This resolution was adopted January 23, a report to the current session being contemplated.

Acts of the New York Legislature provided a system for paying State convicts employed on highways by counties or towns (ch. 318), and extended the provisions for the employment of State convicts on prison farms and at stone quarrying and crushing (ch. 391). The highway law of North Carolina (ch. 284) authorizes the assignment of county convicts to the county road commission for labor on the highways. A general law as to State convicts (ch. 286) forbids leasing, and authorizes the employment of convicts for State use and on public works and ways. Convicts are to be classified and allowed wages, 10 hours being fixed as the period of a day's work. A statute of North Dakota (ch. 167) takes up the subject of the discharged convict, authorizing his employment at or in the penitentiary, or by the lessee of a workshop at the penitentiary, for such time and at such wages as the warden may approve. Before a contract for road construction is let in the State of Ohio it is directed (p. 69) that

request be made for prison-made materials, the same to be used if the cost does not exceed the cost of material otherwise produced.

In Oklahoma county commissioners may take and use city or town convicts for employment on public highways, at a rock pile or crusher, or on other public work (ch. 234); a second act (ch. 236) relates to the equipment of convict camps by the State board of public affairs to enable the employment of State convicts on road work. The highway law of Oregon (ch. 237) authorizes roads to be built directly by the highway commission by the labor of convicts delivered to the State engineer.

Laws of Pennsylvania authorize the employment of State and county convicts by the State highway department (No. 314); on county or almshouse farms as a war emergency (No. 337); while a more general law (No. 399) looks to the establishment of industrial farms, workhouses, and reformatories in the counties; convicts may be employed at farm work and at making road-building material, brick, tiling, and concrete, which may be sold. A law of the Philippine Islands (No. 2711, sec. 2239) provides that municipal convicts may be made to labor on public works of the municipality.

Employment of State convicts on State roads is authorized by a Rhode Island law (ch. 1511). A specific object is designated by a South Dakota statute (ch. 351), being the construction of a drainage ditch and spillway near the State penitentiary. The Tennessee Legislature announced its purpose to abolish the contract or lease system in the State, directing that all contracts expire not later than April 1, 1919 (ch. 46). Another act of the same legislature (ch. 40) authorizes the State board of control, the Department of Agriculture of the United States, and the State department of highways, to employ State convicts on post roads, the department of highways to be instructed to use county prisoners on county roads in cooperation. In Texas also (first called session, ch. 32) the lease system is abolished, the declared policy of the State being the employment of convicts within prison walls or on farms. Nine hours are a day's work, except that on farms in summer 10 and 11 hours may be worked.

State detention farms where convicts may be employed are provided for by a Vermont statute (No. 34), employment in the vicinity being also permitted. Washington statutes relate to the employment of convicts on highways (ch. 121), the sale of jute sacks and other products of convict labor (ch. 56), and authorize counties, cities, and towns to maintain jails, workhouses, or stockades anywhere in the county, or to arrange for the joint maintenance of their convicts, who may be employed on public works (ch. 103). The Wisconsin Legislature provides that portions of the forest reserves, not in excess of 5,000 acres, may be converted into farms by convict labor if the State boards interested so decide (ch. 360). Another act

(ch. 611) amends the law as to employment on State buildings or by boards or departments of the State. Laws of Wyoming authorize the manufacture of goods by convicts (ch. 109) or persons confined in the industrial institute of the State (ch. 116) for sale in the open market at prices for the best interests of the State, as well as for State use. Goods of any kind or class whatsoever may be made.

A different phase of the convict-labor problem was passed upon by the California Legislature (ch. 164), articles of personal wear made by convict labor outside the State being required to be marked; merchants selling the same are required to display a sign stating the fact.

### COMMISSIONS ON HOUSING, WELFARE, ETC.

Under this head are grouped a number of acts and resolutions which are of social and economic significance specifically relating to workingmen in some instances, while in others they concern society still more generally. Thus, in the matter of housing, the State of Massachusetts has taken the lead by the establishment of a homestead commission which is authorized (ch. 310) to take or purchase, in the name of the State, land for small houses and plats which may be subdivided, improved, sold, repurchased, managed, and cared for for the benefit of wage earners. The sum of \$50,000 is made available. Somewhat similar are the provisions of a California statute (ch. 755) which creates a land settlement board, which is given authority to purchase agricultural lands and improve, subdivide, and sell the same to any citizen of the United States. Dwellings may be built and lands seeded. Two types of allotments are contemplated, one for farms and a smaller one for farm laborers. Property is to be disposed of on easy payments extending over long terms, transfer by purchasers being restricted. The commissioner of interior of Porto Rico is authorized (Vol. II, No. 28) to erect homes for workingmen on public lands or lands granted by municipalities or private individuals, the buildings and lands to be managed and disposed of in accordance with rules and regulations laid down by a homestead commission. Homes may be rented or sold, and \$250,000 is appropriated for the work of the commission.

The remainder of the acts and resolutions to be considered relate to investigative commissions, the broadest field being that proposed for a commission of public welfare created by an act of the Connecticut Legislature (ch. 163), to investigate the advisability of creating an agricultural and industrial board, the matter of old-age pensions, health insurance, free employment bureaus, cooperative societies, pasteurization plants, aid to farmers and stock growers, reforestation, rural loans, road improvements, telephones and power companies for rural districts, hours of labor, and minimum wage. Report is to be made to the legislature of 1918.

An Ohio commission, already mentioned as assigned the subject of old-age insurance, is to report also on the subject of health insurance and sickness prevention (p. 520). The subject of social insurance, which has already received attention in the State of California under a prior enactment, is to be further investigated by a commission of seven persons, which is to advise legislation as to the adoption of a system of social insurance in such branches as the commission may recommend (ch. 312). A resolution (ch. 57) proposes an amendment to the constitution authorizing the legislature to pass laws providing for insurance against the hazards of sickness and disability.

In Illinois (p. 488) a commission is directed to investigate sickness and accidents not covered by the compensation law of the State and report in 1919. In Massachusetts also (Resolves, ch. 130) there is a commission of members of the house and senate and two others named by the governor to investigate the subject of health insurance and report in January, 1918. The lower house of the New Hampshire Legislature by resolution provided for a committee to study the subject of health insurance and workmen's compensation and report its findings and recommendations to the speaker of the next house. Three senators and three representatives of the Pennsylvania Legislature, together with three persons appointed by the governor, are to investigate the subject of sickness and accidents not covered by the State compensation law, the adequacy of present methods of treatment and of meeting loss due to the same, the influence of working conditions on health, and remedial measures (No. 414). A legislative committee on social insurance is to investigate the subject, including insurance against occupational diseases and sickness, under a resolution of the Wisconsin Legislature (Joint Res. No. 24). This committee is authorized to act during the recess, and is given plenary power as to oaths, investigations, hearings, etc. (ch 604).

Other investigations provided for relate to the subject of the cost of living, a joint resolution of Congress (ch. 2) directing the Department of Labor of the United States to investigate the subject of the cost of living of wage earners in the District of Columbia and make report. In New Hampshire (ch. 160), if 100 registered voters make petition, the Attorney General is authorized to make an investigation of the cause of any rise of price of necessaries, not including under that term work or labor on farms and the fruits thereof, or factory products produced by "proletarians or near proletarians." In New Jersey (Joint Res. No. 2) the governor is to appoint a commission of five persons to consider the high cost of living and report on the possibility of reducing the same through marketing systems or otherwise. A report to the then current session of the legislature was directed.

LAWS OF VARIOUS STATES RELATING TO LABOR  
ENACTED SINCE JANUARY 1, 1917.

ALASKA.

ACTS OF 1917.

CHAPTER 4.—Hours of labor in mines.

*Be it enacted by the Legislature of the Territory of Alaska:*

SECTION 1. Employment in underground coal mines, underground lode mines, underground placer mines, in underground coal, lode or placer workings, and in all other underground mines or workings of any kind or nature whatsoever, is hereby declared to be injurious to health and dangerous to life and limb. What work  
injurious and  
dangerous.

SEC. 2. The period of employment of any person in underground coal mines, underground lode mines, underground placer mines, underground coal, lode or placer workings, and in all other underground mines, or workings of any kind or nature whatsoever, shall not exceed eight hours within any twenty-four hours, except on such days as change of shift is made, excluding, however, any intermission of time for lunch or meals, or otherwise going to, or from the place where the work is actually carried on, whether going to or coming from the place of work be in going on, or off shift, or in going to, or returning from meals or lunch. It being the intention of this act to limit the hours of employment in any twenty-four hours to eight hours of actual labor at the face, or other place or places where the work or labor to be done is actually performed; except in case of emergency, where life or property is in imminent danger, the period may be extended during the continuance of such emergency. Eight-hour  
day.

SEC. 3. Any person, persons, body corporate, general manager, foreman or employer, who shall employ, or cause to be employed any person or persons in violation of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon a first conviction shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in the Federal jail, not less than sixty days, nor more than six months; or by both fine and imprisonment. Upon a second conviction within the meaning of this act as hereinafter set forth, the punishment shall be imprisonment in the Federal jail not less than sixty days, nor more than one year. Violations.

A second conviction within the meaning of this act, shall be a conviction for a violation of this act committed within a period of two years after a previous conviction of the same person, persons, body corporate, general manager, foreman or employer for a violation of this act. All other convictions within the meaning of this act shall be first convictions. Every day's violation of the provisions of this act shall constitute a separate offense.

SEC. 4. Should it be adjudicated that any portion, section, or part of any section of this act, is unconstitutional or otherwise Provisions  
severable. invalid for any reason, an adjudication of invalidity of such portion, section, proviso or part of any section of this act shall not effect the validity of the act as a whole or any other part thereof.

Approved April 16, 1917.

CHAPTER 51.—*Mine regulations.*

**Summary.** [This act is a mining code for the Territory of Alaska, and repeals chapter 72, acts of 1913, and chapter 69, acts of 1915. A Territorial mine inspector is to be appointed by the governor, who is to be theoretically and practically qualified for his duties. Besides the customary inspections, he is to examine the men in charge of first-aid work, and, if requested, give instruction therein. Orders as to unsafe mines are subject to review by the governor, and through him an appeal may be taken for review and revision by the United States Bureau of Mines. Reports of accidents and investigations of the same are provided for. Statistical records must be furnished by operators, and reports made by the inspector covering the various branches of his activities. The act prescribes guards for dangerous machinery, safety provisions in the sinking of shafts, hoisting of men and materials, construction of cages, etc., and requires escape shafts in all mines having a depth of 300 feet. Boys under the age of 16 years may not be employed underground. A code of signals is established by the law, and a list of articles necessary to be kept for first aid to the injured. Only experienced men are permitted to use high explosives, and provisions are made as to tamping, blasting, storage, etc.]

CHAPTER 55.—*Hours of labor—General employments.*

**Eight-hour day.** SECTION 1. A period of employment for all wage earners, and salary earners in the Territory of Alaska shall not exceed eight hours within any one calendar day, except in cases when life or property is in imminent danger. Employment as herein used shall be construed as the performance of labor or services for any individual, partnership, association or corporation, whether the person performing such labor or service be a member of such partnership or association or stockholder or officer of such corporation or not.

**Violations.** SEC. 2. Any person, persons, association or corporation who shall violate or cause to be violated any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in the Federal jail not less than sixty days nor more than six months, or by both such fine and imprisonment. Every day's violation of the provisions of this act shall constitute a separate offense.

**Modifications.** SEC. 3. The governor of the Territory is hereby given the power to suspend or modify restrictions contained in this law when such shall be requested by the Council of National Defense or the Secretary of the Interior, and such modification or suspension when made shall continue for a specified period and not longer than the duration of the present war, or during the continuation of any future war with a foreign power.

Approved May 3, 1917.

ARIZONA.

ACTS OF 1917.

CHAPTER 21.—Free employment offices—State and Federal cooperation.

SECTION 1. The State board of control is hereby authorized and empowered, and it is made a part of the duty of said board of control, to establish and maintain free employment offices in the State of Arizona. Said free employment offices shall be conducted in cooperation with and under the established rules and regulation of the Department of Labor of the United States.

State board of control. Duty to establish offices.

SEC. 2. For the establishment and maintenance of free employment offices in the State of Arizona, as provided by section one of this act, there is hereby annually appropriated the sum of \$2,500, or as much thereof as may be necessary. The appropriation made under the provisions of this act shall be set apart by the State treasurer in a separate fund hereby designated The Free Employment Office Fund. All moneys expended out of said fund shall be under the authority and by the direction of the State board of control. The State auditor is hereby authorized and directed to draw said warrant and the State treasurer is hereby directed to pay said warrant from said fund.

Appropriation.

Approved March 7, 1917.

CHAPTER 22.—Payment of wages due deceased employees.

SECTION 1. The surviving husband or wife of any deceased person may, without procuring letters of administration, collect from any corporation, copartnership, association, or individual any sum of money which said corporation, copartnership, association, or individual may have owed such deceased person at the time of his or her death for wages earned by such deceased person while in the employ of such corporation, copartnership, association, or individual, provided said sum of money shall not exceed \$300.

Payment without administration.

Limit.

SEC. 2. Any corporation, copartnership, association or individual, upon receiving an affidavit stating that a person previously in the employ of any such corporation, copartnership, association or individual is dead, and that the affiant in such affidavit is the surviving husband or wife of such employee, as the case may be, and that the whole amount that such corporation, copartnership, association or individual owed such deceased person at the time of his or her death, does not exceed the sum of \$300, may pay to such affiant any amount of such wages earned by said deceased person if the same does not exceed \$300, and the receipt of such affiant shall be sufficient acquittance therefor.

Procedure.

Approved March 8, 1917.

CHAPTER 38.—Employment of women—Minimum wages.

SECTION 1. No person, persons, firm or corporation, transacting business within the State of Arizona, shall employ any female in any store, office, shop, restaurant, dining-room, hotel, rooming house, laundry or manufacturing establishment, at a weekly wage of less than \$10 per week; a lesser amount being hereby declared inadequate to supply the necessary cost of living to any such female to maintain her health, and to provide her with the common necessities of life.

Ten dollars minimum.

**Violations.**

SEC. 2. Any person, persons, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less \$50, nor more than \$300, or by imprisonment in the county jail for not less than ten days, nor more than sixty days, or by both such fine and imprisonment, for each separate offense.

Approved March 8, 1917.

**CHAPTER 70.—Mothers' pensions.****Boards of child welfare.**

SECTION 1. Provision is hereby made for the appointment of local boards of child welfare, which, subject to the provisions of this act and through the vote of public moneys by local authorities for such purpose, shall be empowered to grant allowances to widowed mothers with one or more children under the age of sixteen years in order that such children may be suitably cared for in their own homes by such mothers: *Provided always*, That such allowances shall be made only when the mothers are suitable persons mentally and morally to bring up their children properly and require aid to enable them to do so.

**Appointment.**

SEC. 2. Within sixty days after the passage of this act the judge of the superior court of each county shall appoint a board of child welfare for such county, and the clerk of the board of supervisors shall be secretary ex officio of such board.

**Composition.**

SEC. 3. Where the appointment of the board of child welfare is to be made by the judge of the superior court as herein provided, such judge of the superior court shall appoint a board of child welfare composed of seven members, with the county superintendent of the poor of the county or other officer exercising the duties of county superintendent of the poor, a member ex officio of such board. The said judge of the superior court shall also appoint as members of such board, a representative each of the public schools, and the public health authorities and of the juvenile court, or in case there be no juvenile court, of the superior court, in such county. He shall also appoint three additional members of said local board of child welfare, two at least of whom shall be women. The judge of the superior court shall appoint the members of the said board of child welfare, with the exception of the county superintendent of the poor or other officer exercising like powers in the county who shall continue to serve during his entire term of office, for definite terms of six years each: *Provided, however*, That the places occupied by the representatives of the public school and the public health authorities as well as the representatives of the juvenile court or the superior court, shall become vacant upon their retirement from such public school, public health or court work, whereupon the vacancy so created shall be filled for the balance of the term by some other representative of such authorities: *And further provided*, That the judge of the superior court shall appoint the original members of the board of child welfare, except the county superintendent of the poor or other officer exercising like powers in the county, for one, two, three, four, five, and six years, respectively, and shall thereafter when their terms expire appoint them or their successors for terms of six years each. In the event of a vacancy occurring before the expiration of a term of a member, the appointment to fill such vacancy shall be for the balance of the term.

**Expenses.**

SEC. 4. The members of the board of child welfare, as herein provided, shall receive no compensation for their services as members of such board, but shall be allowed the necessary expenses incurred by them in the discharge of their official duties.

**Allowances to widows.**

SEC. 5. The said boards of child welfare shall in their discretion have authority and be empowered to grant an allowance to any dependent widow resident in the county wherein she applies for an allowance, provided such allowance be approved by the board of supervisors of said county, who is of good habits and character, and is at the time of such application for an allowance the mother of one or more children under the age of sixteen years,

living with and dependent upon her, provided such widow is a citizen of the United States and has been a resident of the county where the application for an allowance is made for a period of one year immediately preceding such application, and whose husband was a citizen of the United States, and a resident of the State of Arizona at the time of his death, such allowance may by a majority vote of all its members, duly entered upon the minutes of any regular or special meeting of such board, be granted directly by the said board of child welfare, subject to the approval of the board of supervisors of the county, through its duly appointed visitors, agents or other representatives. Before aiding any mother to care for her children at home, the board of child welfare shall determine that the mother is a suitable person to bring up her own children and that aid is necessary to enable her to do so.

SEC. 6. The allowance made to such widowed mother shall not exceed \$20 per month when such mother has but one child under the age of sixteen years, and if she has more than one child under the age of sixteen, the allowance shall not exceed \$15 per month additional for the second child, and \$10 per month additional for each such other child. *It is further provided,* That in no event shall the allowance granted to any one mother and her children exceed the sum of \$60 per month. The allowance granted by the said board shall be paid out of any moneys appropriated by the local authorities empowered by law to appropriate moneys for such purposes, or as provided by law for meeting prospective deficiencies in the expenses of any county. Applications for allowances may be made directly to any member of the board, or through the public school which the children of the applicants for allowances are attending. A full and complete record shall be kept in every case coming either directly or indirectly within the jurisdiction of the said department.

Amounts.

SEC. 7. Each of said boards of child welfare shall:

Duties of boards.

1. Meet and organize within ten days after appointment, and fix the dates for its meetings, which shall be held at least monthly.

2. Elect a chairman who shall hold office subject to the pleasure of the board.

3. Establish an office.

4. Establish rules and regulations for the conduct of its business, which rules shall provide for the careful investigation of all applicants for allowances and the adequate supervision of all persons in receipt of allowances. Such rules shall further provide that no grant of an allowance shall be made by the board for a longer period than six months without renewal by the said board and that reports shall be filed at least quarterly by the agents, visitors or representatives of the board with respect to the families in receipt of allowances granted by the said board.

5. Report annually in detail, to the board of supervisors, the result of their transactions for the preceding fiscal year, with such conclusions and recommendations as may be deemed wise and expedient.

6. Submit annually to the proper fiscal authorities an estimate of funds required to carry out the purposes and intent of this act.

Funds.

SEC. 8. The boards of supervisors of the several counties affected by this act shall appropriate in each year such sum or sums as, in their judgment, may be necessary to carry out the provisions of this act. In the case of the counties affected by this act all the expenses for administration, and relief shall be paid by the respective county.

Approved March 19, 1917.

CHAPTER 90.—*Employment on public works—Preference of citizens.*

Citizens to  
be employed.

SECTION 50. In all cases where money appropriated under the provisions of this act [providing for State improvements, etc.] is or shall be expended for labor, only citizens of the United States or wards of the United States shall be employed, and actual bona fide resident citizens of this State shall be given the preference whenever such labor as may be required can be found within this State and before any labor can be sought outside of this State, either directly or indirectly, the person, contractor, firm or corporation, shall file with the State auditor a verified written statement setting out in detail the effort put forth, showing his, their, or its inability to secure such labor as is required within this State, and if the auditor is satisfied of such inability, then the auditor may execute a release permitting the bringing into this State, such citizens only of the United States as may be needed for such work. Before any money herein appropriated shall be paid out for labor or construction, a verified statement shall be filed with the auditor, showing strict compliance with the provisions of this section. If the provisions of this section are not complied with, it shall be unlawful to pay out any of the moneys herein appropriated; and any contract entered into wherein the provisions of this section have not been complied with, shall be void: *Provided*, That nothing herein shall be construed to prevent the working of prisoners by the State.

Residents  
preferred.

Approved March 20, 1917.

# ARKANSAS.

## ACTS OF 1917.

### ACT No. 11.—*Free employment offices—Private offices.*

SECTION 1. The commissioner of labor shall maintain, in connection with his office, a free employment bureau, to be known as "The Arkansas Free Employment Bureau," and for the purpose of receiving and filing applications of persons seeking employment and applications of persons seeking to employ labor.

Free bureau established.

SEC. 2. The commissioner of labor shall have supervision over all branch bureaus that may be established.

Branch bureaus.

SEC. 3. The commissioner of labor is authorized to maintain branch free employment bureaus in the State, where, in his opinion, the convenience of the greatest number of people may be served: *Provided*, Said branch bureaus shall be conducted without cost to the State.

Same subject.

SEC. 4. The commissioner of labor shall preserve a record in books kept for that purpose, names of all persons applying for employment or help, designating the names and addresses of each applicant, the character of employment or help desired. Separate registers for applicants for employment shall be kept, showing the names of all persons applying for employment or help, designating the names and addresses of each applicant, the character of employment or help desired, and in such register shall show the age, sex, nativity, trade or occupation of each applicant, the cause and duration of nonemployment, whether married or single, the number of dependent children, together with such other facts as may be required by the commissioner of labor to be secured by said officer: *Provided*, That such statistical and sociological data as the commissioner of labor may require, shall be held in confidence by said office and so published as not to reveal the identity of anyone: *And provided further*, That any applicant who shall decline to furnish answers to the questions contained in special registers, shall not thereby forfeit any rights to any employment the office might secure.

Registers.

SEC. 5. It shall be the duty of the commissioner of labor to communicate with manufacturers, merchants, and other employers of labor in the State and to use all diligence in securing the cooperation of employment bureaus. To this end it shall be competent for such officers to advertise, under the direction of the commissioner of labor, in newspapers, or other mediums, for such situations as they have applications to fill, and they may advertise in a general way for the cooperation of contractors and employers in such trade or special publications as reach such employers.

Placing workers.

SEC. 6. No fee or compensation shall be charged or received, directly or indirectly, from persons applying for employment or help through said free employment bureaus or branch free employment bureaus.

No fee.

SEC. 7. The term "applicant for employment" as used in this article, shall be construed to mean any person seeking work of any lawful character, and "applicant for help," shall mean any person or persons seeking help in any legitimate enterprise; and nothing in this article shall be construed to limit the meaning of the term "work" to manual occupation, but it shall include professional services and all other legitimate service.

Definitions.

SEC. 8. No persons, firm, or corporation in this State shall open, operate, or maintain a private employment agency for hire without first obtaining a license for the same from the commissioner

Private offices.

- License fee.** of labor, and such license fee shall be \$5. Such license shall be of force for one year, but may be renewed from year to year upon the payment of a fee of \$5 for each renewal. Every license shall contain a designation of the city, street, and number of the building in which the licensed party conducts such employment agency. The license, together with a copy of this article, shall be posted in a conspicuous place in each and every employment agency. The commissioner of labor shall require with each application for a license a good and sufficient bond in the penal sum of \$250, to be approved by said commissioner, and conditioned that the obligator will not violate any of the duties, terms, conditions, provisions, or requirements of this article. The said commissioner of labor is authorized to cause an action to be brought on said bond in the name of the State for any violation of any of its conditions, and they [he] may revoke, upon a full hearing, any license whenever, in his judgment, the party licensed shall have violated any of the provisions of this article.
- Bond.**
- Register.** SEC. 9. It shall be the duty of every licensed agency to keep a register in a substantial book in the form prescribed by the commissioner of labor, in which shall be registered the age, sex, nativity, trade or occupation, name and address of every applicant. Such licensed agency shall also enter into a register the name and address of every person who shall make an application for help or servants, and the name and nature of the employment for which such help shall be wanted. Such register shall, at all reasonable hours, be open to the inspection and examination of the commissioner of labor or his agent. Where a registration fee is charged for filing or receiving applications for employment or help, said fee shall in no sense [case] exceed the sum of \$2, 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 situation to be procured. In case the said applicant shall not obtain a situation or employment through such licensed agency within one month after registration as aforesaid, then said licensed agency shall forthwith repay and return to such applicant, upon demand being made therefor, the full amount of the fee paid or delivered by said applicant to said licensed agency: *Provided*, That such demand be made within thirty days after the expiration of the period aforesaid.
- Fee.**
- Fee to be returned, when.**
- Acts forbidden.** SEC. 10. No agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill fame or assignation house, or any house or place of amusement kept for immoral purposes. No such licensed agency shall publish or cause to be published any false information or to [sic] make any false promise concerning or relating to work or employment to anyone who shall register for employment and no licensed agency shall make any false entries in the register to be kept as herein provided. Any person convicted of a violation of any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than \$10 nor more than \$25 for each offense, or be imprisoned in the county jail for a period not to exceed thirty days, or both, at the discretion of the court.
- Definition.** SEC. 11. A private employment agency for hire is defined and interpreted to mean any person, firm or corporation engaging in the occupation of furnishing employment or help or giving information as to where employment or help may be secured or displaying any employment sign or bulletin, or, through the medium of any card[,] circular or pamphlet, offering to secure employment or help.
- Funds.** SEC. 12. The commissioner of labor shall make an itemized account of all moneys received by him under the provisions of this act, and pay the same into the State treasury as provided by law.

Approved January 22, 1917.

**ACT No. 75.—Railroads—Construction of engine cabs.**

**SECTION 1.** It shall be unlawful for any person, or persons, company or corporation, or receiver of any railroad, to use or operate any locomotive engine in the State of Arkansas that is not so constructed that the engineer and fireman will be located under the same roof of engine cab at all times while engaged firing, running and operating said engine. Said roof not to be more than fourteen (14) feet in length and to extend entirely over deck or gangway of said engine. Construction prescribed.

**Sec. 2.** It is intended that section 1 of this act shall apply to engines of the "Wooton firebox type," or "Mother Hubbard" or "Double cab" or "Camel back" engines only. Scope.

**Sec. 3.** Any person or persons, company or corporation, or receiver of any railroad violating the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$50 and not more than \$500 for each offense and each day shall constitute a separate offense. Violations.

Approved February 12, 1917.

**ACT No. 130.—Mine regulations—Inspector.**

**SECTION 1.** A mine inspector shall be appointed by the governor immediately upon the taking effect of this act, who shall hold office until the first day of July, nineteen hundred and nineteen, and until his successor shall have been appointed and qualified, after which the term of office of each mine inspector shall begin on the first day of July of every odd-numbered year and shall continue for two years, and until his successor is appointed and qualified, and all appointments shall be made by the governor of the State. Said mine inspector shall not, while holding office, be connected with or engaged directly or indirectly as owner, operator, agent, or director of any coal mine or other mining interests. He shall have had eight years' actual experience as a practical miner. He shall have an office, which shall be located in Fort Smith, Arkansas, and shall safely keep all records, papers, documents, and other property pertaining to, or coming into his hands by virtue of his office, and deliver same to his successor. Said mine inspector shall receive as salary for his services the sum of \$2,000 per annum. Appointment.

**Sec. 2.** The mine inspector, before entering upon the duties of his office, and within twenty days after his appointment, shall make and execute a bond to the State of Arkansas, with one or more sufficient sureties, in the sum of \$5,000, conditioned upon the faithful performance of his duties; same to be appointed [approved] by the governor. When said bond is so approved, he shall also take oath of office prescribed by the constitution; and in the event that said mine inspector shall fail to make and execute said bond within the time prescribed by this act, his appointment shall be declared void, and it is hereby made the duty of the governor to appoint and have qualified a proper person in his stead, as contemplated by the provisions of this act. Other interests.

**Sec. 3.** Said mine inspector shall be allowed all necessary postage, stationery and other expenses of a similar character necessary for the transaction of the business of the office; and the said salary and expenses shall be paid as in the case of other State officers. In addition to the salary, necessary traveling expenses while in the performance of the duties of the office shall be allowed; but the total expenses, in addition to salary paid, shall not exceed \$1,000 per annum. Salary.

**Sec. 4.** The mine inspector shall devote his entire time to the duties of the office. It shall be the duty of the mine inspector, to examine all mines as often as necessary, and not less than once every three months: *Provided, however,* That employees of any mine, as contemplated by the mining laws of this State, shall have authority to call the said mine inspector, at any time in cases of emergency for the enforcement of the mining laws of this State. Bond.

**Sec. 5.** The mine inspector shall be allowed all necessary expenses while in the performance of his duties. Expenses.

**Sec. 6.** The mine inspector shall be allowed all necessary expenses while in the performance of his duties. Duties.

Inspections shall be made of the works and machinery used or operated by any mine; also the state and condition of the mines as to ventilation, circulation and condition of the air, drainage, and the number of accidents, injuries, or deaths occurring in or about the mine, number of persons employed, and the extent to which the laws relating to mines and mining are observed; the progress made in improvements for the safety and health sought to be obtained by the provisions of the mining laws of this State, together with all other such facts and information of public interest concerning the conditions of mine development and progress in this State as may be deemed useful and proper; and to keep a complete record of same, which shall be included in the mine inspector's annual report to the governor. Should the mine inspector find any violations of the mining laws of this State by any owner, lessee, or agent in charge of any mine, notice shall immediately be given to such owner, lessee, or agent in charge of such mine of the neglect or violation thereof, and unless the same is, within a reasonable time, rectified, the mine inspector shall institute a prosecution under the laws of the State, as hereinafter provided. If the said mine inspector finds any matter, thing, or practice in or connected with a mine to be dangerous or defective, which makes it unsafe for persons employed therein, notice in writing thereof to the owner, lessee or agent of such dangerous or unsafe condition shall be given, and the said conditions shall, by the said owner, lessee, or agent, be remedied without unnecessary delay. For the purpose of making the inspection and examination as contemplated by this act, the mine inspector shall have the right to enter any mine at any reasonable time, by day or night, but in such manner as shall not necessarily obstruct the workings of said mine, and the owner, lessee or agent is hereby required to furnish the means necessary for such entry and inspection. The inspection and examination, as contemplated by this act, shall extend to all coal mines where the same are operated by shaft, slope, or drift.

Violations,  
dangerous con-  
ditions, etc.

Enforce-  
ment.

SEC. 5. The mine inspector is hereby empowered concurrently with the sheriffs and constables throughout the State to make [arrests] for any violations of the mining laws of this State, but he shall make no arrest until after notice has been given as provided in this act. Where, in the opinion of the mine inspector, there is imminent danger to the life or health of the miners or employees in said mine, said inspector shall at once notify the person in charge of or operating said mine in which the dangerous condition exists to immediately remove said danger, and on failure to remove said dangerous condition without unnecessary delay, said inspector shall order the mine, or dangerous portion thereof, cleared of all persons except those necessary to remove or remedy said dangerous condition. Upon the clearing of any mine of persons employed therein, as herein provided, any owner, lessee, or agent in charge of or operating any such mine may apply to the chancery court within the jurisdiction of said mine for a writ of injunction to enjoin the mine inspector from continuing the prevention of the operation of said mine. Whereupon, the chancellor of said court, either in term or vacation, shall at once proceed to hear and determine the case, and if the cause appears to be sufficient after hearing the parties and their evidence, as in like cases, the chancellor shall sustain or overrule the mine inspector.

Offenses.

SEC. 6. Any person who shall willfully obstruct or hinder the mine inspector in the discharge of his duties, and every owner, lessee or agent, or manager of a mine who refuses or neglects to furnish the mine inspector the means necessary for making entry, inspection, examination or inquiry under the mining laws of this State, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as hereinafter provided. Should the mine inspector willfully fail or refuse to perform any of the duties required under the provisions of the mining laws of this State, he shall be deemed guilty of a misdemeanor and upon

conviction shall be fined in a sum not less than \$100 nor more than \$1,000, and upon a second conviction for such failure or refusal, shall be removed from office by the governor, and his successor appointed within thirty days from the date of such removal. Any owner, or agent, lessee, or other person convicted of the violation of any of the provisions of the mining laws of this State or failing in any manner to comply therewith, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$50 nor more than \$500 except where provisions of the mining laws otherwise provide penalties. Each day any such violation or failure shall continue on the part of any owner, agent, lessee, or other person shall be deemed a separate offense: *Provided*, That the provisions of this act do not apply to coal mines where less than ten men are employed underground in twenty-four hours.

Scope of act.

SEC. 7. It shall be and is hereby made the duty of the prosecuting attorney in the district wherein the mine inspector shall arrest or cause to be arrested any person or persons violating the provisions of the mining laws of the State to at once take charge of and prosecute the same with reasonable diligence.

Prosecuting attorney.

SEC. 8. This act shall not repeal any of the mining laws of the State, except wherein it specifically conflicts, but shall be cumulative to all mining laws now in force.

Construction of act.

Approved February 23, 1917.

ACT No. 161.—*Commissioner of labor—Enforcement of laws.*

SECTION 1. From and after the passage of this act the commissioner of labor, or any person duly authorized by him, shall file information with any justice of the peace, mayor, or judge of municipal court or any other court of competent jurisdiction, for any violations of any of the labor laws of this State.

Information to be filed.

SEC. 2. Upon said information being filed, it shall be the duty of said justice of the peace, mayor, judge of municipal court, or other courts of competent jurisdiction to issue warrants for said violations without delay.

Warrants.

SEC. 3. It shall be the duty of all circuit judges of the State of Arkansas to charge the grand juries specifically for the violations of the minimum wage law, child labor law and all other labor laws of the State.

Circuit judges.

Approved March 3, 1917.

ACT No. 174.—*Protection of employecs on street railways.*

SECTION 1. Every electric street car, other than trail cars, which are attached to motor cars, shall be provided during the months of November, December, January, February, and March of each year, at the front end, with a screen composed of glass or other material which shall fully and completely protect the driver, motorman, gripman or other person stationed on such front end and guiding or directing said car, from wind and storm.

Screens to be provided.

SEC. 2. Any person, agent, or officer of any association or corporation violating any of the provisions of section 1 shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than \$25 nor more than \$100 for each day that any car belonging to or used by such person, association or corporation is permitted to remain unprovided with the screen required by section 1 of this act.

Violations.

Approved March 6, 1917.

ACT No. 190.—*Factory, etc., regulations—Fire marshal.*

SECTION 1. For and during a period of thirty years from the time this act takes effect, there is hereby created and established at the seat of government of this State, the office of insurance commissioner and State fire marshal.

Office created.

## Duties.

SEC. 6. \* \* \* It shall also be the duty of the insurance commissioner and State fire marshal to enforce all laws of this State regarding the prevention of fires; the installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment; the storage, sale and use of combustibles and explosives; the construction, maintenance and regulation of fire escapes; the means and adequacy of exit, in case of fire, from factories, \* \* \* and all other places in which numbers of persons work, \* \* \*.

ACT No. 294.—*Employment of children—School attendance.*

## Scope of law.

SECTION 1. From and after September first, nineteen hundred and seventeen, every parent, guardian, or other person residing within the State of Arkansas, having in custody or charge any child or children between the ages of seven and fifteen, both inclusive, shall send such child or children to a public, private, or parochial school under such penalty for noncompliance with this act as is hereinafter provided for.

## Attendance.

SEC. 2. The minimum session of attendance required under this act shall be three-fourths of the session or sessions of the public school in the district or districts in which the child or children resides. All children shall be required to enter school not later than two weeks after the opening of the session or term.

## Exemptions.

SEC. 3. The following classes of children between the age of seven and fifteen years shall be exempted from the provisions of this act: (a) Children mentally or physically incapacitated to perform school duties; (b) children who have completed the common-school course of study, including the seventh grade as outlined by the State superintendent of public instruction; (c) children whose services are needed to support widowed mother. \* \* \*

Approved March 21, 1917.

ACT No. 326.—*Mothers' pensions.*

## Scope.

[This act, though general in form, is by its own provisions made inapplicable to thirty-five of the seventy-five counties of the State, thus making it practically classifiable as a local law. It is to be administered by the juvenile courts in counties where such exist, and by the county courts elsewhere. Widows, deserted wives, and wives of husbands incapacitated for work or confined in the State penitentiary, citizens of the United States and residents for one year in the county in which the application is made, are eligible if the mother of a child or children under fifteen years of age. The amount of relief may not exceed \$10 per month for one child, and \$5 for each additional child. The usual investigations as to need, fitness, and so forth, are required, and supervision is to be exercised by officers appointed by the court.]

## Administration.

## Amount.

ACT No. 364.—*Liability of employers for injuries to employees.*

## Act amended.

SECTION 1. Section five of act Number One hundred and seventy-five of the Acts of Nineteen hundred and thirteen [shall] be amended to read as follows:

## Limitation.

Sec. 5. No action shall be maintained under this act unless commenced within three years from the date the cause of action accrued, and this shall apply to all causes of action heretofore accrued if suit has been filed or shall be filed within three years from the date the cause of action accrued.

Approved March 24, 1917.

ACT No. 391.—*Employment of children—General provisions.*<sup>1</sup>

## Act amended.

SECTION 1. Section eight of the initiative act Number One, approved October thirteen, nineteen hundred and fourteen, [shall] be amended to read as follows:

<sup>1</sup> The title of this act is, "An act to amend Initiative Act No. 1, an act to provide for the health, safety, and welfare of minors, to conform to act of Congress regulating interstate commerce in products of child labor."

Sec. 8. The person authorized to issue an employment certificate shall be, and is hereby, authorized and empowered to make and prescribe, and from time to time to change and amend such rules and regulations not in conflict with this act, as he may deem necessary and proper to secure satisfactory evidence of the age of the child: *Provided, however,* That the evidence of the age required under such rules and regulations as to proof of age prescribed by any rules and regulations, and pursuant to the act of Congress entitled, 'An act to prevent interstate commerce in the products of child labor and for other purposes,' approved September one, nineteen hundred and sixteen. [Sic.]

Power to make rules.  
  
Standard.

ACT No. 428.—*Inspection of steam boilers.*

SECTION 1. The commissioner of labor of the State of Arkansas shall on the first day of April, nineteen hundred and seventeen, appoint one inspector of steam boilers. The person appointed shall be a practical boilermaker with not less than ten years' practical experience, and shall be qualified in the use and construction of boilers, generators, and their appurtenances used for the generation of steam for power, steaming or heating purposes, and shall be neither directly nor indirectly interested in the manufacture, ownership or agency of the same. The duties of said inspector shall be to inspect steam boilers throughout the State as hereinafter specified and directed. The inspector shall hold office for a term of two years from the date of appointment, and until his successor shall be appointed and qualified, and before entering on the duties of his office he shall give a good and sufficient bond in the sum of \$5,000 for the faithful performance of his duties, to be approved by the attorney general and deposited with the secretary of state. Said inspector shall receive an annual salary of \$2,000, to be paid monthly out of a fund as hereinafter provided, and shall be allowed all necessary traveling expenses; said expenses not to exceed \$1,000.

Inspector to be appointed.  
  
  
  
  
Bond.  
  
Salary.

SEC. 2. The inspector shall devote his time and attention to the duties of his office. He shall carefully inspect and test every boiler and steam-generating apparatus under pressure, as provided by this act, including all attachments and connections located within the State of Arkansas, once annually, and shall give the owner or user of any boiler five days' notice of the time he shall make such inspection: *Provided,* The boiler used on rice farms shall be inspected during the months of March, April, and May, and boilers used for ginning purposes shall be inspected during the months of June, July, and August: *Provided,* The owner or user of any steam boiler in the State of Arkansas [who] may insure such boiler in any reputable insurance company, and who shall desire to have an inspection made for the purpose of said insurance may give the said State boiler inspector ten (10) days' notice in writing of the time of such contemplated insurance, and it shall thereupon be the duty of said State steam-boiler inspector to cause the annual State inspection, by this act provided, to be made at the time that said examination for insurance is made. He shall examine into and report to the governor the cause of boiler explosions that occur within the State. He shall keep in his office a complete and accurate record of names of owners or users of steam boilers inspected, giving a full description of the same, the amount of pressure allowed and the date when last inspected, the kind and make of boilers, and shall make annual report to the governor.

Duties.

SEC. 3. It shall be the duty of every owner or user of a steam boiler or boilers, in use or to be used in any part of the State, within sixty days after the passage of this act, and each year thereafter at such convenient times, and in such manner and form

D u t y of owners, etc.

as may be determined by the rules and regulations to be therefore [therefor] made by the inspector, to report to the said inspector the location of such steam boiler or boilers. Strength and security of such boiler shall be treated [tested] by hydrostatic pressure, each boiler being tested one-quarter greater than the ordinary working steam pressure used and to a pressure demanded by the owner. The certificate of the inspection herein provided shall state the maximum pressure at which such boiler may be worked. If at any time the inspector shall find a boiler, in his judgment, unsafe after inspection of the same, he shall condemn its future use. All boilers to be tested by hydrostatic pressure shall be filled with water by the owner or user and pumps shall be furnished by the inspector, if necessary. All certificates shall be for one year unless sooner revoked for cause.

**Pressure.**

SEC. 4. The owner and user of steam boilers or engineers and firemen in charge of same shall not allow a greater pressure in any boiler than is stated in the certificate of inspection granted by the inspector.

**Notice of installation.**

Before the owner or user of any steam boiler or boilers shall have a boiler placed in position, he or they shall notify the inspector, who shall within ten days from the date of receiving such notifications, examine the same and satisfy themselves that the construction material, bracing, and all other parts of such boiler or boilers are such as to assure the safety of same. No person or persons shall use or cause to be used for generating steam in [sic] any boiler that has been condemned as unsafe by the inspector. Any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine in any sum not to exceed \$1,000, or by imprisonment for a period not exceeding two years, or by both fine and imprisonment.

**Violations.****Fees.**

SEC. 5. There shall be paid for the inspection of each boiler, according to the provisions of this act, the sum of \$3 to be paid by the owner, user or agent, of the same occupying the building in which it may be situated and the inspector shall receipt for same. In case the owner, user, or agent of any boiler or boilers to the inspector [sic] shall fail to report the location of any boiler or boilers to the inspector, he shall be liable to pay a penalty of \$50, and in case the owner, user, or agent of any such boiler or boilers shall fail to have some [same] ready for inspection, as aforesaid, he shall be liable to pay the fee and expenses of the inspector incurred in the inspection of boiler or boilers and a penalty of \$10 thereto in addition, fees, penalties and expenses in all such cases may be sued for recovery in any court of record by and in the name of the State of Arkansas and in any county of the State, and it shall be the duty of the prosecuting attorney of the district wherein such county may be situated to prosecute all such suits.

**Offenses by inspector.**

SEC. 6. The State boiler inspector of steam boilers provided for in this act who shall knowingly issue a certificate of safety, and a commission to run any such boiler or boilers that are not safe and in good condition, and for every failure to perform his duties as herein directed, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in the sum of not less than \$100 or by imprisonment for a period of not less than two months, or greater than one year, or by both fine and imprisonment.

**Access to boilers.**

SEC. 8. It is the duty of the owner or user or agent of steam boilers to allow the inspector free use and access to same.

**Scope of act.**

SEC. 9. The provisions of this act shall not apply to steam vessels, nor to boilers where the United States Government laws have jurisdiction, or to boilers used for house heating purposes using a pressure of 15 pounds or less.

Approved March 28, 1917.

CALIFORNIA.

ACTS OF 1917.

CHAPTER 52.—Labor on highways—Wages and hours.

SECTION 35. \* \* \* A maximum of eight hours shall constitute a day's labor and \$3 shall be the minimum charge paid for such day's labor performed upon the work of construction. Standards.

Approved April 5, 1917.

CHAPTER 74.—Factory etc. regulations.—Elevators.

SECTION 1. No power elevator or hand-power elevator, unless exempted in the following section, shall be operated in any place of employment in this State unless a permit, as hereinafter provided, for the operation thereof, shall have been issued by the industrial accident commission, and unless such permit shall remain in full force and effect. The operation of such elevator by any person owning or having the custody, management or operation of such elevator without such permit shall constitute a misdemeanor, and each day of operation of such elevator without such permit shall constitute a separate offense: *Provided*, That no prosecution shall be maintained where the issuance or renewal of such permit shall have been requested and shall remain unacted upon. Whenever any elevator in any place of employment is being operated without the permit herein required, and is in such condition that its use is dangerous to the life or safety of any employee, the industrial accident commission, a commissioner or any safety inspector thereof, or any person affected thereby may apply to the superior court of the county in which such elevator is located for an injunction restraining the operation of such elevator until such condition shall be corrected. Proof by certification of the said commission that such permit has not been issued, together with the affidavit of any safety inspector of the commission that the operation of such elevator is dangerous to the life or safety of any employee, shall be sufficient ground for the immediate granting of a temporary restraining order. Inspection required.

SEC. 2. Elevators under the jurisdiction of the United States Government, and all elevators operated by employers not subject to the safety provisions of the workmen's compensation, insurance and safety act of nineteen hundred and seventeen and acts amendatory thereof, are exempted from the provisions of this act. Exemptions.

SEC. 3. The industrial accident commission shall cause power elevators to be inspected, not less frequently than twice each year and hand-power elevators not less frequently than once each year. If such elevators shall be found upon such inspection to be in a safe condition for operation, a permit shall be issued by said commission for their operation for not longer than six months for a power elevator or longer than one year for a hand-power elevator, which shall be the permit referred to in section one. If such inspection shall show such elevator to be in an unsafe condition, the commission, or a commissioner, may issue a preliminary order requiring such repairs or alterations to be made to such elevator as may be necessary to render it safe, and may order the use of such elevator discontinued until such repairs or alterations are made or such unsafe conditions are removed. Unless such preliminary order be complied with, a hearing before the commission, a commissioner or referee of such commission shall be allowed, upon request, at which the owner, operator or other person in Times of inspection. Unsafe conditions.

charge of such elevator shall have opportunity to appear and show cause why he should not comply with said order. If it shall thereafter appear to the commission that such elevator is unsafe and that the requirements contained in said preliminary order should be complied with, or that other things should be done to make such elevator safe, the commission may order or confirm the withholding of the permit to operate such elevator and may make such requirements as it deems proper for its repair or alteration or for the correction of such unsafe conditions. Such order may thereafter be reheard by the commission or reviewed by the courts in the manner specified by the workmen's compensation, insurance and safety act of nineteen hundred and seventeen for safety orders, and not otherwise. If the operation of such elevator during the making of repairs or alterations is not immediately dangerous to the safety of employees, the commission may, in its discretion, issue a temporary permit for the operation of such elevator for not to exceed thirty days during the making of such repairs or alterations. Nothing contained in this act shall be construed as a limitation upon the authority of the commission to prescribe or enforce general or special safety orders.

Who inspect. may

SEC. 4. The commission may, in its discretion, cause the inspection herein provided for to be made either by its safety inspectors or by any qualified elevator inspector employed by an insurance company, or may issue its permit, based upon a certificate of inspection issued by qualified elevator inspectors of any municipality, upon proof to its satisfaction that the safety requirements of such municipality are equal to the minimum safety requirements for elevators adopted by the commission: *Provided*, That such persons making inspections shall first secure from the commission a certificate of competency to make such inspections. The commission is hereby vested with full power and authority to determine the competency of any applicant for such certificate, either by examination or by other satisfactory proof of qualifications. The commission may rescind at any time, upon good cause being shown therefor, any certificate of competency issued by it to an elevator inspector, or may at any time, upon good cause being shown therefor, and after notice and an opportunity to be heard, revoke any permit to operate such elevator. Nothing contained in this act shall be construed to limit the authority of the commission to prescribe or enforce general or special safety orders.

Fees.

SEC. 5. The commission may fix and collect such fees for the inspection of elevators as it may deem necessary, not to exceed \$2 for each inspection or \$4 per year for each elevator. Such fees must be paid before the issuance of any permit to operate such elevator. No fee shall be charged by the commission where an inspection has been made by an inspector of any insurance company or municipality, if such inspector holds a certificate of competency from said commission. All fees collected by the commission under this act shall be paid into the accident prevention fund.

Reports.

SEC. 6. Every inspector so certified shall forward to the commission, on the forms provided by it, within twenty-one days after such inspection is made, a report of such inspection, in default of which his certificate of competency may be canceled.

Approved April 6, 1917.

CHAPTER 108.—*Employees' bonds and photographs—Costs.*

Employer to pay costs.

SECTION 1. Whenever a bond or photograph of an employee or applicant for employment is required by any employer of labor said employer shall pay the cost of such bond or photograph.

Violations.

SEC. 2. Any person violating any provision of this act shall be guilty of a misdemeanor, punishable by a fine not less than \$25 nor exceeding \$500.

Enforcement.

SEC. 3. The commissioner of the bureau of labor statistics of the State of California shall enforce the provisions of this act.

Approved April 20, 1917.

CHAPTER 141.—*Coercion of employees in trading.*

SECTION 1. It shall be unlawful for any employer of labor, or any officer, agent or employee of any employer of labor to make, adopt or enforce any rule or regulation compelling or coercing any employee to patronize said employer, or any other person, firm or corporation, in the purchase of any thing of value: *Provided, however,* That nothing herein shall be interpreted as prohibiting any employer of labor from prescribing the weight, color, quality, texture, style, form and make of uniforms required to be worn by their employees. Coercion unlawful.

SEC. 2. Any person, whether as an individual, or as an agent or employee of a firm, or as an officer, agent or employee of a corporation, who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$100 or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment. Penalties.

Approved April 26, 1917.

CHAPTER 172.—*Employment of labor—Foremen, etc., accepting fees.*

SECTION 1. Any employer or agent or representative of an employer or other person having authority from his employer to hire, employ, or direct the services of other persons in the employment of said employer, who shall demand or receive directly or indirectly from any person then in the employment of said employer, any fee, gift or other remuneration or consideration, or any part or portion of any tips or gratuities received by such employee while in the employment of said employer, in consideration or as a condition of such employment or hiring or employing any person to perform such services for such employer or of permitting said person to continue in such employment, is guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$300 for such offense, or by imprisonment for not more than six months or by both fine and imprisonment. All fines imposed or collected under provision of this act shall be paid into the State treasury and credited to the contingent fund of the bureau of labor statistics. Acceptance forbidden.

SEC. 2. Nothing contained in this act shall be construed to apply to employment agencies or employment agents licensed and operating under the laws of the State of California. Penalty.

SEC. 3. This act shall be enforced by the commissioner of the bureau of labor statistics. Act construed.

SEC. 4. An act \* \* \* designated chapter fifty-six of the statutes of 1915 is hereby repealed. Enforcement. Repeal.

Approved May 5, 1917.

CHAPTER 177.—*Registration of factories, etc.*

SECTION 1. [This act amends section 1 of Chapter 255, Acts of 1913, by adding thereto the following:]

Whenever the commissioner of labor shall have been notified or otherwise becomes aware of the existence of a new factory, or factories, he shall forward a notification of said fact on or before the tenth day of each month to the State board of health and to the board of health or the health officer of the city and county wherein said factory or factories may be located. Duty of commissioner of labor.

Approved May 5, 1917.

CHAPTER 192.—*Employment of children—Closing schools in war emergency.*

SECTION 1. During the continuance of a state of war between the United States of America and any foreign power, the State board of education, with the approval of the governor, shall have power, When schools may be closed.

- whenever in the opinion of a majority of its members such step is necessary for the planting or harvesting of crops or for other agricultural or horticultural purposes and is for the welfare of the State, to make an order closing, for such time as may be specified therein, any or all educational institutions supported wholly or in part by the State, or any grade or class thereof, and may in like manner, by similar order, postpone the opening of any or all such educational institutions, or any grade or class thereof, during the continuance of a state of war: *Provided, however,* That the annual school term shall not be reduced to less than six school months under the provisions of this act: *And provided further,* That whenever any such educational institution is closed, or the opening thereof is delayed, under the provisions of this act, the salary of any teacher regularly employed shall be paid according to any written contract between the governing board of such educational institution and such teacher, or in case there is no written contract, according to any salary schedule adopted by such board. In case there is neither such contract or salary schedule, the total salary paid for any school year in which such order is made shall not be less than the salary paid by the governing board of such institution for similar service during the preceding school year. It is further provided that nothing herein contained shall in any manner affect the amount of money apportioned to any school district during any school year.
- Proviso.** SEC. 2. Such an order issued under the provisions of section one hereof may be made applicable to such district, city, city and county, county or group of any thereof as the State board of education may determine and specify therein, and may be altered, amended or rescinded from time to time.
- Scope, etc.** SEC. 3. Inasmuch as the United States is now involved in war, this act is hereby determined and declared to be an urgency measure necessary for the immediate preservation of the public peace and safety, within the meaning of section one of article four of the constitution and shall take effect immediately.
- Act in effect.**

Approved May 5, 1917.

CHAPTER 201.—*Railroads—Safety of employees—Powers of industrial accident commission.*

- Railroad repair shops.** SECTION 1. The industrial accident commission of the State of California is hereby vested with jurisdiction, as provided in the workmen's compensation, insurance, and safety act of one thousand nine hundred seventeen, and acts amendatory thereof, subject to the provisions of section three hereof, over the safety of employees of steam railroads employed in shops devoted to the construction or repair of railroad equipment; the safety of employees of electric interurban or street railroads, employed in the generation, transmission or distribution of electric energy, or in shops devoted to the repair of railroad equipment, or in any nonpublic utility operation of such railroads; and the safety of employees of all other public utilities as such utilities are defined in the public utilities act.
- Jurisdiction of railroad commission.** SEC. 2. The jurisdiction vested in the industrial accident commission of the State of California by section one hereof shall in no instance, except those affecting exclusively the safety of employees, be construed to impair, diminish or in any way affect the jurisdiction of the railroad commission of the State of California over the construction, reconstruction, replacement, maintenance, or operation of the properties of public utilities as defined in the public utilities act, or over any matter affecting the relationship between such public utilities and their customers or the general public.
- Orders may be modified.** SEC. 3. If the industrial accident commission, in the exercise of the authority and jurisdiction conferred by this act, makes or issues any order, decision, ruling or direction, which in the judgment of the railroad commission, unduly and prejudicially interferes with the construction or operation of any public utility

affected thereby, or with the public, or with a consumer or other patron of a public utility affected thereby, the railroad commission, of its own motion, or upon application of any utility or person so affected, may suspend, modify, alter or annul such order, decision, ruling or direction of the industrial accident commission, and the action of the railroad commission in that regard shall supersede and control the order, decision, ruling or direction of the industrial accident commission previously made in the premises.

SEC. 4. This act shall not be construed to repeal or modify the act entitled "An act regulating the placing, erection, use, and maintenance of electric poles, wires, cables, and appliances, and providing the punishment for the violation thereof," approved April twenty-second, nineteen hundred and eleven, as amended.

Approved May 9, 1917.

CHAPTER 202.—*Inspection, etc., of steam boilers.*

SECTION 1. No steam boiler, unless exempted in the following section, shall be operated in the State of California unless there shall have been issued for the operation of such boiler a permit, as hereinafter provided, and unless such permit shall remain in full force and effect. Such permit must be posted under glass in a conspicuous place on or near the boiler covered by it. The violation of this section by any person owning or having the custody, management, or operation of such boiler without such permit shall be a misdemeanor and the operation of such boiler without such permit shall constitute a separate offense for each day that it shall be so operated: *Provided*, That no prosecution shall be maintained where the issuance or renewal of such permit shall have been requested and shall remain unacted upon. If the operation of such boiler without such permit shall constitute a serious menace to the lives or safety of persons employed about it, the industrial accident commission, a commissioner or any safety inspector thereof, or any person affected thereby, may apply to the superior court of the county in which such boiler is situated for an injunction restraining the operation of said boiler until such condition shall be corrected or such permit secured. The certification of the industrial accident commission that no permit exists for the operation of such boiler, and the affidavit of any such inspector that its operation constitutes a menace to the life or safety of any person or persons employed about it, shall be sufficient proof to warrant the immediate granting of a temporary restraining order.

SEC. 2. The following boilers are exempt from the provisions of this act:

(1) Boilers under the jurisdiction or inspection of the United States Government, and all other boilers operated by employers not subject to the workmen's compensation, insurance, and safety act of nineteen hundred and seventeen, and acts amendatory thereof.

(2) Boilers of twelve horsepower or less, on which the pressure does not exceed fifteen pounds per square inch.

(3) Automobile boilers and boilers on road motor vehicles.

SEC. 3. The industrial accident commission shall cause to be inspected, internally and externally, not less frequently than once in each year, every steam boiler subject to the provisions of this act. If such boiler be found upon such inspection to be in a safe condition for operation, a permit shall be issued by the commission for its operation for not longer than one year, which shall be the permit referred to in section one of this act. If any such inspection shall show such boiler to be in an unsafe or dangerous condition, the commission, or a commissioner, may issue a preliminary order requiring such repairs or alterations to be made to such boiler as may be necessary to render it safe, and may order

the use of such boiler discontinued until such repairs or alterations are made or such dangerous or unsafe conditions are remedied. Unless such preliminary order be complied with, a hearing before the commission, a commissioner, or referee of such commission, shall be allowed, upon request, at which the owner, operator or other person in charge of said boiler shall have opportunity to appear and show cause why he should not comply with said order. If it shall thereafter appear to the commission that such boiler is unsafe and that the requirements contained in said preliminary order should be complied with, or that other things should be done to make said boiler safe, the commission may order or confirm the withholding of the permit to operate said boiler, and may make such requirements as it deems proper for the repair or alteration of said boiler, or the correction of such dangerous and unsafe conditions. Such order may thereafter be reheard by the commission, or reviewed by the courts, in the manner specified by the workmen's compensation, insurance, and safety act of nineteen hundred and seventeen for safety orders, and not otherwise. It may also, in its discretion, issue and renew temporary permits for not to exceed thirty days each, pending the making of replacements or repairs. Nothing contained in this act shall be construed to limit the authority of the commission to prescribe or enforce general or special safety orders.

**Who may inspect.** SEC. 4. The commission may cause the inspection herein provided for to be made either by its safety inspectors or by any qualified boiler inspector employed by any county, city and county, city, or insurance company, or by any boiler inspector employed by any person or corporation for the purpose of testing his own boilers only: *Provided*, That such persons making inspections other than such safety inspectors shall first secure from the said industrial accident commission a certificate of competency to make such inspections. The industrial accident commission is hereby vested with full power and authority to determine the competency of any applicants for such certificate, either by examination or by other satisfactory proof of qualifications. The commission may rescind at any time, upon good cause being shown therefor, any certificate of competency issued by it to a boiler inspector, or may at any time, upon good cause being shown therefor, and after notice and an opportunity to be heard, revoke any permit to operate such steam boiler.

**Fees.** SEC. 5. The industrial accident commission shall fix and collect fees for the inspection of steam boilers covered by this act, not exceeding \$2.50 for each external inspection and \$7.50 for each internal inspection per annum. Such fees must be paid before the issuance of any permit to operate the said boiler. No fee shall be charged by the industrial accident commission where an inspection, as herein provided, has been made by an inspector holding a certificate of competency from said commission and employed by any county, city and county, city, insurance company, or by any person or corporation for the purpose of testing his own boilers only. All fees collected by the commission under this act shall be paid into the accident prevention fund.

**Reports.** SEC. 6. Every inspector so certified shall forward to the commission on the forms provided by it, within twenty-one days after such inspection is made, a report of such inspection, in default of which the certificate of competency may be canceled.

Approved May 9, 1917.

#### CHAPTER 211.—Bureau of labor statistics.

**Act amended.** SECTION 1. Section nine of an act entitled "An act to establish and support a bureau of labor statistics," approved March third, eighteen hundred and eighty-three, is hereby amended to read as follows:

SEC. 9. The commissioner shall appoint two deputies who shall have the same power as said commissioner; an assistant deputy who shall reside in the county of Los Angeles; a statistician and chief examiner; a stenographer; and such agents or assistants as he may from time to time require, at such rate of wages as he may prescribe, and actual traveling expenses for each person while employed. He shall procure rooms necessary for offices in San Francisco, Los Angeles, Sacramento, San Diego, and in such other places as he may deem necessary, at a rent not to exceed the sum of \$400 per month.

Appointees, etc.

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

Approved May 10, 1917,

CHAPTER 227.—Occupational diseases—Reports.

[This act merely repeals chapter 485, Acts of 1911, which required reports of occupational diseases, this matter now being provided for in the general law as to the reporting of injuries.]

Repeal.

CHAPTER 229.—Mine regulations—Signals.

[This act merely repeals No. 2225, General Laws (Chapter 741, Acts of 1893); which provided a code of mine signals.]

Repeal.

CHAPTER 312.—Social insurance—Commission of investigation.

SECTION 1. The governor of the State of California is hereby authorized and requested to appoint a commission of seven persons, citizens of this State, to investigate and advise the legislature concerning the adoption of a system of social insurance. The commission shall report to the forty-third session of the legislature the details of any or all branches of a social insurance system it may deem advisable, and may recommend for adoption any measure or measures it deems expedient.

Commission authorized.

SEC. 2. The commission shall have power to subpoena witnesses and to enforce their attendance at any public hearings that may be held for the purpose of obtaining evidence of conditions bearing upon the establishment of any system of social insurance.

Powers.

SEC. 3. It shall be the duty of every person, firm, or corporation employing labor in this State to supply the commission, at its request, with any and all information from the books, reports, contracts, pay rolls, documents, or papers of such person, firm, or corporation which the commission may require to carry out the purposes of this act.

Duty of employers.

SEC. 4. The members of the commission shall serve without pay, but shall be reimbursed for traveling expenses incurred in connection with the work of the commission. The commission shall have power to employ an executive secretary and expert, clerical, and other assistants.

Expenses, etc.

SEC. 5. There is hereby appropriated out of the general fund, not otherwise appropriated, the sum of \$22,500, or any portion thereof, as may in the judgment of the commission be required for the purposes of this act. The sum of \$500 of said money may be drawn from the State treasury upon the approval of the State board of control without the submission of receipts, vouchers, or itemized statements to be used by the commission as a cash revolving fund to facilitate its work.

Appropriation.

Approved May 14, 1917.

CHAPTER 574.—Public employees—Semimonthly pay day.

SECTION 1. The wages of all employees of any county of the first or second class, whose compensation is based on a daily rate of payment, shall be paid at not less than two stated times in each calendar month, and at substantially equal intervals.

Scope of law.

**Violations.** SEC. 2. Any officer, employer, or agent of any county of the first or second class, or of any department or institution thereof, who fails, refuses or neglects to comply with the requirements of this act, in so far as the payments are prescribed or controlled by him, is guilty of a misdemeanor.

Approved May 22, 1917.

CHAPTER 575.—*Safety of employees—Electrical subways, etc.*

**Amendment.** [This act amends section 1 of chapter 500, Acts of 1911, by substituting for the words "the proper authorities," where they occur, the words "the railroad commission of the State of California." A new section is also added, as follows:]

**Powers of commission.** SECTION 5. The railroad commission of the State of California is hereby vested with the authority and power to inspect all work which is included in the provisions of this act, and to make such further additions or changes as said commission may deem necessary for the purpose of safety to employees and the general public, and the said railroad commission is hereby charged with the duty of seeing that all the provisions of this act are properly enforced.

Approved May 22, 1917.

CHAPTER 580.—*Employment of children—General provisions.*

**Amendments.** [This act amends section 14 of chapter 1611, General Laws, as amended by chapter 625, Acts of 1915, by substituting for the words, "drama or dramatic play," where they occur, the words, "drama, play, performance, concert, or entertainment"; also by striking out the last proviso.]

CHAPTER 582.—*Employment of women—Hours of labor.*

**Amendment.** [This act amends chapter 258, Acts of 1911, by limiting the time of employment in excess of eight hours in canneries, etc., to "such periods as may be necessary to harvest, cure, can, or dry said fruit, fish, or vegetable in order to save the same from spoiling."]

CHAPTER 586.—*Employment of labor—Provisions for safety—Powers of industrial accident commission.*

**Definitions.** SECTION 33. The following terms, as used in sections thirty-three to fifty-four, inclusive, of this act, shall, unless a different meaning is plainly required by the context, be construed as follows:

(1) The phrase "place of employment" shall mean and include every place, whether indoors or out or underground, or elsewhere, and the premises appurtenant thereto, where, either temporarily or permanently, any industry, trade, work or business is carried on, or where any process or operation directly or indirectly related to any industry, trade, work or business, is carried on, including all construction work, and where any person is directly or indirectly employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed solely in household domestic service, or any place of employment, concerning the safety of which jurisdiction may have been vested by law heretofore or hereafter in any other commission or public authority.

(2) The term "employment" shall mean and include any trade, work, business, occupation, or process of manufacture, or any method of carrying on such trade, work, business, occupation, or process of manufacture, including construction work, in which any person may be engaged, except where persons are employed solely in household domestic service.

(3) The term "employer" shall mean and include every person, firm, voluntary association, corporation, officer, agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

(4) The term "employee" shall mean and include every person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go to work or be at any time in any place of employment.

(5) The term "order" shall mean and include any decision, rule, regulation, direction, requirement or standard of the [industrial accident] commission or any other determination arrived at or decision made by such commission under the safety provisions of this act.

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

(7) The term "local order" shall mean and include any ordinance, order, rule or determination of any board of supervisors, city council, board of trustees or other governing body of any county, city and county, city, or any school district or other public corporation, or an order or direction of any other public official or board or department upon any matter over which the industrial accident commission has jurisdiction.

(8) The terms "safe" and "safety" as applied to an employment or a place of employment shall mean such freedom from danger to the life or safety of employees as the nature of the employment will reasonably permit.

(9) The terms "safety device" and "safeguard" shall be given a broad interpretation so as to include any practicable method of mitigating or preventing a specific danger.

SEC. 34. Every employer shall furnish employment which shall be safe for the employees therein and shall furnish a place of employment which shall be safe for employees therein, and shall furnish and use such safety devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life and safety of such employees. Safe places, etc.

SEC. 35. No employer shall require, permit or suffer any employee to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide, and use safety devices and safeguards or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees, and no such employer shall occupy or maintain any place of employment that is not safe. Provisions for safety.

SEC. 36. No employer, owner or lessee of any real property in this State shall construct or cause to be constructed any place of employment that is not safe. Construction.

SEC. 37. No employee shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee, including himself, in such employment, or place of employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of such employees. Removing safeguards.

SEC. 38. The [industrial accident] commission is vested with full power and jurisdiction over, and shall have such supervision of, every employment and place of employment in this State as may be necessary adequately to enforce and administer all laws Power of commission.

and all lawful orders requiring such employment and place of employment to be safe, and requiring the protection of the life and safety of every employee in such employment or place of employment.

Orders, etc.

SEC. 39. The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise:

(1) To declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render the employees of every employment and place of employment safe as required by law or lawful order.

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

(3) To fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe.

(4) To require the performance of any other act which the protection of the life and safety of employees in employments and places of employment may reasonably demand.

(5) To declare and prescribe the general form of industrial injury reports, the injuries to be reported and the information to be furnished in connection therewith, and the time within which such reports shall be filed. Nothing in this act contained shall be construed to prevent the commission from requiring supplemental injury reports.

Hearings.

SEC. 40. Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and issuing a general safety order or orders as authorized by section thirty-nine hereof, the commission shall cause a notice of such hearing to be published in one or more daily newspapers of general circulation published and circulated in the city and county of San Francisco, and also in one or more daily newspapers of general circulation published and circulated in the county of Los Angeles, such newspapers to be designated by the commission for that purpose. No defect or inaccuracy in such notice or in the publication thereof shall invalidate any general order issued by the commission after hearing had.

Special conditions.

SEC. 41. Whenever the commission, after a hearing had upon its own motion or upon complaint, shall find that any employment or place of employment is not safe or that the practices or means or methods or operations or processes employed or used in connection therewith are unsafe, or do not afford adequate protection to the life and safety of employees in such employment or place of employment, the commission shall make and enter and serve such order relative thereto as may be necessary to render such employment or place of employment safe and protect the life and safety of employees in such employment and place of employment and may in said order direct that such additions, repairs, improvements or changes be made and such safety devices and safeguards be furnished, provided and used, as are reasonably required to render such employment or place of employment safe, in the manner and within the time specified in said order.

Time for compliance.

SEC. 42. The commission may, upon application of any employer, or other person affected thereby, grant such time as may reasonably be necessary for compliance with any order, and any person affected by such order may petition the commission for an extension of time, which the commission shall grant if it finds such an extension of time necessary.

Investigations.

SEC. 43. Whenever the commission shall learn or have reason to believe that any employment or place of employment is not safe, or is injurious to the welfare of any employee it may, of its own motion, or upon complaint, summarily investigate the same,

with or without notice or hearings, and after a hearing upon such notice as it may prescribe, the commission may enter and serve such order as may be necessary relative thereto, anything in this act to the contrary notwithstanding.

SEC. 44. Every employer, employee and other person shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the commission in connection with the matters herein specified, or in any way relating to or affecting safety of employments or places of employment, or to protect the life and safety of employees in such employments or places of employment, and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation.

Compliance required.

SEC. 45. The orders of the commission, general or special, its rules or regulations, findings and decisions, made and entered under the safety provisions of this act, may be reviewed by the courts specified in section sixty-seven and sixty-eight of this act and within the time and in the manner therein specified and not otherwise.

Review.

SEC. 46. Nothing contained in this act shall be construed to deprive the board of supervisors of any county, or city and county, the board of trustees of any city, or any other public corporation or board or department, of any power or jurisdiction over or relative to any place of employment: *Provided*, That whenever the commission shall, by order, fix a standard of safety for employments or places of employment, such order shall, upon the filing by the commission of a copy thereof with the clerk of the county, city and county, or city to which it may apply, establish a minimum requirement concerning the matters covered by such order and shall be construed in connection with any local order relative to the same matter and to amend or modify any requirement in such local order not up to the standard of the order of the commission.

Powers of other bodies.

SEC. 47. The commission shall have further power and authority: (1) To establish and maintain museums of safety and hygiene in which shall be exhibited safety devices, safeguards and other means and methods for the protection of the life and safety of employees, and to publish and distribute bulletins on any phase of this general subject.

Museums.

(2) To cause lectures to be delivered, illustrated by stereopticon or other views, diagrams or pictures, for the information of employers and their employees and the general public in regard to the causes and prevention of industrial accidents, occupational diseases and related subjects.

Lectures.

(3) To appoint advisers who shall, without compensation, assist the commission in establishing standards of safety and the commission may adopt and incorporate in its general orders such safety recommendations as it may receive from such advisers.

Advisers.

SEC. 48. Every order of the commission, general or special, its rules and regulations, findings and decisions, made and entered under the safety provisions of this act shall be admissible as evidence in any prosecution for the violation of any of the said provisions and shall, in every such prosecution, be conclusively presumed to be reasonable and lawful and to fix a reasonable and proper standard and requirement of safety, unless, prior to the institution of the prosecution for such violation or violations, proceedings for a rehearing thereon or a review thereof shall have been instituted as provided in sections sixty-four to sixty-eight, inclusive, of this act and not then finally determined.

Orders as evidence.

SEC. 49. Every employer, employee or other person who, either individually or acting as an officer, agent or employee of a corporation or other person, violates any safety provision contained in sections thirty-four, thirty-five, thirty-six or thirty-seven of this act, or any part of any such provision, or who shall fail or refuse to comply with any such provision or any part thereof, or who, directly or indirectly, knowingly induces another so to do is guilty

Violations.

of a misdemeanor. In any prosecution under this section it shall be deemed prima facie evidence of a violation of any such safety provision, that the accused has failed or refused to comply with any order, rule, regulation or requirement of the commission relative thereto and the burden of proof shall thereupon rest upon the accused to show that he has complied with such safety provision.

Separate of  
fines.

Sec. 50. Every violation of the provisions contained in sections thirty-four, thirty-five, thirty-six or thirty-seven of this act, 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.

Fines

Sec. 51. All fines imposed and collected under prosecutions for violations of the provisions of sections thirty to fifty-four of this act shall be paid into the State treasury to the credit of the "accident prevention fund," which fund is hereby created. In addition to other sources of income of said accident prevention fund, the State compensation insurance fund shall pay into the said accident prevention fund, on or before the first Monday in July, nineteen hundred and eighteen, and annually thereafter, the sum of two per cent upon the amount of the gross premiums received by it upon its business done in this State during the preceding calendar year, less return premiums and reinsurance in companies or associations authorized to do business in this State, which payment is intended to be the equivalent of the taxes imposed upon private insurance companies by the laws of this State relating to revenue and taxation. The State compensation insurance fund shall also pay into the said accident prevention fund interest from September one, nineteen hundred and seventeen, at the rate of four per cent per annum, payable quarterly, upon the sum of \$100,000 heretofore advanced by the State to said State compensation insurance fund as long as the said fund shall retain the said sum of \$100,000. The commission is authorized to draw from said accident prevention fund toward the support of its department of safety. The commission shall submit from time to time to the State board of control an estimate of the amount it desires to withdraw from the accident prevention fund, and when such estimate shall be approved by the State board of control, the controller is directed to draw his warrant on said fund in favor of said commission for such amount, and the treasurer is authorized and directed to pay the same. The commission shall account to the State board of control and to the State controller for all moneys so received, furnishing proper vouchers therefor. The said accident prevention fund shall be a revolving fund.

Accident pre-  
vention fund.

Information  
confidential.

Sec. 52. It shall be unlawful for any member of the commission, or for any officer or employee of the commission, to divulge to any person not connected with the administration of this act any confidential information obtained from any person, concerning the failure of any other person to keep any place of employment safe, or concerning the violation of any order, rule or regulation issued by the commission. Any member of the commission or any officer or employee of the commission divulging such confidential information shall be guilty of a misdemeanor.

Reports  
of injuries.

Sec. 53. (a) Every employer of labor, without any exceptions, and every insurance carrier, and every physician or surgeon who attends any injured employee, is hereby required to file with the commission, under such rules and regulations as the commission may from time to time make, a full and complete report of every injury to an employee arising out of or in the course of his employment and resulting in loss of life or injury to such person. Such reports shall be furnished to the commission in such form and such detail as the commission shall from time to time prescribe, and shall make specific answers to all questions required by the commission under its rules and regulations. It shall be unlawful for any person, firm, corporation, agent or officer of a

firm or corporation, to fail or refuse to comply with any of the provisions of this section, and any such person, firm, corporation, agent or officer of a firm or corporation, who fails or refuses to comply with the provisions of this section shall be guilty of a misdemeanor for each and every offense and upon conviction thereof shall be punishable by a fine of not less than \$10 nor more than \$100. Any such employer or insurance carrier who shall furnish such report shall be exempt from furnishing any similar report or reports authorized or required under the laws of this State.

(b) Every employer or insurance carrier receiving from the commission any blanks with directions to fill out the same shall cause the same to be properly filled out so as to answer fully and correctly each question propounded therein; in case he is unable to answer any such questions a good and sufficient reason shall be given for such failure.

(c) No information furnished to the commission by an employer or an insurance carrier shall be open to public inspection or made public except on order of the commission, or by a commissioner or referee in the course of a proceeding. Any officer or employee of the commission who, in violation of the provisions of this subsection, divulges any such information shall be guilty of a misdemeanor.

Sec. 54. (a) The commission shall investigate the cause of all industrial injuries occurring within the State in any employment or place of employment, or directly or indirectly arising from or connected with the maintenance or operation of such employment or place of employment, resulting in disability or death and requiring, in the judgment of the commission, such investigation; and the commission shall have the power to make such orders or recommendations with respect to such injuries as may be just and reasonable: *Provided*, That neither the order nor the recommendation of the commission shall be admitted as evidence in any action for damages or any proceeding to recover compensation, based on or arising out of such injury or death.

Investigations.

(b) For the purpose of making any investigation which the commission is authorized to make under the provisions of this section, or for the purpose of collecting statistics or examining the provision made for the safety of employees, any member of the commission, inspector, referee or other person designated by the commission for that purpose, may enter any place of employment.

(c) Any employer, insurance carrier, responsible agent or employee of such employer or insurance carrier, or any other person who shall violate or omit to comply with any of the provisions of this section, or who shall in any way obstruct or hamper the commission, any commissioner or other person conducting any investigation, authorized to be undertaken or made by the commission, shall be guilty of a misdemeanor.

Approved May 23, 1917.

CHAPTER 614.—*Accident insurance—Provisions in policies.*

SECTION 1. On and after the first day of January, nineteen hundred and eighteen, no policy of insurance against loss or damage from the sickness, or the bodily injury or death of the insured by accident shall be issued or delivered to any person in this State until a copy of the form thereof and of the classification of risks, if more than one class of risks is written and the premium rates pertaining thereto have been filed with the commissioner of insurance; \* \* \*

Forms to be filed.

Sec. 3. Every such policy so issued shall contain certain standard provisions, which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption, "Standard provisions." In each such standard provision wherever the word "insurer" is used, there shall be substituted therefor "company" or "corporation" or "association" or "so-

Standard provisions.

ciety" or such other word as will properly designate the insurer. Said standard provisions shall be:

(1) A standard provision relative to the contract which may be in either of the following two forms: Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation, and form (B) to be used in policies which do so provide. If form (B) is used and the policy provides indemnity against loss from sickness, the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured."

(A) 1. This policy includes the indorsements and attached papers, if any, and contains the entire contract of insurance. No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation.

(B) 1. This policy includes the indorsements and attached papers, if any, and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation.

\* \* \* \* \*

**Exemptions.** SEC. 11. Nothing in this act, however, shall apply to or affect any policy or liability of workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, copartnership, association, or individual employer, police or fire department, underwriters' corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy.

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Approved May 26, 1917.

CHAPTER 689.—*Strikes—Use of home defense guard.*

**Guard.** SECTION 1. There is hereby created a State defense guard

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**Term.** SEC. 9. This act shall be in force and effect only during the existence of war between the United States and any foreign nation.

**Not to be used, when.** SEC. 10. The State defense guard shall not be used in connection with strikes or other industrial disputes.

Approved May 28, 1917.

CHAPTER 747.—*Employment of labor—Service letters.*

**Letter to be furnished.** SECTION 1. Every public utility corporation shall, upon request therefor made to it by any employee thereof leaving its service, give to such employee a letter covering and stating the period during which such service was and kind of service rendered to such corporation by such employee.

**Violations.** SEC. 2. Every public utility corporation violating the provisions of this act shall, for each offense, suffer a fine of not less than \$25, nor more than \$100; which fine shall be collected by the district attorney of the county in which such corporation has its principal place of business.

Approved June 1, 1917.

CHAPTER 755.—*Homes for working men—State land settlement board.*

SECTION 1. The legislature believes that land settlement is a problem of great importance to the welfare of all the people of the State of California and for that reason through this particular act endeavors to improve the general economic and social conditions of agricultural settlers within the State and of the people of the State in general.

Basis of act

SEC. 2. With the object of promoting closer agricultural settlement, assisting deserving and qualified persons to acquire small improved farms, providing homes for farm laborers, increasing opportunities under the Federal farm-loan act, and demonstrating the value of adequate capital and organized direction in subdividing and preparing agricultural land for settlement, there is hereby created a State land settlement board to consist of five members appointed by the governor to hold office for a term of four years and until their successors have been appointed and shall have qualified; \* \* \*

Purpose.

Board created.

The members of the board shall receive a per diem for each meeting attended, to be fixed by the State board of control with the approval of the governor; they shall also receive their actual, necessary traveling expenses in the discharge of their duties.

The board shall elect its own chairman and secretary. The secretary may or may not be a member of the board. The board shall appoint a superintendent who shall be the general executive officer of the board, and such expert, technical and clerical assistance as may prove necessary, and shall define their duties. It shall fix the salaries of all officers and other employees, with the approval of the State board of control.

SEC. 3. The State land settlement board, hereinafter called the board, shall constitute a body corporate with the right on behalf of the State to hold property, receive and request donations, sue and be sued, and all other rights provided by the constitution and laws of the State of California as belonging to bodies corporate.

Status.

Three members of the board shall constitute a quorum and such quorum may exercise all the power and authority conferred on the board by this act.

SEC. 4. For the purpose of this act the board may in the manner hereinafter provided acquire on behalf of the State agricultural lands in California that are susceptible of intensive culture and suitable for colonization in an area of not more than ten thousand acres, together with any water rights and rights of way desirable or necessary therefor, and shall without delay improve, subdivide, and sell such lands with appurtenant water rights to approved bona fide settlers under the conditions and in the manner hereinafter provided: *Provided*, That, with the approval of the governor, the board shall have the authority to set aside for town-site purposes a suitable area purchased under the provisions of this act and to subdivide such area and sell or lease the same for cash, in lots of such size, and with such restrictions as to resale, as, with the approval of the governor, they shall deem best: *And provided further*, That the board shall have authority so set aside and dedicate to public use such area or areas as it may deem desirable for roads, schoolhouses, churches, or other public purposes.

Powers.

SEC. 5. Whenever the board believes that private land should be purchased for settlement under this act, it shall give notice by publication in one or more newspapers of general circulation in this State, setting forth the area and character of the land desired and the conditions that shall govern such proposed purchase, and inviting owners of lands believed to be suitable, and who are willing to enter into a contract for the sale of such lands on the conditions proposed, to submit such lands for inspection.

Purchase of private lands.

- Board to control.** **Sec. 10.** All purchases of land under this act shall be made under such terms and conditions as shall give to the board full control of any subdivisions thereof until all moneys advanced by the State for the purchase, improvement, or equipment of such subdivisions are fully repaid, together with interest thereon as herein provided.
- Subdivisions.** **Sec. 11.** Immediately upon taking possession of any land purchased as above, and after deducting any areas to be set aside for town sites or public purposes in accordance with section four of this act, the board shall subdivide it into areas suitable for farms and farm laborers' allotments, and lay out, and where necessary, construct roads, ditches, and drains for giving access to and insuring the proper cultivation of the several farms and allotments. The board, prior to disposing of it to settlers, or at any time after such land has been disposed of, but not after the end of the fifth year from the commencement of the term of the settler's purchase contract, may—
- Improvements.** (a) Prepare all or any part of such land for irrigation and cultivation;
- (b) Seed, plant or fence such land, and cause dwelling houses and outbuildings to be erected on any farm allotment or to make any other improvements not specified above necessary to render the allotment habitable and productive in advance of or after settlement, the total cost of such dwellings, outbuildings, and improvements not to exceed \$1,500 on any one farm allotment;
- (c) Cause cottages to be erected on any farm laborer's allotment and provide a domestic water supply, the combined cost of the cottage and water supply not to exceed \$800 on any one farm laborer's allotment;
- (d) Make loans to approved settlers on the security of stock and farm implements, such loans to be secured by mortgage or mortgages on such stock or farm implements, and the total amount of any such loan, together with money spent by the board on improvements as above specified, not to exceed \$3,000 on any one farm allotment.
- Irrigation works.** **Sec. 12.** Authority is hereby granted to the board, where deemed desirable, to operate and maintain any irrigation works constructed to serve any lands purchased and sold under the provisions of this act. All moneys received in tolls or charges for the operation and maintenance of any works or for any water supplied therefrom, shall be deposited in the land settlement fund created by this act and shall become available for the payment of any costs, expenses, or other charges authorized in this act to be paid from said land settlement fund.
- Leasing.** **Sec. 13.** After the purchase of land by the board under the provisions of this act and before its disposal to approved bona fide applicants the board shall have authority to lease such land or a part thereof on bonded or secured lease on such terms as it shall deem fit.
- Allotments.** **Sec. 14.** Lands disposed of under this act, other than lands set aside for town sites or public purposes, shall be sold either as farm allotments, each of which shall have a value not exceeding, without improvements, \$15,000, or as a farm laborer's allotments, each of which shall have a value not exceeding, without improvements, \$400. Before any part of an area is thrown open for settlement there shall be public notice thereof for thirty days in one or more daily newspapers of general circulation in the State, setting forth the number and size of farm allotments or farm laborer's allotments, or both, the prices at which they are offered for sale, the minimum amount of capital a settler will be required to have, the mode of payment, the amount of cash payment required, and such other particulars as the board may think proper, and specifying a definite period within which applications therefor shall be filed with the board on forms provided by the board. The board shall have the right in its uncontrolled discretion to reject any or all applications it may see fit and may readvertise as aforesaid as

often as it sees fit until it receives and accepts such number of applications as it may deem necessary.

SEC. 15. Any citizen of the United States, or any person who has declared his intention of becoming a citizen of the United States, and who is not the holder of agricultural land or of possessory rights thereto to the value of \$15,000, and who by this purchase would not become the holder of agricultural land or of possessory rights thereto exceeding such value, and who is prepared to enter within six months upon actual occupation of the land acquired, may apply for and become the purchaser of either a farm allotment or a farm laborer's allotment: *Provided*, That no more than one farm allotment or more than one farm laborer's allotment shall be sold to any one person: *Provided, further*, That no applicant shall be approved who shall not satisfy the board as to his or her fitness successfully to cultivate and develop the allotment applied for.

Who may purchase.

SEC. 16. Within ten days after the final date set for receiving applications for either farm allotments or farm laborer's allotments the board shall meet to consider the applications, and may request applicants to appear in person: *Provided*, That the board shall have the power and the uncontrolled discretion to reject any or all applications.

Applications to be considered.

SEC. 17. The selling prices of the several allotments into which lands purchased under this act are subdivided, other than those set aside for town-site and public purposes, shall be fixed by the board, so as to render such allotments as nearly as possible equally attractive, and calculated to return to the State the original cost of the land, together with a sufficient sum added thereto to cover all expenses and costs of surveying, improving, subdividing, and selling such lands, including the payment of interest, and all costs of engineering superintendence, and administration, including the cost of operating any works built, directly chargeable to such land, and also the price of so much land as shall on subdivision be used for roads and other public purposes, and also such sum as shall be deemed necessary to meet unforeseen contingencies.

Prices.

SEC. 18. Every approved applicant shall enter into a contract of purchase with the board, which contract shall among other things provide that the purchaser shall pay as a cash deposit a sum equal to five per cent of the sale price of the allotment and in addition not less than ten per cent of the cost of any improvements made thereon, and, unless prepared to pay one-half of the purchase price in cash, such applicant shall enter into an agreement to make an immediate application for a loan from the Federal farm loan bank under the provisions of the Federal farm loan act for an amount equal to fifty per cent of the appraised value of the land and twenty per cent of the value of the improvements thereon, and shall pay the amount of any loan so made to the board as a partial payment on such land and improvements. The balance due on the land shall be paid in amortizing payments extending over a period to be fixed by the board not exceeding forty years, together with the interest therefor at the rate of five per cent per annum. The amount due on improvements shall be paid in amortizing payments extending over a period to be fixed by the board not exceeding twenty years together with interest thereon at the rate of five per cent per annum. The repayment of loans made on live stock or implements shall extend over a period to be fixed by the board not exceeding five years: *Provided, however*, In each case, that the settler shall have the right on any installment date after five years from the first payment, but not before, to pay any or all installments still remaining unpaid.

Contracts.

SEC. 19. The number and amount of yearly or half yearly installments of principal and interest to be paid to the board under contracts of purchase shall be calculated according to any table adopted or approved by the Federal farm loan board.

Installments.

SEC. 20. Every contract entered into between the board and an approved purchaser shall contain among other things provisions that the purchaser shall cultivate the land in a manner to be ap-

Provisions of contracts.

proved by the board and shall keep in good order and repair all buildings, fences, and other permanent improvements situated on his allotment, reasonable wear and tear, and damage by fire excepted. Each settler shall, if required, insure and keep insured against fire all buildings on his allotment, the policies therefor to be made out in favor of the board and to be such amount or amounts and in such insurance companies as may be prescribed by the board.

**Transfers restricted.**

SEC. 21. No allotment sold under the provisions of this act shall be transferred, assigned, mortgaged, or sublet in whole or in part, within five years after the date of such contract without the consent of the board given in writing. At the expiration of five years after the purchase of an allotment, if the board is satisfied that all covenants and conditions of the contract covering such allotment purchase have been complied with, the purchaser may, with the written consent of the board, transfer, assign, mortgage, sublet, or part with the possession of the whole or any part of the allotment covered by such contract.

**Contracts may be canceled.**

In the event of a failure of a settler to comply with any of the terms of his contract of purchase and agreement with the board, the State and the board shall have the right at its option to cancel the said contract of purchase and agreement and thereupon shall be released from all obligation in law or equity to convey the property and the settler shall forfeit all right thereto and all payments theretofore made shall be deemed to be rental paid for occupancy. The failure of the board or the State to exercise any option to cancel for any default shall not be deemed as a waiver of the right to exercise the option to cancel for any default thereafter on the settler's part. But no forfeiture so occasioned by default on the part of the settler shall be deemed in any way, or to any extent, to impair the lien and security of the mortgage or trust instrument securing any loan that it may have made as in this act provided. The board shall have the right and power to enter into a contract of purchase for the sale and disposition of any land forfeited as above provided, because of default on the part of the settler.

**Residence.**

SEC. 23. Actual residence on any allotment sold under the provisions of this act shall commence within six months from the date of the approval of the application and shall continue for at least eight months in each calendar year for at least ten years from the date of the approval of the said application, unless prevented by illness or some other cause satisfactory to the board: *Provided*, That in case any farm allotment disposed of under this act is returned to and resold by the State, the time of residence of the preceding purchaser may in the discretion of the board be credited to the subsequent purchaser.

**Eminent domain.**

SEC. 24. The power of eminent domain shall be exercised by the State at the request of the board for the condemnation of water rights and rights of way for roads, canals, ditches, dams, and reservoirs necessary or desirable for carrying out the provisions of this act, and on request of the board the attorney general shall bring the necessary and appropriate proceedings authorized by law for such condemnation of said water rights or rights of way, and the cost of all water rights or rights of way so condemned shall be paid out of the land settlement fund hereinafter provided for. The board shall have full authority to appropriate water under the laws of the State when such appropriation is necessary or desirable for carrying out the purposes of this act.

**Appropriation.**

SEC. 25. For the purpose of carrying out the provisions of this act the sum of \$260,000 is hereby appropriated out of any moneys in the State treasury not otherwise appropriated. Of this amount, the sum of \$250,000 shall constitute a revolving fund to be known as the "land settlement fund," which is calculated to be returned to the State with interest at the rate of four per cent per annum within a period of fifty years from the date of the passage of this act. The remaining \$10,000 shall constitute a fund available for

the payment of administrative expenses alone until such time as other moneys are available for such purposes from the sales of land as provided for in this act. The State controller is hereby authorized and directed to draw warrants upon such funds from time to time upon requisition of the board approved by the State board of control, and the State treasurer is hereby authorized and directed to pay such warrants.

SEC. 26. The State board of control is hereby authorized to provide for advances of money to the board needed to meet contingent expenses to such an amount not exceeding \$5,000 as the said board of control shall deem necessary.

Advances.

SEC. 27. The money paid by settlers on lands, improvements, or in the repayment of advances, shall be deposited in the land settlement fund and be available under the same conditions as the original appropriation for the following purposes:

Revolving fund.

(a) Making improvements on land being prepared for settlement;

(b) Making advances to settlers; and

(c) Completing payments on lands purchased: *Provided*, That when these expenditures on an area of ten thousand acres shall have been completed, then all moneys received shall be paid into the State treasury and used to reimburse the State for the land settlement fund created by this act.

SEC. 28. The board with the approval of the governor shall have authority to make all needed rules and regulations for carrying out the provisions of this act.

Rules.

SEC. 29. The board is hereby authorized to investigate land settlement conditions in California and elsewhere and to submit recommendations for such legislation as may be deemed by it necessary or desirable.

Recommendations.

Approved June 1, 1917.

CHAPTER 766.—*Wiping rags for machinery, etc.*

SECTION 1. Section three of an act \* \* \* approved April twenty-five, nineteen hundred and thirteen, [chapter eighty-one, Acts of Nineteen hundred and thirteen], is hereby amended to read as follows:

Act amended.

SEC. 3. Any person or corporation who shall wash, cleanse or launder soiled rags or soiled cloth material for wiping rags by the same machinery or appliances by which clothing and articles for personal wear or household use are laundered, shall be guilty of a misdemeanor.

Washing.

Approved June 1, 1917.

CHAPTER 784.—*Railroads—Safety provisions—Resolutions.*

SECTION 1. Every railroad corporation, or receiver or lessee thereof, operating any line of railroad in this State by steam locomotives, shall within one year after the passage of this act or within such additional time as may be prescribed by order of the railroad commission of California after such railroad or receiver, or lessee thereof has made a proper showing of its inability to comply therewith, equip all steam locomotives used or to be used in the hauling or propelling of trains over said railroad with a bell ringer apparatus or device, which apparatus or device when set in operation will ring and continue to ring the locomotive bell automatically, such apparatus or device being so constructed that it may be set in operation from either or both sides of the locomotive cab.

Bell ringers to be installed.

SEC. 2. Any railroad company, receiver or lessee thereof, operating any line of railroad within this State by steam locomotives, violating the provisions of this act shall be punished by a fine of not less than \$100 or more than \$1,000 for each offense.

Violations.

Approved June 1, 1917.

## RESOLUTIONS.

CHAPTER 57.—*Health insurance.*

**Amendment to constitution.** The legislature of the State of California \* \* \* hereby proposes an amendment to the constitution of the State of California by adding to article twenty thereof a new section, to be numbered section twenty-two, to read as follows:

**Policy of State.** SEC. 22. It is hereby declared to be the policy of the State of California to make special provision for the health and welfare and the support during illness of any and all persons, and their dependents, whose incomes, in the determination of the legislature, are not sufficient to meet the hazards of sickness and disability, and for the general industrial welfare of this connection. The legislature may establish a health insurance system applicable to any or all such persons, and for the financial support of such system may provide for contributions, either voluntary or compulsory, from each of the following—namely, from such persons, from employers, and from the State by appropriations.

**Health insurance authorized.**

The legislature may confer upon any commission or court, now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section.

The provisions of this section shall not be controlled or limited by any other provision of this constitution, except the provisions thereof, relating to the passage and approval of acts by the legislature and to the referendum thereof.

Filed with Secretary of State May 4, 1917.

## ORDERS OF THE INDUSTRIAL ACCIDENT COMMISSION.

*Wages and hours of labor in canneries.*

**Amendments.** [An order dated April 16, 1917, amends the order of February 14, 1916 on this subject (see Bulletin No. 213, p. 29). The minimum piece rate for cutting apricots is fixed at 25 cents per 100 pounds or 10 cents for 40 pounds, instead of 22½ cents per 100 pounds or 9 cents for 40 pounds. A rate is fixed for the sorting of asparagus, not found in the earlier order, the rate being 13 cents per 100 pounds or 6 cents for 46 pounds. A new section No. 2 is added as follows:]

**Piece rates.** 2. Upon the preparation and canning of all varieties of fruits and vegetables upon which no piecework rates have been fixed by the commission, piecework rates may be fixed by the individual establishments: *Provided, however,* That these rates are sufficient to yield to at least eighty per centum of the women and minors employed hourly earnings of 16 cents or more. Licenses may be issued by the commission to women physically disabled, by age or otherwise, which will exempt them from being considered in making up the required eighty per centum.

Application for licenses may be made to the commission.

[Old section No. 2 becomes No. 3 and is not changed. Old sections Nos. 3 and 4 become Nos. 4 and 5, and are amended to read as follows:]

**Hours.** 4. 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 nine hours in any one day, or six days in any one week, except in case of emergency: *Provided, however,* 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.** 5. No person, firm or corporation shall employ or suffer or permit any woman or minor to work in case of emergency at a wage less than one and one-fourth times the foregoing time or piece rates.

Emergency work shall be all work performed by any woman or minor in excess of nine hours in any one day, or all work performed by any woman or minor in excess of six calendar days in any one week: *Provided, however,* That all work in excess of twelve hours in any twenty-four hours shall be paid for at not less than double the foregoing time and piece rates: *And be it provided, further,* That upon the preparation and canning of all varieties of fruits and vegetables upon which no minimum piece rates have been fixed by the commission, not less than one and one-fourth times the prevailing rate shall be paid on all emergency work up until twelve hours, and all such work in excess of twelve hours in any twenty-four hours shall be paid for at not less than double the prevailing rate.

[Old section No. 5 is stricken out. Sections 6 and 7 retain their numbers, and are unchanged, except that in section 6 the word "and" between the words "women" and "minors," where first used, is changed to "or."]

Amendment.

*Sanitary conditions in canneries.*

[The order of February 14, 1916, under this head (see Bulletin No. 213, pp. 30-32), is amended by an order of April 16, 1917. The last sentence of paragraph numbered (3) is changed to read as follows:]

Where floors are wet and women are required by their work to walk over or stand upon them, wooden racks or gratings of an adequate height shall be provided at such points. Wherever the floor at the working point is of cement, tile, brick or similar material, suitable wooden racks or gratings shall be provided for the women to stand upon.

Wet floors.

[Paragraphs numbered (7), (8), and (9) are changed to read as follows:]

(7) The floors of every toilet room hereafter installed, and the side walls to a height of not less than six inches, shall be constructed with sanitary base and of material, other than wood, which is impervious to moisture and which has a smooth surface. This material shall be marble, asphalt, Portland cement, with admixture of approved waterproofing material, tile, glazed brick or other approved waterproof material. The angle formed by the floor and the base shall be coved. Wooden floors will be permitted in existing installations, if kept well painted with a non-absorbent paint.

Floors.

(8) All walls of toilet rooms and water-closet compartments, unless constructed of marble, cement-plaster, tile, glazed brick, or other glazed material, or concrete with admixture of waterproofing material, shall be kept covered with a nonabsorbent light-colored paint, or other impervious compound.

Walls.

(9) Every water-closet shall be in a separate compartment which must not be less than twenty-seven inches wide and provided with a door. The door shall, if possible, be arranged to open outward only, and in any position of the door there shall be at least eighteen inches clearance between the front edge and any part of the door.

Water closets.

[Paragraph numbered (12) is amended by striking out the words "or of first quality cast iron, porcelain enameled inside and out." Paragraph (13) is amended by adding on the end thereof the words, "and shall not be provided with a cover." A new paragraph numbered (15) is added, and succeeding paragraphs are advanced one number and amended in various respects, with the exception of paragraph (22), which becomes paragraph (23) and is not changed. Paragraphs 15 to 22, inclusive, are reproduced herewith.]

Amendments.

(15) Sanitary napkins shall be readily obtainable at a reasonable price, and a metal receptacle with a hinged cover in which napkins may be deposited shall be provided in each toilet room.

Napkins.

- Rooms, etc., to be washed.** (16) All toilet rooms and lavatories shall be kept clean and the floors shall be washed and scrubbed daily. The bowls and seats of water-closets and all wash basins, bowls and sinks shall be scrubbed at least once a day.
- Drinking water.** (17) Each place of employment shall be equipped 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 of an approved design must be installed. Drinking fountains shall be kept in a sanitary condition and shall be of such design that it is impossible to place the lips in contact with the orifice from which the jet or [of] water issues, or for the supply orifice to become submerged by the waste water. The water supply of drinking fountains shall be so regulated and maintained that a jet of at least two inches in height shall be constantly available.
- Washing facilities.** (18) There shall be adequate washing facilities provided as hereinafter specified. A sufficient number of washbowls or sink space shall be located either within the toilet room or adjacent to the toilet room and in the direct route between the toilet rooms and the work place. Any wash sinks or bowls not so located shall be installed in an approved location.
- Numbers.** (19) At least twenty lineal inches of sink space with one water supplied faucet shall be supplied for each twenty women employed, or majority fraction thereof, based on the maximum number of women employed at one time, except that one washbowl shall be considered the equivalent of twenty inches of sink space. Every washbowl or sink shall be of vitreous china, enameled iron, or other approved material impervious to water, and if used on one side only shall be not less than twelve inches wide inside measurement, or if used on both sides, not less than twenty-two inches inside measurement. Self-closing faucets shall not be used except where wash basins or bowls are provided. Sufficient soap and individual or paper towels shall be supplied. Common towels will not be permitted.
- Soap and towels.**
- Dressing rooms.** (20) A suitable room shall be provided where women may change their clothing in privacy and comfort. A sufficient number of approved lockers shall be provided, and if general access to the lockers is permitted they must be fitted with individual locks and keys, or such other provision as will insure the safety of the womens' belongings.
- Cost, etc.** There shall also be provided at least one couch, bed or cot; where more than forty and less than one hundred women are employed, two shall be provided, and thereafter, at least one for every additional two hundred and fifty women employed.
- Stretchers.** There shall also be one stretcher for use in case of accident or illness, except that where one of the above required couches, beds or cots is a cot of a type suitable for use as a stretcher, a separate stretcher need not be provided. Where these couches, beds or cots are not placed in a separate room they shall be placed in the locker or dressing room and protected from direct observation by a suitable screen, and the first aid kit shall be kept adjacent to them.
- Time for meals.** (21) 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.
- If work is to be continued through the evening, every woman and minor shall be entitled to at least one hour for the evening meal.
- (22) (Applying to new installations only, until March, 1918, when it becomes generally effective.)
- Seats.** Seats shall be provided at the work table for each and every woman or minor employed, and such seats shall be capable of substantially the same whether seated or standing. Work tables that the position of the worker relative to the work table shall be substantially the same whether seated or standing. Work tables

(cutting and canning tables, sorting belts, etc.) shall be of such dimensions and design that there are no physical impediments to efficient work in either sitting or a standing position, and one or more foot rests of proper height shall be provided. New installations are to be approved by the commission.

*Logging and sawmill safety orders.*

[Orders under this head were issued effective March 15, 1917, being orders Nos. 501 to 511, inclusive. These orders are given the following titles: 501, donkey boilers; 502, donkey engines; 503, donkey engine signals; 504, lines and blocks; 505, log landings; 506, logging railroads; 507, steam locomotives; 508, logging cars; 509, rules governing train operation; 510, tools; 511, sawmills.

On account of their technicality and the limited field covered by these rules, they are not reproduced.]

Summary.



## COLORADO.

### ACTS OF 1917.

#### CHAPTER 45.—*Mine regulations—Inspection.*

[This act amends several sections of the coal mining code, chapter 56, Acts of 1913.]

Section 21 is amended by increasing the salary of the chief inspector from \$3,000 to \$4,000. Amendments.

Section 29 is amended by increasing the salaries of the deputy inspectors from \$2,100 to \$2,700.

Section 37 is amended by striking out from the list of subjects to be included in the inspector's annual report to the governor the items as to accidents other than fatal and the amount of compensation paid on account of injuries or death.

Section 40 is amended so as to read as follows:]

SEC. 40. The board of examiners mentioned in section four of this act, shall meet at places selected by them, immediately after the taking effect of this act, and every two years or oftener, if necessary, thereafter at places designated by the board, for the purpose of examining persons for the following positions: Company mine examiners, mine foremen, assistant mine foremen and fire-bosses; and to issue certificates of competency for same. The certificates of competency herein provided shall be issued to any person who shall satisfactorily pass such examination, written or oral, as may be prescribed by the board, and who shall satisfy the board that he shall have had at least five years' experience in coal mines situated in the United States of America, and, also, that he shall have worked in underground positions in coal mines in Colorado for at least one year immediately prior to the date such examination is given. The board of examiners shall file, in the chief inspector's office, a list of names of successful candidates. Shot firers shall pass an examination to be given by the chief inspector or deputy inspector on occasions when either of these officials shall be present at the mine where the applicant for the position of shot firers is employed: *Provided*, That when there is no certificated shot firer at any mine employing shot firers the mine foreman and fire boss may examine any applicant as to his fitness to fill the position of shot firer and, having been satisfied of such fitness, may employ him in that capacity until the next visit of the chief or deputy inspector. Examinations to be held.

[Section 62 is amended to read as follows:]

SEC. 62. The mine foreman shall direct at what hours blasting shall be done in the mine, but not so as to conflict with the provisions of this act, and a notice of the time shall be posted in a conspicuous place at the mine and a copy of the notice shall be kept on file at the mine office. Blasting.

[Section 66 is amended by adding thereto the following sentence:]

Any such dangerous condition [due to water, gas, or fire] found to exist shall be removed if possible or made safe as soon as possible. Conditions to be remedied.

[Section 75 is amended by adding to the items on which the fire boss is to report, "the approximate amount of any explosive gas found."

Section 80 is amended by adding a proviso, so as to read as follows:]

**Emergency service.** SEC. 80. Nothing in this act shall prevent a mine foreman or an assistant mine foreman from acting as fire boss, or a regularly employed fire boss in an emergency as assistant mine foreman: *Provided, however,* That in mines where explosive gas has been detected, only officials holding first-class certificates shall be eligible to act as fire boss.

**Amendments.** [Section 127 is amended by exempting automatic doors from the requirement that attendants shall be stationed at doors in haulage ways.

Section 129 is amended by adding the requirement that fans shall be equipped with "a water gauge, to be kept in constant use where and when weather conditions will permit."

Section 133 is amended so as to read as follows:]

**Safety lamps.** SEC. 133. In coal mines or parts of coal mines generating explosive gases and believed by the chief inspector to be unsafe for the use of open or naked lights, the chief inspector may, after January one, nineteen hundred and eighteen, require the owner to use either electric or safety lamps, or both. In all mines where electric lamps are used exclusively (except safety lamps for testing purposes) on account of the presence of explosive gases, the owner shall employ a first class certified mine official whose duty it shall be to look after the ventilation of the mine and the safety of the employees therein. All lamps shall be the property of the owner, and shall be kept in a room at the surface and delivered daily in good condition to the underground employees and others authorized to enter the mine. All safety lamps for testing purposes, and all electric lamps shall meet with the approval of the chief inspector. In parts of mines where noxious gases are generated in dangerous quantities, the chief coal mine inspector may prohibit the use of any kind of lamp which is unsafe.

**Amendment.** [Section 166 is amended by striking out the following from the list of items as to which owners must make annual reports to the chief inspector: The improvements made, the number of nonfatal accidents disabling for five days or more, the amount of compensation paid for death or disability, and the number of tons of coal mined by solid shooting.

Section 167 is amended so as to read as follows:]

**Fund created.** SEC. 167. There is hereby created a fund to be known as and called the coal mine inspection fund. Each owner operating a coal mine or coal mines in Colorado, shall, from and after January one, nineteen hundred and seventeen, and on not later than the fifteenth day of April, July, October, and January, respectively, of each and every year, pay into the State treasury for and to become a part of said coal mine inspection fund an amount equal to one-third of 1 cent per ton of coal, estimate[d] on a run-of-mine basis, mined by said owner during the three preceding calendar months, and all moneys now in said fund, and all moneys hereafter paid into said fund on account of coal mined prior to January one, nineteen hundred and seventeen, and all moneys paid into said fund on coal mined from and after January first, nineteen hundred and seventeen, shall be used and they are hereby appropriated for use to pay the salaries and traveling expenses and other expenses as in this act provided, and for no other purpose whatsoever: *Provided, however,* That whenever at the end of any quarterly period, a surplus in excess of \$15,000 exists or shall be found to have accumulated in said fund, the State treasurer shall forthwith in writing so notify the chief inspector of coal mines, and said chief inspector shall thereupon in writing so notify each owner by registered mail, and all owners of coal mines shall thereupon be excused and exempted from paying into said fund on the coal mined during the quarterly period next following that in which such surplus is found to exist or to have accumulated, and as frequently as may be necessary, such notices shall be given in order to keep and maintain such surplus within the said limit of \$15,000; and in determining the amount of any

such surplus, the moneys now in said fund, and all moneys paid into said fund on coal mined prior and subsequent to January one, nineteen hundred and seventeen, shall be included. Nothing herein provided shall release the owner of any coal mine or mines from liability on account of moneys payable into the coal mine inspection fund on coal mined by said owner prior to January one, nineteen hundred and seventeen, the cause of action for the recovery of which accrued under the provisions of said act prior to this amendment thereof. All expenses of the coal mine inspection department, including salaries and traveling expenses, shall be paid by the State treasurer out of the moneys in said coal mine inspection fund on warrants drawn by the State auditor on said fund on vouchers issued by the chief inspector of coal mines and approved by the governor. On or before the tenth day of each calendar month, the State treasurer shall furnish to the chief inspector a detailed statement of moneys received for said fund during the preceding calendar month.

Approved April 4, 1917.

CHAPTER 54.—*Employment of labor—Fraud.*

SECTION 1. Any person who shall knowingly and designedly, by <sup>False pre-</sup> ~~tenses.~~ any false pretense or pretenses, obtain the labor or services of another shall be deemed a swindler and upon conviction shall, where the labor or services obtained is over the value of \$20, be imprisoned in the State penitentiary not to exceed ten years; and where the labor and services obtained is [are] of the value of \$20 or less be fined in any sum not exceeding \$1,000 or imprisoned in the county jail not to exceed six months; or by both, in the discretion of the court; and in all cases where the value of the labor or services obtained is \$20 or less, justices of the peace shall have jurisdiction of violations of this act.

SEC. 2. The commissioner of labor statistics of the State of <sup>Enforcement.</sup> Colorado shall cooperate with the district attorneys, sheriffs, and all peace officers of the State in the enforcement of this act.

Approved April 10, 1917.

CHAPTER 76.—*Free public employment offices.*

[This act amends section 2465, R. S., by directing that a free <sup>New office.</sup> employment office be established and maintained at Grand Junction.]

CHAPTER 93.—*Assignments of wages—Wage brokers.*

SECTION 1. When any person, persons, partnership, corporation <sup>What con-</sup> or corporations, or joint-stock company, national bank, trust ~~tracts void.~~ company, or any bank or banks operating under a State charter or under State supervision, or building and loan associations, or title and guaranty companies, shall lend any sum of money not exceeding \$500, and shall take as security therefor any mortgage, assignment or other instrument of writing, upon personal property, or on account of any salary or wages due or to become due, or to be earned in the future, and shall contract for, exact or receive directly or indirectly, as interest or for the use of the money loaned, any sum of money or other thing of value in excess of one per cent per month on the amount actually loaned, provided, that an additional charge not to exceed \$1 may be made to cover expenses of filing or drawing of papers. or who shall accept or receive any note, bond, bill, or other evidence of debt for or on account of such loan, or as an inducement thereto, which shall express on its face a sum to be due or payable in excess of the actual amount so loaned, such bond, bill, note, or other evidence of debt, together with any mortgage, assignment, or other instrument of writing to secure the same, upon chattels, salary or wages, shall be void and nonenforceable, and any payee or any other person with knowledge thereof who shall assign, transfer,

or deliver to any person, for a good and valuable consideration, any such bond, bill, note, or other evidence of debt, which shall express on its face a sum due or payable in excess of the sum actually loaned, or who shall transfer any mortgage, assignment, or other instrument of writing to secure the same, upon chattels, salary, or wages, without stating to such vendee, assignee, or transferee the true amount actually loaned, shall be liable to the purchaser thereof for double the amount named in any such bond, bill, note, or other evidence of debt, to be recovered in an action at law; and in addition thereto he or they shall be deemed guilty of a misdemeanor and be punished as hereinafter provided.

Notice to employer.

Sec. 2. Any person, persons, partnership, corporation or corporations, or joint-stock company, national bank, trust company, or any bank or banks operating under a State charter or under State supervision, or building and loan associations, or title and guaranty companies, who shall hereafter make to any employee an advance of money, or loan, on account of salary or wages due or to become due or to be earned in the future by such individual, upon an assignment or note covering such loans or advances, shall not acquire any right to collect or attach the same while in the possession or control of the employer, unless within a period of seven days after the execution of such assignment or notes and the making of such loan or loans, the party making such loan and taking such assignment shall have filed with the employer or employers of the individual so assigning his present or prospective salary or wages, a duly authenticated copy of such agreement or assignment or notes under which the claim is made.

Actions not maintainable, when.

Sec. 3. No action shall be maintained in any of the courts of this State, brought by the holder of any such contract, assignment, or notes, or other instrument in writing, given by an employee for moneys loaned on account of salary or wages, in which it is sought to charge in any manner the employer or employers, unless it shall appear to the satisfaction of the court that a copy of such agreement, assignment, or notes or other instrument in writing, together with a notice of lien, was duly filed with the employer or employers of the person or persons, corporation or company making said loan within seven days after the said loan was made and the said agreement, assignment or notes were given.

Violations.

Sec. 4. Any person violating any provision of this act shall be deemed guilty of a misdemeanor, and upon conviction be punished by confinement in the county jail for not less than thirty days nor more than one year.

Approved April 20, 1917.

CHAPTER 98.—Employment of women and children—Minimum wages.

Basis.

SECTION 1. The welfare of the State of Colorado demands that women and minors be protected from conditions of labor which have a pernicious effect on their health and morals, and it is therefore hereby declared, in the exercise of the police and sovereign power of the State of Colorado, that inadequate wages and unsanitary conditions of labor exert such pernicious effect.

Commission.

Sec. 2. The Industrial Commission of Colorado is hereby made and constituted a minimum wage commission for this State, and the word "commission" as hereinafter used refers to and means said Industrial Commission of Colorado, and the word "commissioner" as hereinafter used refers to and means a member of said commission. The act and decision of a majority of said commission, or any deputy when duly authorized by the commission, shall be deemed the act or decision of said commission, and no vacancy shall impair the right of the remaining commissioners to exercise all the powers of said commission.

Employees.

Sec. 3. The commission may appoint a secretary, who shall devote his entire time to the duties of the office, and shall receive a salary of \$1,800 per annum, payable monthly. The commission may employ and fix the compensation of such deputies,

expert, clerical, and other assistants as may be necessary to carry out the purpose of this act, and may include among its expenses the traveling expenses of the members of the commission and its employees. All employees shall hold office at the pleasure of the commission. The commission may incur other expenses not exceeding the annual appropriations therefor, and shall be provided with a suitable office in the State capitol.

SEC. 4. It shall be unlawful to employ women in any occupation within the State of Colorado for wages which are inadequate to supply the necessary cost of living and to maintain the health of women so employed; and it shall be unlawful to employ minors in any occupation within the State of Colorado for unreasonably low wages; and it shall be unlawful to employ women or minors in any occupation within this State under conditions of labor detrimental to their health or morals.

Employment  
forbidden.

SEC. 5. It shall be the duty of the commission to inquire into the wages paid to women employees above the age of eighteen years, and minor employees under eighteen years of age; also into the conditions of labor surrounding said employees, in any occupation in this State, if the commission has reason to believe that said conditions of labor are detrimental to the health or morals of said employees, or that the wages paid to a substantial number of employees are inadequate to supply the necessary cost of living and to maintain such employees in health. The word "minor" as used in this act refers to and means any person of either sex under the age of eighteen years, and the word "woman" as used in this act refers to and means a female person of or over the age of eighteen years. At the request of not less than twenty-five persons engaged in any occupation in which women or minors are employed, the commission shall forthwith make such investigation as is herein provided. The commission may, at any time, make such investigation upon its own initiative.

Investiga-  
tions.

SEC. 6. The commission is hereby authorized and empowered to ascertain and determine, and shall ascertain and determine, the minimum wages sufficient for living wages for women and minors of ordinary ability, including minimum wages sufficient for living wages, whether paid according to time rate or piece rate; also the minimum wages sufficient for living wages for learners and apprentices; also standards of conditions of labor and hours of employment not detrimental to health or morals for women and for minors, and what are unreasonably long hours for women and minors, and what are unreasonably low wages for minors, in any occupation in this State.

Wages

SEC. 7. The commission shall, for the purposes of this act, have full power and authority to investigate and ascertain the conditions of labor surrounding said women and minors, also the wages of women and minors in the different occupations in which they are employed, whether paid by time rate or piece rate, in the State of Colorado. The word "occupation" as used in this act shall be so construed as to include any and every vocation, trade, pursuit, and industry. The commission shall have full power and authority as a commission, or through any authorized representative or any commissioner, to inspect and examine and make excerpts from any and all books, reports, contracts, pay rolls, documents, papers and other records of any employer of women or minors, that in any way appertain to or have bearing upon the question of wages of any such women workers or minor workers in any of said occupations, and to require from any such employer full and true statements of the wages paid to all women and minors by any employer. Every employer of women and minors shall keep a register of the names, ages, dates of employment, and residence addresses of all women and minors employed, and it shall be the duty of every such employer, whether a person, firm, or corporation, to furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this act, such reports and information to be verified by the

Powers of  
commission.

Duties of  
employers.

**oath** of the person or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof; also to allow the commission, any authorized representative, or any commissioner, free access to the place of business of such employer for the purpose of making any investigation authorized by this act.

**Hearings.**

SEC. 8. The commission may hold public hearings at such times and places as it deems proper for the purpose of investigating any of the matters it is authorized to investigate by this act, at which hearings employers, employees, or other interested persons may appear and give testimony as to the matter under consideration. The commission, or any member thereof, shall have power to subpoena and compel the attendance of any witnesses and to administer oaths; also, by subpoena, to compel the production of any books, papers or other evidence at any public hearing of the commission or at any session of any wage board called and held, as hereinafter provided. All witnesses subpoenaed by said commission shall be paid the same mileage and per diem as are allowed by law to witnesses in civil cases before the district court of the State of Colorado.

If any person shall fail to attend as a witness, or to bring with him any books, papers, or other evidence when subpoenaed by the commission, or shall refuse to testify when ordered so to do, the commission may apply to any district court or county court in this State to compel obedience on the part of such person, and such district court or county court shall thereupon compel obedience by proceedings for contempt, as in cases of disobedience of any order of said court in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and proper rules and procedure and shall not be bound by the technical rules of evidence. Said commission may hold meetings for the transaction of any of its business at such times and places as it may prescribe.

**Procedure.**

SEC. 9. If, after investigation, the commission is of the opinion that the conditions of employment surrounding said employees are detrimental to the health or morals, or that a substantial number of women workers in any occupation are receiving wages, whether by time rate or piece rate, inadequate to supply the necessary costs of living and to maintain such workers in health, the commission shall proceed to establish minimum wage rates, either directly or by the indirect method hereinafter described. If it selects the direct method, the commission shall establish the minimum wage rates. If it adopts the indirect method, the commission shall establish a wage board, consisting of not more than three representatives of employers in the occupation in question, and of an equal number of persons to represent the female employees in said occupation, and of an equal number of disinterested persons to represent the public, and some one representing the commission, if it so desires. The commission shall name and appoint all members of such wage board and designate the chairman thereof: *Provided, however,* That the selection of members representing employers and employees shall be, so far as practicable, through election by employers and employees respectively, subject to approval and selection by the commission, as aforesaid. At least one representative of the employers, at least one representative of the employees, and at least one representative of the public shall be a woman. The members of the wage board shall be compensated at the same rate and fees for service as jurors in counties of the second class, and they shall be allowed their necessary traveling and clerical expenses incurred in the actual performance of their duties, these payments to be made from the appropriations for the expenses of the commission. The proceedings and deliberations of such wage board shall be made a matter of record, for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. Each wage board shall have the same power as the commission to

**Wage boards.**

subpoena witnesses, administer oaths and compel the production of books, papers and other evidence. Witnesses subpoenaed by a wage board shall be allowed the same compensation as when subpoenaed by the commission.

SEC. 10. The commission may transmit to each wage board all pertinent information in its possession relative to the wages paid or material to the subject of inquiry in the occupation in question. Each wage board shall endeavor to determine, if requested so to do by the commission, the standard conditions of employment; also the minimum wage, whether by time rate or piece rate, adequate to maintain in health and to supply with the necessary cost of living, a female employee of ordinary ability in the occupation in question, or in any branches thereof; also suitable minimum wages (graded, so far as practicable, on a rising scale toward the minimum allowed experienced workers) for learners and apprentices; also suitable minimum wages for minors below the age of eighteen years. When a majority of the members of a wage board shall agree upon standard conditions of employment or minimum wage board determinations, they shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto. A majority of the members of any such wage board shall constitute a quorum.

Duty of wage boards.

SEC. 11. Upon receipt of a report from a wage board, the commission shall review the same and may approve or disapprove any or all the determinations, or may recommit the subject to the same or a new wage board. If the commission approves any or all of the determinations of the wage board, said commission shall publish notice not less than once a week for two successive weeks in a newspaper of general circulation published in the county or counties in which any business directly affected thereby is located, that it will, on a date and at a place named in said notice, hold a public meeting, at which all persons in favor of or opposed to said recommendations will be given a hearing; and after said publication of said notice and said meeting, said commission may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry the same into effect and require all employees in the occupation directly affected thereby to preserve and comply with such recommendations and said order. Said orders [sic] shall become effective in thirty days after it is made and rendered and shall be in full force and effect on and after the thirtieth day following its making and rendition. After said order becomes effective, and while it is effective, it shall be unlawful for any employer to violate or disregard any of the terms or provisions of said order, or to employ any woman worker in any occupation covered by said order at lower wages or under other conditions than are authorized or permitted by said order.

Reports to commission.

Hearings.

Said commission shall, as far as is practicable, mail a copy of any such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment in which women workers work. No such order of said commission shall authorize or permit the employment of any woman or minor for more hours per day or per week than the maximum now fixed by law: *Provided, however,* That in case of emergencies which may arise in the conduct of any industry or occupation, overtime may be permitted under conditions and rules, and for increased minimum wages, which the commission, after investigation, shall determine and prescribe by order, and which shall apply equally to all employers in such industry or occupation.

Notice to employers.

SEC. 12. Whenever a minimum wage rate, or a new standard of conditions of employment established in any occupation, has been established in any occupation, the commission may, if it deems proper or necessary so to do, upon petition of either employers or employees, reconvene the wage board or establish a new wage board, and any recommendation made by such board shall be dealt with in the same manner as the original recommendation of

Reconsideration.

a wage board: *Provided, however,* That, pending any new determination, any minimum wage rate and any new standard of conditions of employment theretofore established shall be and continue in force and effect.

Special 11-  
censes. Sec. 13. For any occupation in which a time rate only has been established, the commission may issue to any woman physically defective or crippled by age or otherwise, or less efficient than women workers of ordinary ability, a special license authorizing the employment of the licensee at such wage less than said legal minimum wage as shall be provided by said commission and stated in said license: *Provided,* That the number of such persons so specially licensed shall not exceed one-tenth of the whole number of workers in any establishment.

Minors. Sec. 14. The commission may at any time inquire into the wages paid to minors and the conditions of their employment in any occupation, and may, after public hearings, determine minimum wages and working conditions suitable for such minors. When the commission has made such a determination, it may proceed in the same manner as if the determination had been recommended to the commission by a wage board.

Protection of  
employees. Sec. 15. Any employer who discharges or threatens to discharge, or in any other way discriminates against an employee because such employee serves upon a wage board, or is active in its formation, or has testified or is about to testify, or because the employer believes that said employee may testify in any investigation or proceeding relative to enforcement of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$200, nor more than \$1,000 for each such misdemeanor. The commission shall, from time to time, investigate and report to the proper prosecuting officials whether employers in each occupation investigated are obeying its decrees, and members and employees of the commission may cause informations to be filed with, and prosecutions to be instituted by, the proper prosecuting officials for any violation of any of the provisions of this act.

Violations. Sec. 16. The minimum wages for women and minors fixed by the commission, as in this act provided, shall be the minimum wages to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person who, individually or as an officer, agent, or employee of a corporation, or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100, or by imprisonment for not less than thirty days, or by both such fine and imprisonment.

P r e s u m p -  
tions. Sec. 17. In every prosecution for the violation of any provision of this act, the minimum wage established by the commission, as herein provided, shall be prima facie presumed to be reasonable and lawful and to be the wage required herein to be paid to women and minors. The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive, and the determination made by the commission shall be subject to review only in the manner hereinbefore prescribed.

Wages below  
standard. Sec. 18. An employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

Complaints. Sec. 19. Any person may register with the commission complaint that the wages paid to an employee for whom a rate has been established are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than accords with such rate.

Reports of  
commission. Sec. 20. The commission shall, on or before the first day of January of the year nineteen hundred and nineteen, and biennially thereafter, make a succinct report to the governor and the general

assembly of its works and any proceedings under this act during the preceding two years.

SEC. 21. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, the sum of \$3,000 to carry into effect the provisions of this act and to pay the expenses and expenditures authorized by or incurred under this act for the years nineteen hundred and seventeen and nineteen hundred and eighteen. The expenditures authorized shall be payable at the end of each month, upon certificate made by the commission to the auditor of state, who shall draw his warrant upon the state treasurer; and the auditor of state is hereby authorized and directed to draw said warrants, as aforesaid, upon receipt of certified vouchers of the chairman of said commission, attested by the secretary. A p p r o p r i a -  
t i o n .

SEC. 22. Whenever this act or any part thereof is interpreted by any court, it shall be liberally construed by such court. C o n s t r u c -  
t i o n .

SEC. 23. If any part, section, subsection, sentence, clause, or phrase of this act is for any reason declared unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The general assembly hereby declares that it would have passed this act, and each part, section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more other parts, sections, subsections, clauses, phrases, word or words, [might] be declared unconstitutional. P r o v i s i o n s  
s e v e r a b l e .

SEC. 24. Chapter 110 of the Session Laws of Nineteen hundred and thirteen, entitled "Minimum wage for women and minors," and all acts and parts in conflict with any of the provisions of this act are hereby repealed. R e p e a l .

Approved April 20, 1917.



## CONNECTICUT.

### ACTS OF 1917.

#### CHAPTER 49.—*Factory regulations—Inspection.*

SECTION 1. Section 4523 of the General Statutes is amended to read as follows:

Sec. 4523. The orders and notices given by the commissioner of labor and factory inspection under the provisions of this chapter shall be written or printed, signed by him officially, and may be served by him or any proper officer or indifferent person, by leaving an attested copy thereof with or at the usual place of abode of the person upon whom service is to be made, or by registered mail addressed to such person at his last known place of address. Such notice, properly indorsed with the doings of the person or officer serving the same, shall be returned to the commissioner of labor and factory inspection, and shall be prima facie evidence that notice was given as therein appears. Notice to one member of a firm shall be notice to every member thereof, and notice to the president, secretary or treasurer of a corporation shall be notice to such corporation. The fees for serving such orders and notices, unless served by the inspector, shall be the same as for the service of process in civil actions, and shall be included in the necessary expenses of the inspector.

Notices.

Approved March 27, 1917.

#### CHAPTER 60.—*Railroads—Lighting, etc., of roundhouses.*

SECTION 1. The commissioner of labor and factory inspection, or his deputy, shall, in addition to the duties prescribed by the general statutes, examine as soon as practicable the lighting and sanitary conditions of railroad roundhouses.

Inspection.

Approved March 28, 1917.

#### CHAPTER 106.—*Seats for employees on street railways.*

SECTION 1. Section 1 of chapter 237 of the public acts of 1909 \* \* \* is amended to read as follows:

Section 1. Every company owning or operating a street railway in this State shall cause each of its cars having an air brake to be provided with a seat or stool for the use of the motorman.

What cars to have seats.

Approved April 10, 1917.

#### CHAPTER 127.—*Employment of children—General provisions.*

SECTION 1. Each certificate issued under the provisions of section three of chapter one hundred and nineteen of the public acts of nineteen hundred and eleven shall have printed upon the back a list of the occupations in which the child possessing such certificate shall not be employed.

Statement of occupations.

Approved April 10, 1917.

#### CHAPTER 128.—*Intoxication and negligence of employees on street railways, etc.*

SECTION 1. Every servant of any railroad or electric railway company and every person operating a motor vehicle upon the highways of this State, who shall, in consequence of his intoxication or of any gross or willful misconduct or negligence, cause any loss of life or the breaking of a limb, shall be fined not more than \$1,000, or imprisoned not more than ten years, or both.

Penalty.

Approved April 10, 1917.

CHAPTER 154.—*Inspection of elevators.*

**Notice to be forwarded.** SECTION 1. No elevator installed after August 1, 1917, shall be operated in any factory, mercantile establishment, storehouse, workhouse, dwelling or other building until five days after notice, from the owner or his representative that the same is ready for inspection, has been mailed to the department of labor and factory inspection. Any person violating any provision of this section shall be fined not more than \$50 for the first offense, and for the second offense shall be fined not more than \$100, or imprisoned not more than six months, or both.

**Exemptions.** SEC. 2. The provisions of this act shall not prevent the operation of any elevator installed for temporary use in connection with building operations nor with the operation of any elevator for purposes connected with the installation of the same or the testing of the same.

Approved April 19, 1917.

CHAPTER 163.—*Commission of public welfare.*

**Commission created.** SECTION 1. The governor shall, on or before July 1, 1917, appoint five commissioners to investigate the advisability of creating an agricultural and industrial board and the matter of old-age pensions; health insurance; pasteurization plants; free employment bureaus; cooperative societies and pools; experiments and dissemination of information to assist farmers and live stock growers; reforestation; loans to assist purchase of seed and fertilizer; a State bureau for making rural loans; improvement of byways; the extension of telephone and power companies' facilities in rural districts and hours of labor and minimum wage and to report to the next general assembly. Said commissioners shall serve without pay, but may incur such expenses as are authorized by the board of control.

Approved April 19, 1917.

CHAPTER 195.—*Inspection and regulation of bakeries.*

**Amendments.** [This act amends section 2569, General Statutes, by adding the requirement that a locker shall be provided for each employee, and that a fee of \$1 shall be paid for the certificates of inspection, which shall be valid for one year. The term "commissioner of labor and factory inspection" is substituted for the term "factory inspector" where it occurs.]

CHAPTER 206.—*Employment of children—School attendance.*

**Prosecuting agents.** SECTION 1. The State board of education may appoint one or more persons, subject to the approval of a judge of the superior court, to be prosecuting agents, who shall diligently inquire into and prosecute for violations of the laws relating to the attendance of children at school, or relating to the employment of children in mechanical, mercantile or manufacturing establishments, and shall exercise in any town or city the authority of grand jurors or prosecuting officers in prosecutions for such violations and may conduct such prosecutions personally or by attorney. Such prosecuting agents may render such aid in the superior court in prosecutions for such violations, and shall give such information with reference thereto, as the State's attorney may require. They shall render to said State board of education such reports as may be required by said board, which may remove any of such agents at its discretion and appoint another in his stead. Such prosecuting agents shall be paid in the manner provided by law for other agents of said board.

Approved May 1, 1917.

**CHAPTER 247.—Fire escapes on factories, and so forth.** Amendments.

[This act amends section 2628, General Statutes, adding the provision that a ladder affixed to the premises described shall not be considered a fire escape within the meaning of the section.

Section 5 of chapter 239, Acts of 1911, relating to the same subject matter, is amended so as to read as follows:]

SEC. 5. The owner of any building, or in case such owner be non compos mentis or a minor, the guardian of such owner, or in case such owner be a nonresident, the agent of such owner having charge of such property, who shall fail to comply with the foregoing provisions of this act shall be fined not less than \$100 nor more than \$500, or imprisoned not more than three months, or both.

Violations.

Approved May 3, 1917.

**CHAPTER 261.—Employment of children—Messenger service.**

SECTION 1. No person under the age of eighteen years shall be employed by any telegraph or messenger company, in cities having a population of twenty thousand or over, to distribute, transmit, or deliver goods or messages between the hours of ten o'clock at night and five o'clock in the morning.

Minors under 18.

SEC. 2. The manager of the office of any corporation who shall violate any provision of this act shall be fined not more than \$20 for each day of such employment.

Violations.

Approved May 3, 1917.

**CHAPTER 300.—Employment of women and children—Hours of labor.**

SECTION 1. No public restaurant, café, dining room, barber shop, hair dressing or manicuring establishment or photograph gallery shall employ any minor under sixteen years of age or any woman, between the hours of ten o'clock in the evening and six o'clock in the morning.

Night work.

SEC. 2. No such establishment shall employ any such minor or female more than fifty-eight hours in any week. The hours of labor of such minors or females shall be conspicuously posted in such establishment in such form and manner as the commissioner of labor and factory inspection shall determine.

Hours of labor.

SEC. 3. The provisions of this act shall not affect hotels.

SEC. 4. A bowling alley shall be regarded as a mercantile establishment and the provisions of chapter one hundred and seventy-nine of the public acts of nineteen hundred and thirteen [amending chapter two hundred and twenty, Acts of nineteen hundred and nine] shall be applicable to employment therein.

Hotels exempt.  
Bowling alleys.

SEC. 5. The commissioner of labor and factory inspection shall examine and inquire into the employment of such minors and women in the establishments described in this act and investigate all complaints of violations hereof and report all cases of such violation to the prosecuting officer having jurisdiction thereof. Said commissioner shall on or before the first day of December of each year make a report to the governor of the number of violations found and of the prosecutions instituted therefor.

Enforcement.

SEC. 6. Any person violating any provision of this act shall be fined not more than \$100 for each offense.

Violations.

Approved May 16, 1917.

**CHAPTER 306.—Commissioner of labor and factory inspection—Deputies.**

[This act amends section 3 of chapter 97, Acts of 1903, by fixing the salary of deputies at \$1,600 per annum, and substituting the term "commissioner of labor and factory inspection" for the term "factory inspector" where it occurs.]

CHAPTER 320.—*Employment of children—Enforcement of law.*

SECTION 1. Section four thousand seven hundred and seven of the general statutes is amended to read as follows:

Enforcement  
agents.

Sec. 4707. It shall be the duty of the State board of education the school visitors, boards of education and town school committees to enforce the provisions of chapter one hundred and nineteen of the public acts of nineteen hundred and eleven and chapter two hundred and twenty-one of the public acts of nineteen hundred and thirteen; and for that purpose the State board of education may appoint agents, under its supervision and control, for terms of not more than one year, at a salary not to exceed \$1,600 annually, and their necessary expenses which shall be approved by said board and audited by the comptroller. The agents so appointed may be directed by said board to enforce the provisions of the law requiring the attendance of children at school and to perform such other duties as may be required by said board.

Approved May 19, 1917.

CHAPTER 326.—*Labor laws—Suspension during time of war.*

Emergency  
provisions.

SECTION 1. The governor is authorized to modify or suspend, by proclamation, the laws of this State relating to labor, for definite periods, during the present war between the United States and the German Empire. He shall specify in such proclamation the law or laws to be modified or suspended and the period during which such modification or suspension shall be in force, and may continue the same for a further definite period or periods; provided he shall exercise such power only upon request of the Council of National Defense, when essential to national defense. No such modification or suspension shall continue beyond the close of the war.

Approved May 16, 1917.

CHAPTER 333.—*Bribery, etc., of employees making purchases.*

Acts forbid-  
den.

SECTION 29. No person having charge of a motor vehicle for the owner thereof shall receive, directly or indirectly, any consideration for the purchase of supplies or parts for such motor vehicle, or for work performed thereon by others; and no person furnishing such supplies, parts or work shall, in connection therewith, give or offer to give such person having charge of such motor vehicle, directly or indirectly, any valuable consideration.

Approved May 19, 1917.

CHAPTER 352.—*Sunday labor.*

Labor, etc.,  
forbidden.

SECTION 1. Every person who shall do, or require an employee to do any secular business or labor, except works of necessity or mercy; or, unless required by necessity or mercy, keep open any shop, warehouse or manufacturing or mechanical establishment, or sell or expose for sale any goods, wares or merchandise, between the hours of twelve o'clock Saturday night and twelve o'clock Sunday night next following, shall be fined not more than \$50. The provisions of this section shall not affect the issue or service of any criminal complaint or any proceedings thereon, nor the performance by haywards of their duties, nor the issue or service of complaints for injunctions and orders thereon, nor the issue or service of any other civil process, except between sunrise and sunset on Sunday.

Approved May 16, 1917.

CHAPTER 382.—*Sunday labor.*

Acts permit-  
ted.

SECTION 1. The sale of milk, bakery products, fruit, ice, ice cream, confectionery, nonalcoholic beverages and drinks, tobacco in any form, smokers' supplies, newspapers and other periodicals,

drugs or automobile supplies, by retail dealers whose places of business are open for the sale thereof on secular days, shall not be a violation of the provisions of chapter one hundred and nineteen of the public acts of nineteen hundred and thirteen, provided the provisions of this act shall not apply to any hotel or restaurant or be construed to permit any person to engage in any business on Sunday at a place where he is licensed to sell spirituous or intoxicating liquors, except a regularly licensed druggist who shall not, on Sunday, sell any spirituous or intoxicating liquor except upon the prescription of a licensed physician.

Approved May 16, 1917.



**DELAWARE.**

**ACTS OF 1917.**

**CHAPTER 227.—*Mother's pensions.***

SECTION 1. Chapter 88, of the Revised Statutes of the State of Delaware, is hereby amended by inserting after section eleven of said chapter, being code section three thousand and seventy-one, the following new section, namely:

Sec. 3071A. Sec. 11A. The administration of this section shall lie in the hands of a mothers' pension commission. Said commission shall consist of nine women, three from each county, who shall serve without pay, except for traveling and administrative expenses. During the month of June, nineteen hundred and seventeen, the governor shall appoint said commission as follows: One from each county for a term of one year, one from each county for a term of two years, and one from each county for a term of three years. The term of office, after the first appointments made hereunder, shall be for three years, and annually, during the month of June, the governor shall appoint successors to fill the vacancies caused by the expirations of the terms of office. In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term: *Provided, however,* That nor [not] more than three commissioners shall reside in any one county.

On petition by any trustee of the poor, by a member of the municipal council of any incorporated city or town in this State, or by a friend or relative of the mother falling within the class hereinafter specified, the mothers' pension commission of Delaware may make an order for aid in the maintenance, support, and education of the child or children of said mother as herein-after provided.

Any widowed or abandoned mother of a child or children under fourteen years of age, who is unable, without aid, to support, maintain, and educate her child or children, or any mother whose husband is permanently, either physically or mentally, unable, without aid, to support, maintain and educate such child or children, shall be deemed to be within the class described in this section.

Upon the filing of any petition as aforesaid, stating the facts and circumstances relative to the financial condition of any such mother, and praying the said mothers' pension commission to make an order as aforesaid, the said mothers' pension commission shall report the case to the members of the commission of the county wherein the mother resides; and, within thirty days of the receipt of such notice, the members of the commission of the county shall make or cause to be made, by a trained woman investigator, an investigation as to the following points:

(a) That the applicant for aid is a widowed or abandoned mother of a child or children under fourteen years of age, who is unable without aid to support, maintain and educate such child or children, or a mother whose husband is physically or mentally unable without aid to maintain, support and educate such child or children.

(b) That the mother is fit to bring up her child or children.

(c) That aid is necessary to enable her to bring up her child or children and to maintain a suitable home for them.

(d) That the child, or children, if physically and mentally able, attend school and have a satisfactory record from the teacher.

(e) That the mother has been a continuous resident, for a period of three years, of the State.

**Grant.**

If the mothers' pension commission, upon receipt of the written report of the investigation, shall deem it for the best interests of the family that the mother receive aid, the said mothers' pension commission shall pay to the mother or to such person as the mothers' pension commission may designate, such sum as the said mothers' pension commission shall deem proper to be used in aid of the maintenance, support and education of such child or children, such payments to continue during such time as the said mothers' pension commission shall specify: *Provided*, That no payment shall be made for the support of any child beyond the time when the law will permit such child to secure a general employment certificate. Such payment shall, in no case, exceed \$3 a month for a single child and \$4 for each additional child in the same family, except for a limited period in case of sickness, or of some unusual condition requiring an increase thereof. The said mothers' pension commission may, at the recommendation of the members of the commission of the county, vary the terms of such payments by directing the furnishing of food, clothing, or supplies, instead of the payment of money to the person aforesaid for the use and benefit of such child or children.

**Monthly visits.**

After the award of aid, the members of the commission of the county shall cause the family to be visited at least once a month to see that the mother is properly caring for the child or children; that they are sufficiently clothed and fed; that they attend school regularly; and that they are receiving religious instruction.

**Quarterly reports.**

On the first day of October, nineteen hundred and seventeen, and quarterly thereafter, the members of the commission of the county shall make a report to the mothers' pension commission which shall show:

(a) The number of families receiving aid.

(b) The number of visits made to each family, together with the number of children in each family, the number receiving aid, the amount paid for each child, and, in each case, a recommendation with regard to the continuance of aid, and any other information the said commission may desire.

On the fifteenth day of October, nineteen hundred and seventeen, and quarterly thereafter, it shall be the duty of the mothers' pension commission to make report to the levy court of each county of all warrants drawn under this section on said county treasurer during the preceding three months.

**Payments.**

The amount paid to a beneficiary under this section shall be on a warrant drawn by the mothers' pension commission, or authorized agent thereof, on the county treasurer of the county in which such beneficiary resides. And the said county treasurer is hereby authorized and directed to pay the said warrants on the approval of the comptroller of said county out of any moneys he may have belonging to said county not otherwise appropriated.

**Expenses.**

The traveling and administrative expenses of the mothers' pension commission shall be paid on warrants drawn by the mothers' pension commission, or authorized agent thereof, on the State treasurer, and the said State treasurer is hereby authorized and directed to pay said warrants on the approval of the State auditor, from any moneys he may have belonging to the State and not otherwise appropriated: *Provided, however*, That the total amount of the traveling and administrative expenses of the said mothers' pension commission shall not exceed \$1,500 in any one year.

**Repayment by State.**

On the first day of January of each year, the county treasurer shall certify, under oath, in duplicate, to the secretary of the State and to the State treasurer the amount paid out by such county during the preceding year under this section, and the State treasurer thereupon shall pay to the county treasurer of the said county, a sum equal to one-half of the amount paid out by such

county: *Provided, however,* That the amount paid by the State to any county in any one year shall not exceed the sum of \$2,500.

The sum of \$7,500 shall be deemed and taken to be appropriated annually, beginning with the year nineteen hundred and seventeen, out of any moneys in the State treasury not otherwise appropriated for the purpose of this section.

Approved April 2, 1917.

CHAPTER 230.—*Employment of women—Hours of labor.*

SECTION 1. Chapter ninety of the Revised Code of the State of Delaware is hereby amended by repealing [section] thirty-one hundred and thirty-five, section thirty-five and [section] thirty-one hundred and thirty-seven, section thirty-seven, and inserting in lieu thereof the following, to be styled [section] thirty-one hundred and thirty-five, section thirty-five and [section] thirty-one hundred and thirty-seven, section thirty-seven:

Section 3135. Sec. 35. No female shall be employed or permitted to work in any mercantile, mechanical or manufacturing establishment, laundry, baking or printing establishment, telephone and telegraph office or exchange, restaurant, hotel, place of amusement, dressmaking establishment, or office, more than six days in any one calendar week, more than ten hours in any one day, or more than fifty-five hours in any one week: *Provided, however,* That any said female may be permitted to work twelve hours in one day only of each week, on the condition that her total hours of employment for any week shall not exceed fifty-five hours: *And provided further,* If any part of the daily employment of any said female is performed between the hours of eleven o'clock post meridian and seven o'clock ante meridian of the following day, no such female shall be employed or permitted to work thereat more than eight hours in any twenty-four hours. No female shall be employed or permitted to work in any mechanical or manufacturing establishment, laundry, baking or printing establishment, office, or dressmaking establishment between the hours of ten o'clock post meridian and six o'clock ante meridian of the following day. The provisions of sections thirty-five to forty-three, inclusive, of this chapter shall not apply to females employed in the canning or preserving or preparation for canning or preserving of perishable fruits and vegetables.

Sec. 3137. Sec. 37. No female shall be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in section thirty-five of this chapter without an interval of at least three-quarters of an hour; except that such female may be so employed for not more than six hours and one-half continuously at one time, if such employment ends not later than half past one o'clock in the afternoon, and if the said female is then dismissed for the remainder of the day. Not less than thirty minutes shall be allowed to every female employed or permitted to work in, or in connection with, any establishment or occupation named in said section thirty-five of this chapter for the midday or evening meal, which period shall not be considered a part of the hours of labor. Employees shall not be required to remain in the workrooms during the time allowed for meals.

Approved March 22, 1917.

CHAPTER 231.—*Factory, etc., regulations—Sanitation.*

SECTION 1. In every mercantile, mechanical or manufacturing establishment, laundry, baking or printing establishment, dressmaking establishment, place of amusement, telephone or telegraph office or exchange, hotel, restaurant, or office in which females are employed or permitted to work, there shall be provided suitable and easily accessible water-closets or privies for their use.

When both males and females are employed, or permitted to work, and four or more persons are employed, separate water-

closets or privies shall be provided for each sex and shall be plainly marked at the entrance "Men" and "Women," and these closets shall be easily accessible.

- Numbers.** Where fifteen or less such females are employed or permitted to work at any time, at least one water-closet or privy shall be provided; where fifteen or more such persons are employed, they shall be provided in the ratio of one for every twenty-five persons.
- Condition.** All water-closets or privies shall be properly lighted and shall at all times be kept in repair, clean, sanitary and free from all obscene writing or marking. The compartments containing such water-closets or privies shall open to the outer air or be ventilated by means of a shaft or air duct to the outer air.
- The entrance to every water-closet or privy used by females shall be effectively screened by partition or vestibule. Where water-closets or privies for males and females are in adjoining compartments, they shall be separated by solid partitions extending from the floor to the ceiling; and where the entrances adjoin, they shall be separated by a screen or partition at least seven feet high.
- Seats for females.** SEC. 2. In every establishment named in section one of this act in which females are employed or permitted to work, there shall be provided suitable seats for their use in the room where they work and the use of such seats shall be permitted. At least one seat shall be provided for every three females employed or permitted to work at any one time. During working hours all seats shall be conveniently accessible to those for whose use they are provided.
- Dressing rooms.** SEC. 3. In every establishment named in section one of this act in which females are employed or permitted to work, there shall be provided washing facilities for their use; not less than one spigot, basin or receptacle for each twenty-five such persons employed at any one time. In establishments where the labor performed by such employees makes necessary or customary a change of clothing, there shall be provided one or more separate dressing rooms of adequate size for the exclusive use of such employees. Every dressing room shall be separated from any toilet compartment by adequate solid partitions; every dressing room shall be adequately heated, ventilated and illuminated. It shall be provided with a locker or separate hook for each worker and with a suitable number of seats.
- Lunch rooms.** SEC. 4. In every establishment in which white lead, arsenic, nicotine or other poisonous or injurious substances, fumes or gases are present, or in which dust, lint or particles of material are created by the machinery or by the material in the process of manufacture, and in which females are employed or permitted to work, there shall be provided a suitable room, free from the aforesaid substances, fumes, gases, dust, lint [lint] or particles of material, for the use of such employees during the time allowed for meals, [when] they shall not be permitted to remain in any room where the aforesaid substances, fumes, gases, dust, lint or particles of material shall be present. In such establishments washing facilities shall be provided, including hot water, soap and individual towels or paper-tissue towels.
- Ventilation and heat.** SEC. 5. In every establishment named in section one of this act in which females are employed or permitted to work, there shall be provided not less than two hundred and fifty cubic feet of air space for each and every person in every workroom in said establishment where persons are employed. In aforesaid establishments all workrooms shall be adequately heated and ventilated, and all workrooms, halls and stairways shall be kept in a clean and sanitary condition and properly lighted.
- Exhaust fans.** SEC. 6. In every establishment in which poisonous fumes or gases are present, or in which poisonous or injurious dust, lint [lint], or particles of material are created by the machinery or by the material in the process of manufacture and in which females are employed or permitted to work, there shall be provided proper hoods and pipes connected with exhaust fans of

sufficient capacity to remove such fumes, gases, dust, lint or particles of material at the point of origin and prevent them from mingling with the air of the room, and such fans shall be kept running constantly while such fumes, gases, dust, lint or particles of material shall be generated or present.

Sec. 7. A sufficient supply of clean and pure water and individual drinking cups or a sanitary fountain shall be provided in every establishment named in section one of this act in which females are employed or permitted to work. If drinking water is placed in receptacles, such receptacles shall be properly covered to prevent contamination and shall at all times be kept thoroughly clean. No employer in any such establishment shall collect from any employee money for ice or water furnished for drinking purposes.

Drinking water.

Sec. 8. It shall be the duty of the inspectors appointed by the Labor Commission of Delaware to enforce the provisions of this act. The inspectors shall visit and inspect establishments, and shall have the power whenever they have reason to suppose that work is being performed to visit and inspect any establishment in or in connection with which any female shall be employed or permitted to work. The inspectors shall investigate all complaints of violation of this act received by said inspectors, and institute prosecutions for the violations of the provisions thereof.

Enforcement.

The State Board of Health of Delaware shall determine what are poisonous fumes and gases and what are poisonous or injurious dust, lint or particles of material, as set out in section six of this act, and the Labor Commission of Delaware shall determine the definition of all other terms used in this act; but the decision of either the State Board of Health of Delaware or the Labor Commission of Delaware shall not be final, but subject to appeal to the Court of General Sessions of the State of Delaware in and for the county of the person appealing, or in case the appeal be prosecuted by the Labor Commission of Delaware, from the decision of the State Board of Health, then in and for the county wherein said poisonous fumes or gases or poisonous or injurious dust, lint or particles of material are created.

Power of State board of health.

The inspectors shall keep records of all visits or inspections made and of all written orders given by the aforesaid inspectors. The inspectors shall keep records of all complaints of violation of this act received by them and of all prosecutions instituted, with the result of each prosecution.

Records.

In the enforcement of the provisions of this act, the inspectors shall give proper notice in regard to violation of this act to the person or corporation owning, operating or managing any such establishment. Such notice shall be written or printed and signed officially by the inspector, and said notice may be served by delivering the same to the person on whom service is to be had, or by leaving at his usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by mail.

Notice.

Compliance with the written order of the inspector must be within the number of days specified by him in his order. Appeal from the decision of the inspector may be made to the Labor Commission of Delaware. Such appeal must be made in writing within ten days of receipt of the inspector's order.

Sec. 9. Any person who shall violate any of the provisions of this act, or who omits or fails to comply with any of the foregoing requirements or who disregards any notice of the inspectors when said notice is given in accordance with the provisions of this act, or who obstructs of [or] interferes with any examination or investigation being made by the inspectors, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined for the first offense by a fine of not less than \$10 nor more than \$50, and upon conviction of the second and subsequent offenses shall be fined not less than \$25 or more than \$200. All fines shall be paid to the treasurer of the State of Delaware.

Violations.

**Prosecutions.** SEC. 10. Any justice of the peace of the State of Delaware shall have jurisdiction of any offense arising under this act, but any person convicted of such offense before any such justice of the peace shall have the right of appeal to the Court of General Sessions of the State of Delaware in and for the county in which said conviction was had, upon giving bond for the sum of \$100 to the State of Delaware with surety satisfactory to the said justice of the peace by whom said person was convicted: *Provided*, Such appeal shall be taken and such bond given within three days from the time of said conviction.

Approved March 16, 1917.

CHAPTER 232.—*Employment of children—General provisions.*

**Act amended.** SECTION 1. Article 3 of chapter 90 of the Revised Code of Delaware is hereby amended by repealing [section] 3144, section 44 to [section] 3192, section 92 thereof, inclusive and by inserting in lieu thereof the following sections to be styled [section] 3144, section 44 [to] [section] 3173, section 73.

**Age limit.** Sec. 3144. Sec. 44. No child under fourteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or in any occupation except as hereinafter provided. Wherever the term "establishment" is used in this act it shall mean any place within the State of Delaware where work is done for compensation of any kind to whomsoever payable: *Provided, however*, That this act shall not apply to children employed on the farm or in domestic service in private homes.

**Dangerous employments.** Sec. 3145. Sec. 45. No child under fifteen years of age shall be employed, permitted or suffered to work in operating or assisting in operating steam boilers or blast furnaces or any of the following machines, which, for the purposes of this act, are considered dangerous: Circular saws, wood shapers, wood jointers, paper-lace machines, job or cylinder printing presses operated by power other than foot power, stamping machines used in sheet-metal and tinware or in paper and leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corrugating rolls, such as are used in making corrugated paper, or in roofing or washboard factories; dough-brakes or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling mill machinery; power punches or shears; washing or grinding or mixing machinery; calendar rolls in paper and rubber manufacturing, or other heavy rolls driven by power; passenger elevators or lifts, or upon or in connection with any dangerous electrical machinery or appliances. Nor shall any child under fifteen years of age be employed, permitted or suffered to work, in any capacity, in adjusting, or assisting in adjusting any belt to any machinery, or in proximity to any hazardous or unguarded belts, machinery or gearing, or in oiling, wiping or cleaning machinery, while any of the same is in motion; nor on scaffolding; nor in heavy work in the building trades; nor about docks or wharves; nor in stripping or assorting tobacco; nor in, about or in connection with any process in which dangerous or poisonous acids are used; nor in the manufacture or packing of paints, colors, white or red lead; nor in the manufacture or preparation of compositions with dangerous or poisonous gases; nor in the manufacture or use of dangerous or poisonous dyes; nor upon any railroad, steam, electric or otherwise; nor upon any vessel or boat engaged in the transportation of passengers or merchandise; nor in operating motor vehicles of any description; nor in any tunnel or excavation; nor in, about or in connection with any mine, quarry, coal breaker or coke oven; nor in or about any distillery, brewery, or any establishment where alcoholic liquors are manufactured or bottled.

In addition to the foregoing, it shall be unlawful for any child under fifteen years of age to be employed; permitted or suffered to work in any other occupation dangerous to the life or limb or injurious to the health or morals of such child, as such occupations shall, from time to time, after public hearing thereon, be so determined and declared by the labor commissioner of Delaware: *Provided, however,* If it should hereafter be held by the courts of this State that the power herein sought to be granted to the said commission is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

Power of labor commission.

Sec. 3146. Sec. 46. No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or in any occupation, except as hereinafter provided, unless the person, firm or corporation employing such child procures and keeps on file, and accessible to the State child labor inspector, the employment certificate or permit issued to said child.

Certificate required.

Sec. 3147. Sec. 47. No child under sixteen years of age shall be employed, permitted or suffered to work for compensation of any kind upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show: *Provided, however,* That the State child labor inspector may issue a permit allowing a child under said age to be employed upon the stage of the theater or in connection with the theatrical performance or exhibition or show therein designated, for a limited period, when, in his opinion, such permit is justified by the evidence presented to him.

Theatrical, etc., performances.

Sec. 3148. Sec. 48. No person under eighteen years of age shall be employed, permitted or suffered to work in the outside erection or repair of electric wires; in the running or management of hoisting machines or of dynamos; in the operation or use of any polishing or buffing wheel; at switch tending; at gate-tending; at track repairing; as a brakeman, fireman, engineer, motorman or conductor upon any railroad or railway; as a railroad telegraph operator; as a pilot, fireman or engineer of any boat or vessel engaged in the transportation of passengers; nor in or about any establishment wherein gunpowder, nitroglycerin, dynamite or other high or dangerous explosives are manufactured or compounded.

Employment under 18.

Sec. 3149. Sec. 49. No person under twenty-one years of age shall be employed, permitted or suffered to work in any room or rooms wherein intoxicating liquors are sold or dispensed, of any establishment excepting establishments wherein intoxicating liquors are sold for medicinal or scientific purposes.

Under 21.

Sec. 3150. Sec. 50. No person under twenty-one years of age shall be employed, permitted or suffered to work as a messenger for telegraph, telephone or messenger companies in the distribution, collection, transmission or delivery of goods or messages before six o'clock in the morning or after ten o'clock in the evening of any day in any town or city having a population of over twenty thousand persons.

Night messenger service.

Sec. 3151. Sec. 51. The employment certificates to be issued to children under sixteen years of age before they shall be entitled to work in any establishment or in any occupation, except as hereinafter provided, shall be of two classes—general employment certificates and provisional employment certificates. General employment certificates shall entitle the child, fourteen to sixteen years of age, to work at the occupations not herein forbidden during the entire year, under such regulations as may hereinafter be provided. Provisional employment certificates shall entitle the boy, twelve years of age or upwards, and the girl, fourteen years of age or upwards, to work at the occupations which the labor commission of Delaware from time to time may determine and declare to be such as are not dangerous to the life or limb or

Employment certificates.

Injurious to the health or morals of such child, during the entire year, excepting such time as such child is required to attend public, private or parochial school under the provisions of the laws now in force or hereafter to be enacted, under such regulations as may hereinafter be provided.

**Contents.**

Sec. 3152. Sec. 52. Every employment certificate, general or provisional, shall be issued in duplicate and shall state the name, sex, date and place of birth, place of residence, color of hair and eyes, height and weight, any distinguishing physical characteristics and proof of age accepted, of the child for whom it shall be issued. It shall certify that the child named has personally appeared before the issuing officer and has been examined as hereinafter provided. It shall be dated the date of its issue and shall be signed by the child in whose name it is issued in the presence of the issuing officer. In addition to the foregoing every employment certificate shall state the character of the occupation in which the child to whom it is issued is permitted to be engaged and the conditions under which it can be legally used. The provisional certificate shall be of a color different from that of a general employment certificate.

**Who to issue.**

Sec. 3153. Sec. 53. All employment certificates shall be issued in the city of Wilmington by the superintendent of public schools of said city or some person duly authorized by said superintendent, and in the other school districts of the State, where said certificates are applied for, they shall be issued by the principal of the public school or some person designated in writing by said principal. In the event that any aforesaid principal refuses to serve or fails to so designate some person to act in his stead, the chairman of the labor commission shall designate some person to so act. Any designation may be revoked by the said chairman at any time at his pleasure. Notification of the designation or revocation of persons to issue employment certificates shall be given to the State child labor inspector, who shall keep on file a list of the persons who, from time to time, are duly qualified to issue said certificates in the several school districts of the State.

**Applications.**

Sec. 3154. Sec. 54. Any employment certificate, general or provisional, shall be issued only upon the application in person of the parent, guardian or legal custodian of the child for whom such employment certificate is requested; or, if the application in person by parent, guardian or legal custodian is impossible, then by the next friend, who must be over twenty-one years of age and who in the judgment of the issuing officer will best conserve the interests of the said child. Such application shall not be required in any subsequent issuance of a certificate.

**Personal appearance.**

Sec. 3155. Sec. 55. The person authorized to issue a general employment certificate shall not issue such certificate until the child for whom such certificate is requested has personally appeared before and been examined by the said person or until the said person has received, examined, approved and filed, together with the duplicate of said certificate, the following papers, duly executed:

**Papers.**

1. A statement signed by the prospective employer or by some one duly authorized on his behalf, stating that the said employer expects to give such child present employment and setting forth the character of the same.

2. A certificate signed by a physician designated by the labor commission, stating that such child has been thoroughly examined by the said physician at the time of application for the employment certificate and is physically qualified for the employment specified in the statement of the prospective employer. In any case where the said physician shall deem it advisable, he may issue a certificate of physical fitness for a limited time; at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work.

3. A school record filed out and signed by the principal or chief executive officer of the school where the child last attended and

[which] shall be furnished to any child who may be entitled thereto. It shall certify that the said child has completed a course of study equivalent to five yearly grades of the public school in spelling, reading, writing, arithmetic, geography, history of the United States and in the English language. Such record shall also give the name, date of birth and residence of the child, and the name of the parent, guardian or legal custodian, as shown on the records of the school.

4. A statement signed by the person issuing such employment certificate stating that the said child has been examined and can read intelligently and write legibly simple sentences in the English language.

5. Evidence of age showing that the child is fourteen years of age or upwards and shall consist of one of the following proofs of age, which shall be required in the order herein designated: <sup>Evidence of age.</sup>

(a) 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.

(b) A baptismal certificate or transcript of the record of baptism, duly certified, showing the date of birth of such child.

(c) A passport showing the age of such child as an immigrant.

(d) Other documentary evidence of age (other than the affidavit of parent, guardian, legal custodian or next friend) or transcript thereof, duly certified, which shall appear to the satisfaction of the issuing officer to be good and sufficient proof of age.

(e) In case none of the aforesaid proofs of age shall be obtainable, and only in such cases, the issuing officer may accept, in lieu thereof, the signed statement of the physician designated by the labor commission, stating that, after examination, it is the opinion of such physician that such child has attained the age required by law for the occupation in which the said child expects to engage. Such statement shall be accompanied by an affidavit, signed by the parent, guardian, legal custodian or next friend, certifying to the name, date and place of birth of such child and that the parent, guardian, legal custodian or next friend, signing such statement, is unable to produce any of the proofs of age specified in the preceding subdivisions of this section.

Sec. 3156. Sec. 56. A general employment certificate shall, upon the termination of the employment of the child to whom it is issued, be returned by mail by the employer to the person issuing the same within twenty-four hours, if said return is demanded by said child, or otherwise within three days after termination of said employment is known to the employer or his agents. The person to whom said certificate is so returned shall file said certificate and preserve the same until such time as the child to whom said certificate was issued shall make application for the same and present a statement from the prospective employer, as herein provided, when the certificate shall be reissued after physical reexamination and subject to all the conditions as to filing and reporting that governed its first issuance. <sup>Certificate to be returned.</sup>

Sec. 3157. Sec. 57. The person authorized to issue a provisional employment certificate shall not issue such certificate until the following papers have been received, examined, approved and, together with the duplicate of said certificate, filed by said person: <sup>Provisional certificates.</sup>

1. 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 and that, in the opinion of the said principal or chief executive officer, such child is mentally fit to be engaged in the occupations determined and declared by the labor commission as suitable for a child of its age in addition to the regular school work required by law.

2. A certificate signed by the physician designated by the labor commission stating such child has been examined and, in

the opinion of the said physician, the said child has reached the normal development of a child of its age and is physically able to be engaged in the occupations determined and declared by the labor commission as suitable for a child of its age in addition to the regular school work required by law.

3. Evidence of age, showing that such child is twelve years of age or upwards, if the applicant be a male, or fourteen years of age or upwards, if the applicant be a female, and such evidence shall be of a character similar to the proofs of age required in the issuance of a general employment certificate.

Child to re-  
tain.

Sec. 3158. Sec. 58. A provisional employment certificate shall at all times be in the possession of the child to whom issued and shall be exhibited upon demand at any time to the State child labor inspector. Such certificate shall be effective so long as the child to whom it has been issued is engaged in the occupation and during the hours set forth in said certificate. Such certificate may be revoked by the issuing officer for violation of the provisions under which the certificate was issued, or upon the recommendation of the principal or chief executive officer of the school such child is attending, or upon complaint of the State child labor inspector or chief probation officer of the juvenile court.

Hours of la-  
bor.

Sec. 3159. Sec. 59. No child to whom an employment certificate, general or provisional, has been issued shall be employed, permitted or suffered to work in, about or in connection with any establishment or in any occupation for more than six days or more than fifty-four hours in any one week; nor more than ten hours in any one day; nor without at least thirty minutes continuous rest between half past eleven ante meridian and two past meridian, except that such rest period shall come not later than after five hours of work; nor before the hour of six o'clock in the morning or after the hour of seven o'clock in the evening of any day. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein.

Lists to be  
sent to State  
inspector.

Sec. 3160. Sec. 60. The superintendent of public schools in the city of Wilmington shall transmit monthly, and other issuing officers quarterly, to the State child labor inspector, a list of the names of children to whom general employment certificates have been issued, with the name and address of the prospective employer, the character of the occupation the child intends to engage in and the time when said certificate will lapse, and a list of the names of children whose certificates have been returned and the names of the employers returning same. At the same time they shall furnish a list of the names of children to whom provisional employment certificates have been issued and the character of the occupations they are permitted to be engaged in.

Where labor  
is necessary.

Sec. 3161. Sec. 61. In any case where application has been made for an employment certificate—general or provisional—for a child, who fails to meet any of the requirements for securing such certificates, and it shall be found, after careful inquiry and thorough investigation by the State child labor inspector, that the labor of such child is necessary for the support of itself or to assist in the support of its family, the chairman of the labor commission, upon recommendation of the said inspector, may issue a permit allowing the said child to be employed under the conditions set forth in the said permit.

Child labor  
inspector.

Sec. 3162. Sec. 62. At the expiration of the term of the present State child labor inspector, on the first day of May, anno Domini nineteen hundred and nineteen, and every four years thereafter, the labor commission of Delaware shall appoint some suitable person, who shall be known as and be the State child labor inspector, who shall serve for a term of four years from the time of said appointment, and whose duties shall be as herein prescribed. Any vacancies arising in the office of the State child labor inspector by death, resignation or removal from office, or expiration of term, or otherwise, shall be filled by the said labor commission as herein provided. The State child labor inspector shall have no other

gainful occupation than the performance of his duties as herein set forth, and shall receive a salary of \$1,800 per year; payable in equal monthly installments by the State treasurer out of any State funds in his hands not otherwise appropriated.

Sec. 3163. Sec. 63. The State child labor inspector may visit and inspect at any time any establishment in this State to ascertain whether any children are employed therein contrary to the provisions of this act, and it shall be the duty of said inspector to make complaint against any person, firm, or corporation violating any of its provisions and to prosecute the same.

Duties.

Sec. 3164. Sec. 64. The failure of a person, firm, or corporation to produce to the State child labor inspector the general employment certificate of a child who is being employed, permitted or suffered to work under conditions requiring such a certificate, or the refusal of such a child to give to the said inspector his or her name, age and place of residence, shall be prima facie evidence of the illegal employment of such child.

Failure to produce certificate.

Sec. 3165. Sec. 65. The State child labor inspector may make demand on any employer in or about whose establishment a child apparently under the age of sixteen years is employed, permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish him, within ten days, satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such establishment. The said inspector shall require from such employer the same evidence of age of such child as is required upon the issuance of an employment certificate and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child.

Child apparently under age.

Sec. 3166. Sec. 66. In case any employer shall fail to produce and deliver to the State child labor inspector within ten days after demand is made for satisfactory evidence that a child is over sixteen years of age, the evidence of age required, and shall thereafter continue to employ such child or permit or suffer such child to work in such establishment, proof of the making of such demand and of the failure to produce and deliver such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor.

Evidence of illegal employment.

Sec. 3167. Sec. 67. The State child labor inspector shall furnish upon the application of any person, firm, or corporation employing a child under sixteen years of age a printed copy of the sections of this act relating to the hours of labor and blank lists upon which shall be kept the names of all children employed under sixteen years of age, which copy and lists shall be posted in a conspicuous place in the establishment where such children are employed. Such printed copies, blank lists and certificates, and all other papers that may be required for compliance with the provisions of this act shall be formulated and printed by the labor commission of Delaware and furnished upon application by the State child labor inspector.

Copies of act to be furnished.

Sec. 3168. Sec. 68. 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 foreman, shall violate any of the provisions of this act, or who shall furnish or sell to any child any articles of any description with the knowledge that such child intends to sell said articles in violation of the provisions of this act, or who shall continue to furnish or sell articles of any description to a child after having received written notice from the State child labor inspector, or who, having under their control as a parent, guardian, legal custodian, or otherwise any child, permits or suffers such child to be employed or to work in violation of the provisions of this act, or who hinders or delays the State child labor inspector in the performance of his duties, or refuses to admit or locks out the said inspector from any establishment, which he is authorized under the provisions of this act to inspect, shall, for a first offense, be punished by a fine of not less than \$5 nor more

Violations.

thar \$50; for a second offense, by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; for a third offense, by a fine of not less than \$200, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines collected under this section shall be paid into the treasury of the county where proceedings are brought, for the use of said county, and the costs in such cases as are dismissed shall be paid from the treasury of the aforesaid county.

- Jurisdiction.** Sec. 3169. Sec. 69. Any justice of the peace of the State of Delaware shall have jurisdiction of any offense arising under this act, but any person, firm, or corporation convicted of such offense before any such justice of the peace, shall have the right to appeal to the court of general sessions of the State of Delaware in and for the county in which said conviction was had, upon giving bond in the sum of \$100 to the State of Delaware with surety satisfactory to the said justice of the peace by whom said person, firm, or corporation was convicted, provided such appeal shall be taken and bond given within three days from time of said conviction.
- Industrial education.** Sec. 3170. Sec. 70. Nothing in this act shall prevent children of any age from receiving industrial education furnished by the United States, the State of Delaware, or any city or town in the State, and duly approved by a school board or committee or other duly constituted public authority.
- Canneries exempt.** Sec. 3171. Sec. 71. The provisions of this act shall not apply to any child over the age of twelve years who may be employed, permitted or suffered to work in any establishment used for the purpose of canning or preserving or preparation for canning or preserving perishable fruits and vegetables.
- Title.** Sec. 3172. Sec. 72. Sections 44 to 73, inclusive, of this chapter, may be cited as the child labor law. It shall be so interpreted
- Construction.** and construed as to effectuate its general purposes and objects.
- Approved, April 2, 1917.

#### CHAPTER 234.—*Protection of employes on buildings.*

- Scaffolding, etc., to be furnished.** SECTION 1. A person employing or directing another to perform labor of any kind in the erection, repairing, altering or painting of a house, building or structure shall not furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders or other mechanical contrivances which are unsafe, unsuitable or improper, and which are not so constructed, placed and operated as to give proper protection to the life and limb of a person so employed or engaged.
- Safety rail.** Scaffolding or staging swung or suspended from an overhead support, or erected with stationary supports, more than twenty feet from the ground or floor, except scaffolding wholly within the interior of a building and which covers the entire floor space of any room therein, shall have a safety rail of suitable material, properly bolted, secured and braced, rising at least thirty-four inches above the floor or main portions of such scaffolding or staging and extending along the entire length of the outside and the ends thereof, with such openings as may be necessary for the delivery of materials, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.
- Floors to be filled in.** SEC. 2. All contractors and owners, when constructing buildings where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are of fireproof material or brickwork, shall complete the flooring or filling in as the building progresses to not less than within three tiers of beams below that on which the ironwork is being erected. If the plans and specifications of such buildings do not require filling in between the beams of floors with brick or fireproof material all contractors for car-

penyer work, in the course of construction, shall lay the under-flooring thereon on each story as the building progresses to not less than within two stories below the one to which such building has been erected. Where double floors are not to be used, such contractor shall keep planked over the floor two stories below the story where the work is being performed. If the floor beams are of iron or steel, the contractors for the iron and steel work of buildings in course of construction or the owners of such buildings shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising or lowering of materials to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts. If elevators or elevating machines are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owner shall cause the shafts or openings in each floor to be inclosed or fenced in on all sides by a barrier at least eight feet in height, except on two sides which may be used for taking off and putting on materials, and those sides shall be guarded by an adjustable barrier not less than three nor more than four feet from the floor and not less than two feet from the edge of such shaft or opening.

Elevator  
shaft.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$50 nor more than \$100 for each offense.

Violations.

Approved April 25, 1917.



**DISTRICT OF COLUMBIA.**

**ACTS OF 1916-17.**

**CHAPTER 2.—*Cost of living—Investigation.***

**SECTION 1.** The [United States] Department of Labor hereby is authorized and directed to make an inquiry into the cost of living of wage earners in the District of Columbia, and to report thereon to Congress as early as practicable; and there [shall] be appropriated for this purpose the sum of \$6,000.

Approved December 20, 1916.



**FLORIDA.**

**ACTS OF 1917.**

**CHAPTER 7273.—*Emigrant agents.***

SECTION 1. From and after the passage of this act no person shall conduct the business of an emigrant agent or solicit emigrants or laborers in any county in this State without having first secured a license in each county where such business is conducted. License re- quired.

SEC. 2. All licenses required in section one of this act shall be good for a period of one year and may be secured by an application to the tax collector in the county where such business is conducted and the payment of a fee of \$2,000 therefor, together with the county judge's fee of 25 cents for issuing the same. The license year as contemplated herein shall begin on October the first of each year and no license for the fractional part of a year shall be issued. Annual fee.

SEC. 3. The term "emigrant agent" as used in this act shall apply to any person, agent, solicitor or recruiter engaged in the business of hiring, enticing or soliciting laborers or emigrants in this State to be transported and employed beyond the limits of this State. Definition.

SEC. 4. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not exceeding \$5,000, or by imprisonment in the county jail not more than twelve months, or by both such fine and imprisonment in the discretion of the court. Violations.

Approved May 14, 1917.

**CHAPTER 7366.—*Payment of wages due deceased employees.***

SECTION 1. It shall be lawful for any employer, in case of the death of an employee, to pay to the wife or husband, and in case there is no wife or husband, then to the child or children, provided, the child or children be over the age of eighteen years, and in case there is no child or children, then to the father or mother, any wages that may be due said employee at the time of his death. Direct pay- ment.

SEC. 2. Any wages so paid under the authority of this act shall not be considered as assets of the estate and subject to administration. Status.

Approved June 5, 1917.



GEORGIA.

ACTS OF 1917.

Department of commerce and labor—Free employment office—  
Private offices.

[Page 88.]

SECTION 1. The act approved August eighteenth, nineteen hundred and thirteen, amending the act creating the department of commerce and labor, approved August twenty-first, nineteen hundred and eleven, is hereby amended by striking out section two of said amended act and substituting therefor an entirely new section as follows: **Act amended.**

Sec. 2. The commissioner, aided by his lawful assistants, shall collect and collate information and statistics concerning labor and its relation to capital, showing labor conditions throughout the State; the hours of labor; the earnings of laborers; and their educational, moral and financial condition, and the best means of promoting their mental, moral and material welfare; shall investigate the cause and extent of labor shortage, and the migration of labor; shall also collect and collate information and statistics concerning the location, capacity of mills, factories, workshops and other industries, and actual output of manufactured products, and also the character and amount of labor employed; the kind and quantity of raw material annually used by them, and the capital invested therein; and such other information and statistics concerning the natural resources of the State and the industrial welfare of the citizens as may be deemed necessary and of interest and benefit to the public and by the dissemination of such data to advertise the various industrial and natural resources of Georgia in order to attract desirable settlers and to bring capital into the State. The department of commerce and labor is also charged with the following duties: **Duty of commissioner.**

Paragraph A. As soon as practicable after the passage of this act, the commissioner shall organize a division of labor or free employment bureau, having for its purpose the listing of the names of all persons desiring employment in this State and the endeavor to secure employment for such persons, and the listing of the names of such persons, firms or corporations applying for labor and the endeavor to supply the demand. In conducting the division of labor the commissioner of labor is herewith authorized and empowered to assist and act in concert with any person or persons, county organization, municipal or governmental agency, having for its purpose the distribution of labor in this State, not conducted for profit, and to cooperate with similar exchanges in other States and with the United States Employment Service, and in every other way the commissioner is charged with the duty of endeavoring to be of assistance to both employer and employee, and of working in harmony with others having a like end in view, and for which no remuneration is received. For securing employment for those who wish employment and for securing labor for those who need help there shall be no charge whatever made or accepted, directly or indirectly, by any person connected with the department of commerce and labor. All officials of the State and the various counties of the State are herewith charged with the duty of lending such aid and assistance as may be called for by the commissioner: *Provided*, Said commissioner may inquire into the cause of strikes and lockouts, and other disagreements between employer and employees; and, whenever practicable, offer his good offices to the contending parties with a view of bringing about friendly and satisfactory adjustments thereof. **Free employment office.**

Strikes, etc.

**Private employment offices.** Paragraph B. The commissioner shall exercise jurisdiction over each person, firm, or corporation acting as a private employment agency, intelligence bureau, or employment agency, for which pay is exacted or received, hereafter referred to as agency, [and] shall, as frequently as may be necessary, examine into the condition of each agency; shall require each agent to make application for license to do business, which application must be indorsed by two taxpayers in the county where such agency proposes to conduct business, said license to be granted by the commissioner upon the payment to the State of such tax as may be charged, and the filing of a bond in the sum of \$500 for the faithful performance of duty, said license to be renewed annually. The commissioner shall require each agency to report to him once a month, in writing, showing the names, addresses, and number of persons for whom positions were secured, where secured, the kind of position, the pay of same, the amount of fee collected, and the amount still to be collected. Nothing in this paragraph shall authorize any employment agency or persons connected with such agency, or any employee thereof, to act as an emigrant agent. If any agent is found violating the law it shall be the duty of the commissioner to immediately proceed to have such person presented to the proper authorities for prosecution and to cancel the license to do business.

**Emigrant agents.** Paragraph C. The commissioner shall exercise jurisdiction over each person, firm, or corporation acting as an emigrant agent or agency hereafter referred to as emigrant agent; shall require each emigrant agent to make application for license to do business, said application to be indorsed by two taxpayers and accompanied by a bond of \$1,000 for the faithful performance of duty, and the payment of such tax as may be required by law. Each emigrant agent shall make a monthly report to the commissioner, showing the names, the addresses, and number of people carried out of the State, the points to which they have been carried, the kind and character of work secured for them, the pay to be received by them, the fee charged them or to be collected and from whom. The emigrant agent must show clearly by whom employed, if paid a salary, or from whom he receives a commission and how much. The commissioner shall inspect the office and work of each emigrant agent as often as may be necessary, and if any emigrant agent is found to be violating the law, it shall be the duty of the commissioner to immediately proceed to have such person presented to the proper authorities for prosecution and to cancel the license to do business. Each emigrant agent must secure annually a license to do business.

**Violations.** Paragraph D. Any person, firm, or corporation operating an employment agency or any employee of such agency, or any person, firm, or corporation acting as an emigrant agent violating any of the provisions of Paragraphs B and C, or if any person knowingly makes any false statement or false representation to any officer or employee of any employment bureau established under the provisions of this act for the purpose of obtaining employment or procuring working people, such person or persons shall be guilty of a misdemeanor and shall upon conviction thereof be punished as prescribed in section ten hundred sixty-five of the Penal Code of nineteen hundred and ten.

Approved August 20, 1917.

*Sunday labor—Freight trains—Suspension of law.*

[Page 204.]

**Suspension during war.** SECTION 1. From and after the passage of this act, in order to avoid congestions, and to render more efficient, expeditious, and certain the transportation services which the railroads operating in the State of Georgia may be called upon to render during the existence of the present war, the provisions of sections four hundred and fourteen and four hundred and fifteen of the pres-

ent Penal Code of Georgia forbidding and making penal the running of freight and passenger trains on the Sabbath, together with the penalties provided thereby, are suspended and made inoperative [inoperative] during the period of the existing war and until peace is proclaimed.

Sec. 2. Section four hundred and sixteen of the present Penal Code of Georgia, providing that no person shall pursue his business or the work of his ordinary calling on the Lord's day, in so far as the same may apply to railroads and the running by them of freight and passenger trains, as well as the performance of all railroad work in connection with and incidental to the operation of trains, together with the penalties provided by said section, are hereby suspended during the period of the existing war and until peace is declared. Railroad employments.

Sec. 3. All existing municipal ordinances which may tend to prevent the running of any trains on the Sabbath day by railroads in this State, and to prevent such work as may be incidental thereto, are hereby suspended and rendered unenforceable during the aforesaid period; and after the passage of this act no town or city in the State of Georgia shall, during the period named, pass any law, ordinance, or regulation which may be intended or have the tendency to prevent railroads in the State from running trains on the Sabbath, and from doing work incidental and related to the operation of trains: *Provided, however,* That said sections referred to in this bill shall not be suspended until after a petition has been filed with the Railroad Commission of Georgia and said commission has passed an order suspending the operation of said sections as to the petitioning railroad, it being the purpose of this act to vest in the Railroad Commission of Georgia absolute authority to suspend said sections during said war and with the full right to revoke the order suspending said sections, if in their judgment the exigency ceases to exist. Municipal ordinances.

Approved August 20, 1917.

#### RESOLUTIONS.

No. 10.—*Strike on Georgia, Florida & Alabama Railway—Tender of aid to secure settlement.*

[Page 997.]

*Resolved,* That the committee on state of republic of the House and Senate be requested to tender their good offices to the contending parties, with the hope of ascertaining the causes leading up to such a strike, and aid, if possible, in bringing about a satisfactory settlement of the issues and restoring commerce in the southern section of the State to its normal condition. Mediation offered.

Approved August 18, 1917.



# HAWAII.

## ACTS OF 1917.

### ACT No. 115.—*Factory, etc., regulations—Fire marshal.*

SECTION 49. (1) The [insurance] commissioner shall be **ex officio** Territorial fire marshal, herein designated **fire marshal**. He shall appoint one of his assistants as chief deputy and may appoint such clerks as he shall find necessary and he shall fix their duties and compensation. All salaries and expenses of the fire marshal department shall be paid out of the treasury of the Territory. **Appointment.**

(2) The 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 Territory and political subdivisions thereof relating to: **Duties.**

(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 exits from or access to buildings or parts of buildings or other property in case of fire;

\* \* \* \* \*

(13) Every owner or other person having charge of or control over any building, structure or other premises, in this section designated "owner," shall construct, keep and make such building, structure or other premises, in this section designated "building," safe from loss or damage to property or loss of life, or injury to persons by fire, in this section designated "fire loss." **Duty of owners.**

(14) 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. **Owners to provide safeguards, etc.**

Approved April 21, 1917.

### ACT No. 194.—*Rates of wages of employees on public works.*

SECTION 1. Section one hundred and sixty-four of the Revised Laws of Hawaii, nineteen hundred and fifteen, is hereby amended so as to read as follows:

Section 164. The daily pay for each working day of each laborer engaged in constructing or repairing roads, bridges or streets, waterworks or other works either by contract or otherwise, for the Territory of Hawaii, or for any political subdivision thereof, shall not be less than \$2: **Minimum wages.** *Provided, however,* That said minimum of \$2 shall not apply to the county of Kalawao.

Approved May 1, 1917.



IDAHO.

ACTS OF 1917.

CHAPTER 81.—Industrial accident board—Safety regulations.

SECTION 118. The [industrial accident] board shall have the power, in addition to other powers herein granted by general rules or regulations—

(a) To declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render employees and places of employment safe;

(b) To fix and order such reasonable standards for the construction, maintenance and repair of places of employment as shall render them safe;

(c) To require the performance of any act necessary for the protection of the life, health and safety of employees.

SEC. 119. Every employer, employee and other person shall obey and comply with each and every requirement of every order, direction, or regulation made or prescribed by the board, and shall do everything necessary or proper in order to secure compliance with and observance of every such order, direction or regulation.

SEC. 120. Every employer, employee, or other person, who, either individually or acting as an officer, agent or employee of a corporation or other person, violates any safety provision contained in this division of this act, or any part of such provision, or who shall fail or refuse to comply with any such provision, or any part thereof, or who, directly or indirectly, knowingly induces another so to do is guilty of a misdemeanor.

Approved March 16, 1917.

CHAPTER 86.—Mine regulations—Drilling.

SECTION 1. It shall be unlawful for any owner, operator or person in charge of any underground mine to cause to be drilled or bored by machinery a hole or holes in any stope or raise in ground that causes dust from drilling, unless said machinery is equipped with a water jet or spray or other means equally efficient to prevent the escape of dust.

SEC. 2. Where machinery used for drilling or boring holes in stopes or raises is equipped, as required by section one of this act, it shall be unlawful for any person or persons to drill or bore a hole in said stope or raise without using said appliance for the prevention of dust.

SEC. 3. Any person who violates either of the two preceding sections, or any owner, operator, or person in charge of any underground mine who hires, contracts with or causes any person to violate the two preceding sections shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in the county jail not more than six months or by both such fine and imprisonment.

SEC. 4. The words "person," "operator," "owner" and "person in charge," wherever used in this act, shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of the Territories, the laws of any State or the laws of any foreign country.

Approved March 14, 1917.

Power of board.

Compliance.

Violations.

Dust prevention.

Appliances to be used.

Violations.

Definitions.

**CHAPTER 145.—Interference with employment—Criminal syndicalism.**

- Definition.** SECTION. 1. Criminal syndicalism is the doctrine which advocates crime, sabotage, violence or unlawful methods of terrorism as a means of accomplishing industrial or political reform. The advocacy of such doctrine, whether by word of mouth or writing, is a felony punishable as in this act otherwise provided.
- Offenses.** SEC. 2. Any person who—
- (1) By word of mouth or writing, advocates or teaches the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform; or
  - (2) Prints, publishes, edits, issues or knowingly circulates, sells, distributes or publicly displays any book, paper, document, or written matter in any form, containing or advocating, advising or teaching the doctrine that industrial or political reform should be brought about by crime, sabotage, violence or other unlawful methods of terrorism; or
  - (3) Openly, willfully and deliberately justifies, by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods of terrorism with intent to exemplify, spread or advocate the propriety of the doctrines of criminal syndicalism; or
  - (4) Organizes or helps to organize or becomes a member of, or voluntarily assembles with any society, group or assemblage of persons formed to teach or advocate the doctrines of criminal syndicalism;
- Penalty.** Is guilty of a felony and punishable by imprisonment in the State prison for not more than ten years or by a fine of not more than \$5,000, or both.
- Assembling.** SEC. 3. Whenever two or more persons assemble for the purpose of advocating or teaching the doctrines of criminal syndicalism as defined in this act, such an assemblage is unlawful, and every person voluntarily participating therein by his presence, aid or instigation is guilty of a felony and punishable by imprisonment in the State prison for not more than ten years or by a fine of not more than \$5,000, or both.
- Permitting assemblages.** SEC. 4. The owner, agent, superintendent, janitor, caretaker, or occupant of any place, building or room, who willfully and knowingly permits therein any assemblage of persons prohibited by the provisions of section three of this act, or who, after notification that the premises are so used, permits such use to be continued, is guilty of a misdemeanor and punishable by imprisonment in the county jail for not more than one year or by a fine of not more than \$500, or both.

**Approved March 14, 1917.**

**ILLINOIS.**  
**ACTS OF 1917.**

*Department of labor, etc.*

[Page 4.]

<p><b>SECTION 1.</b> This act shall be known as "The Civil Administrative Code of Illinois."</p>	<b>Title.</b>
<p><b>SEC. 2.</b> The word "department," as used in this act, shall, unless the context otherwise clearly indicates, mean the several departments of the State government as designated in section three of this act, and none other.</p>	<b>Definition.</b>
<p><b>SEC. 3.</b> Departments of the State government are created as follows: * * * The department of labor; the department of mines and minerals; * * * the department of registration and education.</p>	<b>Departments.</b>
<p><b>SEC. 4.</b> Each department shall have an officer at its head who shall be known as a director, and who shall, subject to the provisions of this act, execute the powers and discharge the duties vested by law in his respective department.</p>	<b>Heads.</b>
<p>The following officers are hereby created: * * * Director of labor, for the department of labor; director of mines and minerals, for the department of mines and minerals; * * * director of registration and education, for the department of registration and education.</p>	<b>Other officers.</b>
<p><b>SEC. 5.</b> In addition to the directors of departments, the following executive and administrative officers, boards and commissions, which said officers, boards and commissions in the respective departments, shall hold offices hereby created and designated as follows:</p> <p style="text-align: center;">* * * * *</p> <p>In the department of labor: Assistant director of labor; chief factory inspector; superintendent of free employment offices; chief inspector of private employment agencies; the industrial commission, which shall consist of five officers designated industrial officers.</p> <p>In the department of mines and minerals: Assistant director of mines and minerals; the mining board, which shall consist of four officers designated as mine officers and the director of the department of mines and minerals; the miners' examining board, which shall consist of four officers, designated miners' examining officers.</p> <p style="text-align: center;">* * * * *</p> <p>In the department of registration and education: Assistant director of registration and education; superintendent of registration. * * *</p> <p>The above-named officers, and each of them, shall, except as otherwise provided in this act, be under the direction, supervision and control of the director of their respective departments, and shall perform such duties as such director shall prescribe.</p>	<b>Boards.</b>
<p><b>SEC. 6.</b> Advisory and nonexecutive boards, in the respective departments, are created as follows:</p> <p style="text-align: center;">* * * * *</p> <p>In the department of labor: A board of Illinois free employment office advisors, composed of five persons; a board of local Illinois free employment office advisors, for each free employment office, composed of five persons on each local board.</p> <p style="text-align: center;">* * * * *</p>	<b>Industrial officers.</b>
<p><b>SEC. 7.</b> * * * Of the five industrial officers, two shall be representative citizens of the employing class operating under</p>	<b>Industrial officers.</b>

the workmen's compensation act, two shall be representative citizens chosen from among the employees operating under such act, and the other shall be a representative citizen not indetified [identified] with either the employing or employee classes.

Employment office advisors.

Of the five Illinois free employment office advisors, two shall be representatives of employers, two representatives of organized labor, and one representative citizen who is neither an employer nor an employee.

The five local Illinois free employment office advisors shall have the same qualifications as the Illinois free employment office advisors.

Director of mines.

The director of mines and minerals shall be a person thoroughly conversant with the theory and practice of coal mining but who is not identified with either coal operators or coal miners. Of the four mine officers, two shall be coal operators and two shall be practical coal miners.

Miners' examiners.

Each of the three miners' examining officers shall have had at least five years' practical and continuous experience as a coal miner and have been actually engaged as a coal miner in this State continuously for twelve months next preceding his appointment, and no one of whom shall hold any lucrative public office, Federal, State, or municipal.

\* \* \* \* \*

Affiliations forbidden.

Neither the director, assistant director, superintendent of registration, nor any other executive and administrative officer in the department of registration and education shall be affiliated with any college or school of medicine, pharmacy, dentistry, nursing, optometry, embalming, barbering, veterinary medicine and surgery, architecture, or structural engineering, either as teacher, officer, or stockholder, nor shall he hold a license or certificate to exercise or practice any of the professions, trades, or occupations regulated.

\* \* \* \* \*

Powers and duties.

SEC. 8. Each advisory and nonexecutive board, except as otherwise expressly provided in this act, shall, with respect to its field of work, or that of the department with which it is associated, have the following powers and duties:

1. To consider and study the entire field; to advise the executive officers of the department upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers of the department shall duly consider, and to give advice or make recommendations to the governor and the general assembly when so requested, or on its own initiative;
2. To investigate the conduct of the work of the department with which it may be associated, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging thereto, and to require written or oral information from any officer or employee thereof;
3. To adopt rules, not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the director of the department with which such board is associated;
4. To hold meetings at such times and places as may be prescribed by the rules, not less frequently, however, than quarterly;
5. To act by a subcommittee, or by a majority of the board, if the rules so prescribe;
6. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the director of the department;
7. To give notice to the governor and the director of the department with which it is associated of the time and place of every meeting, regular or special, and to permit the governor and the director of the department to be present and to be heard upon any matter coming before such board.

**Sec. 9.** The executive and administrative officers whose offices are created by this act shall receive annual salaries, payable in equal monthly installments, as follows: Salaries.

\* \* \* \* \*

In the department of labor: The director of labor shall receive \$5,000; the assistant director of labor shall receive \$3,000; the chief factory inspector shall receive \$3,000; the superintendent of free employment offices shall receive \$3,000; the chief inspector of private employment agencies shall receive \$3,000; each industrial officer shall receive \$5,000.

In the department of mines and minerals: The director of mines and minerals shall receive \$5,000; the assistant director of mines and minerals shall receive \$3,000; each mine officer shall receive \$500; each miners' examining officer shall receive \$1,800.

\* \* \* \* \*

In the department of registration and education: The director of registration and education shall receive \$5,000; the assistant director of registration and education shall receive \$3,600; the superintendent of registration shall receive \$4,200.

**Sec. 10.** No member of an advisory and nonexecutive board shall receive any compensation. Free services.

**Sec. 11.** Each executive and administrative officer, except the two food standard officers, the members of the mining board, and the members of the normal school board shall devote his entire time to the duties of his office and shall hold no other office or position of profit. Who to give entire time.

**Sec. 12.** Each officer whose office is created by this act shall be appointed by the governor, by and with the advice and consent of the senate. In any case of vacancy in such offices during the recess of the senate, the governor shall make a temporary appointment until the next meeting of the senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the senate is not in session at the time this act takes effect, the governor shall make a temporary appointment as in case of a vacancy. Appointment.

**Sec. 13.** Each officer whose office is created by this act, except as otherwise specifically provided for in this act, shall hold office for a term of four years from the second Monday in January next after the election of a governor, and until his successor is appointed and qualified. Term.

\* \* \* \* \*

**Sec. 15.** Each executive and administrative officer whose office is created by this act shall, before entering upon the discharge of the duties of his office, give bond, with security to be approved by the governor, in such penal sum as shall be fixed by the governor, not less in any case than \$10,000, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the secretary of state. Bond.

**Sec. 17.** Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the secretary of state. The director of each department may, in his discretion and with the approval of the governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department. Offices.

**Sec. 18.** Each department shall be open for the transaction of public business at least from eight-thirty o'clock in the morning until five o'clock in the evening of each day except Sundays and days declared by the negotiable instrument act to be holidays. Office hours.

**Sec. 21.** All employees in the several departments shall render not less than seven and one-half hours of labor each day, Saturday afternoons, Sundays and days declared by the negotiable instrument act to be holidays excepted in cases in which, in the Hours of service.

- judgment of the director, the public service will not thereby be impaired.
- Leave of absence.** SEC. 22. Each employee in the several departments shall be entitled during each calendar year to fourteen days' leave of absence with full pay. In special and meritorious cases where to limit the annual leave to fourteen days in any one calendar year would work peculiar hardship, it may, in the discretion of the director of the department, be extended.
- Extra services.** SEC. 23. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.
- Annual reports.** SEC. 25. Each director of a department shall annually on or before the first day of December, and at such other times as the governor may require, report in writing to the governor concerning the condition, management and financial transactions of their respective departments. In addition to such reports, each director of a department shall make the semi-annual and biennial reports provided by the constitution. The departments shall make annual and biennial reports at the time prescribed in this section, and at no other time.
- Boards, etc., abolished.** SEC. 35. The following offices, boards, commissions, arms, and agencies of the State government heretofore created by law, are hereby abolished, viz: \* \* \* board of examiners of horseshoers, secretary of the board of examiners of horseshoers, \* \* \* Advisory board of managers of free employment offices, local board of managers of free employment offices, general superintendent of free employment offices in each city having a population of one million or over, department superintendent of free employment offices in each city having a population of one million or over, assistant department superintendents of free employment offices in each city having a population of one million or over, clerks of free employment offices in each city having a population of one million or over, superintendent of free employment offices in cities of less than one million population, assistant superintendents of free employment offices in cities of less than one million population, clerks of free employment offices in cities of less than one million population, chief inspector of private employment agencies, assistant inspectors of private employment agencies, chief State factory inspector, assistant chief factory inspector, physician for chief State factory inspector, deputy factory inspectors, State board of arbitration and conciliation, secretary of the State board of arbitration and conciliation, the industrial board, secretary of the industrial board, State mining board, chief clerk of the State mining board, State mine inspectors, miners' examining commissioners, constituting the miners' examining board, mine fire fighting and rescue station commission, superintendents of mine fire fighting and rescue stations, assistant superintendents of mine fire fighting and rescue stations, \* \* \* board of barber examiners, secretary and treasurer of the board of barber examiners. \* \* \* Inspectors of automatic couplers, power brakes and grab irons or handholds on railroad locomotives, tenders, cars and similar vehicles. \* \* \*
- Powers of department of labor.** SEC. 43. The Department of Labor. The department of labor shall have power:
1. To exercise the rights, powers and duties vested by law in the commissioners of labor, the secretary, other officers and employees of said commissioners of labor;
  2. To exercise the rights, powers and duties vested by law in the superintendents and assistant superintendents of free employment offices, general advisory board of free employment offices, local advisory boards of free employment offices, and other officers and employees of free employment offices;
  3. To exercise the rights, powers and duties vested by law in the chief inspector of private employment agencies, inspectors of private employment agencies, their subordinate officers and employees;

4. To exercise the rights, powers and duties vested by law in the chief factory inspector, assistant chief factory inspector, deputy factory inspector, and all other officers and employees of the State factory inspection service;

5. To exercise the rights, powers and duties vested by law in the State board of arbitration and conciliation, its officers and employees;

6. To exercise the rights, powers and duties vested by law in the industrial board, its officers and employees;

7. To foster, promote and develop the welfare of wage earners;

8. To improve working conditions;

9. To advance opportunities for profitable employment;

10. To collect, collate, assort, systematize and report statistical details relating to all departments of labor, especially in its relation to commercial, industrial, social, educational and sanitary conditions, and to the permanent prosperity of the manufacturing and productive industries;

11. To collect, collate, assort, systematize and report statistical details of the manufacturing industries and commerce of the State;

12. To acquire and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of that word;

13. To acquire and diffuse among the people useful information concerning the means of promoting the material, social, intellectual and moral prosperity of laboring men and women;

14. To acquire information and report upon the general condition, so far as production is concerned, of the leading industries of the State;

15. To acquire and diffuse information as to the conditions of employment, and such other facts as may be deemed of value to the industrial interests of the State;

16. To acquire and diffuse information in relation to the prevention of accidents, occupational diseases and other related subjects.

SEC. 44. The department of labor shall exercise and discharge the rights, powers and duties vested by law in the industrial board under an act [the workmen's compensation law] \* \* \* approved June twenty-eighth, nineteen hundred and thirteen, in force July first, nineteen hundred and thirteen, or any future amendments thereto or modifications thereof.

Duties as to  
compensation  
law.

Said act and all amendments thereto and modifications thereof, if any, shall be administered by the industrial commission created by this act, and in its name, without any direction, supervision, or control by the director of labor.

The industrial commission shall also, in its name and without any direction, supervision or control by the director, administer the arbitration and conciliation act.

SEC. 45. The department of mines and minerals: The department of mines and minerals shall have power:

Powers of  
department of  
mines and  
minerals.

1. To exercise the rights, powers and duties vested by law in the State mining board, its officers and employees;

2. To exercise the rights, powers and duties vested by law in the State mine inspectors;

3. To exercise the rights, powers and duties vested by law in the miners' examining commission, its officers and employees;

4. To exercise the rights, powers and duties vested by law in the mine fire fighting and rescue station commission, superintendents and assistant superintendents, other officers and employees of the several mine rescue stations;

5. To acquire and diffuse information concerning the nature, causes and prevention of mine accidents;

6. To acquire and diffuse information concerning the improvement of methods, conditions and equipment of mines, with special reference to health, safety and conservation of mineral resources;

7. To make inquiries into the economic conditions affecting the mining, quarrying, metallurgical, clay, oil and other mineral industries;

8. To promote the technical efficiency of all persons working in and about the mines of the State, and to assist them better to overcome the increasing difficulties of mining, and for that purpose to provide bulletins, traveling libraries, lectures, correspondence work, classes of systematic instruction, or meetings for the reading and discussion of papers, and to that end to cooperate with the University of Illinois.

Mining  
board.

SEC. 46. The mining board, in the department of mines and minerals, shall—

1. Hold such meetings, from time to time, as may be necessary for the proper discharge of its duties;

2. Conduct the examination and pass upon the practical and technological qualifications and personal fitness of all persons employed in the department of mines and minerals as inspectors of mines;

3. Conduct examinations and pass upon the practical and technological qualifications and personal fitness of persons seeking certificates of competency as mine managers, mine examiners and hoisting engineers;

4. Conduct examinations, at the capitol, on the second Tuesday in September of each year and at such other times as may be necessary, of candidates for employment as inspectors of mines;

5. Conduct examinations of persons seeking certificates of competency as mine managers, mine examiners and hoisting engineers, at such times and places within the State as shall, in the judgment of the board, afford the best facilities to the greatest number of candidates;

6. Give public notice, through the public press, or otherwise, not less than ten days in advance, announcing the time and place at which any examination is to be held;

7. Prescribe uniform rules, conditions and regulations for the examination of persons seeking employment as inspectors of mines and of those seeking certificates of competency as mine managers, mine examiners and hoisting engineers;

8. Report in writing to the director of mines and minerals the names of persons qualified to be employed by the department of mines and minerals as inspectors of mines, and of those authorized to receive certificates of competency as mine managers, mine examiners and hoisting engineers;

9. Supervise, control and direct the State mine inspection service;

10. Have power to remove any inspector of mines or to cancel the certificate of any mine manager, mine examiner or hoisting engineer, as provided in paragraphs (h) and (i) of section three of an act \* \* \* approved June sixth, nineteen hundred and eleven, in force July first, nineteen hundred and eleven, [page three hundred and eighty-seven, acts of nineteen hundred and eleven], and all amendments thereto, past or future, or modifications thereof;

11. Preserve and keep on file, for not less than one year, all written examination papers and all other papers of any applicant, and to permit the inspection thereof by any applicant interested, at all reasonable times, and to give to any applicant a certified copy of any or all of his papers.

Director.

SEC. 47. The director of mines and minerals shall be the executive officer of the mining board and shall execute the orders, rules and regulations made and promulgated by the mining board, and shall issue, in the name of the department of mines and minerals, certificates of qualification and competency to persons certified to him by the mining board, and to no other persons.

Examining  
board.

SEC. 48. The department of mines and minerals shall exercise and discharge the rights, powers and duties vested by law in the miners' examining commissioners, constituting the miners' examining board for the State of Illinois, under an act \* \* \*

approve June twenty-seventh, nineteen hundred and thirteen, in force July first, nineteen hundred and thirteen, [page four hundred and thirty-eight, acts of nineteen hundred and thirteen], and all amendments thereto, past or future, or modifications thereof.

Said act and all amendments thereto and modifications thereof, if any, shall be administered by the miners' examining board created by this act, and in its name, without any direction, supervision or control by the director of mines and minerals, or by the mining board.

Sec. 58. The department of registration and education: The department of registration and education shall have power:

Powers of department of registration and education.

3. To exercise the rights, powers and duties vested by law in the board of examiners of horseshoers;

12. To exercise the rights, powers and duties vested by law in the State board of barber examiners, its officers and employees;

Sec. 60. The department of registration and education shall, wherever the several laws regulating professions, trades and occupations which are devolved upon the department for administration so require, exercise, in its name, but subject to the provisions of this act, the following powers:

Same.

1. Conduct examinations to ascertain the qualifications and fitness of applicants to exercise the profession, trade or occupation for which an examination is held; and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

2. Prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades or occupations;

6. Conduct hearings on proceedings to revoke or refuse renewal of licenses, certificates or authorities of persons exercising the respective professions, trades or occupations, and to revoke or refuse to renew such licenses, certificates or authorities;

7. Formulate rules and regulations when required in any act to be administered.

None of the above enumerated functions and duties shall be exercised by the department of registration and education, except upon the action and report in writing of persons designated from time to time by the director of registration and education to take such action and to make such report, for the respective professions, trades and occupations as follows:

For the horseshoers, five persons, consisting of three practical master horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing in this State, and two journeymen horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing as journeymen horseshoers in this State:

Horseshoers.

For the barbers, three practical barbers, each of whom has been for at least five years preceding his designation engaged in the occupation of barbering in this State.

Barbers.

The action or report in writing of a majority of the persons designated for any given trade, occupation or profession, shall be sufficient authority upon which the director of registration and education may act.

In making the designation of persons to act for the several professions, trades and occupations the director shall give due consideration to recommendations by members of the respective professions, trades and occupations and by organizations therein.

Nominations by trades, etc.

Reexamina-  
tions, etc.

Whenever the director is satisfied that substantial justice has not been done either in an examination or in the revocation of or refusal to renew a license, certificate or authority, he may order reexaminations or rehearings by the same or other examiners.

Certificates,  
etc.

SEC. 61. All certificates, licenses and authorities shall be issued by the department of registration and education, in the name of such department, with the seal thereof attached.

Acts re-  
pealed.

SEC. 64. The following acts and parts of acts are hereby repealed:

\* \* \* \* \*

"An act to create a bureau of labor statistics and statistical details of manufacturing industries and commerce of the State, and to provide for a board of commissioners and secretary, and repealing certain acts therein named," approved June tenth, nineteen hundred and nine, in force July first, nineteen hundred and nine [page one hundred and ninety-nine, acts of nineteen hundred and nine];

"An act to prevent accidents in mines and other industrial plants, and to conserve the resources of the State by the establishment of Illinois miners' and mechanics' institutes, and for the administration and support of the same," approved May twenty-fifth, nineteen hundred and eleven, in force July first, nineteen hundred and eleven [page three hundred and twenty-nine, acts of nineteen hundred and eleven];

\* \* \* \* \*

Approved March 7, 1917.

*Mothers' pensions.*

[Page 220.]

[This act amends section 11 of an act, p. 127, Acts of 1913, previously amended so as to read as follows:]

Conditions.

SECTION 11. Such relief shall be granted by the court only upon the following conditions:

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

2. The court must find that it is for the welfare of such child or children to remain at home with the mother;

3. The relief shall be granted only when in the absence of such relief the mother would be required to work regularly away from her home and children, or when in the absence of such relief it would be necessary to commit such child or children to a dependent institution and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week to be specified in the court's order, when such work can be done by her without the sacrifice of health or the neglect of home and children;

4. Such mother must, in the judgment of the court, be a proper person, physically, mentally and morally fit, to have the care and custody of her children;

5. The relief granted shall, in the judgment of the court, be necessary to save the child or children from neglect;

6. A mother shall not receive such relief who is the owner of real property or personal property other than the household goods, but no mother who shall be the holder of, or entitled to, a homestead under the exemption laws of this State, or who is the holder of, or entitled to a dower right in real estate, provided the fair cash market value of said real estate is not more than \$1,000, shall be denied relief under the provisions of this act;

7. A mother shall not receive such relief who has not resided in the county where the application is made at least three years next before making such application;

8. A mother shall not receive such relief if her child or children has or have relatives of sufficient ability, and who shall be obligated by the finding and judgment of the court by [of] competent jurisdiction, to support them.

Approved June 11, 1917.

*Mothers' pensions.*

[Page 221.]

[This act amends section 2 of an act, p. 127, Acts of 1913, previously amended, so as to read as follows:]

SECTION 2. A woman whose husband is dead and was a resident of the State of Illinois at the time of his death, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity, and becomes so incapacitated while a resident of this State may file an application for relief under this act, provided such woman has a previous residence for three years in the county where such application is made and is the mother of a child or children.

Who may apply.

Approved June 26, 1917.

*Payment of wages in scrip.*

[Page 363.]

SECTION 1. No person, firm, or corporation engaged in any business or enterprise within this State shall issue, in payment of or as evidence of indebtedness, for wages due an employee for labor, any time check, store order, scrip, or other acknowledgment of indebtedness, unless the same is payable or redeemable upon demand, without discount and for face value, in lawful money of the United States at the office or place of business of such person, firm, or corporation.

Orders, etc., to be redeemable.

SEC. 2. Any person, firm, or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine not to exceed \$100, or confined in the county jail for a period not to exceed thirty days, or both, in the discretion of the court.

Violations.

Approved June 26, 1917.

*Health insurance commission.*

[Page 488.]

SECTION 1. A special temporary commission is hereby created to be known as the health insurance commission which shall investigate sickness and accident of employees and their families (not compensated by workmen's compensation in the State of Illinois), with reference to the adequacy of the present methods of preventing and meeting the losses caused by such sickness or injury, either by mutual or stock insurance companies or associations, by fraternal or other mutual benefit associations, by employers and employees jointly, by employers or employees alone, or otherwise; and further, such definite proposals for legislative measures to prevent and meet such losses as may have been proposed in this or other States; all with a view to recommending ways and means for the better protection of employees from sickness and accident and their effects and the improvement of the health of employed persons and their families in the State. The commission shall hold public hearings in different parts of the State. The commission shall submit a full final report, including such recommendations for legislation by bill or otherwise as in its judgment may seem proper, to the general assembly of nineteen hundred and nineteen and unless continued by such general assembly shall expire at the end of its regular session.

Commission created. Duties.

Report.

- Membership.** SEC. 2. The commission shall consist of two representatives of labor, namely, one representative of the male laborers, the other of the female laborers of the State, an employer of labor, a physician, a farmer, a social economist, a social worker, and two other persons, to be appointed by the governor. The members of such commission shall receive no compensation for their services, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.
- Powers.** SEC. 3. The commission shall have power to elect its chairman and other officers, to employ a secretary, experts in the matters to be investigated, and all necessary clerical and other assistants, to purchase books and all necessary supplies, and to rent office room and halls for hearings.
- Cooperation.** SEC. 4. The department of public health and the department of labor and mining are hereby directed to cooperate with the commission, to give it access to their records, and to render it any such proper aid and assistance as in their judgment may not interfere with the proper conduct of their respective departments.
- Appropriation.** SEC. 5. The sum of \$20,000, or so much thereof as may be needed, is hereby appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this act, and the auditor of public accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges, or disbursements authorized by this act on order of the commission, signed by its chairman, attested by its secretary, and approved by the governor.
- Approved June 23, 1917.

*Employment of children—General provisions.*

[Page 511.]

- Age limit.** SECTION 1. No minor under the age of fourteen years shall be employed, permitted or suffered to work at any gainful occupation in, or in connection with, any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop therefor, within this State. No minor under the age of fourteen years shall be employed at any work performed for wages or other compensation, to whomsoever payable, during any portion of any month when the public schools of the school district, town, township, or village or city, in which he or she resides are in session, or be employed at any work before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening: *Provided*, That no minor shall be allowed to work more than eight hours in any one day, nor more than six days in any one week: *Provided*, That nothing in this section shall be construed to prevent any minor under the age of fourteen years from doing voluntary work of a temporary and harmless character, for compensation, when school is not in session.
- Nightwork.**
- Hours of labor.**
- Registers.** SEC. 2. It shall be the duty of every person, firm or corporation, agent or manager, superintendent or foreman, of any firm or corporation, employing minors over the age of fourteen and under the age of sixteen years, in or for or in connection with any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop within this State, to keep a register in said theater, concert hall or place of amusement, or in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop in or for or in connection with which said minors shall be employed or permitted or suffered to work, in which register shall be recorded the name, age, and place of residence of every minor employed or suffered or permitted to work therein, or therefor, or in connection therewith, over the age of fourteen and under the age of sixteen years; and it shall be unlawful for

any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation to hire or employ or to permit or suffer to work in or for or in connection with any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, any minor over the age of fourteen and under the age of sixteen years, unless there is first procured and placed on file in such theater, concert hall or place of amusement, or in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, an employment certificate issued as hereinafter provided and accessible to the authorized officers or employees of the department of labor.

Employment certificates.

Sec. 3. Every person, firm or corporation, agent or manager, superintendent or foreman of a corporation, employing or permitting or suffering to work five or more minors over the age of fourteen and under the age of sixteen years, in or for or in connection with, any theater, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, shall post and keep posted in a conspicuous place in every room in or in connection with which such help is employed, or permitted or suffered to work, a list containing the name, age and place of residence of every minor over the age of fourteen and under the age of sixteen years, employed, permitted or suffered to work in or in connection with such room.

List to be posted.

Sec. 4. An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools, by a person authorized by the school board or other local school authority: *Provided*, That no member of a school board or other person authorized as aforesaid, shall have authority to issue such certificates for any minor then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employee. The person issuing these certificates shall have authority to administer the oaths provided for herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authority, to designate a place or places (connected with their offices when practicable), where certificates shall be issued and recorded, and physical examinations made without fee, as hereinafter provided, and to establish and maintain the necessary records and clerical service for carrying out the provisions of this act.

Who to issue certificates.

Sec. 5. The official authorized to issue an employment certificate to any minor shall issue such certificate only upon the application in person of the minor desiring employment accompanied by the parent, guardian or custodian of such minor and after having received, examined and approved the following papers, namely:

Application.

- (a) A school record as hereinafter provided.
- (b) A certificate of physical fitness, as hereinafter provided.
- (c) Proof of age, as hereinafter provided.

Papers.

(d) A statement signed by the prospective employer, or by some one duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and of days per week, which said minor will be employed.

For the issuance of an employment certificate, the school record required by this act shall be filled out and signed by the principal of the school, public or private or parochial, which the minor has last attended, or by some one duly authorized by him, and shall be furnished to any minor who may be entitled thereto. It shall certify that the said minor is able to read and write legibly simple sentences in the English language and has completed a course of study equivalent to the work prescribed for the first five years of the public elementary schools, in spelling, reading, writing, arithmetic to and including fractions, geography and history, and has

School record.

attended school for at least one hundred and thirty days during the year preceding the date of his application for his first employment certificate, or between his thirteenth and fourteenth birthdays. Such school record shall also give the full name, date of birth, and residence of the minor, and the name and residence of the parent, guardian or custodian, as shown on the records of the school.

The school record shall be in the following form:

SCHOOL RECORD.

Name of parent or guardian or custodian \_\_\_\_\_ Residence of parent or guardian or custodian \_\_\_\_\_ Name of minor \_\_\_\_\_  
Residence of minor \_\_\_\_\_ Date of birth of minor \_\_\_\_\_  
(Signature of minor.)

I hereby certify that the above-named minor is able to read and write legibly simple sentences in the English language; that he has completed the work of the \_\_\_\_\_ grade in the \_\_\_\_\_ school, (location) \_\_\_\_\_; that he has completed a course of study equivalent to the work prescribed for the first five years of the public elementary school in spelling, reading, writing, arithmetic to and including fractions, geography and history and that he has attended school for \_\_\_\_\_ days during the year preceding this date, or between his thirteenth and fourteenth birthdays.

(Signature of principal.)

Physical fitness.

The certificate of physical fitness required by this act for any minor shall be signed by a physician appointed by the municipal health department, the board of education, or other local school authority, and shall state that the said minor has been thoroughly examined by the said physician at the time of his application for an employment certificate, and is physically qualified for the employment specified in the statement submitted in accordance with the requirements of this section.

Evidence of age.

The evidence of age required by this act shall consist of one of the following proofs of age which shall be required in the order herein designated:

(a) A duly attested transcript of the birth certificate, furnished free by the State, filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording birth; or,

(b) A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date of birth, and place of baptism; or,

(c) A passport showing the age of the minor; or,

(d) In case none of the aforesaid proofs of age shall be obtainable, and only in such case, the issuing officer may accept, in lieu thereof, other documentary record of age (such as official certificate of arrival in the United States, bona fide Bible record, confirmation certificate or life insurance policy which are at least one year old at the time of the minor's application for the permit), or transcript thereof, duly certified, which shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age; or in case none of the aforesaid proofs of age shall, in the judgment of the officer having power to issue employment certificates, be obtainable, such officer may accept in lieu thereof a written statement signed by the head teacher or principal of the public or private schools which such child has attended, that he or she was in \_\_\_\_\_ grade, and can read and write legibly simple sentences in English and further certifying the name, age, place and date of birth of such child as shown by the official records of such school for at least two years during the period such minor was in attendance thereat; or,

Other evidence.

(e) In case none of the aforesaid proofs of age shall be obtainable, and in such cases only, the issuing officer may accept, in lieu thereof, the signed statement of two physicians, at least one of whom shall be a public health officer or public school physical

inspector, stating that they have separately examined the minor and that in their opinion the minor is at least fourteen years of age.

SEC. 6. All employment certificates shall be issued in triplicate, one of which shall be forwarded by mail by the issuing officer to the prospective employer of the minor for whom the employment certificate is issued, and another of which shall be forwarded to the properly authorized officer of the department of labor, and a third of which shall be filed in the issuing office.

Certificates in triplicate.

Whenever an employment certificate shall be refused to a minor, the name and present residence of such minor, and the school record issued to such minor, shall be forwarded by the official refusing to issue the certificate, to the principal of the school which such minor should attend, or to the compulsory attendance or truant officer.

When certificate refused.

In any prosecution for a violation of this act, the employment certificate shall be admissible as prima facie evidence of the facts set forth therein.

Certificate as evidence.

Any explanatory matter may be printed upon such certificate in the discretion of the board of education or other local school authority.

The employment certificate shall be signed by the officer duly authorized by the board of education or other local school authority and by the minor and shall be in the following form:

The office of \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_

Form.

EMPLOYMENT CERTIFICATE.

This certifies that I have made a careful examination of all the proofs, documentary and otherwise, required by section five of an act entitled, "An act concerning child labor," approved \_\_\_\_\_ and in force \_\_\_\_\_ for \_\_\_\_\_ (name of minor), and find the following:

(a) That the above-named minor can read and write legibly simple sentences in the English language, and has completed the work of the \_\_\_\_\_ grade in the \_\_\_\_\_ school, and that he has attended school at least one hundred and thirty days during the year previous to this date, or between his thirteenth and fourteenth birthdays.

(b) That the above-named minor is physically fit to do the work specified in the statement submitted in accordance with the requirements of section five of the aforesaid act; and that his height is (feet and inches) \_\_\_\_\_, weight \_\_\_\_\_, complexion (fair or dark) \_\_\_\_\_, hair (color) \_\_\_\_\_.

(c) That he or she was born at (city, state or country), \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, nineteen hundred and \_\_\_\_\_, as shown by \_\_\_\_\_.

(d) That (name of employer) \_\_\_\_\_ of (address) \_\_\_\_\_ has promised the said minor present employment at (character of the work) \_\_\_\_\_ for \_\_\_\_\_ hours per day and \_\_\_\_\_ days per week.

(Officer duly authorized by the superintendent of the board of education (or other local school authority) of \_\_\_\_\_ (city), to issue employment certificates.)

This certificate belongs to the board of education (or other local school authority) and is to be returned to this office within three days after (name of minor) leaves the service of the employer holding the same.

SEC. 7. It shall be the duty of every person who shall employ any minor under the age of sixteen years to acknowledge in writing to the official issuing the same, the receipt of the employment certificate, within three days after the beginning of such employment. On termination of the employment of a minor under the age of sixteen years the employment certificate issued to such

Duty of employers.

minor shall be returned by mail, by the employer to the official issuing the same, immediately on the demand of the minor for whom the certificate was issued, or otherwise, within three days after the termination of said employment. The official to whom the certificate is so returned shall file said certificate, and notify the compulsory attendance or truant officer. Any minor whose certificate has been returned as above provided, shall be entitled to a new employment certificate upon presentation of a statement from a prospective employer as hereinabove provided, accompanied by a certificate of physical fitness issued in a manner as hereinabove provided and based upon a reexamination of the minor, and certifying that the minor is physically fit to undertake the work specified in the statement submitted in accordance with the requirements of section five of this act.

New certificates.

Enforcement.

SEC. 8. The department of labor, through its authorized officers or employees, shall visit all theaters, concert halls or places of amusement, all mercantile institutions, stores, offices, hotels, laundries, manufacturing establishments, mills, canneries, factories or workshops, and all other places where minors are or may be employed, in this State, and ascertain whether any minors are employed contrary to the provisions of this act. Such officers and employees may require that employment certificates, and all lists of minors employed in, or for or in connection with, such theatres, concert halls or places of amusement, and such mercantile institutions, stores, offices, hotels, laundries, manufacturing establishments, mills, canneries, factories or workshops and all other places where minors are employed as provided for in this act shall be produced for their inspection on demand: *And, provided,* That upon written complaint to the school board or other local school authorities of any city, town, district, or municipality, that any minor (whose name shall be given in such complaint) is employed in, or for or in connection with, any theatre, concert hall or place of amusement or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, contrary to the provisions of this act, it shall be the duty of such school board or other local school authorities, to report the same to the department of labor.

Hours of labor.

SEC. 9. No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than six days in any one week, nor more than eight hours in any one day; or before the hour of seven o'clock in the morning, or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals, begins and ends. The printed form of such notice shall be furnished by the department of labor, and the employment of any such minor for longer time in any day so stated, or more than six days in any one week, shall be deemed a violation of this section.

Night work.

Occupations forbidden.

SEC. 10. No minors under the age of sixteen years shall be employed at sewing belts, in any capacity whatever; nor shall any minors adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning any machinery; they shall not operate or assist in operating circular or band-saws, wood-joiners, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet-metal and tinware manufacturing, stamping machines in washer and nut factories, corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating or assisting to operate any passenger or freight elevator, steam-boiler, steam machinery or other steam generating apparatus; they shall not operate or assist in operating dough braker or cracker-machinery of any de-

scription; wire or iron-straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall minors under the age of sixteen years be employed in any mine or quarry; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in any employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any bowling alley, nor in any theater, concert hall or place of amusement wherein intoxicating liquors are sold; nor shall any females under the age of sixteen years be employed in any capacity where such employment requires them to remain standing for and during the performance of their work.

SEC. 11. The presence of any minor under the age of sixteen years in any manufacturing establishment, factory or workshop, or in any other place in which such minor is by this act prohibited from working shall constitute prima facie evidence of his or her employment therein.

Presence as evidence.

SEC. 12. It shall be the special duty of the department of labor to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the authorized officers and employees of the department of labor, and they are hereby authorized and empowered, to visit and inspect, at all reasonable times and as often as possible, all places covered by this act.

Prosecutions.

SEC. 13. Whoever, having under his control a minor under the age of sixteen years, permits such minor to be employed in violation of the provisions of this act shall for each offense be fined not less than \$5 nor more than \$25, and shall stand committed until such fine and costs are paid.

Violations.

Every person authorized to sign any of the certificates prescribed by section 5 and section 6 of this act, who certifies to any materially false statement therein, shall be guilty of a violation of this act, and upon conviction thereof, shall be fined not less than \$5 nor more than \$100 for each offense, and shall stand committed until such fine and costs are paid.

A failure to produce to the authorized officers or employees of the department of labor, or to the school attendance officers, any employment certificate or list required by this act, shall constitute a violation of this act.

Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether for himself or for such firm or corporation, or by himself or through sub-agent, or manager, superintendent or foreman, who shall violate or fail to comply with any of the provisions of this act, or shall refuse admittance to premises or otherwise obstruct the officers or employees of the department of labor, in the performance of their duties as prescribed by this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than \$5 nor more than \$100 for each offense, and shall stand committed until such fine and costs are paid.

SEC. 14. No provision of this act shall be construed so as to deprive any minor under the age of sixteen years, who is now employed under the provisions of an act entitled, "An act to regulate the employment of children in the State of Illinois, and to provide for the enforcement hereof," approved May fifteenth, nineteen hundred and three, in force July first, nineteen hundred and three, of that employment or other employment.

Minors now employed.

SEC. 15. 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.

Provisions severable.

Repeal.

SEC. 16. "An act to regulate the employment of children in the State of Illinois and to provide for the enforcement thereof," approved May fifteenth, nineteen hundred and three, and in force July first, nineteen hundred and three, and all other acts and parts of acts in conflict with this act are hereby repealed.

Approved June 26, 1917.

*Free employment offices—Discharged convicts.*

[Page 518.]

Act amended.

SECTION 1. An act entitled "An act relating to employment of offices and agencies," approved and in force May eleventh, nineteen hundred and three, as subsequently amended, is hereby amended, by adding a new section, to be known as section 1d, which new section shall read as follows:

Duty of department of labor.

SEC. 1-d. It shall be the duty of the department of labor to obtain from the department of public welfare [.] ninety days before the discharge of any convict from either penitentiary, or of the discharge of a prisoner from the reformatory, the name, occupation, and such other information as may be of aid in obtaining employment for such discharged convict or prisoner.

Employment to be sought.

The department of labor [.] through the several free employment offices, shall seek to provide proper employment for discharged convicts or prisoners, so that such employment may be available at the time of such discharge, and shall assist such discharged prisoners to retain suitable employment for such reasonable time as will afford such prisoners an opportunity to become self-reliant, to the end that every man shall be encouraged in his effort to go straight. In no instance shall there be any misrepresentation as to the records of persons for whom employment is sought, under the provisions of this section.

The department of labor through the several free employment offices shall also cooperate with the department of public welfare to secure suitable employment for paroled convicts or prisoners and to help them retain such employment during the period of their parole and for such reasonable time thereafter as shall afford such convicts or prisoners an opportunity to become self-reliant.

Approved June 22 [.] 1917.

*Employment of women—Industrial survey.*

[Page 519.]

Commission created.

SECTION 1. There is hereby created a commission of seven members for the purpose of studying the conditions of industry in which women are engaged as workers, to be known as the Illinois industrial survey, two of whom shall be employers of labor in industry in which women are employed, two of whom shall be representative of women workers in industry, one a person interested in social problems, not known to be a representative of either labor or capital, and two of whom shall be persons who have had a medical education and are not distinctly representatives of either labor or capital, all of whom shall be appointed by the governor to hold office as members of said commission until the convening of the fifty-first general assembly, at which time said commission shall go out of existence. The governor shall designate the chairman of the commission.

Duties.

SEC. 2. It shall be the duty of such commission to make a complete survey of all those industries in Illinois, in which women are engaged as workers, with special reference to the hours of labor for women in such industries, the effect of such hours of labor upon the health of women workers, and to make a report to the governor not later than December first, nineteen hundred

and eighteen, for transmission to the fifty-first general assembly, with the recommendations, if any, of the commission.

Sec. 3. The commission shall have power to employ such clerks and assistants as may be necessary and to fix their compensation and may incur such other expenses as are properly incidental to the work of the commission. It shall have power to administer oaths and to take the testimony of witnesses, necessary for this act.

Powers.

Sec. 4. The expense of said commission, including a reasonable per diem to the members thereof not to exceed \$10 per day for the time actually spent in such investigation, shall be paid out of funds to be appropriated for that purpose, upon vouchers drawn upon the auditor of public accounts, properly itemized and certified to by the chairman of the commission and approved by the governor.

Expenses.

Sec. 5. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated for the expenses of the commission, and the auditor of public accounts is hereby authorized to draw his warrants for the foregoing amount or any part thereof, in payment of any expenses, charges or disbursements, authorized by this act, properly itemized and certified to by the chairman of the commission and approved by the governor.

Appropriation.

Approved June 22, 1917.

*Wage brokers—Assignment of wages.*

[Page 553.]

SECTION 1. It shall be unlawful to make any loan of money, credit, goods, or things in action in the amount or to the value of \$300 or less, whether secured or unsecured and charge, contract for, or receive a greater rate of interest than seven per centum per annum therefor, without first obtaining a license from the department of trade and commerce as herein provided. \* \* \*

License required.

Sec. 2. Every licensee licensed hereinafter may loan any sum of money, goods, or things in action, not exceeding in amount or value the sum of \$300, and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half per cent per month.

Maximum loan.

Rate of interest.

\* \* \* \* \*

Sec. 4. No assignment of any salary or any wages, earned or to be earned, given to secure any loan made under this act, shall be valid, unless in writing signed by the borrower; nor shall such assignment be valid unless given to secure an existing debt or one contracted simultaneously with its execution.

Assignments of wages.

Under such assignment or ord. for the payment of future salary or wages given as security for a loan made under this act, a sum of fifty (50) per cent of the borrower's salary or wages shall be collectible [collectable] by the licensee from the time that a copy thereof, verified by the oath of the licensee, or his agent, together with a verified statement of the amount unpaid upon such loan, has been served upon the employer.

Sec. 5-a. This act shall not apply to any person, copartnership or corporation doing business under any law of this State, or of the United States relating to banks, trust companies, building and loan associations, or pawnbrokers; or to wage loan corporations organized under "An act to provide for the incorporation, management and regulation of wage loan corporations and to allow the loaning of money by such corporations, secured by the assignment of wages and limiting the rate of compensation to be paid," approved June twenty, nineteen hundred and thirteen, in force July one, nineteen hundred and thirteen.

Scope of act.

Approved June 14, 1917.

[The above act was held constitutional in *People v. Stokes*, 118 N. E. 87.]

*Mine regulations—Protection against fire.*

[Page 596.]

**Amendment.** [This act amends subsection (m) of section 2 of the act, page 84, Acts of 1910, by inserting the words "or its equivalent as approved by the department of mines and minerals" as qualifying the description of the chemical fire extinguishers required to be supplied.

The same change is made in section 6 of the act.]

*Mining investigation commission.*

[Page 599.]

**Commission created.**

SECTION 1. A commission [shall] be established to be known as the mining investigation commission of the State of Illinois, consisting of three coal mine owners and three coal miners appointed by the governor, together with three qualified men, no one of whom shall be identified or affiliated with the interests of either of the mine owners or coal miners or dependent upon the patronage or good will of either, nor in political life who shall be appointed by the governor.

Each member of the said commission shall have equal authority, power and voting strength in considering and acting upon any matters which may be brought to the attention of the commission and on which the commission may act and the said commission shall have power and authority to investigate the methods and conditions of mining coal in the State of Illinois with special reference to the safety of human lives and property and the conservation of coal deposits.

**Powers.**

Sec. 2. In making an investigation as contemplated in this act, said commissioners shall have the power to issue subpoenas for the attendance of witnesses, which shall be under the seal of the commission and signed by the chairman or secretary of said commission.

In case any person shall willfully fail or refuse to obey such subpoena, it shall be the duty of the circuit court of any county, upon application of the said commissioners, to issue an attachment for such witness, and compel such witness to attend before the commissioners, and give his testimony upon such matters as shall be lawfully required by such commissioners; and the said court shall have the power to punish for contempt, as in other cases of refusal to obey the process and order of such court.

The fees of witnesses shall be the same as in the courts of record and shall be paid out of the appropriation hereinafter made.

And upon order duly entered of record by the said commission any one or more members of the said commission shall be empowered to take testimony touching the matters within the jurisdiction of the said commission and report the same to the said commission.

Said commission shall have power and are authorized to adopt a seal and to make such rules not inconsistent with or contrary to law for the government of proceedings before it, as it may deem proper and shall have the same power to enforce such rules and to preserve order and decorum in its presence as is vested by the common law or statute of this State in any court of general jurisdiction.

**Organization, etc.**

Sec. 3. Said commission shall meet at the State capitol building in Springfield on the second Tuesday after notice of their appointment and shall immediately elect a chairman and secretary from among their number, one of whom shall be a coal-mine owner and the other a coal miner. Said commission shall cause a record to be kept of all its proceedings.

Five members of the said commission shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn the meeting of the commission from time to time.

Meetings of the said commission other than called meetings, as provided for herein, may be held at such times and places within the State of Illinois, as may be fixed by the said commission.

A meeting of the said commission shall be held upon the written request of any three members of the said commission signed by them and delivered to the secretary, who shall, upon receipt of such request, notify each member of said commission by mail of such meeting so to be held, and the time and place thereof. And no such meeting shall be held less than five days after the mailing of notice of the said meeting to the members of said commission by the secretary.

Such called meeting shall be held either in Springfield or Chicago.

SEC. 4. Said commission shall report to the governor and to the general assembly at its next regular session, submitting, so far as they have unanimously agreed, a proposed provision of coal mining laws of the State, together with such other recommendations as to the commission shall seem fit and proper relating to coal mining in the State of Illinois.

Report.

And where there is not unanimous agreement upon any recommendation there shall be submitted in like manner separate reports embodying the recommendations of any one or more members of the said commission, which said reports shall each set forth in detail the recommendation of the commissioner or commissioners signing said report and shall embody his or their respective reasons for such recommendation and his or their objection to the report of other members of the commission. The duties and functions of said commission shall cease and the terms of office of the respective commissions shall terminate upon the adjournment of the fifty-first general assembly.

SEC. 5. The members of said commission who are coal-mine owners and coal miners, as aforesaid, shall receive no compensation for their services. The remaining three members of the commission shall receive as compensation for their services the sum of \$10 per day for each day actually employed by them as such commissioners. All members of the said commission shall be reimbursed for their actual expenses incurred in and about the actual work of said commission.

Compensation.

Said commission may appoint a stenographer or clerk and such other employees as are necessary and shall fix their compensation and may incur such other expenses as are properly incidental to the work of the commission.

Expenses.

SEC. 6. The sum of \$7,000, or as much thereof as may be necessary, is hereby appropriated for the postage, stationery, clerical, and expert services, and incidental traveling expenses of the commission, and the per diem of members as herein authorized, and the auditor of public accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges or disbursements authorized by this act, on order of this commission, signed by its chairman, attested by its secretary, and approved by the governor.

Appropriation.

The department of public works and buildings is hereby authorized and directed to provide all necessary printing for the mining investigating [investigation] commission, and testimony taken by it shall be reported in full and may be published from time to time by the commission.

Approved June 27, 1917.

*Mine regulations.*

[Page 602.]

[This act amends the act, p. 387, Acts of 1910, by adding to subsection (e) of section 14, the following:]

*Provided, however,* That if in any mine the conditions are such that in the judgment of the duly accredited representative of

pillars, Option as to

the department of mines and minerals, expressed in writing, it is considered equally safe and more advantageous to leave a blind pillar between not less than every three rooms, the department of mines and minerals shall have the power to grant the authority to leave said pillar subject to review by the department of mines and minerals on formal complaint of the representative of either party in interest and after an open hearing.

Approved June 27, 1917.

*Railroads—Safety appliances.*

[Page 647.]

**Amendment.** [This act amends section 6 of an act of May 12, 1905, (sec. 228 of ch. 114, Hurd's Rev. Stat.), by substituting the words "State public utilities commission of Illinois" for the words "railroad and workhouse commission" where they occur; also by adding thereto the following:]

**Exemptions.** *And provided,* That nothing in this act contained, except as to the requirements of section 2 of this act [section 224] shall apply to locomotives operated on any narrow gauge surface railway which does not interchange cars with any connecting railway, or to four-wheel cars having a capacity of not to exceed eight tons, or trains composed of such cars, operated on such narrow gauge railway.

**Powers of utilities commission.** *And provided further,* That nothing in this act contained shall in any manner affect the power, authority and jurisdiction of the State Public Utilities Commission of Illinois to make and enforce any orders, rules or regulations it may now or at any time be authorized by law to make or enforce with regard to the health and safety of the employees, passengers and customers of such railway or the public.

Became a law June 29, 1917.

**INDIANA.**

**ACTS OF 1917.**

**CHAPTER 79.—*Bureau of statistics abolished.***

[This is the regular appropriation act of the State, but contains among its provisions one abolishing the bureau of statistics.] **Abolition.**

**CHAPTER 100.—*Wages as preferred claims—In assignments, etc.***

[This act amends section 7976, Burns A. S. 1914 (sec. 7051, A. S. 1901), by adding thereto the following:]

*Provided*, That the term employees as used in this section shall include traveling salesmen, traveling agents, and manufacturers' agents, whether they are employed under monthly or yearly contracts or otherwise. **Definition.**



IOWA.

ACTS OF 1917.

CHAPTER 150.—*Mothers' pensions.*

[This act amends section 254a20, Supplement to Code, by substituting 16 years for 14 years as the age at which payments on account of a child shall cease.] Amendment.

CHAPTER 183.—*Public printing—Wages and hours of labor.*

SECTION 10. \* \* \* The contracts for printing and binding let under this act shall provide that as an assurance of satisfactory work being performed, those offices doing work for the State shall pay the wages and work the hours established by the typographical union in the city where said work is done. Union conditions.

Approved April 9, 1917.

CHAPTER 403.—*Railroads—Claims for personal injuries.*

SECTION 1. Section two thousand seventy-five of the code is hereby repealed, and the following enacted in lieu thereof:

Sec. 2075. A judgment against any railway, interurban railway or street railway corporation or copartnership, for an injury to any person or property, and any claim for compensation under the Iowa workmen's compensation act for personal injuries sustained by their employees arising out of and in the course of their employment, shall be a lien upon the property of such corporation or copartnership within the county where the judgment was recovered or in which occurred the injury for which compensation is due, and said lien shall be prior and superior to the lien of any mortgage or trust deed executed since the 4th day of July, 1862, by any railway corporation or partnership, and prior and superior to the lien of any mortgage or trust deed executed after the adoption of the code (1897), by any interurban railway or street railway corporation or copartnership. Judgment a lien.

Approved April 25, 1917.



## KANSAS.

### ACTS OF 1917.

#### CHAPTER 1.—*Department of labor and industry.*

[This act appropriates for the State executive departments, and amends section 10419, General Statutes, 1915 (sec. 6, ch. 217, Acts of 1913), by providing for the employment of a second stenographer; that the deputy State factory inspectors shall receive their traveling expenses; that the inspector of fire escapes and places of amusement receive a salary of \$1,200 per annum and actual and necessary traveling expenses; and that a clerk at \$1,080 and a stenographer at \$720 be appointed in the mining department at Pittsburg.] Employees.

#### CHAPTER 138.—*Mothers' pensions.*

[This act amends section 6624, General Statutes, 1915 (sec. 5545, Gen. Stat. 1909, as amended by ch. 261, Acts of 1915), by requiring the mother to have two years' residence in the county, instead of one, before being eligible for aid. The last sentence of the section is stricken out, and the following substituted therefor:] Amendment.

And after a full investigation, if said board of county commissioners shall find that unless relief is granted the mother will be unable to properly support and educate her child or children, or that they may become a public charge, and that the statements alleged in the application are true, it shall make an order finding and determining such facts and thereby and therein fixing and determining the amount of money which it deems necessary for the county to contribute toward the support of such mother, child or children, and that such sums of money or so much thereof as the board of county commissioners shall deem necessary and proper shall be paid to such mother for said child or children as directed and prescribed by the board of county commissioners: *Provided*, That any such payments of money may be increased temporarily by the board of county commissioners in case of sickness or unusual condition, and decreased in like manner when deemed unnecessary: *And provided further*, That the court may, in its discretion, order the amount of aid to be given in supplies instead of money. Grants.

[The following was also added:]

SEC. 2. A certified copy of such findings and order of the board of county commissioners shall be filed with the county clerk of the county where such proceedings are had, and thereupon and thereafter, and so long as such order remains in force, it shall be the duty of the county clerk each month to draw his warrant on the general fund of the county in favor of the person and for the amount specified in such findings and order. Such warrants shall be delivered to the person designated in said findings and order upon the executing of a duplicate receipt therefor, one to be filed with the juvenile court, and one to be filed with the county clerk. It shall be the duty of the county treasurer to pay such warrant out of the funds in the general revenue fund of the county when properly presented. But nothing in this act shall be construed as repealing any laws now in force giving the county commissioners power to grant aid to the poor in their respective counties: *Provided*, That it shall be unlawful for any attorney Copy to be filed.

to receive any fee for bringing the proceedings in the juvenile court provided herein.

**Jurisdiction.** SEC. 3. The board of county commissioners in each of the several counties of the State shall have jurisdiction of all cases coming under the provisions of this act.

Approved March 13, 1917.

CHAPTER 167.—*Interference with employment—Vagrancy.*

**Who are vagrants.** SECTION 1. Any person engaged in any unlawful calling whatever, or who shall be found loitering without visible means of support in any community, or who, being without visible means of support, shall refuse to work when work at fair wages is to be procured in the community, or who shall threaten violence or personal injury to fellow workmen or to employers of labor, shall be deemed a vagrant, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$500, and shall be imprisoned in the county jail for a period not less than thirty days nor more than six months.

**Duty of officers.** SEC. 2. It shall be the duty of all sheriffs and their deputies, chiefs of police and police officers, and other commissioned peace officers to promptly arrest all persons described in section one of this act as vagrants who may be found in their community and to take them before some justice of the peace, city court or police court in cities of the first, second and third class, which courts are hereby authorized to summarily try such persons upon such charge, and if found guilty to pass sentence upon them as is provided in section one of this act.

Approved March 10, 1917.

CHAPTER 227.—*Employment of children—General provisions.*

**Age limit.** SECTION 1. No child under fourteen years of age shall be at any time employed, permitted, or suffered to work in or in connection with any factory, workshop, theater, mill, cannery, packing house, or operating elevators; nor shall such child be employed, permitted or suffered to work in any business or service whatever during the hours in which the public school is in session in the district in which said child resides.

**Employment in mines, etc.** SEC. 2. No child under sixteen years of age shall be at any time employed, permitted, or suffered to work in or about any mine or quarry; or at any occupation at any place dangerous or injurious to life, limb, health or morals.

**Night work.** SEC. 3. No child under sixteen years of age, who is employed in the several vocations mentioned in this act, or in the transmission of merchandise or messages, or any hotel, restaurant or mercantile establishment, shall be employed before seven ante meridian or after six post meridian, nor more than eight hours in any one calendar day, nor more than forty-eight hours in any one week.

**Permits required.** SEC. 4. All persons, firms, or corporations employing children under sixteen years of age in any of the vocations mentioned in this act, shall be required to first obtain and keep on file and accessible to any inspector or officer charged with the enforcement of this act, the work permit as hereinafter provided for.

**Schedule to be posted.** SEC. 5. Every employer shall keep posted in a conspicuous place near the principal entrance, in any establishment where children under sixteen years of age are employed, permitted or suffered to work, a notice stating the maximum number of hours such child 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 other meals. The form for such notice shall be furnished by the commissioner of labor, and the employment of any child for a longer time in any day than so stated, or at any time other than as stated in said notice, shall be deemed a violation of the provisions of this act.

Sec. 6. The superintendent of schools or his duly authorized representative, or the judge of the juvenile court, shall issue a work permit only after he has received, examined, approved, and filed the following papers duly executed, namely:

Issue of permits.

First. A written statement signed by the person for whom the child expects to work, or by some one duly authorized by such person, stating the occupation at which he intends to employ such child.

Papers.

Second. The school record of such child properly filled out and signed by the principal of the school last attended, setting forth that such child has completed the course of study prescribed for elementary schools by the State board of education. In case such school record is not available then the official issuing the permit shall cause such child to be examined to determine whether or not such child has the educational qualifications equivalent to a completion of the elementary course of study prescribed by the State board of education, and shall file in the office a statement setting forth the result of such examination: *Provided*, That a permit may be issued to allow a child who has not completed the course of study provided for herein to work when school is not in session in the district in which such child resides, subject to all the other limitations of this act.

Third. Evidence of age of the child, showing that the child is fourteen years of age; and the State commissioner of labor shall be, and hereby is authorized, empowered, and directed to make and prescribe, and from time to time to change and amend such rules and regulations, not in conflict with this act, as he may deem necessary and proper to secure satisfactory evidence of the age of the child applying for a work permit: *Provided, however*, That the evidence of age, and the manner of preparing and producing such evidence, required under such rules and regulations, shall comply substantially with the requirements as to proof of age prescribed by any rules and regulations made pursuant to the act of Congress entitled, "An act to prevent interstate commerce in the products of child labor, and for other purposes, approved September first, nineteen hundred and sixteen," and any amendments thereto hereafter made.

Sec. 7. Every work permit shall state the name, sex, the date and place of birth, and the place of residence, and describe the color of the hair and eyes, and the height and weight of such child, and shall contain a statement of the proof of age accepted and shall verify that the papers required by the preceding sections have been duly examined, approved, and filed, and that the child named in such permit has appeared before the official issuing the permit and has been examined. Every such permit shall be signed in the presence of the official issuing the same, by the child in whose name it is issued. It shall show the date of its issue.

Contents of permits.

Sec. 8. The permits provided for under this act shall be issued upon blanks furnished by the commissioner of labor and shall be made out in duplicate; one of such duplicates shall be forthwith returned to the commissioner of labor, by the party issuing the same, with a statement of the character and substance of the evidence offered prior to the issuance of such permit. Such permit shall be sufficient protection to the employer of any child as to the age of such child, except when such employer has actual knowledge of the falsity of such permit.

Duplicates.

Sec. 9. On the termination of the employment of a child whose work permit is on file, such permit shall be returned by the employer within two days to the official who issued the same; upon receipt of which the official shall transmit the same or a copy of the same to the State commissioner of labor.

Permits to be returned.

Sec. 10. Whenever it shall appear to the commissioner of labor that any permit has been improperly or illegally issued or that the physical or moral welfare of such child could be best served by the revocation of such permit, he may forthwith revoke the

Revocation.

same, and shall then notify the person employing such child and the child holding such permit of such revocation.

Enforce-  
ment.

Sec. 11. It shall be the duty of the State factory inspector, State inspector of mines and their deputies, to inspect the permits and lists hereinabove provided for, to examine children employed in factories, workshops, theatres, elevators, packing houses and mines, and the vocations mentioned in sections one and two of this act, as to their age and education, and to file complaints in any court of competent jurisdiction to enforce the provisions of this act, and it shall be the duty of the county attorney of the proper county to appear and prosecute all complaints so filed.

Violations.

Sec. 12. Any person, firm or corporation employing any person or child in violation of any provision of this act, or permitting or conniving at such violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$25 nor more than \$100, or by imprisonment in the county jail for a period of not less than thirty days nor more than ninety days.

Approved March 10, 1917.

CHAPTER 22S.—*Factory, etc., regulations—Inspection.*

Entering  
factories, etc.

SECTION 1. Section 10425 of General Statutes of 1915 [sec. 8019, G. S. 1909] is hereby amended to read as follows:

Sec. 10425. The commissioner of labor and industry as State factory inspector, his deputies, assistants and special agents, shall have power to enter any factory or mill, workshop, private works or State institution having shops or factories, mercantile establishment, laundry or any other place of business where and when labor is being performed, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places and to keep a record thereof of such inspection. If it shall be found upon such investigation that the heating, lighting, ventilation or sanitary arrangement of any such establishment or place is such as to be injurious to the health of persons employed or residing therein, or that the means of egress in case of fire or other disaster are not sufficient, or that the belting, shafting, gearing, elevators, drums, saws, cogs or machinery, in any such establishment or place are so located, or are in a condition so as to be dangerous, or are not sufficiently guarded, or that the vats, pans or any other structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accidents or injury to those employed at, or near them, or that the construction or condition of any building or buildings, or any boiler, machinery or other appurtenance in or about any place as described in this section is such as to be dangerous or injurious to the persons employed or residing therein, or that the methods of operation are such as to be unnecessarily dangerous or injurious to the persons employed or residing therein, or that any other condition which is within the control of the owner, proprietor, agent, or lessee of any such building, establishment or place be found to be dangerous or injurious to any persons employed therein or to any other person or persons, the officer making such inspection shall notify in writing the owner, proprietor, agent, or lessee of such building, establishment, or place, to provide such safeguards or safety devices, or to make such alterations or additions or to make the changes in methods of operation by him deemed necessary for the safety and protection of the employees or other persons endangered by such conditions, and it shall be the duty of the person or persons receiving such notice to use all proper diligence to comply with the recommendations contained in said notice, and immediately upon completion thereof to mail or deliver a written notice to the commissioner of labor at Topeka, Kansas, stating that said safeguards or

Notice of  
dangerous con-  
ditions.

Employer to  
report.

safety devices have been provided or that said alterations or additions or changes in methods of operation have been fully made, and if such safeguards or safety devices are not provided, or said alterations or additions, or changes in methods of operation are not made, and the commissioner of labor notified thereof, as provided herein, within thirty days, or within such time as such safeguards or safety devices can be provided or said alterations or additions or said changes in methods of operation can be made, and the commissioner of labor notified thereof, with proper diligence upon the part of such owner, proprietor, agent or lessee, said owner, proprietor, agent or lessee so notified shall be deemed guilty of a misdemeanor, and upon complaint of the commissioner of labor, as State factory inspector, or his deputy or special agent, before a court of competent jurisdiction, and upon conviction thereof shall be fined in a sum of not less than \$25 nor more than \$200, or by imprisonment not more than ninety days, or by both such fine and imprisonment. No person, firm or corporation, nor any officer, agent or employee thereof, shall remove or require to be removed, or made ineffective any practical safeguard around or safety attachment to any machinery, vats, pan, or other apparatus or device mentioned in this section while the same is in use, except for the purpose of immediately making repairs thereto, and all safeguards or safety attachments so removed shall be promptly replaced before the said dangerous machine, apparatus or device is put into use or operation, and any person, firm, or corporation, or any officer, agent or employee thereof who shall require or permit such unnecessarily dangerous machine, apparatus or device under his or their control to be used or operated without said safeguard being in proper place and condition for the safety and protection of the operator or other person or persons, or who shall require or permit the continuance of such unnecessarily dangerous or injurious method of operation which has been prohibited by the commissioner of labor or his deputy by written recommendation, as provided in this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$100, and each day of continued violation of this provision shall constitute a separate offense. Any employee or other person who shall operate any dangerous machine, apparatus or device for which a practical safeguard or safety attachment is provided, and of which said person or persons have knowledge, without such safeguard or safety attachment being in proper place for the protection of such employee or other persons, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than \$5 nor more than \$25, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment: *Provided further*, That all orders and findings of the commissioner of labor and industry under this act shall be reasonable. Any person, company or corporation dissatisfied with an order of the commissioner of labor and industry under this act may, within thirty days after the same is made and promulgated, commence an action in any court of competent jurisdiction against the commissioner of labor and industry as defendant, to vacate and set aside any such order, finding or decision of the commissioner of labor and industry, on the ground that such order, finding and decision is unlawful or unreasonable. Actions brought under this section shall have precedence in any court, and on motion shall be advanced over any civil cause of a different nature pending in such court, and such action shall be tried and determined as other civil actions.

Failure to  
make changes.

Removing  
safeguards.

Orders to be  
reasonable.  
Appeals.

Approved March 8, 1917.

#### CHAPTER 229.—*Payment of wages in scrip.*

SECTION 1. Any due bill, script [scrip], order or orders for merchandise issued by any person, firm or corporation to any person in exchange for all or any part of a time check, due bill, Orders, etc.,  
to be redeem-  
able.

script [scrip], order or orders for merchandise issued by any person, firm, or corporation to anyone in their or its employ in payment of wages for labor shall, at the option of the holder, be payable on demand in lawful money of the United States unless the due date shall be plainly and specifically stated thereon, which said due date shall not be more than fifteen days after date.

**Violations.**

Sec. 2. Any person, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than \$500 nor more than \$1,000 for each offense.

Approved March 5, 1917.

CHAPTER 237.—*Mine regulations—Examination, etc., of employecs.*

**Board of examiners.**

SECTION 1. Immediately after the passage of this act there shall be appointed by the governor a board of four examiners to serve until July first, nineteen hundred and twenty-one, and thereafter such board of examiners shall be appointed for a term of four years. Two of said board shall be practical coal miners, who have had at least five years' experience as miners in the coal mines of Kansas. Two shall be operators of coal mines in the State of Kansas or representatives thereof. The four thus appointed shall select a fifth man to complete said board. The members of the examining board shall be paid out of the coal mine examiner's fund, upon vouchers to be approved by the president of said board, the sum of \$5 per day for each day of actual service, and their necessary expenses.

**Organization, etc.**

Sec. 2. Immediately after their appointment the examiners shall meet and organize by selecting a chairman and secretary. The secretary shall keep on a file all examination questions and their answers and all examination records and papers belonging to the board. The examining board shall convene upon the call of the chairman. Except in cases of emergency, notices of all meetings of the board at which applicants are to be examined shall be published in at least two newspapers of general circulation in each county in which there are coal mines at least five days before the day of meeting.

**Certificates required.**

Sec. 3. On and after January first, nineteen hundred and eighteen, no shot firers, shot inspectors, gas men or fire bosses, hoisting engineers, mine foremen, or assistant mine foremen shall be employed in any mine in the State of Kansas unless they shall have been examined by the State board of examiners and shall have been granted certificates as hereinafter provided: *Provided*, That men holding positions

**Applicants.**

at the time this act goes into effect shall be granted certificates without examination. Applicants for examination shall be able to read and write the English language and shall satisfy the board of examiners that they are of good moral character, and not be a user of intoxicating liquors, and shall be citizens of the United States. All applicants shall be thoroughly examined with reference to the duties of the positions for which they have applied for certificates. Applicants for certificates as engineers shall be at least twenty-one years of age. Applicants for certificates as deputy mine inspectors, mine foreman, and assistant mine foreman shall be at least twenty-five years of age and shall have had at least two years' experience as practical coal miners, mining engineers, or men of general underground experience. Applicants for certificates as fire bosses or gas men, shot firers or shot inspectors shall have like qualifications and experience in the mines of Kansas or elsewhere and shall also have had experience in mines that generate explosive and noxious gases. Applicants for certificates as deputy mine inspectors, mine foreman, assistant mine foreman, and hoisting engineers shall before examination pay to the board a fee of \$2 and if successful a further fee of \$3 for a certificate. Other applicants shall before examination pay to the board of examiners a fee of \$1 and if successful a further fee of \$2 for a certificate.

**Fees.**

SEC. 4. The board shall grant certificates after examination to all applicants who have shown themselves familiar with the duties of the positions for which they desire certificates and are capable of performing such duties: *Provided*, That certificates of mine foremen shall be of two grades, namely, first-grade certificates and second grade certificates. Certificates of the first grade shall be granted only to applicants who by oral and written examinations in the presence of and relating to explosive gas have shown themselves competent to act as mine foremen in mines which generate explosive or noxious gases, and the certificate shall so state.

Certificates on examination.  
Grades.

SEC. 5. Any persons who shall forge, alter, or counterfeit a certificate, or shall secure or attempt to secure employment by use of such forged, altered, or counterfeit certificate, or shall falsely represent that he is a holder of a certificate, regularly issued to him, shall be guilty of a misdemeanor.

Offenses.

SEC. 6. In case of loss or destruction of certificate, the secretary of the examining board, upon satisfactory proof of said loss or destruction, may issue a duplicate thereof on the payment of the sum of \$1.

Lost certificates.

SEC. 7. All certificates issued hereunder may be revoked by the board of examiners after hearing, upon due notice to the holder of the certificate and upon written charges preferred by the board or by some interested person for violation of this act. Complaint may be filed against a holder of a certificate for intoxication, mental disability, neglect of duty, or other sufficient cause: *Provided, however*, That the holder of the certificate so canceled shall have the right to appear before the examining board after the expiration of three months and be reexamined, if he shall first satisfy the board that the incapacity complained of shall have ceased to exist.

Revocation.

SEC. 8. All fees collected by said board of examiners shall be paid to the State treasurer and credited to a fund to be known as the coal-mine examiners' fund.

Fund created.

SEC. 9. Anyone holding a first-grade mine foreman's certificate may serve as foreman in any mine and may serve as fire boss, shot firer, or shot inspector, and anyone holding a second-grade mine foreman's certificate may serve as any of the above, except as fire boss and foreman of mines which generate explosive or noxious gases; and in case of emergency any mine owner, with the consent of the examining board, may employ any trustworthy or experienced man who shall not hold a certificate for a period of not more than thirty days as mine foreman, assistant mine foreman, fire boss, shot firer, or shot inspector.

Employments permitted.

SEC. 10. Any owner, operator, lessee, or agent of any coal mine in the State of Kansas violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$100 or be imprisoned in the county jail not exceeding one year, or both.

Violations.

SEC. 11. The provisions of this act shall apply only to coal mines.

Mines covered.

Approved March 10, 1917.

CHAPTER 239.—*Mine-rescue stations.*

SECTION 1. Immediately after the publication of this act the governor, the commissioner of labor and industry, and the assistant commissioner of labor and industry in charge of mine inspection, as a committee hereinafter referred to as mine-rescue station committee, shall purchase a suitable location in Crawford County, Kansas, for a mine-rescue station and suitable locations in said county and Cherokee County, Kansas, for mine-rescue substations, and shall cause to be erected upon said location in said Crawford County a building for a mine-rescue station, or in case there shall already be a building on the location so purchased shall cause said building to be remodeled for such purposes, and shall also

Committee formed.

To purchase site.

- cause to be erected on said other location, suitable buildings for mine-rescue substations.
- Buildings.** Sec. 2. Said committee shall call to its assistance the State architect, who shall prepare plans and specifications for the buildings to be erected or for the remodeling or altering of buildings already erected, which plans and specifications shall be approved by said committee in writing, and said architect shall superintend the erection of said building under the direction of said committee.
- Space to be provided.** Sec. 3. In the construction or reconstruction of said building, space shall be provided for all mine-rescue equipment belonging to the United States Government and now available for the use of said committee of labor and industry, and for all such equipment as may hereafter be provided by the Government of the United States for the use of such assistant commissioner or of any mine-rescue department, together with accommodations for such officers and employees as shall be furnished by the United States Government to care for and aid in the use of such equipment and appliances. Room also shall be provided for officers or assistant commissioner of labor and industry in charge of mine inspection, for mine-rescue library, laboratory, and classrooms.
- Appliances.** Sec. 4. Said committee shall purchase all necessary mine-rescue and first-aid equipment and appliances and install the same in said central station and substations.
- Superintendence.** Sec. 5. The assistant commissioner of labor and industry in charge of mine inspection shall be ex officio superintendent of said mine-rescue station and the commissioner of labor and industry shall appoint one assistant superintendent, who shall be at said central station, in said Crawford County, Kansas, and one assistant superintendent at each of said substations, which assistant superintendent shall be appointed for a term of two years, and thereafter such assistants as shall be appointed every two years by said commissioner of labor and industry. Only such persons shall be appointed such assistants as shall have been examined for that place and granted certificates by the Government examining board; in such case such a board shall be created; otherwise no person shall be appointed to the office of such assistant unless he shall be examined in the duties of his office, including mine-rescue and first-aid work, by a committee of three examiners qualified in such work, who shall be appointed from time to time, when necessary, by the governor.
- Duties of superintendent.** Sec. 6. It shall be the duty of the superintendent of stations to oversee and supervise the work of said stations, and it shall be the duty of said assistants to see that all equipment in their charge shall be kept in first-class working condition ready for emergency and training work. Such assistants and said superintendent, when possible, shall rescue men, with all necessary appliances when notified of any explosion or accident of any kind in any mine within possible reach of the station; and such assistants shall report weekly to the superintendent of stations all such details regarding the work of the stations as shall be required by such superintendent.
- Miners, etc., to be trained.** Sec. 7. Said assistant superintendent under the direction of said superintendent, shall, whenever not engaged in mine-rescue and first-aid work, devote their time to training miners in such work, and when possible to train such children in public and high schools, as may desire, in such work.
- Purpose of stations.** Sec. 8. The purpose of such mine-rescue stations and the duties of such superintendent and assistant superintendent shall be: First, to aid in all cases of accident in mines within their reach, and, second, furnish instruction and training of those engaged in mines in such work, including training of first-aid and mine-rescue crews of mines.
- Appropriation.** Sec. 9. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the State treasury, not otherwise appropriated:

For purchasing such site in said Crawford County, and for constructing or remodeling the central mine-rescue station thereon, equipment, salaries, maintenance, and incidental expenses, \$7,500.

For purchasing sites and erecting or remodeling buildings for said mine-rescue substations, equipment, salaries, maintenance, and incidental expenses, \$10,000.

Any unexpended balances [balance] in any of these funds for the fiscal year ending June thirtieth, nineteen hundred and seventeen, is hereby reappropriated for the fiscal year of nineteen hundred and eighteen, and any unexpended balances [balance] in any of these funds for the fiscal year ending June thirtieth, nineteen hundred and eighteen, is hereby reappropriated for the fiscal year nineteen hundred and nineteen.

Approved March 13, 1917.

CHAPTER 240.—*Mine regulations—Shot firers.*

SECTION 1. All owners, lessees, operators, and other persons having the control or management of any coal mine within this State shall, while such mine is in operation, employ shot firers, whose duty it shall be to fire all shots in said mine. And it shall be unlawful for any such owner, lessee, operator, or other person to permit shots to be fired in such mine oftener than once each day or shift, or to permit any such shot to be fired until all persons shall have been hoisted out of or shall have vacated such mine, except the persons employed to fire such shot. And in mines where mechanical shot-firing devices are used it shall be unlawful to fire shots until all persons are out of such mine: *Provided*, That while sinking and developing coal mines such shots may be fired at any time during the day, but no person shall be permitted to enter such mine after a shot shall have been fired until all smoke from the shot has been expelled from the mine: *And provided further*, That in all strip mines such shots may be fired at any time during the day.

Shot firers to be employed.

Firing shots.

SEC. 2. It shall be unlawful for any owner, lessee, operator, or other person in control or management of any strip mine to permit any shot to be fired while any person is near enough thereto to be injured from such shot.

Shots not to be fired, when.

SEC. 3. In all mines except strip mines and mines equipped with mechanical firing devices, it shall be the duty of the owner, lessee, operator, or person in charge thereof to employ at least two shot firers, and it shall be unlawful to permit any shot to be fired except when at least two shot firers are in the mine.

Two shot firers, when.

SEC. 4. It shall be unlawful for any owner, operator, lessee, or other person in charge of any mine to permit any shot to be fired in any coal mine where there is such an accumulation of coal dust as will make it dangerous to fire such shot.

Dangerous conditions.

SEC. 5. It shall be unlawful for any person to prepare a shot in a hole which has been drilled so as to penetrate the solid face beyond the point which has been prepared for the shot; or to load any shot with mixed powder; or to prepare or fire any shot with black powder in any body of coal or other material which has already been loosened by a previous shot; or to prepare or fire any following or dependent shots; or to prepare any shots without tamping or stemming the shot hole with incombustible material, and without using any coal drillings, such tamping to be done with a bar composed of or tipped with some material which will not produce sparks; or to load any shot in any case with more than five pounds of black powder: *Provided*, That this section shall not apply to strip mines.

Preparing shots.

SEC. 6. The preceding sections of this act shall not apply to mines operated on the long-wall system of mining: *Provided*, That it shall be unlawful for any operator, owner, lessee, or agent operating any mine on the long-wall system of mining to permit any shot to be fired in such mine, until all persons have vacated such mine, except the person or persons firing such shots.

Long-wall system.

**Violations.** Sec. 7. Any person, firm, or corporation who shall fail to comply with or shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum of not less than \$50 nor more than \$200 or by imprisonment in the county jail for a period not to exceed thirty days or by both such fine and imprisonment and each day's violation or failure to comply with the provisions of this act shall constitute a separate offense.

Approved March 9, 1917.

CHAPTER 241.—*Mine regulations—Wash rooms.*

**Act amended.** [This act amends section 6342, General Statutes 1915 (sec. 1, ch. 226, Acts of 1913), as amended by chapter 245, Acts of 1915, by striking out the last sentence and substituting therefor the following:]

**Condition, construction, etc.** The individual owner, operator, lessee, agent, or company or corporation shall keep said bathhouses in a clean and sanitary condition: *Provided*, All bathhouses built at underground mines sunk after the passage of this act shall be constructed as follows: The walls shall be built of concrete blocks, cement, brick, stone, or other noncombustible material. The floors shall be of concrete or cement. The lockers shall be made of steel, not less than twelve inches by twelve inches, by forty-eight inches in height: *And provided further*, That this section shall not apply to any mine operated on the long-wall system, any mine in excess of six hundred feet in depth, or any strip mine or coal stripping.

[Section 6346, General Statutes 1915 (sec. 5, ch. 226, Acts of 1913) is amended by striking out the proviso at the end thereof.]

CHAPTER 242.—*Hours of labor in lead and zinc mines—Eight-hour day.*

**Day's labor.** SECTION 1. Eight hours per calendar day shall constitute a day's labor for all persons employed in lead and zinc mines in the State of Kansas, except in cases of emergencies when it may be necessary to work more than eight hours for the protection of human life or for the prevention of irreparable damage to property, in which case all persons working more than eight hours shall be paid on the basis of eight hours constituting a day's work.

**Violations.** Sec. 2. Any owner, manager, foreman, or other person who shall require, permit, coerce, or attempt to coerce any person to work more than eight hours any calendar day, in any lead or zinc mine, except as permitted in section one of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than \$10 nor more than \$500: *Provided*, Violations of this act as to each person working more than eight hours and as to each day the same is required or permitted, shall be separate offenses.

Approved February 16, 1917.

CHAPTER 243.—*Mine regulations—Escape shafts.*

**Extension of time.** SECTION 1. In all cases where any coal mine heretofore in operation in this State, with its principal or main shaft of a depth of over one thousand feet, and having no air or escapement shaft other than its main or principal shaft, the time within which to complete such air or escapement shaft, as required by chapter three hundred and five of the Laws of Kansas nineteen hundred and five, page four hundred and seventy-three, is hereby extended three years from the first day of March, nineteen hundred and seventeen: *Provided*, That work on such escapement shaft shall commence and continue with not less than a double shifting crew within six months after the hoisting of coal from said mine until such escapement shaft has been completed.

Approved March 8, 1917.

CHAPTER 255.—*Protection of employees on street railways.*

[This act amends section 8702, General Statutes 1915 (sec. 7150, G. S. 1909), by inserting in the second sentence the requirement that the degree of heat maintained "shall not be less than is comfortable and healthful."]

Amendment.

CHAPTER 261.—*Railroads—Construction of caboose cars.*

SECTION. 1. The provisions of this act shall apply to any corporation or any person or persons while engaged as common carriers in the transportation by railroad of passengers or property within the State, to which the regulative power of this State extends.

Scope of law.

SEC. 2. Hereafter when any corporation or any person or persons engaged as common carriers in the transportation by railroad of passengers or property within this State shall purchase new way cars or cabooses, or shall build new way cars or cabooses, or shall rebuild new [sic] way cars or cabooses, now in service within the State of Kansas, the same shall be constructed as follows: Such way cars or cabooses shall be at least twenty-four feet in length, exclusive of end platforms, and equipped with two trucks of not less than four wheels each, and shall be provided with metal center channel sills or steel underframe, or shall be of the constructive strength equal to that of a thirty-ton capacity freight car, and shall be provided with a door in each end thereof, and an outside platform across each end of said car; each platform shall not be less than twenty inches in width, and shall be equipped with proper guard rails and grab irons and steps. The steps shall be equipped with a suitable rod, board or other guard at each end, and at the back thereof. The caboose shall not be less than eleven feet in height from the rail, with cupola and necessary closets and windows: *Provided*, This and following sections shall not apply where such car so used for a way car or caboose car is a passenger car or a combination passenger and baggage car.

Dimensions and equipment.

SEC. 3. Any corporation or any person or persons engaged as common carriers in the transportation of passengers or property violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$100 or more than \$300 for each offense, to be recovered by a suit or suits brought by the attorney general of the State, and it shall be the duty of the attorney general to bring such suit upon information being lodged with him upon such violation having occurred.

Violations.

Approved March 12, 1917.

ORDERS OF INDUSTRIAL WELFARE COMMISSION.

ORDER No. 1.—*Sanitary code for laundries.*

1. Suitable seats must be provided in sufficient number for women and girls to use when not actively engaged at their regular duties and so far as practicable when operating machines or when engaged at other duties.

Seats.

2. Heat deflectors must be installed on body and sleeve ironers of rotary type.

Heat deflectors.

3. Sanitary drinking fountains, or individual drinking cups, must be provided, in connection with an adequate supply of wholesome drinking water.

Drinking fountains.

4. Adequate soap and towels, with proper washing facilities, must be supplied to all employees.

Soap and towels.

5. Separate toilets for each sex [shall] be provided, and plainly so designated. If any laundry is so located as to make this impracticable, or impossible, it shall make such suitable toilet provision as may be required by the commission. Doors must be properly screened and must not be entered by a common approach.

Toilets.

- Ventilation. 6. Exhaust fans must be provided where necessary to insure proper ventilation.
- Cleanliness. 7. All plants must be kept clean and sanitary; floors free from water (except in wash room); rubbish placed in receptacles provided, and removed regularly.
- Dressing room. 8. A suitable space, effectively screened, must be provided for women to change their street clothes for working clothes; a cot must be provided and kept in some accessible place in each building for the accommodation of the women employees.
- Cots.
- Lighting. 9. All rooms shall be properly and adequately lighted during working hours. Where the light is insufficient 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 in the eyes of the workers.

October 25, 1916.

ORDER No. 2.—*Employers' records.*

- Details. Every person who employs women or minors within the State of Kansas shall keep a record containing the following information concerning each of such employees:
1. Name.
  2. Address.
  3. Age: Adult. Minor (exact age, if minor).
  4. Single. Married.
  5. Date of employment.
  6. Wage at which employed.
  7. Time: Hours per day and hours per week.
  8. Length of experience in present occupation.
- September 22, 1916.

ORDER No. 3a.—*Hours of labor in mercantile establishments.*

- Nine - hour day. No female person shall be employed in any mercantile establishment in the State of Kansas, except during ten consecutive hours of any day of twenty-four hours, and for not more than nine hours during the said ten hours; and for not more than six days during each week; and no female person shall be employed later than nine o'clock at night in any one day: *Provided*, That during one day and not oftener in each week the female persons in any mercantile establishment may be employed during twelve consecutive hours, but for not more than nine hours during said twelve consecutive hours.
- Schedule. Every employer in any mercantile establishment in the State of Kansas shall post in a conspicuous place, in the room in which female persons are employed, a printed notice stating the number of hours of work required of each of them on each day of the week; the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends.
- January 9, 1917.

ORDER No. 4.—*Hours of labor in laundries.*

- Nine - hour day. Nine hours shall constitute a regular day's work for female laborers in laundries in this State; and no female person shall be required to work more than ten hours in any one day, nor more than fifty-four hours in any one week.
- Overtime. Any such person working more than nine hours in any one day shall receive for such overtime adequate compensation.
- Said nine or ten hours shall be consecutive, except that one hour shall be allowed for lunch, which hour shall not be counted as any part of a day's work.
- February 5, 1917.
- Violations. [The penalty for violations of the above orders is the same in each case, being a fine of not less than \$25 nor more than \$100 for each offense.]

LOUISIANA.

ACTS OF EXTRA SESSION, 1917.

No. 7.—Industrial adjustment—State council of defense.

SECTION 1. There is hereby created a State council of defense to assist the governor in doing all things necessary to bring about the greatest effectiveness within our State in the crisis now existing, and to coordinate all our efforts with those of the Federal Government and with those of other States. Council created.

SEC. 3. The members of the State council of defense, appointed by the governor, shall be chosen with reference to their special knowledge of labor, industries, public utilities, the professions, the development of natural resources, sanitation, finance, transportation, or some other subject matter relating to National or State defense. Members.

SEC. 4. It shall be the duty of the State council of defense: Duties.

1. To cooperate with and assist the council of national defense in the execution of the duties prescribed by an act of the Congress of the United States, approved August twenty-ninth, nineteen hundred and sixteen, entitled, "An act making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes," or any act amendatory thereof or supplemental or additional thereto;

\* \* \* \* \*  
4. To promote the agricultural resources and industrial interests of the State, and to encourage food production and conservation;

\* \* \* \* \*  
10. To make all investigations, arrangements and plans for the efficient coordination and cooperation of the military, industrial, agricultural and commercial resources of the State in time of war;

\* \* \* \* \*  
SEC. 11. The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the year nineteen hundred and seventeen for the purpose of carrying out the provisions of this act. \* \* \* Appropriation.

Approved July 20, 1917.

No. 44 (SENATE CONCURRENT RESOLUTION).—Employment of women—Wages.

Whereas, many men, now occupying positions in commercial, State and parochial occupations, have been called into active service in defense of the United States in the war with the Imperial German Government, and Equal pay for same work.

Whereas, many of these positions must necessarily be filled by women,

Be it resolved by the Senate, the House of Representatives concurring, That when women are employed to fill the positions and occupations hereinbefore referred to, the compensation paid to women, performing the same work as was formerly done by men, shall be of equal amount to that paid to men.



# MAINE.

## ACTS OF 1917.

### CHAPTER 49.—*Inspection of railroads.*

SECTION 1. Section forty-eight of chapter fifty-six of the Revised Statutes is hereby amended by striking out all of said section and substituting therefor the following: Act amended

Sec. 48. The public utilities commission, or one member thereof, or some competent person by said commission duly appointed, annually, and at any other time on application or whenever they think necessary, shall carefully examine the tracks, rolling stock, bridges, viaducts, and culverts of all railroads; and shall annually make a report to the governor of their official doings, therein stating the condition of the road and rolling stock, with such facts as they deem of public interest or which he may require; and all persons managing railroads shall give the commission such information as they at any time require. Annual inspections.

Approved March 19, 1917.

### CHAPTER 146.—*Employment of children—General provisions.*

SECTION 1. Section twenty-one of chapter forty-nine of the Revised Statutes is hereby amended \* \* \* so that said section as amended shall read as follows:

Sec. 21. No minor between the ages of fourteen and sixteen years shall be employed, permitted or suffered to work in any of the aforementioned occupations unless the person, firm or corporation employing such child procures and keeps on file accessible to any truant officer, factory inspector or other authorized officer charged with the enforcement of sections twenty to thirty-one, both inclusive, of this chapter, a work permit issued to said child by the superintendent of schools of the city or town in which the child resides, or by some person authorized by him in writing. The person authorized to issue a work permit shall not issue such permit until such child has demonstrated his ability to read at sight and write simple sentences in the English language and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the State, or has furnished a certificate to that effect signed by any teacher in any of the public schools of the city or town in which such child resides, or by the principal of any approved private school; nor until he has received, examined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upwards; such evidence shall consist of a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth and place of baptism, or a passport showing the date of birth. In the event of the minor being unable to produce the evidence heretofore mentioned, and the person authorized to issue the work permit being satisfied of that fact, the said work permit may be issued on other documentary evidence of age satisfactory to the person authorized to issue the work permit, provided said documentary evidence has been approved by the State commissioner of labor. The superintendent of schools, or the person authorized to issue such work permit may require, in doubtful cases, a certificate signed by a physician appointed by the school board, or, in case there is no school physician, from the medical Certificate required.

Conditions.

Medical certificate.

officer of the board of health, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which he intends to do. The State factory inspector, his deputy or agent, may require a similar certificate in doubtful cases of the minors employed under a work permit. A work permit when duly issued shall excuse such child from attendance at public school; but no person shall issue such permit to any minor then in or about to enter his employment or the employment of the firm or corporation of which he is a member, stockholder, officer or employee.

Approved March 31, 1917.

CHAPTER 222.—*Mothers' pensions.*

Cities and towns to provide.

SECTION 1. Every city and town shall, subject to the provisions hereinafter contained, render suitable and needful aid to any mother residing therein, with a dependent child or children under the age of fourteen years, who needs and desires such aid to enable her to maintain herself and children in her home and who is fit and capable, mentally, morally and physically to bring up her children.

Who eligible.

SEC. 2. This act shall apply to all mothers and their dependent children, whether or not they or any of them may have a settlement in this State, who shall have resided in the State for not less than five consecutive years next prior to making application for aid. No mother, nor any of her children, shall acquire a settlement or be in process of acquiring a settlement while receiving aid nor be deemed a pauper by reason of receiving such aid.

Amount of aid.

SEC. 3. Such aid shall not exceed the value of \$10 a month to a mother having but one child under the age of fourteen years, with a further allowance not exceeding \$4 a month in value for each additional child; the aid to be furnished hereunder may be furnished either in money or supplies or both.

State board.

SEC. 4. A State board of mother's aid hereinafter referred to as the "State board" is hereby created to serve without compensation, and to consist of the members of the State board of charities and corrections, ex officio. The secretary of said State board of charities and corrections shall be ex officio secretary of the State board of mothers' aid, and serve without additional compensation as such.

Local boards.

In each city, town and plantation there shall be, and hereby is, created a municipal board of mother's aid, hereinafter referred to as the "municipal board" to consist of the overseers or board of overseers of the poor ex officio, unless the city by ordinance or the town or plantation by vote upon warrant shall provide for a special board of not fewer than three persons, one of whom at least shall be a woman, appointed or elected for three-year terms, one term expiring each year, to serve as such "municipal board." The members of such municipal board shall serve without compensation as such.

The municipal board shall keep a record of all applicants investigated, visit regularly or cause to be visited by some agent in their behalf the home of each mother aided hereunder; see that her children are actually living with her in her home, observe the conditions of the home and of the family and make and keep a record of such visits and any fact observed which bears upon the necessity or advisability of continuance of aid under this act and report the same to the State board.

Applications.

SEC. 5. Any mother entitled thereto needing and desiring aid herein provided for may apply therefor personally or by letter to said municipal board. The board shall thereupon cause the applicant to fill out and sign an application blank or shall fill out the same from information furnished by the applicant who shall sign it, in which shall be stated: First, name of the applicant and that of her husband, the time and place of her marriage, and whether her husband is living or deceased; second, the names

and ages of her children, whether those under compulsory school attendance are attending and what school, and if not, the reason of such nonattendance; third, her present residence and address, the length of time she has been a resident of this State and where she has resided therein; fourth, the nature and amount of any property possessed by herself or her husband, if living, and her children, and the extent and source of their income and hers; fifth, the names and addresses of her near relatives and those of her husband, and of one or more persons to whom reference may be made for information; sixth, a statement that the applicant will agree to employ all aid received by her under this act solely for the support of herself and her children under the age of fourteen years, and for their proper upbringing in her home. The board may, if it deems proper, require any such application and the statements made therein to be substantiated by the oath or affirmation of the applicant.

Any person who shall knowingly, willfully and with intent to deceive make any false statement in said application blank shall be punished by a fine of not more than \$500 or by imprisonment not exceeding one year, or both.

Sec. 6. When such application has been made to the municipal board, it shall forthwith make careful investigation by personally interviewing the mother in her home, looking up her references, and pursuing such other sources of information as are available, for the purpose of determining, first, the truth of the statements contained in her application; second, whether she is a fit and capable person to bring up her children, and whether the inmates and surroundings of her household are such as to render it suitable for her children to reside at home; third, whether the child or children of the applicant are attending school, and if not, why; fourth, whether under all the circumstances, considering her own resources and the ability of any member of her family to contribute to her support, the possibility of receiving aid from other relatives, individuals, agencies, or child-welfare organizations, and the possibility of compelling contributions by any person under legal obligations so to do, such mother is in need of aid under the provisions of this act, and if so, in what amount.

Sec. 7. The municipal board shall thereupon file with the State board a copy of said application and a written report embodying the results of their investigation and their recommendations thereon, and the State board shall determine all matters in question and communicate in writing its decision to the municipal board. If the applicant is held entitled to aid, the State board shall determine its character and amount, which may be less than, but shall not exceed, the amount recommended by the municipal board. The town shall thereupon, pursuant to such decision, pay the same in money or its value to the applicant, or to some person designated by the State board upon the recommendation of the Municipal board, who shall expend it for the purposes and in the manner set forth in the decision. The State board may revise its decision whenever it deems it necessary or equitable so to do, but shall not increase the amount of aid previously awarded except with the consent of the municipal board, nor decrease it without giving said board opportunity to be heard.

Sec. 8. If the said municipal board shall fail for thirty days to act upon and report upon said application, the said mother may make application for aid to the State board, who shall communicate with the municipal board, and if the municipal board shall thereafter neglect or fail to act for a period of ten additional days the State board itself shall proceed to investigate the merits of said application and to determine what, if any, aid shall be awarded the applicant, and the decision of said State board shall be of the same effect and validity as if the municipal board had in the first instance proceeded according to sections five, six, and seven of this act. The expenses incurred by the State board by reason of the default of the municipal board shall be audited by the State auditor and paid by the State treasurer, who shall col-

Investiga-  
tions.

Report.

Application  
to State board.

lect said amount of the town in which the municipal board so failing to act as aforesaid is located, by an action at law in the name of the State.

Delinquent husbands.

Sec. 9. In any case when application for aid hereunder is made by a mother who has a husband living, who is able by means of his property or labor to contribute to her support and that of her children, but who willfully neglects or refuses so to do, or who has deserted her or her children, it shall be the duty of the municipal board of the town where the applicant resides to advise the mother in making complaint to compel such husband to contribute to the support of his said wife and children, under the provisions of sections thirty-eight to forty-one, inclusive, of chapter one hundred twenty of the revised statutes, or in filing a petition under the provisions of section nine of chapter sixty-six of the Revised Statutes; and until such proceedings have been begun, and are being prosecuted in good faith to the satisfaction of the municipal and State boards, and until, in cases of desertion at least one year has elapsed from date of commencement of such desertion no aid shall be given under the provisions of this act.

Duties of State board.

Sec. 10. The State board shall have general supervision over the administration of the provisions of this act, and shall prescribe appropriate forms for application, reports, and other proceedings required by the act; said board shall keep a record of all cases reported to it hereunder and action taken by it in relation to the same; and shall keep on file all reports made to it by municipal boards; it shall see that families aided hereunder are visited as herein required and shall have access to any records of the municipal boards or of the overseers of the poor relating to any proceedings hereunder. In order to aid the State board in determining any questions presented to it for decision by any municipal boards under the provisions of this act, it may, in addition to their reports, make further investigation in such manner as it may deem best. It shall embody a statement concerning the work done hereunder in the annual report of the State board of charities and corrections.

State to pay one-half.

Sec. 11. Any city, town, or plantation rendering aid under the provisions of this act shall be reimbursed by the State for one-half of the amount expended after approval by the State board and State auditor of its bills. If the mother so aided has no settlement the city or town shall be reimbursed for the total amount of the aid given after approval of the bill as aforesaid, but one-half of such reimbursement shall be made from the appropriation for support of State paupers. If the mother so aided has a lawful settlement in another city or town, the amount of such aid rendered may be recovered by the city or town giving it in an action against the city or town liable therefor, provided the city or town so liable was notified in accordance with the requirements of section thirty-three of chapter twenty-nine of the Revised Statutes, or against the kindred of the mother and children so aided in the manner provided by section thirty-three.

Appropriation.

Sec. 12. For the purpose of reimbursing the cities or towns as provided in this act there is hereby appropriated from the State treasury the sum of \$35,000, \$10,000 for nineteen hundred and seventeen and \$25,000 for nineteen hundred and eighteen: *Provided*, That any unexpended balances of the amount appropriated for nineteen hundred and seventeen may be expended for the purposes of this act in nineteen hundred and eighteen.

Approved April 7, 1917.

#### CHAPTER 231.—Employers' advances—Repayment.

Repeal.

SECTION 1. Section twelve of chapter one hundred and twenty-eight of the Revised Statutes is hereby repealed.

Approved, April 7, 1917.

[This section authorized imprisonment in cases where advances of goods, money, or transportation were fraudulently accepted and not worked out, the act applying to lumbering operations only.]

CHAPTER 259.—*Protection of employees as members of the National Guard.*

SECTION 130. Any person who, either by himself or with another, willfully deprives a member of the National Guard or Naval Militia of his employment, or prevents his being employed by himself or another, or obstructs or annoys said member of said National Guard or Naval Militia, or his employer in respect to his trade, business, or employment, because said member of said National Guard or Naval Militia is such member, or dissuades any person from enlisting in the said National Guard or Naval Militia by threat of injury to him in case he shall so enlist, in respect to his employment, trade, or business, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Interfering  
with employ-  
ment.

SEC. 131. No association or corporation, constituted or organized for the purpose of promoting the success of the trade, employment, or business of the members thereof, shall by any constitution, rule, by-law, resolution, vote, or regulation, discriminate against any member of the National Guard or Naval Militia because of such membership, in respect of the eligibility of such member of the National Guard or Naval Militia to membership in such association or corporation, or in respect to his rights to retain said last mentioned membership; and any person who aids in enforcing any such provisions against a member of the said National Guard or Naval Militia with intent to discriminate against him because of such membership, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Excluding  
from labor or-  
ganizations,  
etc.

Approved April 7, 1917.

CHAPTER 298.—*Assignments of wages—Wage brokers.*

[This act regulates the making of loans of money, credit, goods, or choses in action, in amounts of the value of \$300 or less, on which interest is charged in excess of 12 per cent per annum. A license must be procured from the State bank commissioner, the annual fee being \$50; any costs of inspection are additional. Any license may be revoked for cause. A bond is required in the sum of \$1,000 for the use of the State and of any person or persons having a cause of action against the maker of the bond. But one place of business may be operated under a single license, and the books and papers of every licensee must be opened to inspection by the bank commissioner at any time and as often as may be desired. The mode of keeping records must be such as to enable the commissioner to determine whether the provisions of the act are being observed.

Summary.

Interest not exceeding  $3\frac{1}{2}$  per cent per month may be charged, but shall not be payable in advance or compounded, and shall be computed only on unpaid balances. No additional charges may be made, either directly or indirectly, except lawful fees for the filing or recording in any public office of instruments securing the loan.

A statement must be furnished the borrower setting forth in the English language in clear terms, the amount and date of the loan and of its maturity, the rate of interest charged, and a copy of certain sections of the law. Receipts must be given for all payments, and on the payment in full of any loan the papers signed by the borrower must be marked to indicate the fact, and all notes, mortgages, and papers returned and cancelled. No licensee may take any confession of judgment or power of attorney.

This act is of general application, and violations of it are punishable by fine or imprisonment, or both, within the discretion of

the court. Section 12, which relates specifically to loans on wages, is as follows:]

Assignments  
to be signed.

Spouse to  
sign.

SECTION 12. No assignment of any salary or wages, earned or to be earned, given to secure a loan, shall be valid unless in writing signed in person by the borrower; nor, if the borrower is married, unless it shall be signed in person by both husband and wife; nor shall such assignment be valid unless given to secure a debt contracted simultaneously with its execution. All such assignments shall be subject to the provisions of section nine of chapter one hundred and fourteen of the Revised Statutes.

Approved April 7, 1917.

MARYLAND.

ACTS OF 1917—EXTRA SESSION.

CHAPTER 24.—State council of defense—War emergencies.

SECTION 1. The Maryland Council of Defense is hereby created. Council created. The said council shall consist of not more than fifty members, all of whom shall be appointed by and shall hold office during the pleasure of the governor, who shall designate one of the members to act as chairman. The term of office of the said council shall be the duration of the present war, and for such period of time thereafter as the governor may deem necessary for the welfare of the State. The members of the council shall serve without pay, but may be allowed necessary traveling expenses incurred in the actual performance of their duty. The council may, with the approval of the governor, employ such clerical or other assistants as may be necessary, at such compensation as the council, with the governor's approval, may determine. The council shall also be allowed for such printing, advertising, stationery, office or other proper expenses as may be necessary, and as the governor may approve.

SEC. 2. It shall be the duty of the council:

Duties.

(a) To cooperate with and assist the council of national defense in the execution of the duties prescribed by the act of Congress of the United States, approved August twenty-ninth, nineteen hundred and sixteen, or any act amendatory thereof or supplemental or additional thereto.

(b) To cooperate with councils of defense or other similar bodies in other States, in so far as such cooperation is in harmony with the policies of the said council of national defense and with the welfare of this State.

(c) To make all investigations, with respect to any and all matters and subjects whatsoever, which the council may consider advisable for the interests and welfare of the State or the Nation in the present emergency, and to report thereon to the governor, with such recommendations as it may deem proper.

(d) To assist the governor in doing all things necessary to bring about the highest effectiveness within the State in the crisis now existing.

(e) To organize and direct such public employment labor exchanges as it may deem necessary, during the present emergency, which shall cooperate in every practicable way with similar exchanges in other States and with the United States Employment Service. Labor exchanges.

Approved June 27, 1917.

CHAPTER 33.—Compulsory service—Emergencies.

SECTION 1. Whenever, because of the existence of a state of war, the governor determines that it is necessary, for the protection and welfare of the people of the State, that all able-bodied male persons, between the ages hereinafter mentioned, be employed in occupations carried on by the State, the counties, or the city of Baltimore, or any of their agencies, or be employed in occupations carried on by private persons, firms or corporations, whether agricultural, industrial or otherwise, and which occupations, whether carried on by the State, and counties, the city of Baltimore, or by private employers, the governor finds to be essential for the protection and welfare of the people of the State and the United States, and also finds that the same can not be carried on as the Law operative, when. Governor to make proclamation.

- protection and welfare of the people of this State and of the United States require without resort to this act, then the governor shall be authorized, by proclamation, to require every able-bodied male person between eighteen and fifty years of age, inclusive, within the State, not then or thereafter regularly or continuously employed or engaged in any lawful and useful business, occupation, trade or profession of any kind, to register forthwith his name, address, age and any other information which the governor shall require, with the clerk of the circuit court of the county in which such person may be, or with the clerk of the superior court of Baltimore City, if such person be in Baltimore City. It shall be the duty of said clerks, from time to time, upon request of the governor, to furnish him lists of the names, addresses, age and such other information aforesaid as may have been obtained and registered. The governor shall thereupon assign, or cause to be assigned, and, if necessary, reassign or cause to be reassigned, such persons to occupations as aforesaid, carried on by the State, the counties or the city of Baltimore, or to private employers engaged in occupations of the character above mentioned, and who accept the services of such persons, for a period which shall not in the case of any person exceed six continuous months at any one time. Persons so assigned must in every case be physically able to perform the work to which they are assigned. As soon as the proclamation has been issued, as herein provided, it shall be the duty of the governor to prepare and publish such rules and regulations governing the assignment of persons to work under this act as will assure that all persons similarly circumstanced shall, as far as it is possible to do so, be treated alike.
- In fixing the period of work to which anyone is assigned, and in determining its nature, the governor shall take into consideration the age, physical condition and any other appropriate circumstances of the person so assigned. The rules and regulations adopted under the provisions of this act shall make allowances for such facts and circumstances. Any such person failing or refusing to do or to continue to do the work assigned to him, and who, in the meanwhile, has not become regularly or continuously employed in some business, occupation, trade or profession, shall, upon conviction before any justice of the peace having criminal jurisdiction, be fined not more than \$500, or be imprisoned not more than six months, or be both fined and imprisoned, in the discretion of the court or justice.
- Registration.** employed or engaged in any lawful and useful business, occupation, trade or profession of any kind, to register forthwith his name, address, age and any other information which the governor shall require, with the clerk of the circuit court of the county in which such person may be, or with the clerk of the superior court of Baltimore City, if such person be in Baltimore City. It shall be the duty of said clerks, from time to time, upon request of the governor, to furnish him lists of the names, addresses, age and such other information aforesaid as may have been obtained and registered. The governor shall thereupon assign, or cause to be assigned, and, if necessary, reassign or cause to be reassigned, such persons to occupations as aforesaid, carried on by the State, the counties or the city of Baltimore, or to private employers engaged in occupations of the character above mentioned, and who accept the services of such persons, for a period which shall not in the case of any person exceed six continuous months at any one time. Persons so assigned must in every case be physically able to perform the work to which they are assigned. As soon as the proclamation has been issued, as herein provided, it shall be the duty of the governor to prepare and publish such rules and regulations governing the assignment of persons to work under this act as will assure that all persons similarly circumstanced shall, as far as it is possible to do so, be treated alike.
- Assignment to occupations.** In fixing the period of work to which anyone is assigned, and in determining its nature, the governor shall take into consideration the age, physical condition and any other appropriate circumstances of the person so assigned. The rules and regulations adopted under the provisions of this act shall make allowances for such facts and circumstances. Any such person failing or refusing to do or to continue to do the work assigned to him, and who, in the meanwhile, has not become regularly or continuously employed in some business, occupation, trade or profession, shall, upon conviction before any justice of the peace having criminal jurisdiction, be fined not more than \$500, or be imprisoned not more than six months, or be both fined and imprisoned, in the discretion of the court or justice.
- Refusing to work.** Any such person failing or refusing to do or to continue to do the work assigned to him, and who, in the meanwhile, has not become regularly or continuously employed in some business, occupation, trade or profession, shall, upon conviction before any justice of the peace having criminal jurisdiction, be fined not more than \$500, or be imprisoned not more than six months, or be both fined and imprisoned, in the discretion of the court or justice.
- Inclusions and exclusions.** Sec. 2. All persons able to support themselves by reason of ownership of property or income and those supported by others, shall be included among those required to register under this act. All students and all persons fitting themselves to engage in trade or industrial pursuits shall not be included within the provisions of this act.
- Persons failing to register.** Sec. 3. After the issuance of the proclamation hereinbefore provided for, it shall be the duty of the sheriffs of the respective counties and of the police department of Baltimore City, and of any other officer, State, county or municipal, charged with enforcing the law, to seek and to continue to seek diligently the names and places of residence of able-bodied male persons within their respective jurisdictions, between the ages aforesaid, not regularly or continuously employed as aforesaid, who have failed to register as aforesaid, and to obtain warrants for their arrest from any justice of the peace having criminal jurisdiction. Failure of such persons to register shall be a misdemeanor and shall be punishable by a fine not exceeding \$50. The names of all those convicted before any justice of the peace of failing to register, together with all other information as aforesaid, shall be sent by the justices of the peace to the clerks of the circuit courts of the counties or the clerk of the superior court of Baltimore City, as the case may be. The said clerks shall register as aforesaid all persons convicted of failing to register, and report such registrations to the governor as hereinbefore provided. The governor shall thereupon assign such persons to work as provided in section 1.

SEC. 4. All persons required to work under this act shall receive compensation not less than the wage or salary paid to others engaged in the same nature of work to which each such person is assigned. If any such person is assigned to work for any department, board or commission of the State, then the compensation of such person shall be paid him by such department, board or commission out of the appropriation made to it by the State. If any such person is assigned to work for any county or for the City of Baltimore, or for any private employer, then the compensation of such person shall be paid to him by such county or the City of Baltimore or by the private employer accepting his services. Any such private employer shall be required to execute a bond to the State, in such penalty and with such surety as the governor may approve, conditioned to guarantee the payment of such compensation as the same falls due. If any such private employer fails to pay to any such person the compensation so due him, then the same shall be paid by the State, out of any moneys in the treasury available therefor and not otherwise appropriated, or out of any moneys appropriated therefor; in the latter event, such payments to be made on the order of the executive committee of the Maryland council of defense, by and with the sanction and approval of the governor, the same to be directed to the comptroller, who shall draw his warrant upon the treasurer for the amount thereof as in law provided. In the event of such payment by the State, the said bond of such employer shall be in default, and shall be put in suit by the State. No person shall be required to work under this act any greater number of hours per day than lawfully constitutes a day's work in the occupation in which such person is required to engage.

Wages.

Payment.

Private employers.

Hours of labor.

SEC. 5. The governor is authorized to appoint or employ such assistants as may be necessary, and to use such agencies as may be available and appropriate, to aid him in carrying out the provisions of this act.

Enforcement.

SEC. 5A. The provisions of this act shall not apply to persons temporarily unemployed by reasons of differences with their employers.

Labor disputes.

SEC. 5B. Nothing in this act shall apply to any person engaged or employed in any seasonal business, trade or occupation carried on in Baltimore City, or Allegany County.

Personal workers.

Approved June 23, 1917.



## MASSACHUSETTS.

### ACTS OF 1917.

#### CHAPTER 72.—*Regulation of factories, etc.—Lockers.*

[This act amends chapter 115, Acts of 1916, by inserting the words "or hotel" after "establishment" in the first section.]

#### CHAPTER 110.—*Employment of women and children—Time for meals.*

[This act amends section 68 of chapter 514, Acts of 1909, by striking out the words "young person," and substituting therefor the words "person under eighteen years of age"; also by striking out the words "half an hour" and substituting the words "forty-five minutes."]

#### CHAPTER 156.—*Inspection and regulation of factories.*

SECTION 1. Chapter six hundred and fifty-five of the Acts of the year nineteen hundred and thirteen is hereby amended by striking out section twenty and inserting in place thereof the following:

Sec. 20. \* \* \* a building in which ten or more persons are employed in a factory, workshop, mercantile or other establishment, \* \* \* the owner, lessee or mortgagee in possession whereof is notified in writing by an inspector that the provisions of this act apply thereto, shall be provided with proper egresses or other means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged or resident therein; but no owner, lessee or mortgagee in possession of such building shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary and for thirty days has neglected or refused to provide the same. The egresses and means of escape shall be kept unobstructed, in good repair and ready for use, and, if the inspector so directs in writing, every such egress shall be properly lighted and provided with a sign having on it the word "Exit" in letters not less than five inches in height, and so made and placed as plainly to indicate to persons within the building the situation of such egresses; stairways shall have suitable handrails; egress doors and windows shall open outwardly, and women or children shall not be employed in a factory, workshop, mercantile or other establishment, in a room above the second story from which there is only one egress. The certificate of the inspector shall be conclusive evidence of a compliance with the said requirements. \* \* \* Stairways on the outside of the building shall have suitable railed landings at each story above the first, accessible at each story from doors or windows, and such landings, doors and windows shall be kept clear of ice, snow and other obstructions.

[Section 2 of this act amends section 55 of the act of 1913 by allowing appeals within 30 days instead of 10 days as formerly.]

Approved April 6, 1917.

#### CHAPTER 207.—*Sunday labor.*

SECTION 1. The cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products on the Lord's Day shall not be unlawful, during the existence of war, and until the first day of January following the termination thereof, between the United States and any other nation.

Approved April 27, 1917.

CHAPTER 260.—*Employment on public works—Preference of citizens.*

**Amendments.** [This act amends section 21 of chapter 514, Acts of 1909, as amended by chapter 474, Acts of 1914, by inserting after the word "mechanics" in the first line, the word "teamsters"; also by inserting after the word "mechanics" in the second sentence, the words "and teamsters."]

CHAPTER 294.—*Employment of minors—Telephone operators.*

[This act amends section 9 of chapter 831, Acts of 1913, by adding thereto the following:]

Work until 11 o'clock. *Provided, however,* That girls under the age of twenty-one years may be employed as operators in regular service telephone exchanges until, but not after, the hour of eleven o'clock in the evening.

Approved May 24, 1917.

CHAPTER 310.—*Homestead commission—Homes for workingmen.*

**Land may be purchased.** SECTION 1. The homestead commission is hereby authorized, with the consent of the governor and council, to take or purchase in behalf of and in the name of the commonwealth, a tract or tracts of land for the purpose of relieving congestion of population and providing homesteads, or small houses and plots of ground, for mechanics, laborers, wage earners of any kind, or others, citizens of this Commonwealth; and may hold, improve, subdivide, build upon, sell, repurchase, manage and care for such land and the buildings constructed thereon, in accordance with such terms and conditions as may be determined upon by the commission.

**Sale, etc., of lands.**

**Terms.**

SEC. 2. The commission may sell land acquired hereunder, or any parts thereof, with or without buildings thereon, for cash, or upon such installments, terms and contracts, and subject to such restrictions and conditions as may be determined upon by the commission, but no tract of land shall be sold for less than its cost, including the cost of any buildings thereon. All proceeds from the sale of land and buildings or other sources shall be paid into the treasury of the commonwealth.

**Amount allowed.**

SEC. 3. The homestead commission is hereby authorized to expend a sum not exceeding \$50,000 for the purposes of this act.

Approved May 25, 1917.

CHAPTER 321.—*Bureau of immigration.*

**Bureau created.**

SECTION 1. The Massachusetts Bureau of Immigration is hereby established to consist of five persons, to be appointed by the governor with the advice and consent of the council, for terms of one, two, three, four and five years, respectively, from the first day of June, nineteen hundred and seventeen, as the governor may specify. One member shall be a woman, and at least two members shall by activity or descent be of the races most largely represented in the immigration to Massachusetts during the ten years preceding their appointment. Thereafter, as the term of any member expires, the governor shall annually appoint, in like manner, one member for the term of five years. He shall fill any vacancy for the unexpired term, and may remove any member for cause with the approval of the council. The governor shall designate one member to serve as chairman, who may be known as the director of immigration. All of the members shall serve without compensation, but they shall be reimbursed for expenses necessarily incurred in the performance of their duties, and they shall be furnished with suitable quarters in the state house. The bureau may appoint an executive secretary, clerks and other assistants, and may pay them such salaries and may

incur such other expenses, including traveling expenses, not exceeding such sums as may be appropriated therefor by the general court, as it may deem necessary and proper, subject, however, to the approval of the governor and council.

SEC. 2. It shall be the duty of the bureau to employ such methods, subject to existing laws, as, in its judgment, will tend to bring into sympathetic and mutually helpful relations the Commonwealth and its residents of foreign origin, to protect immigrants from exploitation and abuse, to stimulate their acquisition and mastery of the English language, to develop their understanding of American government, institutions and ideals, and generally to promote their assimilation and naturalization. For the above purposes, the bureau shall have authority to cooperate with other officers, boards, bureaus, commissions and departments of the Commonwealth, and with all public agencies, Federal, State or municipal. It shall have authority to investigate the exploitation or abuse of immigrants, and in making any investigation it may require the attendance of witnesses and the production of books and documents relating to the matter under investigation.

SEC. 3. The commission is hereby authorized to expend for the purposes of this act during the current fiscal year a sum not exceeding \$10,000.

Approved May 25, 1917.

CHAPTER 342.—*Industrial adjustments—War emergencies—Suspension of labor laws.*

SECTION 1. During the continuance of the existing state of war between the United States and any foreign country in order to provide for the safety, defense and welfare of the Commonwealth and for the discharge of its duties toward the national defense as one of the United States the provisions of this act shall be and remain of full force and effect, but except as herein otherwise expressly provided shall cease to operate on the termination of the said state of war.

SEC. 6. Whenever the governor shall believe it necessary or expedient for the purpose of better securing the public safety or the defense or welfare of the Commonwealth, he may with the approval of the council take possession:

(a) Of any land or buildings, machinery or equipment.  
(b) Of any horses, vehicles, motor vehicles, aeroplanes, ships, boats, or any other means of conveyance, rolling stock of steam or electric railroads or of street railways.

(c) Of any cattle, poultry and any provisions for man or beast, and any fuel, gasoline or other means of propulsion which may be necessary or convenient for the use of the military or naval forces of the Commonwealth or of the United States, or for the better protection or welfare of the Commonwealth or its inhabitants. He may use and employ all property so taken possession of for the service of the Commonwealth or of the United States, for such times and in such manner as he shall deem for the interests of the Commonwealth or its inhabitants, and may in particular, when in his opinion the public exigency so requires sell or distribute gratuitously to or among any or all of the inhabitants of the Commonwealth anything taken under clause (c) of this section and may fix minimum and maximum prices therefor. He shall, with the approval of the council, award reasonable compensation to the owners of any property of which he may take possession under the provisions of this section and for its use, and for any injury thereto or destruction thereof caused by such use.

SEC. 24. A. The State board of labor and industries shall immediately upon the passage of this act appoint a committee of five persons, none of whom shall be members of said board, who shall be approved by the governor; of whom one shall be the commissioner of labor, who shall be chairman, two shall be representatives of employers of labor, and two shall be representatives of wage

Duties.

Expenses.

Term of act.

Powers of governor.

Committee on laws.

earnings; to which committee all petitions, applications and matters arising under this section shall be forthwith referred. The commissioner of labor shall serve thereon without additional compensation and the other members shall receive such compensation and allowances for expenses as the governor with the consent of the council may determine. Such committee shall be given whatever name the State board of labor and industries may select. Any action taken and all permits granted by said committee shall have the same effect as though taken or granted by said board, which may at any time revoke the authority of said committee, remove any of its members except the commissioner of labor, and may fill any vacancies in said committee, and in the temporary absence of any member thereof, the committee or the commissioner of labor may fill such vacancy temporarily.

Application  
for suspension

B. Any employer of labor may make application to the State board of labor and industries or to the committee created by clause A of this section, setting forth that a law or laws of the commonwealth licensing or regulating labor, or the employment of labor, or any law or laws of the Commonwealth in any manner affecting conditions of labor, interfere with the prosecution of work which said employer is doing or is about to do, which work is required by an emergency arising out of the existing state of war, and asking that a permit be granted to him suspending the operation of such law or laws, or any part thereof, as applicable to his work or establishment. The committee shall convene and give a hearing upon such application as soon after its receipt as possible, and if in its opinion such emergency exists, it may grant to the applicant such a permit. The permit shall contain such limitations and restrictions as the committee may deem proper to impose, in respect to the length of time during which, and the particular work or establishment in connection with which, such permit shall be effective. The permit shall be revocable at any time by the aforesaid committee and shall in any event become void sixty days after the termination of the existing state of war. The operation of any law or laws or parts thereof, shall be suspended only to the extent provided for in such permit.

Permit.

Hearings.

C. At the hearing the committee shall permit the attendance of representatives of the interested parties and of such other persons as it may deem proper, and shall give notice of the hearing to the interested parties and to such others, as it may determine.

Emergency  
action.

D. Whenever it appears or is represented to the commissioner of labor that a situation exists which requires immediate action or decision before said committee can be called together, he is hereby authorized to grant such permit or take such action as he deems proper, which action so taken or permit so granted by him shall remain in force and effect only until the committee can assemble and give the hearings as heretofore provided and render its decision: *Provided*, That in no case shall said temporary action taken or permit granted by the commissioner of labor be valid for a longer period than seventy-two hours.

Assistance.

E. The entire office force and office equipment of the State board of labor and industries shall be at the disposal of the said committee and shall be subject to its orders in any matters arising under this section; and the advice, assistance, and cooperation of any other department, board or commission of the Commonwealth shall, upon request, be immediately extended to said committee.

Approved May 26, 1917.

## RESOLVES.

### CHAPTER 128.—*Public printing—Provisions of contracts.*

Proposals.

*Resolved*, That the attorney-general, the secretary of the Commonwealth, the treasurer and receiver general, the auditor of the Commonwealth, the supervisor of administration, the clerk of the senate and the clerk of the house of representatives are hereby directed to advertise for proposals for the execution of

all the printing and binding for the several departments of the government of the Commonwealth, except office stationery and blank books without printed headings, for a term of one, three or five years from the first day of July in the year nineteen hundred and seventeen. They shall take into consideration the circumstances and facilities of the several bidders for the work as well as the terms offered; they may reject any bids received, and they shall award the contract, to be based upon a working-day of eight hours for each week day, except that on Saturday the working-day shall consist of four hours unless in the judgment of the official having supervision of the State printing, legislative or ballot work shall require a full day of eight hours, and equal pay for equal work performed by men and women, at such rates as they shall decide to be equitable between employer and employed, and to such bidder as in their judgment the interests of the Commonwealth may require, and they shall execute the contract in the name and behalf of the Commonwealth. Bonds satisfactory to the said officers, to an amount not less than \$10,000, shall be given by the party to whom the contract is awarded, to secure the faithful performance of the contract.

Working-day.

Equal pay.  
Rates.

Approved May 25, 1917.

CHAPTER 130.—*Commission on health insurance.*

*Resolved*, That a special commission to be known as the commission on social insurance, composed of three members of the senate to be appointed by the president, six members of the house of representatives to be appointed by the speaker, and two other members to be appointed by the governor, shall sit during the recess of the general court for the purpose of further investigating the extent to which poverty occasioned by sickness may be alleviated, medical care for wage earners and others of limited means may be provided, and measures to prevent disease may be promoted, by insurance. The commission shall undertake such investigations as to the health of wage earners and the conditions under which they work, and as to existing systems of mutual, stock, fraternal, State, and other forms of insurance in this Commonwealth and elsewhere as may be necessary to provide a sound basis for its recommendations, and shall submit a report, including drafts of any legislation which it may recommend to the next general court, not later than the fifteenth day of January. The State department of health, the bureau of statistics, and the insurance department are hereby directed to cooperate with the commission and render such assistance as is compatible with the proper discharge of their respective duties. The commission shall have power to elect a chairman, secretary and other officers, to appoint subcommittees, and to employ assistance, clerical, expert or otherwise, as may be necessary. The commission shall have a room in the statehouse assigned for its use, and shall hold such public hearings as it may deem necessary with the same powers to summon and examine witnesses as are conferred upon city councils and other bodies by the provisions of sections eight and nine of chapter one hundred and seventy-five of the Revised Laws. The commission shall receive such sums for assistance, travel and other expenses, and for the compensation of its members, as shall be allowed by the governor and council.

Commission created.

Duties.

Cooperation.

Expenses.

Approved May 25, 1917.

DECREES OF MINIMUM WAGE COMMISSION.

*Women's clothing decree.*

1. No experienced female employee of ordinary ability shall be employed in the manufacture of women's cloaks, suits, skirts, dresses, and waists in Massachusetts at a rate of wages less than \$8.75 a week.

Wage rate.

- Who experienced.** 2. No female employee of ordinary ability shall be deemed inexperienced who has been employed in the women's clothing industry for one and a half years or more, after reaching the age of eighteen years.
- Term of employment.** 3. A female employee shall be deemed to have been employed in the industry for a year and a half if her absence from her place or places of employment during that period have not been of unreasonable duration.
- Lower rates.** 4. The wages of learners and apprentices may be less than the minimum prescribed for experienced employees, provided—  
 (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 other female employee of ordinary ability shall be paid at a rate of wages less than \$6 a week.
- Same.** 5. A female employee of less than ordinary ability may be paid less than the prescribed minimum wage, provided that the conditions of section nine, chapter seven hundred and six, Acts of nineteen hundred and twelve, are complied with.
- Decree in effect.** 6. These recommendations shall take effect on February 1, 1917, on which date all female employees of ordinary ability who have been employed in the industry for a year and a half after reaching the age of eighteen shall be deemed to have served their apprenticeship, and all others shall be deemed to have begun their apprenticeship, and to be entitled to the rates as specified above.

*Men's clothing and raincoats.*

- Wage rate.** 1. No experienced female employee of ordinary ability shall be employed in the manufacture of men's and boys' outer garments (suits, coats, vests, trousers and overcoats) and men's, women's and children's raincoats in Massachusetts at a rate of wages less than \$9 a week.
- Who experienced.** 2. No female employee of ordinary ability of eighteen years of age or over shall be deemed inexperienced who has been employed in the men's clothing and raincoat industry for one year or more.
- Term of employment.** 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 that period have not been of unreasonable duration.
- Learners and apprentices.** 4. The wages of learners and apprentices may be less than the minimum prescribed for experienced employees provided that no female employee of ordinary ability who, irrespective of age, has had at least three months' experience in the men's clothing and raincoat industry shall be employed at a rate of wages less than \$7 a week.
- Lower rates.** 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.
- Decree in effect.** 6. These recommendations shall take effect on January 1, 1918, on which date all female employees of ordinary ability of eighteen years of age or over who have been employed in the industry for at least one year shall be deemed to have served their apprenticeship, and all others shall be deemed to have begun their apprenticeship, and to be entitled to such rates as are specified above.

August 31, 1917.

*Men's and boys' clothing, furnishings, etc.*

- Wage rate.** 1. No experienced female employee of ordinary ability shall be employed in the manufacture of men's or boys' shirts, overalls or other workmen's garments, men's neckwear or other furnishings, or men's, women's or children's garters or suspenders in the Commonwealth of Massachusetts at a rate of wages less than \$9 a week.

2. No female employee of ordinary ability shall be deemed inexperienced who has been employed in the manufacture of men's or boys' shirts, overalls or other workmen's garments, men's neckwear or other furnishings, or men's, women's or children's garters or suspenders for more than fifty-two weeks of not less than thirty-six hours each. Who experi-  
enced.

3. The wages of learners and apprentices may be less than the minimum prescribed for inexperienced employees, provided: Learners and  
apprentices.

(a) That no female employee of ordinary ability who has been employed in the industry for more than twenty-six weeks of not less than thirty-six hours each shall be employed at a rate of wages less than \$8 a week.

(b) That no female employee of ordinary ability who has been employed in the industry for more than six weeks of not less than thirty-six hours each shall be employed at a rate of wages less than \$7 a week.

4. 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. Lower rates.

5. These recommendations shall take effect on February 1, 1918, on which date all female employees of ordinary ability who have been employed in the industry for at least fifty-two weeks shall be deemed to have served their apprenticeship, and all others shall be deemed to have begun their apprenticeship, and to be entitled to such rates as are specified above. Decree in  
effect.

October 26, 1917.

45913°—Bull. 244—18—13



**MICHIGAN.**

**CONSTITUTION.**

**ARTICLE III.—Electors—Absent voters.**

SECTION 1. \* \* \* *Provided*, That no qualified elector in the actual service of the United States or of this State, or any student while in attendance at any institution of learning, or any regularly enrolled member of any citizens' military or naval training camp held under the authority of the Government of the United States or the State of Michigan, or any member of the legislature while in attendance at any session of the legislature, or commercial traveler, or any qualified elector employed upon or in the operation of railroad trains in this State, or any sailor engaged and employed on the Great Lakes or in coastwise trade shall be deprived of his vote by reason of his absence from the township, ward or State in which he resides; and the legislature shall provide by law the manner in which and the time and place at which such absent electors may vote and for the canvass and return of their votes: *Provided further*, That the legislature shall have power to pass laws covering qualified electors who may be necessarily absent from other causes than above specified.

Who may vote.

Ratified April, 1917.

**ACTS OF 1917.**

**Act No. 92.—Discharge of railroad employees—Hearings.**

SECTION 1. It shall be unlawful for any common carrier by railroad, its agents, superintendents, managers, or employees owning or operating any line or lines of railroad in this State and engaged in commerce by railroad, employing any special agent, detective or person commonly known as a spotter for the purpose of investigation and obtaining and reporting to the employer, its agents, superintendents or managers information concerning its employees to discipline or discharge any of its employees where such act of discipline or discharge is based upon the report of such special agent, detective or spotter, which involves a question of integrity, honesty or breach of any rule of the employer unless such employer, its agents, superintendents or managers shall first give notice to such employee so reported and grant a hearing to him when he so requests and upon demand by said employee, the employer at such hearing shall state the specific charges against said employee, and the accused employee shall have the right to demand and be confronted with the person making such report to his employer, and to have the right at such hearing to cross-examine the agent, detective, or spotter making such report, and shall have the right to employ counsel to represent him at such hearing.

Hearings required, when.

SEC. 2. Any common carrier by railroad or any of its agents, superintendents, general managers, officers or employees violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine or [of] not more than \$300, or by imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment in the discretion of the court. In any case of the violation of this act by any of the officers, agents, or employees or any such common carrier by railroad, the imprisonment provided herein if imposed shall be imposed upon such officers or agents committing such offense.

Violations.

Approved April 17, 1917.

ACT No. 98.—*Department of labor.*

Salaries, etc. [This act amends section 4 of act No. 285, Acts of 1909, as amended by act No. 218, Acts of 1915. The salary of the commissioner is increased from \$2,500 to \$3,500 per annum; that of the deputy from \$1,800 to \$2,000; and the maximum for factory inspectors from \$1,000 to \$1,300. The total for the office expenses is increased from \$45,000 to \$65,000. Sections 36 and 37 of the same act are also amended by substituting \$65,000 for \$45,000 where the sum is named.]

ACT No. 171.—*Antitrust law—Certain contracts exempt.*

Act amended. SECTION 1. Section six of act number three hundred and twenty-nine of the Public Acts of Michigan for the year nineteen hundred and five, \* \* \* is hereby amended to read as follows:

Contracts involving confidence. Sec. 6. This act shall not apply \* \* \* to any contract of employment under which the employer furnishes or discloses to the employee a list of customers or patrons, commonly called a route list, within certain territory in which such employee is to work, in which contract the employee agrees not to perform similar services in such territory for another engaged in a like or competing line of business for a period of ninety days after the termination of such contract or services.

Approved May 2, 1917.

ACT No. 179.—*Employment of children—School attendance.*

[This act amends section 1 of act No. 200, Acts of 1905, subsections (d) and (f) being made to read as follows:]

Who not required to attend. (d) Children over fourteen years of age who have completed the work of the sixth grade whose services are essential to the support of their parents may be excused by the county commissioner of schools or city superintendent of schools from attendance at school, on the recommendation of the board of education of the district in which such children reside, and said board shall certify to the officers herein mentioned the facts in all such cases: *Provided*, Nothing in this act or any other act shall prevent children fourteen years of age or over from procuring a permit to work outside of school hours, during the school year;

(f) Any child twelve to fourteen years of age while in attendance at confirmation classes conducted for a period of not to exceed five months in either of said years: *Provided, however*, That any child claiming exemption from attending school under subdivisions (a) or (b) hereof, shall secure such permit as may be required under the statutes of Michigan covering the employment of minors, and shall be regularly employed at some lawful work if physically able so to do, or any child who has completed the work of the eighth grade who wishes to assist with the housework or farm work at home may be granted an excuse for such work. Such child must present to the officer who issued the excuse satisfactory evidence each month that he or she is actually assisting with said housework or farm work.

Approved May 2, 1917.

ACT No. 203.—*Absent voters—Protection of employees.*

## CHAPTER XII.

Scope of law. SECTION 1. For the purposes of this act the term "absent voter" shall be taken to mean any qualified elector, who is absent or who expects to be absent from the township or ward in which he resides, on the day of any election or official primary election, and who is—

(1) A person in the actual service of the United States, or of this State, or

(2) A student, while in attendance at any institution of learning, or

(3) A regularly enrolled member of any citizens' military or naval training camp, held under the Government of the United States or the State of Michigan, or

(4) A member of the legislature while in attendance at any session of the legislature, or

(5) A commercial traveler, or

(6) A person employed upon or in the operation of railroad trains in this State, or

(7) A sailor engaged or employed on the Great Lakes or in coastwise trade.

The term "commercial traveler" shall be taken to mean a person engaged in soliciting the sale of goods, by the exhibition of samples, or by catalogue or other device, for the purpose of effecting such sales and taking orders for goods to be subsequently shipped by his employer.

SEC. 2. Any such absent voter may vote at any election as hereinafter provided.

[The act then establishes a system of voting by mail.]

CHAPTER XXV.

SECTION 8. Any person who shall directly or indirectly discharge or threaten to discharge any person who may be in his employ, for the purpose of influencing his vote at any election in this State, \* \* \* shall, on conviction, be deemed guilty of a misdemeanor. **Threatening discharge.**

Approved May 10, 1917.

ACT No. 244.—*Private employment offices.*

[This act amends section 2 of act No. 301, Acts of 1913, by inserting after the first sentence thereof the following relative to the bond which the applicant for a license must give:] **Act amended.**

Such bond shall be a personal bond with two good and sufficient sureties, to be approved by the prosecuting attorney or the circuit judge of the county in which such employment agency is located and when so approved shall be accepted by the commissioner of labor. **Bond.**

Approved May 10, 1917.

ACT No. 256.—*Insurance—Unemployment—Accident—Cooperative.*

PART THREE.

CHAPTER I.

SECTION 14. Any number of person[s] not less than five, may incorporate for the purpose of insuring railway conductors, railway engineers and railway officials, first, for loss of position resulting from discharge or retirement; second, against bodily injury or death by accident or against disability on account of sickness. **Who may incorporate. Purpose.**

CHAPTER II.

SECTION 14. Every such [health and accident] policy so issued shall contain standard provisions, which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "standard provisions." In each such standard provision wherever the word "insurer" is used, there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate the insurer. Such standard provision shall be: **Provisions of policies.**

\* \* \* \* \*

(12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form:

(A) 12. If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy, the insurer, upon written request of the insured, and surrender of the policy, will cancel the same and will return to the insured the unearned premium.

Exemption. \* \* \* \* \*  
SEC. 22. Nothing in this subdivision, however, shall apply to or affect any policy of liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, copartnership, association or individual employer, police or fire department, underwriter's corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy..  
\* \* \* \* \*

CHAPTER III.

Who may incorporate. Purpose. SECTION 1. Any number of persons, not less than seven, residents of this State, may incorporate for the purpose of carrying on, upon the assessment or cooperative plan, the lines of casualty insurance herein enumerated.

Classes of insurance. SEC. 2. The classes of insurance which may be carried on by companies incorporated under this chapter shall be as follows:  
(a) Providing to members indemnity for disability or death by accident, and disability by sickness, and may provide a funeral benefit not exceeding \$200 separate or in conjunction with accident and sickness indemnity.

(b) Providing indemnity to members not exceeding \$500 to any one member, for loss of position arising from discharge or retirement, in companies composed of conductors, engineers, or motormen of steam and electric railways, or of other similar trades or occupations.  
\* \* \* \* \*

When to begin business. SEC. 3. No corporation doing business under subsection (a) or (b) of section two hereof shall commence business, unless it shall have procured bona fide agreements for insurance therein from at least two hundred eligible persons, \* \* \* shall have received at least one assessment thereon in cash from each of such persons, according to the rate and plan set forth in its articles of association, which amount so received in cash shall aggregate for (a) at least \$1,000; for (b) \$200 \* \* \*; nor until it has fully organized by the election of the proper and suitable officers and the secretary and treasurer shall have given good and sufficient bonds to the association to be held by the president of the association, for the faithful performance of their duties, which bonds shall not be less than \$2,000 and shall be at least twice the amount of money liable to come into their hands as such officers at any one time, said bonds to be approved by the commissioner of insurance. The president and secretary of such corporation shall furnish under oath to the commissioner of insurance proof of such agreements for insurance, giving the name, residence, age, and amount of insurance applied for by each applicant and the amount of assessment actually paid by each applicant, and also proof of the election and qualification of the officers, and the custodian of the funds of any such corporation shall furnish to the commissioner of insurance a certificate under oath that he has received and holds in trust for the benefit of the beneficiaries of such applicants, the sum required as above set forth herein.

Directors. SEC. 4. The property, business and affairs of such corporation, organized under the laws of this State, shall be managed by not less than five nor more than twenty directors or trustees, to be

chosen by and from the members at their annual meeting. They shall hold office for one year, and until their successors are chosen: *Provided*, It shall be lawful to designate the trustees or directors for the first year in the articles of association.

[Details as to reserves, assessments, etc., follow.]

Approved May 10, 1917.

Act No. 280.—*Employment of children—General provisions.*

[This act amends section 10, act No. 285, Acts of 1909, as amended by act No. 255, Acts of 1915. The amendment authorizes permits to children 14 years of age, not only for work during vacation, but also "on Saturdays or other days during the school year, outside of school hours." Such employment is not to be restricted to canneries, as is provided by the amendment of 1913, but may be performed as well in mercantile institutions, stores, offices, hotels, laundries, manufacturing establishments, factories, or workshops, or in telegraph or messenger service. Work on Saturdays.

The same conditions govern the issue of permits for work on Saturdays, etc., as for vacation permits, and a certificate that the earnings of the child are needed for his own or his parents' support is not to be required in either case.

The unexplained absence of a child from the place of his employment for five full working days is to be construed as a withdrawal from employment, placing on the employer the duty of returning his permit to the issuing officer. Absence of child.



**MINNESOTA.**

**ACTS OF 1917.**

**CHAPTER 14.—Department of labor.**

[This act amends section 14, chapter 518, Acts of 1913 (sec. 3825, G. S. 1913), by correcting the reference in the third sentence, making it to section 8 of the act, instead of to section 9.] **Amendment.**

**CHAPTER 113.—Free public employment offices—Cooperative maintenance.**

**SECTION 1.** The commissioner of labor is hereby authorized and empowered to cooperate with the Federal Government in the establishment, and maintenance within the State of Minnesota, of one or more employment bureaus for the purpose of bringing together the man and the job. Said commissioner is also authorized and empowered to cooperate in a similar way, and for the same purpose with a municipality or municipalities, or with the Federal Government and any municipalities. **Power of commissioner of labor.**

Such cooperative employment bureaus, when established, shall be under the joint management of the cooperating parties, and the cost and expense of establishing and of carrying on any such bureau, shall be borne by the cooperating parties, upon an equitable basis to be agreed upon between them. **Costs.**

Approved March 26, 1917.

**CHAPTER 215.—Interference with employment—Criminal syndicalism.**

**SECTION 1.** Criminal syndicalism is hereby defined as the doctrine which advocates crime, sabotage, (this word as used in this bill meaning malicious damage or injury to the property of an employer by an employee) violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends. The advocacy of such doctrine, whether by word of mouth or writing is a felony punishable as in this act otherwise provided. **Definition.**

**Sec. 2.** Any person who by word of mouth or writing, advocates or teaches the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends, or prints, publishes, edits, issues or knowingly circulates, sells, distributes or publicly displays any book, paper, document or written matter in any form, containing or advocating, advising or teaching the doctrine that industrial or political ends should be brought about by crime, sabotage, violence or other unlawful methods of terrorism; or openly wilfully and deliberately justifies by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods of terrorism with intent to exemplify, read or advocate the propriety of the doctrines of criminal syndicalism, or organizes or helps to organize or becomes a member or voluntarily assembles with any society, group or assemblage of persons formed to teach or advocate the doctrine of criminal syndicalism, is guilty of a felony and punishable by imprisonment in the State prison for not more than five years or by a fine of not more than \$1,000 or both. **Offenses.**

**Sec. 3.** Wherever two or more persons assemble for the purpose of advocating or teaching the doctrines of criminal syndicalism **Penalty.**

**Assembling.**

defined in this act, such an assemblage is unlawful and every person voluntarily participating therein by his presence, aid or instigation is guilty of a felony and punishable by imprisonment in the State prison for not more than ten years or by a fine of not more than \$5,000 or both.

Permitting  
assemblages.

Sec. 4. The owner, agent, superintendent, or occupant of any place, building or rooms who willfully and knowingly permits therein any assemblage of persons prohibited by the provisions of section three of this act, or who, after notification that the premises are so used, permits such use to be continued, is guilty of a gross misdemeanor and punishable by imprisonment in the county jail for not more than one year or by a fine of not more than \$500 or both.

Approved April 13, 1917.

#### CHAPTER 223.—*Mothers' pensions.*

Court may  
act, when.

SECTION 1. Whenever any child under the age of sixteen years who is not lawfully entitled to apply for and receive an employment certificate is found by juvenile court to be dependent the court shall, when requested to do so, and in the same proceeding, make its findings upon the following points:

Findings.

- (a) Whether the mother of the child is a widow;
- (b) If her husband is living, whether he is an inmate of a penal institution under a sentence which will not terminate within three months after the date of such finding; or is an inmate of a State insane asylum or hospital, or of a State hospital for inebriates; or is unable to labor for the support of his family by reason of physical disabilities; or is and for one year has been under indictment for the crime of abandoning such child;
- (c) Whether the dependency of the child is due to the poverty of the mother without neglect, improvidence or other fault on her part;
- (d) Whether the mother is otherwise a proper person to have the custody of the child;
- (e) Whether the welfare of the child will be subserved by permitting him to remain in the custody of the mother, if adequate means of support shall be provided;
- (f) Whether the mother is a citizen of the United States or whether she or her husband has made declaration of intention to become a citizen and has resided two years in the State and one year in the county.

Grant.

Upon the making and filing of findings that the mother is a widow or that support is not obtainable from her husband by reason of one of the alternatives specified in subdivision (b), together with findings in the affirmative upon the points specified in subdivisions (c), (d), (e), (f), the courts shall further find, and order the payment of the sum of money which it deems necessary for the county to allow the mother in order to enable her to bring up the child properly in her own home, not exceeding \$15 per month for one child and not exceeding \$10 per month for each additional child: *Provided, however,* That no allowance shall be made when the husband is under indictment for abandonment unless the court is satisfied that he is a fugitive from justice and that the mother has in good faith assisted and will continue to assist in all reasonable efforts to apprehend him.

Amount.

Order to be  
filed.

SEC. 2. A certified copy of such order shall be filed with the county auditor and thereafter, so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw his warrant on the general revenue fund of the county in favor of the mother for the amount specified in such order. The warrant shall be delivered to the clerk of the court making the order and shall by the latter be delivered to the mother upon her executing a receipt therefor, to be retained by the clerk with the other records in the proceedings relating to the child. It shall be the duty of the county treasurer to pay

the warrant out of the general revenue fund of the county when properly presented. No such allowance shall be paid toward the support of any child who has become lawfully entitled to apply for and receive an employment certificate or who has ceased to be under the immediate care of the mother. The court may for cause duly shown revoke or modify any order previously made. A certified copy of any such subsequent order shall forthwith be filed with the county auditor and thereafter warrants shall be drawn and payments made only in accordance with such subsequent order.

Child who can work.

SEC. 3. The court may require any mother to whom an allowance is made under this act to make a reasonable effort to learn the English language and customarily use the same in her family. The court may also require the mother to do such remunerative work outside her own home as she can do without detriment to her health or neglect of her family and may limit the number of days per week when she may be so employed.

Power of court.

SEC. 4. In counties where there is a county child welfare board as provided by law such board, when so requested by the court, shall consider applications for allowance under this act and shall advise the court concerning their merit, the sum, if any, which ought to be allowed and the special conditions, if any, upon which the same ought to be granted.

Welfare boards.

SEC. 5. Before making any order or allowance under this act it shall be the duty of the court, either through the judge in person or through the county child welfare board and its agents or a probation officer designated for that purpose or an official investigator appointed as provided in section six of this act, to make inquiry as to all the points necessary to establish the right to such allowance; and particularly to inquire whether the surroundings of the household, including its other members, are such as to make for the good character of children growing up therein; to ascertain all the financial resources of the family, including the ability of its members of working age to contribute to its support and if need be to urge upon such members their proper contribution [;] to take all lawful means to secure support for the family from relatives under legal obligation to render such support; to ascertain the ability of other relatives to assist the family and to interview individuals, societies and other agencies which may be deemed appropriate sources of such assistance. Every family to which an allowance has been made shall be visited at its home by a representative of the court at least once in three months; and after each visit the person making the same shall make and keep on file as a part of the official record of the case a detailed statement of the condition of the home and family, and all other data which may assist in determining the wisdom of the allowance granted and the advisability of its continuance; and the court shall at least once in each year reconsider every case in which an allowance has been made, and take such action as the facts then existing shall warrant. All findings and orders provided for herein may be made upon the written reports of official investigators with like effect as if based upon competent testimony given in open court.

Investigations.

SEC. 6. In counties having over two hundred thousand population the judge of the juvenile court may appoint one or more persons for the investigation of applications for allowances under this act, whose duty it shall be to visit the homes of the applicants and ascertain all the relevant facts and circumstances, including the facts specified in the preceding section and make report in such form as the court may require. Each person so appointed shall receive a salary of \$1,000 per annum to be paid in monthly installments out of the county treasury, together with all actual expenses certified by the judge to have been necessarily incurred by them in the performance of their duties.

Visitors.

SEC. 7. Upon complaint being made to the county attorney by a taxpayer of the county that any person is unlawfully receiving an

Attorney to investigate when.

allowance out of the county funds on account of an alleged dependent child it shall be the duty of the county attorney to investigate such complaint and if he finds it to have probable cause to bring it to the attention of the court by appropriate proceedings. The court shall hear such evidence and argument as shall be offered and shall thereupon make its order confirming, modifying or setting aside the order complained of, from which decision an appeal may be taken as in a civil action.

What property a bar.

SEC. 8. The ownership by a mother of personal property of the value of \$100, exclusive of appropriate clothing and household furniture and of such tools, implements and domestic animals as in the opinion of the court it is expedient to retain for the purpose of reducing the expense or increasing the income of the family or of real estate not used as a home; or of real estate, when used as a home; of a value disproportionate to the actual needs of the family, shall be a bar to any allowance under this act.

Definition.

SEC. 9. The word "husband" in this act may denote either the father of a dependent child or a stepfather of whose family the child is or has been a member. The word "mother" may denote either the mother or a stepmother of whose family the child is a member.

Grandparents.

SEC. 10. Whenever the court shall be of the opinion that the welfare of a dependent child will be best served by permitting him to live in the family of his grandmother, all the provisions of this act shall be so construed as to apply to such grandmother and her husband in like manner as to the mother and her husband.

Fraud.

SEC. 11. Any person fraudulently procuring or attempting to procure an allowance under this act for a person not entitled thereto, by any act which does not constitute a felony, shall be guilty of a misdemeanor.

State board of control.

SEC. 12. It shall be the duty of the State board of control to promote efficiency and uniformity in the administration of this act. To that end it shall advise and cooperate with courts and shall supervise and direct county child welfare boards with respect to methods of investigation, oversight and record keeping; shall devise, recommend and distribute blank forms; shall by its agents visit and inspect families to which allowances have been made; shall have access to all records and other data kept by courts and other agencies concerning such allowances; and may require such reports from clerks of the courts, child welfare boards, probation officers and other official investigators as it shall deem necessary.

Act to be construed liberally.

SEC. 15. This act shall be liberally construed with a view to accomplishing its purpose, which is hereby declared to be to enable the State and its several counties to cooperate with responsible mothers in rearing future citizens, when such cooperation is necessary on account of relatively permanent conditions, in order to keep the mother and children together in the same household, reasonably safeguard the health of the mother and secure to the children during their tender years her personal care and training.

Approved April 14, 1917.

#### CHAPTER 248.—Hours of labor—General employments.

SECTION 1. Section 3831, General Statutes, 1913 [sec. 1798, G. S. 1905], is hereby amended so as to read as follows:

Ten-hour day.

SEC. 3831. Unless a shorter time be agreed upon, or be provided by law, the standard day's work for hire shall be ten hours. Every employer and other person having control who shall compel any person to labor more than ten hours in any one day, shall be guilty of a misdemeanor; but persons of sixteen years of age and over, unless expressly forbidden by law, may labor extra hours for extra pay; and this section shall not apply to farm laborers, to domestic servants employed by the week or month, or to persons engaged in the care of live stock.

Approved April 14, 1917.

CHAPTER 321.—*Assignments of wages.*

[This act amends section 3858, General Statutes 1913 (sec. 1, ch. 309, Acts of 1905), by limiting the operation of the law entirely to future earnings, striking out all references to wages already earned or due.]

CHAPTER 348.—*Payment of wages in scrip.*

SECTION 1. It shall be unlawful for any person, firm or corporation other than public-service corporations to issue to any employee in lieu of or in payment of any salary or wages earned by such employee, a nonnegotiable time check or order. Any person, firm or corporation so issuing a nonnegotiable instrument in lieu of or in payment of such salary or wages earned, shall be guilty of a misdemeanor.

Approved April 17, 1917.

CHAPTER 493.—*Labor organizations—Injunctions.*

SECTION 1. It shall not be unlawful for working men and women to organize themselves into, or carry on labor unions for the purpose of lessening the hours of labor or increasing the wages or bettering the conditions of the members of such organizations; or carrying out their legitimate purposes as freely as they could do if acting singly.

SEC. 2. No restraining order or injunction shall be granted by any court of this State, or any judge or judges thereof in any case between an employer and employees or between employer[s] and employees or between employees or between persons employed and persons seeking employment, involving or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

SEC. 3. No restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment or from ceasing to perform any work or labor; or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any such person to abstain from working; or from ceasing to patronize any party to such dispute; or from recommending, advising, or persuading others by peaceful and lawful means, so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by a single individual; or [nor] shall any of the acts specified in this section be considered or held to be illegal or unlawful in any court of the State.

SEC. 4. The labor of a human being is not a commodity or article of commerce, and the right to enter into the relation of employer and employee, or to change that relation; or to assume and create a new relation for employer and employee; or to perform and carry on business with any person in any place; or to work and labor as an employee, shall be held and construed to be a personal, and not a property right. In all cases involving the violation of the contract of employment, either by the employee or employer where no irreparable damage is about to be committed upon the property or property right of either, no injunction shall be granted, but the parties shall be left to their remedy at law.

Agreements not indictable. SEC. 5. No person shall be indicted, prosecuted, or tried in any court of this State for entering into or carrying on any arrangement, agreement, or combination between themselves made with a view of lessening the number of hours of labor or increasing wages or bettering the condition of workmen, or for any act done in pursuance thereof, unless such act is in itself forbidden by law if done by a single individual.

When act does not apply. SEC. 6. Nothing in this act shall hamper or curtail or in any manner take away the power of the executive department of government, or of the courts where there is threatened any irreparable injury to business or property by reason of violence, threats or other unlawful acts, or where criminal syndicalism, as herein-after defined, or the acts constituting the same, are involved; and criminal syndicalism is hereby defined to be the doctrine which advocates crime, sabotage, violence, or other unlawful methods of terrorism as a means of accomplishing industrial, social or political reform.

Approved April 21, 1917.

[An act of the Massachusetts Legislature, quite similar to the foregoing (ch. 778, Acts of 1914), was held unconstitutional by the supreme judicial court of that State. *Bogni v. Perotti* (1916), 112 N. E. 853; Bul. No. 224, p. 181.]

MISSOURI.

ACTS OF 1917.

*Mothers' pensions.*

[Page 151.]

SECTION 1. The county court in every county which now has or hereafter may have a population of less than two hundred and fifty thousand shall appropriate out of the moneys in the county treasury not otherwise appropriated, and place at the disposal of the county board of welfare, such sums as may be necessary to provide for the support of needy mothers in accordance with the provisions of this act.

Money to be appropriated.

SEC. 2. Any needy mother having the custody of a dependent child or children under the age of sixteen years, and any needy woman about to become a mother, who is a resident of a county and has resided therein for at least one year shall be entitled as hereinafter provided, to the benefits of this article: *Provided*, That the father of such child or children, or expected child, is either dead, or in any hospital for the insane or for the feeble-minded or epileptic, in prison, or is permanently incapacitated to earn a living, or has deserted her or such child or children; or provided that she is divorced from the father.

Who entitled to benefits.

SEC. 3a. Monthly allowances to mothers of dependent children shall be made by the county board of public welfare upon the following conditions; (a) The dependent child or children must be living with the mother during the period in which support is provided; (b) the allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance, she would be able to remain at home with her child or children; (c) the mother must in the judgment of the county board of public welfare, be a person morally, mentally and physically fit and competent to rear her children. (d) Such allowance shall in the judgment of the county board of public welfare be necessary to save the child or children from neglect. (e) No allowance shall be made in any case except when after investigation by the said county board, it has been ascertained that there are no relatives able or willing to aid in the support of the child or children.

Allowances made, when.

SEC. 3b. Monthly allowances to expectant mothers shall be made by the county board of public welfare upon the following conditions: (a) The allowance shall not commence prior to three weeks before childbirth and shall not continue longer than three weeks after childbirth. (b) Such allowance shall in the judgment of the county board of public welfare be necessary to save the mother and child from neglect; (c) no allowance shall be made in any case except when after investigation by the said county board it has been ascertained that there are no relatives able or willing to aid in the support of the mother and child.

Maternity allowances.

SEC. 4. The amount of allowance to such needy mothers as shall be adjudged entitled to the benefits of this act shall be sufficient and adequate to enable the mother where she has a dependent child or children to rear such child or children properly. It shall not be more than \$16 per month when the mother has only one child under the age of sixteen years; and not less than \$8 a month for each additional child under the age of sixteen years: *Provided*, That in no case shall a larger allowance than \$40 a month be made.

Amounts.

SEC. 5. Should the fund herein authorized to be appropriated, be sufficient to permit an allowance to only a part of the persons coming within the provisions of this act, the county board of

Selections

public welfare shall select those cases in most urgent need of such allowance.

Children able to work.

SEC. 6. Whenever any child, in whose behalf an allowance under the provisions of this act has been made, shall reach the age of sixteen years such allowance shall cease: *Provided*, That the county board of public welfare, in its discretion, at any time before such child reaches such age of sixteen years may discontinue or modify such allowance within the restrictions as to the amount prescribed by section four of this article. It shall be the duty of the county board of public welfare to investigate at least semiannually, every case in which an allowance has been made, and to determine whether such allowance should be discontinued or modified.

Fraud.

SEC. 7. Any person procuring, or attempting to procure any allowance for a person not entitled thereto, shall be guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than \$100 or more than \$500 or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment.

Records.

SEC. 8. In each case where allowance is made to any woman under the provisions of this act, the board of county welfare shall make and keep a record of such allowance and of all payments made under it.

Enforcement.

SEC. 10. If for any reason the county does not contain a "board of county welfare" then the county court shall carry out the provisions of this act.

Approved April 12, 1917.

*Suits for wages—Exemptions.*

[Page 202.]

Act amended.

SECTION 1. Section twenty-one hundred and eighty-seven of the Revised Statutes of Missouri, nineteen hundred and nine, is hereby amended \* \* \* so [that] said section \* \* \* shall read as follows:

No property exempt, when.

Sec. 2187. For all personal services rendered by any person acting in the capacity of blacksmith, house servant, or common laborer, to an amount not exceeding \$90, no property shall be exempt from seizure and sale under execution: *Provided*, That suit be instituted to recover the same within \* \* \* [six months].

Approved April 12, 1917.

*Railroads—Employees to read English.*

[Page 242.]

Knowledge of English required.

SECTION 1. All companies, corporations, lessees, owners, operators, or receivers of any railroad or railway company operating a railroad or railway in whole or in part in this State, are hereby prohibited from employing any person as a flagman for section crews or extra track gangs, who are not and [sic] able to read, write and speak the English language plainly.

Violations.

SEC. 2. Any railroad or railway company, owner, operator, receiver, or lessee, or the officer of any railroad or railway company, owner, operator, receiver or lessee, violating, causing, or permitting to be violated the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, for each separate offense; and it is hereby made the duty of the grand jury to inquire into violations of this law.

Approved April 9, 1917.

*Voting by persons absent from home—Railroad employees, etc.*

[Page 274.]

Amendments.

[This act amends the act, p. 323, Acts of 1913, by making it applicable to primary as well as to general elections; also by striking out the words "or city of St. Louis."]

*Factory, etc., regulations—Wash rooms in foundries.*

[Page 322.]

[This act amends an act, p. 401, Acts of 1913, by adding shower baths to the equipment required by section 1; also by inserting another section, 1a, as follows:]

Sec. 1a. In all establishments mentioned in section one hereof all gangways shall be not less than eight feet wide, shall be kept dry and free from any and all obstructions during all times when employees are working therein. All such gangways shall have dirt floors and shall be under water-tight roof; all water tanks shall be so placed that the top thereof shall be not less than thirty inches above the level of the floor; shall be kept clear of any gangways and shall have an outlet near the top thereof, which outlet shall be connected with a sewer or other receptacle sufficient to prevent the overflow of such tank upon the floor of such establishment. Every corporation, company or person engaged in operating any such foundry shall provide and maintain adequate and efficient devices for carrying off all poisons or injurious fumes, gases and dust from such foundry.

Approved April 10, 1917.

Amendments.

Gangways.

Water tanks.

Ventilation.

*Railroads—Shelters for repair tracks.*

[Page 323.]

SECTION 1. Every person, firm, corporation or receiver of such person, firm or corporation engaged within this State in the construction or repairing of passenger or freight cars or car trucks used in the transportation of passengers of freight by rail, shall erect and maintain a building or buildings at every point or place within this State where such construction or repairing is done, and where six or more men are regularly employed on such work. The building or buildings provided for in this section shall be so constructed and equipped as to fully protect all employees engaged in such construction or repair work from exposure to cold, rain, sleet, snow and all inclement weather during the hours of employment of such employees, providing that the provisions of this act shall not apply where ordinary light repairs are required. The term, light repairs, as used in this act shall be such repairs as can be made to cars in switching yard in thirty minutes or less, or which may be made in less time than would be required to switch such car or cars to the repair building provided for in this act.

Sec. 2. Any person, firm, corporation or receiver of such person, firm or corporation who shall violate the provisions of this act or shall require men regularly employed by them in the construction and repair of such passenger and freight cars to work outside of the building as provided for in this act, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be fined in the sum of not less than \$100 nor more than \$500 for such offense and each day of such violation shall constitute a separate offense.

Approved April 10, 1917.

Buildings required, when.

Violations.

*Mine regulations.*

(Page 339.)

[This act amends section 8464, General Statutes, by making the expenses of the mine inspector and assistant mine inspector payable out of the mine inspection fund of the State instead of the general revenue fund. New sections are also added, as follows:]

Inspector's expenses.

- Quarterly re-ports.** SEC. 8464a. Every person, firm or corporation engaged in the mining or production with [within] this State, of lead, zinc, coal, clay, shale, silicate or calamine, shall, within thirty days after the expiration of the quarter-annual period ending on the last day of March, nineteen hundred and seventeen, and within thirty days after the ending of each quarter-annual period thereafter, file with the chief mine inspector and the State treasurer, a statement, under oath, on forms to be prescribed and furnished in triplicate by the chief mine inspector, showing the total number of tons of coal, clay, shale, lead concentrates or galena, zinc ore or concentrates thereof, lead carbonate or concentrates thereof, zinc carbonate or concentrates thereof, zinc silicate or calamine or concentrates thereof, sold, shipped or otherwise disposed of during the last preceding quarter-annual period; and shall at the same time pay to the State treasurer, mine inspection fees as follows: On all lead concentrates or galena, 3 cents per ton; on all zinc ore or concentrates thereof, 3 cents per ton; on all lead carbonate or concentrates thereof, 1½ cents per ton; on all zinc carbonate or concentrates thereof, 1½ cents per ton; on all zinc silicate or calamine, or concentrates thereof, 1½ cents per ton; on all coal, 2 mills per ton; on all clay, 2 mills per ton; on all shale, 1 mill per ton.
- Inspection fees.**
- Books to be open.** SEC. 8464-b. The chief mine inspector or any assistant mine inspector, shall for the purpose of verifying the statement required in the last preceding section, have access to the books, records and files of all persons, firms and corporations, subject to the provisions of this act, and of their respective vendees, and agents of such vendees, and of carriers of the products hereinbefore enumerated.
- Who to make report.** SEC. 8464c. The quarter-annual statement required by section 8464a shall be made by the owner or operator, or by the president, secretary, general superintendent or other chief officer of any firm or corporation engaged in the enterprises affected by this act.

Approved March 22, 1917.

*Factory, etc., regulations—Fire escapes.*

(Page 492.)

- Law amend- ed.** SECTION 1. Section ten thousand six hundred and sixty-six, Revised Statutes of nineteen hundred and nine, is hereby repealed and the following new section enacted in lieu thereof, to be known as section ten thousand six hundred and sixty-six:
- What build- ings to have fire escapes.** SEC. 10666. It shall be the duty of the owner, proprietor, lessee, trustee, or keeper of every \* \* \* factory, office building, except fireproof office buildings in which all structural parts are wholly of brick, stone, tile, concrete, reinforced concrete, iron, steel or incombustible material and which are not used for lodging purposes in the State of Missouri, \* \* \* which has a height of three or more stories, to provide said structure with iron or steel stair fire escapes attached to the exterior of said building and by stair cases located in the interior of said building. The fire escapes shall extend from the upper story to the ground, pavement or sidewalk with iron or steel ladder from the upper story to the roof: *Provided, however,* That such fire escapes, if not continued to the ground, pavement or sidewalk, shall be equipped with a counter-balance device attachment, appliance or apparatus which shall extend from the floor level of the second story to the ground, pavement or sidewalk. \* \* \* In no case shall a fire escape run past a window where it is practicable to avoid it. All fire escapes required by this article, except as hereinbefore provided, must be of the kind known as stationary fire escapes. All buildings heretofore erected shall be made to conform to the provisions of this article.
- Construc- tion.**

Approved April 12, 1917.

**MONTANA.**

**ACTS OF 1917.**

**CHAPTER 18.—Employment of women—Hours of labor—Seats.**

[This act is superseded by chapter 70, below, which repeals all conflicting laws.]

**CHAPTER 30.—Hours of labor—Eight-hour day on public works, in mines, smelters, etc.**

SECTION 1. Section seventeen hundred and thirty-nine of the Revised Codes of Montana, of nineteen hundred and seven, [shall] be amended so as to read as follows:

Sec. 1739. A period of eight hours shall constitute a day's work on all works or undertakings carried on or aided by any municipal, county or State government, school districts of the first class, and on all contracts let by them, and for all janitors, engineers, firemen, caretakers, custodians and laborers employed in or about any buildings, works or grounds used or occupied for any purpose by any municipal, county or State government, school districts of the first class, and in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal.

Limit on public works.  
  
  
  
  
  
  
  
  
  
In mills, mines, etc.

Approved February 15, 1917.

**CHAPTER 70.—Employment of women—Hours of labor—Seats.**

[This act is identical with chapter 108, Acts of 1913, except that it establishes the eight-hour day instead of one of nine hours, and omits the proviso for overtime work for extra compensation where life or property is in imminent danger.]

Eight-hour day.

**CHAPTER 75.—Bribery of employes.**

SECTION 10. \* \* \*  
d. No chauffeur or other person having the care of a motor vehicle for the owner shall receive or take directly or indirectly any bonus, discount or other consideration for the purchase of supplies or parts of such motor vehicle or for work done thereon by others; and no person furnishing such supplies or parts, work or labor, shall give or offer any such chauffeur or other person having the care of a motor vehicle for the owner thereof, either directly or indirectly, any bonus, discount or other consideration.

Accepting bonus, etc.

Approved March 3, 1917.

**CHAPTER 79.—License tax on corporations—Labor, etc., organizations exempt.**

SECTION 1. Every corporation except as hereinafter provided organized and existing under the laws of the State of Montana and engaged in business therein, shall annually pay to the State treasurer, as a license fee for carrying on business in said State of Montana, one per centum upon the total net income received by such corporation in the preceding fiscal year from all sources within the State of Montana. \* \* \*

Tax to be paid.

There shall not be taxed under this title any income received by any—

Exception.

First. Labor, agricultural or horticultural organization; \* \* \*

Approved March 3, 1917.

CHAPTER 83.—*Mothers' pensions.*

- Who to receive aid.** SECTION 1. Each child under the age of sixteen years, whose father is dead or an inmate of some Montana State institution, except the Montana State prison, or who is physically or mentally incapacitated, which said act of disability shall have occurred while he was a resident of the State of Montana, and who has, for a period of one year or more, failed to provide for said child, or whose father is an inmate of the Montana State prison and has for a period of ninety days or more failed to provide for such child, shall be entitled to such assistance which will help make it possible for such child to be cared for in his or her own home without being sent to some public institution, said financial aid to be given to the mother of said child or children as in this act provided.
- Allowance.** SEC. 2. Each child as provided for in section one, whose mother is financially or physically unable to support such child, shall be allowed from the public moneys of the county in which the mother resides, the sum of \$20 per month if there is one child in said family only; if there be more than one child, then the sum of \$15 per month for the first child and \$10 per month for the second child and \$5 per month for each additional child: *Provided*, That the total amount paid to any one mother shall not exceed \$50 per month, said money to be paid to the mother of said child or children,
- Conditions.** SEC. 3. The allowance herein referred to shall be made subject to the following conditions: (1) The child or children for whose benefit allowance is made must be living with the mother of such child or children. (2) The allowance shall be made only when in the absence of such allowance the mother may be required to work regularly away from her own home and children, when by the means of such allowance she can remain at home with her children: *Provided*, That the mother may at times be absent for work by the consent of the judge of the district court, if he should deem it necessary and if such work does not injure her health or cause neglect of her children. (3) The mother must, in the judgment of the juvenile court officer, if there be one, and if not, in the judgment of the court, be a proper person physically, mentally and morally for the bringing up of her children. (4) Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect. (5) No person shall receive the benefit of this act who shall not have been a resident of the county in which said application is made for at least one year prior to the making of such application for such allowance. (6) *Provided*, That the provisions of this act shall not apply to any child who has property of its own sufficient for its support.
- Judge to make order.** SEC. 4. Whenever the judge shall determine that the allowance under this act shall be made, he shall make an order to that effect, which order, among other things, shall set out the full name of the mother, her place of residence, the names and ages of the children and the amount allowed to each child, and upon presentation of such order the county commissioners shall direct monthly warrants to be drawn therefor, which warrant shall be paid from the general funds of the county.
- Allowance ceases, when.** SEC. 5. No allowance for any child shall continue after such child has reached the age of sixteen years. Whenever the mother of any child on whose account any allowance shall have been made under the provisions of this act, shall marry, such allowance shall cease.
- If father a convict.** SEC. 6. Under the conditions of this act, when the father of the child or children applying for assistance has been convicted of a crime and ordered confined to the State prison, the county in which he was convicted shall pay the allowance made for such child or children to the mother.
- Fraud.** SEC. 7. Any one who fraudulently makes an application to receive the benefit of this act, or who misrepresents the name of the applicant, the place of residence or the names and ages of the

children, in order to receive the benefit of said act, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$25 or more than \$500, or imprisonment in the county jail for six months, or subject to both such fine and imprisonment.

Approved March 1, 1917.

CHAPTER 92.—*Industrial accident board—Inspection of boilers, mines, etc.*

SECTION 1. The office of inspector of boilers, inspector of steam-boats, the office of inspector of mines and the office of State coal mine inspector are hereby combined and placed under the general supervision of the industrial accident board. Offices combined.

SEC. 2. The industrial accident board shall appoint not to exceed four inspectors of boilers, one coal-mine inspector, two inspectors of quartz mines, and one inspector of steamboats, all of whose terms of office shall be at the pleasure of the industrial accident board. Inspectors.

SEC. 3. The said officers shall receive such annual salaries to be fixed by the industrial accident board, and approved by the governor; all of said officers to be paid monthly. Salaries.

SEC. 4. The industrial accident board shall district the State for boiler inspection and shall assign one inspector of boilers to each such district, and may from time to time change the boundaries of said districts and change said inspectors of boilers to other districts and said board shall have the power and it shall be its duty to provide rules and regulations under which said inspectors of boilers, inspectors of mines and coal-mine inspector shall perform their duties; and the board may require them, in addition to their statutory duties, to make the annual inspections, reports and collections required by the safety provisions of sections fifty-one a, fifty-one b, fifty-one c, fifty-one e, fifty-two a, and fifty-two b of chapter ninety-six, laws of the fourteenth legislative assembly. [Workmen's compensation act of 1915.] Districts.

SEC. 5. All fees collected by the inspectors of boilers, the inspectors of mines and the coal-mine inspector shall remain the same in amounts as now fixed by law and when same are collected they shall be paid into the State treasury and credited to the industrial administration fund as other inspection fees of the industrial accident board are now paid and credited. Fees.

SEC. 6. Section fifty-five a and fifty-five b, chapter ninety-six, laws of fourteenth legislative assembly, known as the workmen's compensation act, are hereby amended and combined to read as follows: Act amended.

SEC. 55. All laws that now prescribe the qualifications, powers and duties of the inspectors of boilers, inspector of steamboats, inspectors of mines and coal-mine inspector not inconsistent with the provisions of this act are hereby continued in full force and effect, and all other acts and parts of acts contrary to the provisions of this act are hereby repealed. Consistent acts continued.

Approved March 3, 1917.

CHAPTER 129.—*Manufacture, etc., of explosives.*

SECTION 12. No person, except an official as authorized herein or a person authorized to do so by the owner thereof, or his agent, shall enter any factory, building, magazine or car containing explosives in this State. Who may enter factory.

SEC. 13. \* \* \*

It shall be unlawful for any person in charge of a vehicle containing explosives to smoke in or upon such vehicle, to drive the vehicle while intoxicated, to drive the vehicle in a careless or reckless manner, or to load or unload such vehicle in a careless or reckless manner. Drivers.

\* \* \* \* \*

Approved, February 27, 1917.

CHAPTER 171.—*Safety of employes—Electrical construction and maintenance.*

**Climbing space.** SECTION 1. Any person, company or corporation owning or using any pole or appliance on which is run, placed, erected or maintained in the State of Montana any wire or cable used or to be used to conduct or carry electricity for the purpose of light, heat or power, shall provide and maintain an unobstructed climbing space adjacent to any such pole or appliance, so that persons shall be able to ascend any such pole or appliance with reasonable safety and convenience up to and through the wires, connections, attachments and structures of any such pole or appliance, and all cases where any "buck" or reverse arm is used or where special construction is used there shall be provided and maintained unobstructed climbing space of not less than twenty-two inches square, omitting the area of any pole or appliance.

**Space for high-voltage wires.** SEC. 2. At least one standard pole gain, or the equivalent of four feet, shall be left vacant between the nearest cross arm on which is placed or maintained any wire or cable conducting or carrying more than four hundred and forty volts of electricity and any cross arm occupied by or used for wires or cables carrying four hundred and forty volts or less.

The said standard pole gain shall be spaced not less than twenty-four inches center to center, except that one "buck" or reverse arm may be placed not more than twelve inches below any cross arm; *And provided*, That this section shall be held not to apply to bridge construction; *And further provided*, That it shall be held not to apply to primary taps to transformers on poles; *And provided further*, That all such primary taps leading to transformers on poles shall be of double braid, rubber-covered wire of at least twenty-two hundred volts insulation.

**Cross arms.** SEC. 3. All cross arms shall be made from clear, straight grained wood, or standardized material. The cross section of wood arms shall be not less than three and one-half by four and one-half inches. The pin spacing shall be, for six pin arms, not less than thirty inch center for pole pin spacing, fourteen inch side spacing and five inch end spacing; and four pin arms not less than thirty inch center for pole pin spacing, fourteen inch side spacing and five inch end spacing.

**Guy wires.** SEC. 8. Guy wires shall be attached to poles so as to interfere as little as possible with workmen climbing or working thereon. \* \* \*

**Provisions not applicable, where.** SEC. 13. None of the provisions of sections one, two and three shall be held to apply to direct current wire carrying nominally six hundred volts of electricity and used for street railway purposes; *Provided, however*, That an unobstructed climbing space not less than twenty-six inches in a horizontal line shall at all times be provided and maintained.

**Climbing space.** SEC. 15. Any person, company or corporation owning or using any pole or appliance used exclusively for telephone, telegraph or other signal wires shall provide and maintain an unobstructed climbing space of not less than sixteen inches.

Whenever "buck" or reverse arms are used an unobstructed climbing space shall be left adjacent to the pole or appliance at least twenty inches square, omitting the area of any such pole or appliance. [;] any wire or cable attached to the pole in such buck-arm construction not less than forty inches from the nearest cross arm shall be held not to be an obstruction to the climbing space as herein provided.

**Same: poles jointly used.** SEC. 19. All telephone, telegraph or other signal wires placed on poles jointly used for electric light, heat and power wires, shall have an unobstructed climbing space of not less than twenty-six inches. All telephone, telegraph or other signal wires placed on poles jointly used for light, heat or power wires shall be placed and maintained on cross arms, except that brackets may be maintained on one side of the pole not nearer than two feet

below the lowest cross arm for the purpose of carrying duplex wires or cables to distribute telephone, telegraph or signal wires.

SEC. 21. In all cases where there are two or more pole lines used for telephone, telegraph or other signal wires, on the same side of any street, alley or public highway, provided such lines are not parallel on a horizontal plane, the cross arms shall have an unobstructed climbing space of not less than twenty-six inches. Same; two pole lines.

SEC. 27. In every generating and substation used for light, heat or power, there shall be kept a log book or record showing the changes in the condition of operation, including the starting and stopping of electrical supply equipment, the name of each foreman or workman locally in charge of work, and all unusual occurrences and accidents. Records.

The log book or record shall be signed by the person in charge before being relieved. He shall keep within sight an operating diagram or equivalent device indicating whether electrical supply circuits are open or closed and where work is being performed. On circuits carrying normally in excess of seventy-five hundred volts the operator in charge shall place "Men at work" tags upon switches controlling any circuits upon which men are known to be working and it shall be his duty to enforce the safety rules and permit only authorized persons to approach the equipment or lines.

This section shall not apply to isolated plants, generating current for telegraph, telephone and signaling purposes.

SEC. 28. There shall be provided in conspicuous and suitable places in electrical stations and shops a suitable and sufficient supply of first-aid and protective devices, all of approved kinds and qualities; the kinds and number of such devices will depend on the requirements of each case, as may be from time to time prescribed by the State industrial accident board, and it shall be the duty of the said State industrial accident board to prescribe such necessary protective devices. All such prescribed devices shall be kept, when not in use, in their regular location and in good working order. Provisions for accident.

SEC. 29. All circuits of four hundred and forty volts, or more where originating or terminating in any enclosure or building or is used for underground, shall be provided with air gap switches or other approved devices, [;] if any of the above circuits are of seven and one-half kilowatts or more capacity they shall, in addition, be provided with an oil break switch or other approved device which will safely open the circuit under the load. There shall be no less than two experienced electricians employed on any work or maintenance to be performed on any electrical wires or equipment connected therewith carrying nominally [sic] six hundred volts or more: *Provided, however,* That this shall not apply to the operation of electrical equipment nor in cases of emergency. Switches in certain circuits.

Direct current feeders of two hundred and fifty volts or over shall be protected by approved circuit-breaking devices.

SEC. 30. All fuses shall be inclosed, or expulsion type, or other approved "National Electrical Code" standards. Fuses.

SEC. 31. Where necessary all forms of electrical apparatus shall be effectively grounded for the protection of persons. Grounding.

Wherever wires or conductors are installed within enclosures or buildings, in and about switchboards and other appliances where conductors are run, placed or erected, a clear headroom of six and one-half feet above the floor or surface must be maintained, or the wires be effectively guarded. All apparatus, passages, manways and other places where persons may enter into must be protected with efficient guards in accordance with standard practice: *Provided,* This shall not be held to apply to electrical machinery and auxiliary devices carrying six hundred volts or less. Head room.  
Guards.

When lines or wires carrying seventy-five hundred volts or more are disconnected from their source of power for work to be per- Disconnected wires.

formed thereon, said lines or wires shall be effectively grounded for the protection of workmen.

Manholes.

SEC. 32. The opening to outer air for any manhole used for light, heat or power, shall be circular in shape, and shall be not less than twenty-four inches in diameter.

The opening to outer air for any manhole used for telephone, telegraph or other signal wires shall be circular in shape and shall not be less than twenty inches in diameter.

Watchmen.

Whenever persons are working in any manhole whose opening to the outer air is less than three feet from the rail of any railway or street car track, a watchman or attendant shall be stationed on the surface at the entrance of such manhole at all times while work is being performed therein.

Violations.

SEC. 33. Every corporation or joint stock company or individual which shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000.

Approved March 15, 1917.

CHAPTER 172.—*Highway labor—Employers to furnish names of employees—Wages and hours.*

Chapter II of chapter 141 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana [1915] is hereby amended to read as follows:

Duty of employers.

SEC. 3. Every employer having in his or its employment any person or persons liable for the special road tax of \$2 mentioned in this act, must on or before the third Monday of March in each year, and monthly thereafter until the first day of October, furnish to the county treasurer a complete list of all the persons so employed and if any such employer shall neglect or refuse to furnish such list, he shall forfeit to the county, in which said road tax is collectable [collectible], the sum of \$50, to be recovered by an action brought in the name of the State in any justice court of said county, and the further sum of \$50 for each refusal or neglect to furnish such list after any demand shall have been made by the county treasurer. Upon the receipt of said lists it shall be the duty of said county treasurer to furnish to said employer furnishing such lists, printed special road tax receipt books with proper stubs containing memorandum of name, amount and date attached.

Employer to pay tax.

SEC. 4. If any person required to pay the special road tax mentioned in this act, does not pay the same and has no property subject to taxation, and the person owing the same is in the employment of any other person, the county treasurer must deliver to the employer a written notice, stating the amount of tax due for such employee and from the time of receiving said notice the employer is liable to pay said tax, and the tax so paid may be deducted by such employer from the amount then due or to become due to such employee.

Act amended.

Chapter III of chapter 141 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana [1915] is hereby amended to read as follows:

Wages and hours.

SEC. 6. Whenever it becomes necessary for any road supervisor, in the repairing of any public highways in his district, to secure the assistance of other persons, he shall be empowered to employ suitable laborers, teams and implements, and to contract as to the price to be paid therefor, which must not exceed the rate of \$4 per day of eight hours for each person and \$6 per day of eight hours for man and team; but the time taken by such person or teams in going to and from the place of labor shall not be included within such period of eight hours.

Approved March 15, 1917.

NEBRASKA.

ACTS OF 1917.

CHAPTER 115.—Railroads—Reports of accidents.

SECTION 1. Sections \* \* \* 6136 of the Revised Statutes of Nebraska for 1913 [shall] be amended to read as follows:

Sec. 6136. Sec. 210. Every common carrier, incorporated or doing business in this State, shall, on or before the thirty-first day of March of each year, transmit to the office of the railway commission a full and complete statement under the oath of its proper officers, of the affairs of such common carrier, as the same existed on the thirty-first day of December next preceding. Such statement shall show: \* \* \* Twenty-fourth—The number of employees killed and the number of employees injured by accident, and the cause or causes of such accident; \* \* \* Twenty-sixth—An itemized statement of the amount of all damages paid on account of injuries to or the death of persons by reasons of accidents, stating in separate items the amounts paid on account of injuries or death of employees, passengers and other persons; \* \* \*.

Reports required.

If any common carrier shall neglect or refuse to file such statement with the commission it shall forfeit and pay for each such offense not less than \$500 nor more than \$5,000.

Approved March 28, 1917.

CHAPTER 179.—Factory, etc., regulations—Fire escapes.

SECTION 1. Every building now or hereafter used, in whole or in part, as a \* \* \* office or store building \* \* \* more than two stories high and containing above the ground floor, offices, \* \* \* workrooms \* \* \* all or any of which rooms are designed for occupancy by fifteen or more persons, shall be provided with one or more fireproof stairways, chutes, or toboggans constructed on the outside thereof, placed in such position and as many in number as may be designated by the State fire commissioner or his deputy.

What buildings to have fire escapes.

\* \* \* \* \*

Such fireproof stairways, chutes, or toboggans shall connect the cornice with the top of the first story of such building by a wrought iron or steel platform, properly surrounded with a wrought iron or steel railing; said platform to be constructed on a level with the floor of each story so connected, and of sufficient length to permit access to the same from not less than two windows of each story—said platform shall be so constructed as to be of convenient access from the interior of the building, commodious in size and form and of sufficient strength to be safe for the purpose of ascent and descent: *Provided, however,* All buildings more than two stories in height used for manufacturing purposes, mercantile establishments, \* \* \* where twenty-five or more persons congregate at any one time, there shall be placed one automatic metallic fire escape or device for every twenty-five persons, for which working accommodations are provided above the second floor of said building—material, design and location of such escapes to be subject to the approval of the deputy fire commissioner \* \* \*.

Construction, etc.

Sec. 2. The fire commissioner is hereby authorized and required, when it shall come to his notice that there is any building in this State where the provisions of this article are being violated, to inspect such building. Such inspection may be by the fire

Enforcement.

commissioner, or his deputy, or such other person as may be appointed by the deputy fire commissioner for the purpose of making the inspection. Such persons shall be under the control and direction of the deputy fire commissioner. Compensation for services and expenses provided for in this article shall be paid by the State treasurer out of the general appropriation for the State fire commission upon the warrant of the State auditor: *Provided*, The deputy fire commissioner in charge shall present to the governor, on or before the fifteenth day of January of each year, a report of such inspection with such recommendation as may be necessary.

Violations.

SEC. 8. Every person, firm or corporation, who shall fail or refuse to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon a conviction, shall be subject to a fine of \$5 for each and every day he shall fail or refuse to comply. If for thirty days after final conviction, or any such violation, he or they shall fail or refuse to comply with said sections mentioned in such notice, the building and premises involved may be closed for use until all the provisions of the article shall be complied with, upon five days' notice thereof, from the deputy fire commissioner.

Prosecu-  
tions.

SEC. 9. The county attorney of each county in this State is hereby required upon the complaint on oath of the deputy fire commissioner or other person, to prosecute to termination, in the name of the people of the State of Nebraska, a proper action or proceeding against any person or persons violating the provisions of this article.

Approved April 25, 1917.

#### CHAPTER 199.—*Private employment agencies.*

License re-  
quired.

SECTION 1. No person, firm or corporation in this State shall open, operate or maintain a private employment agency for hire or for help without first obtaining a license for the same from the commissioner of labor, and the license fee shall be \$60 per annum except in cities of less than twenty-five thousand inhabitants, when said fee shall be \$25 per annum, payable in advance on the first day of May each year, and shall expire on the last day of April of each year. Every license shall contain a designation of the city, street and number of the building in which the licensed parties conduct said employment agency. In case of removal to another location during the period covered by such license, the commissioner of labor shall be at once notified and the license corrected accordingly. No such license shall be transferable: *Provided*, That this act shall not be construed to include teacher's agencies.

Bond.

SEC. 2. The commissioner of labor shall require with each application for a license a surety bond in the penal sum of \$2,000, to be approved by said commissioner of labor and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions or requirements of this act. The commissioner of labor is authorized to cause an action or actions to be brought on said bond in the name of the State for any violation of any of its conditions and he may revoke upon a full hearing any license whenever in his judgment the party licensed shall have violated any of the provisions of this act; and in the prosecution of any such inquiry, the commissioner of labor is hereby empowered to administer oaths, subpoena witnesses, take depositions, compel the attendance of witnesses, and the production of books, accounts, papers, records, documents and testimony.

License can-  
celed, when.

SEC. 3. In case of refusal of any person to comply with the order of the commissioner of labor or subpoena issued by him or the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, or refusal to permit any inspection as aforesaid, the commissioner of labor may cancel the license held by such person, firm or corporation refusing to comply with the orders of the commissioner of labor: *Provided*, That the

orders of the commissioner of labor be in accord with the provisions of this act. When such license shall be so canceled it shall not be reissued to said person, firm or corporation for a period of six months from the date of said cancellation.

SEC. 4. No private employment agency shall print, publish or paint on any sign, window, or insert in any newspaper or publication a name similar to that of the Nebraska Free Employment Bureau.

Use of name.

SEC. 5. It shall be the duty of every licensed agency to keep a register in which shall be entered the name and sex of every person for whom employment is secured, and the amount of fee charged. Such licensed agency shall also enter into a register the name and address of every person for whom help or servants are secured. Such register shall at all reasonable hours be open to the inspection and examination of the commissioner of labor or his agent, and a copy of such facts shall be filed with the commissioner of labor not later than the tenth day of each succeeding calendar month.

Register.

SEC. 6. Every licensed agency shall issue a receipt to each person securing employment or help showing the occupation, name and address of the applicant, and the amount of the fee charged for procuring the position and such receipt shall also show the wages to be paid to said person securing employment, together with the name and address of the employer and the name of the agency issuing such receipt. Also the nature of the employment offered and if a strike or lockout is known to exist the fact shall be stated.

Receipts.

Said receipt shall be made upon forms prescribed by the commissioner of labor and the third copy to be retained by the agency issuing same. The carbon copy of each and every receipt issued shall be mailed to the commissioner of labor as prescribed in section five.

SEC. 7. No licensed agency shall charge a registration fee for filing or receiving application for help or employment nor on any agreement to furnish employment or help. Monthly reports shall be made to the commissioner of labor upon forms prescribed by him, showing all registrations for employment or help.

No registration fee.

SEC. 8. The fee for procuring employment or help shall in all cases be clearly set out in the receipt as provided in section six. The receipt shall plainly show the amount of the fee, all commissions and expenses or compensations whatsoever to such licensed agency for procuring employment or help. In case the party paying such fee fails to obtain the employment specified and such failure shall not be the fault of such applicant for employment, such licensed agency shall repay the same to such person upon demand being made therefor: *Provided*, That in cases where the person seeking employment is sent beyond the limits of the city in which such employment agency operates, such licensed agency shall repay in addition to the above any actual expenses incurred by reason of failure to receive employment, in all cases when it shall appear that the employment agency made false representations.

Fee for services.

SEC. 9. Any licensed agency, or agent thereof, who shall be guilty of dividing fees with any superintendent, manager, foreman or other employees of any person, company, corporation or association, for whom employees are furnished shall be guilty of a misdemeanor and shall be fined not less than \$50 or be imprisoned in the county jail for a period not exceeding three months at the discretion of the court.

Dividing fees.

SEC. 10. No agency shall knowingly send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purpose. No such licensed agency shall publish or cause to be published any false information, make any false promise concerning or relating to work or employment to any one who shall register for employment and no licensed agency shall

Offenses.

- make any false entries in the register to be kept as herein provided.
- Enforcement.** SEC. 11. It shall be the duty of the commissioner of labor to enforce this act. When informed of any violation thereof it shall be his duty to investigate same, as hereinbefore provided, and he may institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act not otherwise provided for, shall be guilty of a misdemeanor and shall be fined not less than \$50 nor more than \$100 for each offense or be imprisoned in the county jail for a period not to exceed three months or both such fine and imprisonment at the discretion of the court: *Provided*, That any person or persons who shall send any female help or servant to any place of bad repute, house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes, shall be punished by imprisonment for not less than thirty days nor more than three months and no license to operate an employment agency shall be issued to such party.
- Fees to treasury.** SEC. 12. All moneys paid to the commissioner of labor or [for] license fee under this act, shall be paid over by him to the State treasurer.
- Definition.** SEC. 13. The term employment or work, whenever used in this act, shall be construed to mean manual or mechanical labor, clerical, domestic or professional service.
- Same.** SEC. 14. Any person, firm or corporation who for hire or with a view to profit shall undertake to secure employment or help or through the medium of cards, circulars, pamphlets of any nature whatsoever, or through the display of a sign or bulletin offer to secure employment or help or give information as to where employment or help shall be secured, shall be deemed a private employment agency and shall be subject to the provisions of this act.
- Provisions severable.** SEC. 15. In case for any reason, any paragraph or any provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision of this act.
- Act repealed.** SEC. 16. Sections one to eighteen, inclusive, of chapter two hundred and nine of the Session Laws of nineteen hundred and fifteen, are hereby repealed.
- Approved April 25, 1917.

CHAPTER 218.—*Payment of wages—Semimonthly pay day.*

- Pay days established.** SECTION 1. Every railroad company authorized to do business by the laws of the State of Nebraska shall, on or before the first day of each month, pay the employees thereof the wages earned by them during the first half of the preceding month ending with the fifteenth day thereof, and on or before the fifteenth day of each month pay the employees thereof the wages earned by them during the last half of the preceding calendar month: *Provided, however*, That if at any time of payment any employee shall be absent from his or her regular place of labor, and shall not receive his or her wages through a duly authorized representative, he or she shall be entitled to said payment at any time thereafter upon demand upon the proper paymaster at the place where such wages are usually paid and at the place when the next pay is due; any such railroad company which shall violate any of the provisions of this act shall forfeit and pay the sum of \$25 for each violation of this act which shall be proved to be recovered in any court of competent jurisdiction by any person who shall sue for the same; one half of said penalty to go to said person so suing therefor, and the other half to go to the State: *Provided, further*, Complaint of such violation be made within sixty days from the date such wages become payable, according to the tenor of this act.
- Agreements forbidden.** SEC. 2. It shall not be lawful for any railroad company to enter into or make any agreement with any employee for the payment of wages of any such employee otherwise than as provided in

section one of this act, except it be to pay such wages at shorter intervals than herein provided. Every agreement made in violation of this act shall be deemed to be null and void, and it shall not be a defense to the suit for a penalty provided for in section one of this act; and each and every employee with whom any agreement in violation of this act shall be made by such railroad company shall have his or her action and right of action against such railroad company for the full amount of his or her wages in any court of competent jurisdiction of this State.

Approved March 23, 1917.

CHAPTER 234.—*Sunday labor—Barber shops.*

SECTION 1. It shall be unlawful for any person, persons, partnership, corporation, or the agents or servants of any person, partnership or corporation in this State, to conduct, carry on or to perform any of the services of a barber on the first day of the week, commonly called Sunday: *Provided*, That the services of a barber shall be defined as common labor and shall not be construed as being a work of necessity or charity: *Provided*, That where such services shall be done in connection with the medical treatment of persons confined to their rooms or in a hospital and being under the care of a physician, the same shall be construed as a work of necessity. Sunday labor forbidden.

SEC. 2. Any person, persons, corporation, partnership or the agents or servants of any person, partnership or corporation, violating any of the provisions of this act, shall upon conviction thereof be punished by a fine of \$10 for the first offense; and by a fine of not less than \$15 or more than \$50 or by imprisonment in the county jail for not to exceed thirty days for the second and subsequent offenses. Violations.

Approved April 11, 1917.



NEVADA.

ACTS OF 1917.

CHAPTER 11.—*Mother's pensions.*

SECTION 1. Section two of an act \* \* \* approved March fifteen, nineteen hundred and fifteen [ch. 131] is hereby amended to read as follows:

Sec. 2. The allowance to each of such mothers shall not exceed the sum of \$25 per month when she has but one child under the age of fifteen years, and if she has more than one child under the age of fifteen years, it shall not exceed the sum of \$25 a month for the first child and \$15 a month for each of the other children under the age of fifteen years, but in no case shall the entire allowance for mother and children be more than \$55 dollars per month.

Approved February 10, 1917.

CHAPTER 14.—*Employment of women—Hours of labor.*

SECTION 1. No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, public lodging house, apartment house, place of amusement, or restaurant, or by any express or transportation company in this State, more than eight hours during any one day, or more than fifty-six hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or fifty-six hours during any one week: *Provided, however,* That the provisions of this section in relation to hours of employment shall not apply to nor affect the harvesting, curing, canning, or drying of any variety of perishable fruit or vegetable, nor to nurses, nor to nurses in training in hospitals.

Sec. 2. Every employer in any manufacturing, or mercantile establishment, laundry, hotel, or restaurant, or other establishment, employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment.

Sec. 3. The district attorneys of the respective counties of this State, and the attorney general of this State, shall enforce the provisions of this act, and said district attorneys, and said attorney general and their deputies and agents, shall have all powers and authority of sheriffs or other peace officers to make arrests for violations of the provisions of this act, and to serve all processes and notices thereunder throughout the State.

Sec. 4. Any employer who shall permit or require any female to work in any of the places mentioned in section one more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to so arrange the work of females in his employ so that they shall not work more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to provide suitable seats as provided in section two of this act, or who shall permit or suffer any overseer, superintendent, foreman, or other agent of any such employer to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for a first offense, by a fine of not less than \$25 nor more than \$50; for a second offense, by fine of not less than \$100 nor more than \$250; or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines imposed and collected under the provisions of this act shall be paid into the State treasury and credited to the State permanent school fund of this State.

Approved February 14, 1917.

CHAPTER 25.—*Mine regulations.*

**Amendments.** [This act amends section 4203, Revised Laws of 1912, by requiring a detailed statement of the character of the mine, the number of employees, mode of working, etc., to be made "in all cases when commencing operations."

Section 4206 is amended by authorizing the appointment of a second deputy inspector, each deputy to receive \$200 per month and traveling expenses.

Section 4234 is amended to read as follows:]

**Riding on  
bail or cable.** SEC. 38. [Sec. 4234.] It shall be unlawful for any person to ride upon the rim, bail or cable of a hoisting bucket, cage or skip, and it is hereby made the duty of every operator to post notice of same in all stations and upon all gallowes frames.

Approved February 20, 1917.

CHAPTER 94.—*Assignments of wages—Fraud.*

**What assign-  
ments void.** SECTION 1. Every assignment of wages, salary, or earnings made by any person against whom there is, at the time such assignment is made, an unsatisfied judgment for debt on the records of any court within the county in which such judgment debtor resides, shall be conclusive evidence of fraud, and shall be void as against the judgment creditors of the person making such an assignment.

Approved March 14, 1917.

CHAPTER 178.—*Commissioner of labor.*

**Clerical as-  
sistance.** [This act amends section 1 of chapter 203, Acts of 1915, correcting certain typographical errors, and increasing the allowance for clerical and stenographic assistance from \$1,000 to \$1,200 per annum.]

CHAPTER 227.—*Regulation of barber shops—Sunday labor.*

**Definitions.** SECTION 1. Any place where a person is shaved, his hair cut, or his beard trimmed, for hire or reward, shall be construed as being a barber shop.

**Sunday la-  
bor forbidden.** SEC. 2. It shall be unlawful in any town of this State having a population or [of] more than ten thousand people, for any person, or persons, company or corporation, to keep open, or permit to be kept open, any barber shop or public place for the purpose of carrying on or applying the barber trade or business, or to conduct such business, on the first day of the week, commonly called Sunday, that is to say, between the hours of twelve o'clock midnight of Saturday of any week, and twelve o'clock midnight of the following day, Sunday.

**Tools to be  
disinfected,  
when.** SEC. 3. Any person who shaves another person afflicted with syphilis, eczema, blood poison, or any skin disease, who does not, before he again uses his tools, towels, or water, subject them to such disinfection as may remove any virus, scale, or filth that may be on such tools, towels, or instrument, shall be guilty of a violation of this act.

**Unsanitary  
practices.** SEC. 4. It shall be unlawful for any person who conducts a barber shop to permit to remain therein any virus, scale or filth, or to conduct a barber shop that is unsanitary and dangerous to the health of its patrons.

**Violations.** SEC. 5. Every proprietor, owner, manager, lessee, or other person in charge of any barber shop in this State who shall fail to comply with this act, whether through the acts of himself, his agent or employees, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$25, nor more than \$100, or shall be imprisoned for not more than three months, or both fine and imprisonment, and every day that any barber shop shall be conducted in violation of any of the provisions of this act shall constitute a separate offense.

Approved March 27, 1917.

NEW HAMPSHIRE.

ACTS OF 1917.

CHAPTER 3.—*Contract of employment—Repayment of advance.*

SECTION 1. Whoever enters into an agreement to labor for another in any lumbering operation or in driving logs and in consideration thereof receives any advance of goods, money, or transportation, and without cause fails to enter into said employment as agreed, and labor for a sufficient length of time to reimburse his employer for said advances and expenses of transportation, shall be punished by fine of not exceeding \$10 or by imprisonment not exceeding thirty days.

Failure to repay.

Penalty.

Approved February 9, 1917.

CHAPTER 99.—*Employment of labor—Notice of disputes.*

SECTION 1. Amend section one of said chapter [two hundred and twelve of the laws of nineteen hundred and thirteen] so that as amended said section shall read:

Section 1. If any employer, during the continuance of a strike among his employees, or during the continuance of a lockout or other labor trouble among his employees, publicly advertises in newspapers, or by posters or otherwise, for employees, or by himself or his agents solicits persons to work for him to fill the places of strikers, he shall plainly and explicitly mention in such advertisements or oral or written solicitations that a strike, lockout or other labor disturbance exists. No person, firm, association or corporation shall knowingly publish or circulate any advertisement for employees which does not comply with the provisions of this section.

Notice of strike.

SEC. 2. Amend section three of said chapter by striking out the whole thereof and substituting therefor the following:

Sec. 3. If any person, firm, association or corporation shall violate any provisions of this chapter, he or they shall be subject to a penalty of \$25, to be recovered by the commissioner of labor in the name of his office in an action of debt. All penalties recovered under this chapter shall accrue to the bureau of labor.

Violations.

Approved March 27, 1917.

CHAPTER 142.—*Bureau of labor—Mediation.*

[This act amends sec. 4 of ch. 198, Acts of 1911, by adding thereto the following:]

Neither the proceedings nor any part thereof before the labor commissioner by virtue of this section shall be received in evidence for any purpose in any judicial proceeding before any other court or tribunal whatever.

Proceedings not evidence.

Approved April 10, 1917.

CHAPTER 146.—*Interference with employment—Instigating strikes, etc., during time of war.*

SECTION 1. No person shall, during time of war or invasion, influence or coerce or attempt to influence or coerce, any person or persons not to work in any shop, mill, factory, munition plant or other industry or establishment whatever, nor instigate or encourage, nor attempt to instigate or encourage, any strike or lockout among the employees of such shop, mill, factory, munition plant or other industry or establishment whatever, so long as such industry or establishment is engaged in the manufacturing,

Coercion, etc., forbidden.

making or delivering of sustenance, clothing, weapons, munitions, material or other supplies, for the Army or the Navy of the United States or the military or naval service of the State.

**Violations.**

SEC. 2. Any person violating any of the provisions of this act shall be fined not less than \$500 nor more than \$1,000 for each offense, or be imprisoned not more than nine months in the county jail or both.

Approved April 12, 1917.

**CHAPTER 166.—Cost of living—Investigation.**

**Investigation on petition.**

SECTION 1. If, at any time, the price of any of the necessities of life shall rise in price, the attorney general shall, upon petition of one hundred registered voters of the State of New Hampshire, investigate the cause of such rise by instituting judicial proceedings, and is hereby empowered to summon persons with papers, and if such rise is found to be unreasonable or arbitrary, the person, firm, corporation or association, or one or more of these, responsible therefor shall be fined not less than \$1,000 or be imprisoned for not less than one year, or shall be punished by both such fine and imprisonment.

**Exemptions.**

SEC. 2. For the purpose of this act work or labor performed upon a farm by the owners thereof or by other persons, and the fruits of such labor and labor of hand or brain performed in factories or elsewhere by persons who are proletarians or near-proletarians shall not be construed as a necessary of life; nor shall any attempt by an individual or combination of individuals who are primary wealth producers to raise the wages or compensation received in a gainful occupation, or to better their conditions of employment, be construed as raising or attempting to raise the price of necessities of life.

Approved April 18, 1917.

**CHAPTER 177.—Antitrust law—Labor organizations, etc., exempt.**

**Exemptions.**

SECTION 7. Nothing contained in this act shall be construed to forbid the existence and operation of labor, agriculture, or horticultural organizations, instituted for the purposes of mutual help and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or members thereof, be held or considered to be illegal trusts or conspiracies against trade, under this act.

Approved April 18, 1917.

**CHAPTER 183.—Factory, etc., regulations.**

**Scope of act.**

SECTION 1. This act shall apply only to factories, mills, workshops or other manufacturing establishments in which ten or more persons are regularly employed. The term employer as used in this act shall mean and include every person, firm, corporation or association operating in this State a factory, mill, workshop or other manufacturing establishment in which ten or more persons are regularly employed. The term place of employment shall mean and include any mill, workshop or other manufacturing establishment where ten or more persons are regularly employed, and all buildings, sheds, structures or other places used in connection therewith. The term employee shall mean and include every person employed to work in any such place of employment.

**Safety appliances.**

SEC. 2. Whenever the nature or condition of any such place of employment, or the machinery or other appliances therein are such as to render employment therein or in proximity thereto dangerous to the safety or health of such employees, it shall be the duty of every such employer to provide and maintain such safeguards, safety devices, appliances, lighting facilities, and do such other things as may be reasonably necessary and practicable to lessen the dangers of such employment. Every such

employer shall provide and maintain reasonable and proper toilet facilities and reasonably sanitary and hygienic conditions for such employees. Sanitary conveniences.

SEC. 3. No person shall, so as to interfere with the intended use thereof, remove, displace, damage or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, and no person shall interfere with the use of any methods or process adopted for the protection of any employee in such employment or place of employment. Removing guards.

SEC. 4. (1) The commissioner of labor shall cause every place of employment to be inspected as soon as may be after the passage of this act, and at least once each year thereafter, for the purpose of determining the conditions in such place of employment with respect to the safety and health of the employees working therein. Inspection.

(2) A report of such inspection shall be filed in the office of the commissioner of labor and a copy thereof given the employer.

(3) The commissioner of labor, factory inspectors and other assistants of the commissioner of labor shall have the right for the purposes of this act to enter any such place of employment and to examine the same.

SEC. 5. It shall be the duty of the commissioner of labor to make and adopt such reasonable orders, rules and regulations of general application as may be necessary to give effect to section two of this act with respect to the use of mechanical contrivances for disengaging power, the safeguarding of saws, planers, jointers and other similar machines, the protection of cogs, gearing, couplings and the like, and the use of set screws, keys, bolts and the like used in connection with revolving shafting. Rules, etc.

Whenever the commissioner of labor, after any such place of employment shall have been inspected in accordance with section four of this act, shall be of the opinion that the special conditions in that place of employment render any general order, rule or regulation so made by him inadequate or unreasonable as applied to such place of employment or any part thereof, he may, by special order applicable to that place of employment, so modify or extend the requirements of such general order, rule or regulation as to make the same adequate and reasonable with respect to such special conditions; and whenever, after such inspection, the commissioner of labor shall be of the opinion that compliance with section two of this act, under the special conditions obtaining in any place of employment, necessitates the use of any safeguard or the doing of any other act for which the general orders, rules and regulations adopted by him do not provide, he shall have power by special order to require the adoption in that place of employment of such particular safeguards, safety devices, appliances, lighting facilities or other means as may be reasonable and practicable for the safety and health of the employees. The commissioner of labor shall have like power and it shall be his duty by general or special orders, rules or regulations to require compliance with section two with respect to toilet facilities and sanitary and hygienic conditions in any such place of employment.

SEC. 6. Every order, rule or regulation made or adopted by the commissioner of labor shall fix the time when it shall take effect, and in every case a reasonable time shall be allowed to the employer or employers affected thereby for compliance therewith. Notice shall be given of every order, rule or regulation to those who are required to comply with the same and such notice may be given by registered mail. Notice of any such order, rule or regulation of general application may be given by publication in some newspaper having circulation throughout the State. Time for compliance.

SEC. 7. Any person or corporation affected by such order, rule or regulation may petition the commissioner of labor for a re- Review.

view of the validity or reasonableness thereof. The commissioner of labor may join in one proceeding all petitions alleging invalidity or unreasonableness of the same or substantially similar orders, rules or regulations. The petition for review shall be filed within thirty days after notice of the adoption of the order, rule or regulation: *Provided however*, That the commissioner of labor may, whenever in his opinion justice may require it, extend the time for filing such petition.

Upon receipt of the petition the commissioner of labor shall, if necessary to determine the issue raised, order a hearing. Notice of the time and place of hearing, which shall be open to the public, shall be given to the petitioner and to such other persons as the commissioner of labor may find directly interested in the issues raised by the petition.

If upon such hearing the commissioner of labor finds that the order, rule or regulation complained of is invalid or unreasonable, he shall revoke it or substitute therefor a new or amended order, rule or regulation.

The decision of the commissioner of labor upon such petition shall be final unless appeal is taken to the superior court in the manner herein provided.

Appeal to court.

SEC. 8. Any person or corporation aggrieved by any order, rule or regulation of the commissioner of labor may file a petition in the superior court against the commissioner of labor to determine the validity and reasonableness of such order, rule or regulation. Such petition shall be filed within thirty days after notice of the adoption of the order, rule or regulation, or if a petition for review is filed, within thirty days from the decision upon such petition. Such notice shall be given to the commissioner of labor of the pendency of such proceedings as the superior court may order.

Such petition so far as practicable shall have precedence over other actions in the same court and the order of the commissioner of labor appealed from shall be *prima facie* valid and reasonable. The proceedings upon such petition shall be as nearly as may be in accordance with proceedings in equity. The court may, and on the request of the parties shall, refer any issue or issues arising in such action to one or more persons who shall find and report the facts together with his or their recommendations to the court. One or more of such persons may be a layman conversant with the subject matter involved in such appeal. The superior court shall upon such petition enter such order or decree as justice may require.

Order suspended.

SEC. 9. During the pendency of any petition for review, the order, rule or regulation under review shall be suspended, and during the pendency of an appeal to the superior court under section eight, the order, rule or regulation appealed from may be suspended by the superior court if justice requires; but except as affected by proceedings upon review by the commissioner of labor or appeal to the superior court, every order, rule or regulation made and adopted under the provisions of this chapter shall have the effect of law.

Powers of commissioner.

SEC. 10. The commissioner of labor for the purpose of carrying into effect the provisions of this act shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents and testimony. In case of the failure of any person to comply with any order of the commissioner of labor given under this section, or any subpoena lawfully issued, or on the refusal of any witness to testify to any matter about which he may lawfully be interrogated, it shall be the duty of the superior court or any judge thereof on application of the commissioner of labor to compel obedience by proceedings as for contempt. A complete record shall be kept of all orders, rules or regulations made and adopted by the commissioner of labor.

Witness fees.

SEC. 11. Each witness who shall appear before the commissioner of labor shall receive for his attendance the fees and mile-

age provided for witnesses in attendance upon the superior court. The deposition of any witness within or without the State taken in the manner prescribed by law for depositions in civil actions, may be used in any proceeding for review or appeal.

Sec. 12. For the purpose of inspecting factories and workshops, the commissioner of labor shall have the power, subject to the approval of the governor and council, to employ not exceeding two competent persons, who shall be known as factory inspectors, and their compensation shall be fixed by the commissioner of labor, subject to the approval of the governor and council. The commissioner of labor shall also have the power, subject to the approval of the governor and council, to employ such other assistants as may be necessary to the proper discharge of his duties. It shall be the duty of the commissioner of labor to administer and enforce, so far as not otherwise provided for in the statutes, all laws relating to factories or workshops, and all valid orders, rules or regulations, and he shall receive as compensation for his services rendered under the provisions of this act such sum as shall be required to make the total of his annual compensation under this and all other acts the sum of \$2,500.

Inspectors.

Other employees.

Sec. 13. No prosecution against any employer shall be commenced under this act unless or until the commissioner of labor shall have first made an order in accordance with the provisions of this act and the employer affected thereby shall have had a reasonable opportunity to comply therewith.

Prosecutions.

Any employer who shall omit or neglect to obey, observe or comply with any lawful order, rule or regulation made in pursuance of this act shall be punished by a fine of not less than \$25 nor more than \$200. If any person shall wilfully violate the provisions of section three of this act, he shall be punished by a fine of not less than \$10 nor more than \$100.

Penalties.

Sec. 14. Every employer subject to the provisions of this act, shall within thirty days after the same shall take effect send by mail to the commissioner of labor a statement setting forth his name, address, business and approximate number of employees of such employer, and every such employer thereafter starting in business shall immediately send to the commissioner of labor a like statement. Any such employer wilfully neglecting to comply with the provisions of this section shall be punished by a fine of not less than \$10 nor more than \$25.

Employers' statements.

Approved April 18, 1917.

CHAPTER 194.—*Labor laws—Emergency suspensions.*

SECTION 1. The governor is hereby empowered to suspend or modify the restrictions contained in the labor laws of the State when such suspension or modification shall be requested by the council of national defence and such suspension or modification, when so made, shall continue for such time as may be specified in the order issued by the governor for that purpose, but not longer than the duration of the state of war now existing as declared by the Congress of the United States.

Suspension authorized.

Approved April 19, 1917.

CHAPTER 196.—*Employment of women and children—Hours of labor.*

SECTION 1. Amend section one of chapter one hundred and fifty-six of the Laws of nineteen hundred and thirteen \* \* \* by striking out the whole thereof and substituting therefor the following:

Act amended

SECTION 1. No female, or minor under eighteen years of age shall be employed or be permitted to work at manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house labor, operators in telephone and telegraph offices and farm labor, more than ten and one-quarter hours during any one day, or more than fifty-four hours

Hours of labor per day and week.

**Night work.** in any one week. Where a minor under eighteen years of age or a female is employed in the same day or week by more than one employer in manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house labor, operators in telephone and telegraph offices and farm labor, the total time of employment shall not exceed that allowed per day or week in a single employment. No such minor or female shall be employed or permitted to work at night work more than eight hours in any twenty-four hours nor more than forty-eight hours during the week. If any such minor or female is employed or permitted to work more than two nights each week for any time between the hours of eight o'clock post-meridian and six o'clock autemeridian of the day following, such employment shall be considered night work. Mercantile establishments for the period of seven days immediately preceding Christmas day in each year are, as to regular employees, excepted from the operation of this section, but the total number of hours of labor, for any female, or minor under eighteen years of age, regularly employed in such establishment, shall not exceed fifty-four hours per week for the full year.

**Schedule to be posted.** SEC. 2. Amend section two of said chapter \* \* \* so that as amended said section shall read:

SEC. 2. Every employer shall post in a conspicuous place in every room, where such minors or females are employed, a printed notice stating the hours of commencing and stopping such work, the time allowed for dinner or other meals, and the maximum number of hours any such minor or female employee is permitted to work in any one day.

**Evidence.** SEC. 3. Amend section three of said chapter \* \* \* so that as amended said section shall read:

SEC. 3. The employment of any female, or minor under eighteen years of age, in any such place or establishment, as defined in section one of this chapter, at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be *prima facie* evidence of a violation of this act.

**Repeal.** SEC. 4. Section two of chapter one hundred and sixty-four of the Laws of nineteen hundred and fifteen is hereby repealed.

**Exemption.** SEC. 5. \* \* \* The provisions of this act shall not apply to labor performed entirely in the manufacture of munitions or supplies, for the United States Government or for the government of the State of New Hampshire, while the United States is at war with any other nation.

Approved April 19, 1917.

CHAPTER 198.—*Free public employment office.*

**Office to be established.** SECTION 1. There shall be established and maintained, under the care and direction of the commissioner of labor, a free employment office for the purpose of bringing together those who seek employment and those who desire to employ.

**Administration.** SEC. 2. This work shall be done in the office and in connection with the bureau of labor, and the commissioner of labor shall appoint such clerks or assistants as he may deem necessary for the proper conduct thereof, and shall fix their compensation, subject to the approval of the governor and council.

**Register.** SEC. 3. It shall be the duty of the commissioner of labor to receive without charge and keep on file, by means of suitable books or other record, a correct list of all applications for employment made by any person who shall file an application for work. It shall also be the duty of said commissioner of labor to keep on file, in the same manner, a correct list of all applications filed by any person, partnership or corporation, seeking to hire help for any legitimate purpose, and it shall be the duty of said commissioner of labor and his assistants to aid persons so applying for employment and to assist employers so applying to obtain help.

SEC. 4. This act shall apply to female as well as male applicants, and to any and all kinds and descriptions of legitimate employment or service.

Scope of act.

SEC. 5. No fees, direct or indirect, shall in any case be taken from those seeking the benefits of said employment office.

No fees to be charged.

SEC. 6. In registering applications for employment and for employees wanted, preference shall be given to residents of the State.

Citizens preferred.

SEC. 7. It shall be the duty of city clerks of cities and town clerks of towns to cooperate with said employment office as requested by the commissioner of labor in the matter of receiving and forwarding applications from those desiring employees and those desiring employment. Such city or town clerks may in the discretion of the commissioner of labor be furnished with application blanks for this purpose. Such city or town clerks shall receive no compensation from the State for such service but they may by proper order or direction from the authorities of their towns or cities receive compensation therefor, or the same may be regarded as a part of their duties as such town or city clerks according to the direction of each town or city.

Duty of city and town clerks.

SEC. 8. The commissioner of labor shall cause reports showing the business of the office to be prepared at regular intervals, and shall supply them to the newspapers and to citizens upon request.

Reports.

Approved April 19, 1917.



NEW JERSEY.

ACTS OF 1917.

CHAPTER 58.—*Department of labor—Inspectors.*

SECTION 1. The inspectors of the department of labor shall perform such duties as shall be designated by the commissioner of labor and shall be divided into four grades, as hereinafter provided, which shall be designated, respectively, first grade, second grade, third grade and fourth grade. Inspectors to be graded.

Fourth grade: Inspectors of this grade shall receive a salary of \$1,000 per annum, which salary may be increased upon the recommendation of the commissioner of labor, after two years of service, to \$1,100 per annum, and upon like recommendation, after four years of service, to \$1,200 per annum. Appointments of inspectors to this grade shall be made from the list of applicants for this grade submitted by the board of civil-service commissioners.

Third grade: Inspectors of this grade shall receive a salary of \$1,200 per annum, which salary may be increased upon the recommendation of the commissioner of labor, after one year of service, to \$1,300 per annum, and upon like recommendation, after two years of service, to \$1,400 per annum, and upon like recommendation, after three years of service, to \$1,500 per annum. Appointment of inspectors to this grade shall be made from the list of applicants for this grade submitted by the board of civil-service commissioners.

Second grade: Inspectors of this grade shall receive a salary of \$1,600 per annum, which salary, upon the recommendation of the commissioner of labor, after one year of service, may be increased to \$1,700 per annum, and upon like recommendation, after two years of service, to \$1,800 per annum.

Any inspector, after having satisfactorily served for five years as an inspector in the third grade, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil-service commissioners, and upon successfully passing such examination, shall be promoted to the second grade. No appointment of inspectors of the second grade shall be made except after noncompetitive promotion examination, as aforesaid.

First grade: Inspectors of this grade shall receive a salary of \$1,900 per annum, which salary may be increased upon the recommendation of the commissioner of labor, after one year of service, to \$2,000 per annum.

Any inspector, after having satisfactorily served as an inspector of the second grade for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil-service commissioners, and, upon successfully passing such examination, shall be promoted to the first grade. No appointment of inspectors of the first grade shall be made except after a noncompetitive promotion examination, as aforesaid.

Sec. 2. The salary of the assistant commissioner of labor shall be \$3,000 per annum. The assistant commissioner of labor, after having satisfactorily served as such assistant commissioner for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil-service commissioners, and upon successfully passing such examination shall receive a salary of \$3,500 per annum.

Salaries.

- Same.**      **Sec. 3.** The chief inspector of the bureau of structural inspection, the chief inspector of the bureau of electrical equipment, the chief inspector of the bureau of hygiene and sanitation, and the chief of the bureau of industrial statistics shall each receive a salary of \$2,500 per annum. The chief of any of the above-named bureaus, after having satisfactorily served as chief of such bureau for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil-service commissioners, and, upon successfully passing such examination, shall receive a salary of \$3,000 per annum.
- Expenses.**      **Sec. 4.** The inspectors in the employ of the department of labor, the assistant commissioner of labor and the chiefs of the bureaus above mentioned shall, in addition to the annual salaries received by them, receive the expenses incurred by them in the performance of their duties.
- Status.**      All inspectors now in the employ of the department of labor shall be classified as inspectors of the third grade and shall be considered, for the purposes of this act, to have been inspectors of the third grade from the date of their original appointment as inspectors: *Provided, however,* That nothing in this act contained shall operate to reduce the salary of any inspector now employed by the department of labor.
- Term.**      The period of service of the assistant commissioner of labor and the chiefs of the bureaus above mentioned, now in the employ of the department of labor, shall, for the purposes of this act, run from the appointment of such persons as assistant commissioner or chiefs of the bureaus herein named, as the case may be.

Approved March 19, 1917.

**CHAPTER 91.—Pension funds for employes of street and water departments—Cities of the first class.**

**Withdraw- ing members.**      [This act amends chapter 324, Acts of 1915, inserting in section 8 of paragraph IV a proviso for refunding contributions to pension funds made by an employee who is suspended or discharged after having made payments for more than one year, and the separation continues for more than two years.

Section 10 is amended so as to read as follows:]

**When mem- bers may join.**      **SEC. 10.** Persons employed by any such board of street and water commissioners at the time of the creation of the pension corporation or association in accordance with this act shall not be eligible to take advantage of or become members of such pension association after the expiration of two years from the incorporation thereof, except by a majority vote of the board of trustees of any such pension association: *Provided, however,* That any such employee so accepted for membership by the board of trustees shall pay to the pension association two per centum of the total amount of salary received by him from the date of the formation of such pension association to the date of the application, but the period of payment, in order to fix the percentage of pension of such applicant, shall only be from the date of application; and any person coming into the employ of any such board of street and water commissioners subsequent to the formation of any such pension association shall not be eligible for membership in any such pension associations unless he shall, within two years after the date of his appointment, file application for membership in such pension association: *Provided, however,* That the board of trustees may, in its discretion, by a majority vote, admit to membership any such employee after such a period of two years, upon the payment by such applicant of two per centum of the total amount of salary received by him from the date of his appointment to the time of his admission, but the period of payment, in order to fix the percentage of pension of such appli-

**New employes.**      **em -**

cant, shall only be from the date of application; and in neither case shall such deferred application be antedated.

Approved March 22, 1917.

CHAPTER 94.—*Railroads—Sufficient crews for trains.*

SECTION 1. In addition to the powers and duties now imposed upon and vested in the board of public utility commissioners, said board shall have power, upon its own initiative or upon complaint in writing, by order in writing, after hearing on notice to the parties, to direct any common carrier by railroad in the State of New Jersey to employ such number of employees on any of its trains as said board of public utility commissioners shall deem necessary to afford safe, adequate and proper service for the protection of the public and the employees of said common carrier. Power of commissioners.

SEC. 2. The act [Ch. 190, Acts of 1913] entitled "An act to promote the safety of travelers and employees upon railroads by compelling common carriers by railroad to properly man their trains," \* \* \* is hereby repealed. Repeal.

SEC. 3. No reduction shall be made by any railroad, because of the passage of this act, in any train crew as constituted by law prior to the passage of this act, without the authorization of the board of public utility commissioners, as provided in section one of this act. Reducing crews.

Approved March 22, 1917.

CHAPTER 168.—*Protection of employees on buildings.*

SECTION 1. Whenever complaint is made to the commissioner of labor of this State, mayor, superintendent of police or other persons in charge of the police force in any city, town, borough or township in this State, that the scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any stationary sling or scaffolding used in the construction or alteration, repairing, painting, cleaning or pointing of buildings within the limits of any city, town, borough or township aforesaid are unsafe or liable to prove dangerous to life or limb of any person, such commissioner of labor, mayor, superintendent of police, or other persons in charge of the police force, shall immediately cause an inspection to be made by a duly accredited representative of the commissioner of labor or by the building department of such municipality, or by a competent architect or builder of such scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes, or other parts connected therewith. If, after examination, such scaffolding, or any of such parts, is found not to conform to the provisions of this act, or with the rules made by the commissioner of labor under the authority of this act, the commissioner of labor, mayor, superintendent of police, or other persons in charge of the police force, shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. Complaint.

The person directed to make such inspection shall attach a certificate to the scaffolding or slings, hangers, irons, ropes or other parts thereof examined by him, which certificate shall state that he has made such examination, and that he found it safe or unsafe, as the case may be. If he declares it to be unsafe, he shall at once, in writing, notify the person responsible for its erection of the fact, and warn such person or persons against the use thereof. Such notice shall be served personally upon the person responsible for the erecting, or by conspicuously affixing it to the scaffolding or part thereof to be declared unsafe. Inspection.

After such notice has been served or affixed, the person responsible shall immediately remove such scaffolding or part thereof, or alter or strengthen it in such manner as to render it safe in the discretion of the person who has examined it, or his superiors. Certificate.

Compliance.

- Right of access.** Any person whose duty it is to examine or test any scaffolding or part thereof, as required by this act, shall have free access at all reasonable hours to any building or premises containing them or where they may be used.
- Safety rails.** SEC. 2. If any scaffolding or staging swung or suspended from an overhead support or supports shall be more than ten feet from the ground or floor, same shall be deemed unsuitable and improper, and as not giving proper protection to the life and limb of any person employed or engaged thereon, unless such scaffolding or staging shall, while the same is in use, have a safety rail properly bolted secure and braced and rising at least thirty-four inches above the floor or main portion of such scaffolding or staging, and extending along the entire length of the outside and ends thereof, and properly attached thereto, and it shall be provided with braces so as to sustain the weight of a man's body leaning against it. Such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.
- Stays.**
- Margin of safety.** SEC. 3. All swinging and stationary scaffolding shall be so constructed as to bear four times the maximum weight to be dependent therefrom or placed thereon while in use, and not more than three men shall be allowed on any swinging scaffolding at any time.
- Rules.** In addition to the safeguards hereinabove provided, the commissioner of labor shall make such rules as may in his judgment be necessary to render the use of scaffolding or slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any stationary sling or scaffolding used in the construction or alteration, repairing, painting, cleaning or pointing of buildings within the limit of this State safe.
- Violations.** SEC. 4. Any owner, contractor, subcontractor, foreman or other person who violates or omits to comply with any of the foregoing provisions of this act, or who suffers or permits the use of any article or scaffolding declared under the provisions of this act by a proper officer to be defective or unsafe, or which does not comply with every provision of this act, or who destroys or defaces any notice posted in accordance with the provisions of this act, or who hinders or obstructs any officer who may be detailed to enforce its provisions, shall be punishable by a fine of not less than \$10 nor more than \$100 at the discretion of the court.
- Procedure.** All proceedings brought under the provisions of this act shall be by action of debt, to be instituted by and in the name of the commissioner of labor of this State, or by and in the name of the mayor or chief of police of any city or borough, the clerk or chief of police of any township or village in which the offense shall have been committed, in any district court of a city, recorder's court of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons returnable in not less than five nor more than ten days, which process shall be served on the owner or owners, person or persons or any of them, owning the place or operating the business wherein the alleged violation of law has taken place; if such owner or owners, person or persons, reside in the county where the offense was committed, or if the owner or owners, person or persons as aforesaid, do not so reside in the county where the offense was committed, then said process shall be served on the superintendent, foreman or persons in charge of the business or place; service upon a corporation shall be made upon the president, vice president, or any director, and if none of them reside in the county where the offense was committed, then service may be made upon the superintendent, foreman or person in charge of the business or place; in case the owner or owners of a building reside without the limits of the county, then service of the process may be made upon the agent in charge of said building, and if there be no such agent, then service of the process may be made by affixing a copy thereof to the main outer door of such building at least ten days before the return day thereof. All proceedings

thereafter shall be the same as in any action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey when prosecution is conducted by the commissioner of labor, and into the treasury of the city, borough, town, township or village in which the offense occurred when the prosecution is conducted by an official of such municipality.

Approved March 27, 1917.

CHAPTER 176.—*Factory, etc., regulations—Sweat shops.*

SECTION 1. Section thirty-one of the act which this act amends [sec. 46, p. 3030, Comp. Stat.] is hereby amended to read as follows:

No room or rooms, apartment or apartments, in any tenement or dwelling house, or in a building situated immediately in the rear of any apartment, tenement or dwelling house shall be used for the purpose of manufacturing, altering, repairing or finishing therein, for wages or for sale, any articles whatsoever unless a license is secured therefor, as provided in this act.

Application for such a license shall be made to the commissioner of labor by any family or a member thereof, or any person, firm or corporation desiring to manufacture, alter, repair or finish any such articles in any room or apartment in any tenement or dwelling house or by any person, firm or corporation desiring to perform such work in any building in the rear of any tenement or dwelling house. Each license shall run continuously for a period of six months, whereupon a new or further license must be obtained. Each application for such a license shall describe the room or apartment, shall specify the number of persons to be employed therein and shall be in such form as the commissioner of labor may determine. Blank applications shall be prepared and furnished by the commissioner of labor. Before any such license is granted an inspection of the room, apartment or building sought to be licensed shall be made by the commissioner of labor, factory inspector or in the discretion of the commissioner of labor by any local board of health or its inspector or inspectors. If the commissioner of labor or such inspectors as herein provided for ascertain that such room, apartment or building is in a clean and proper sanitary condition, and that the articles specified in this section may be manufactured therein under clean and healthful conditions, he shall grant a license permitting the use of such room, apartment or building for the purpose of manufacturing, altering, repairing or finishing such articles. Each license shall state the maximum number of persons who may be employed in the room or rooms to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room or apartment mentioned in such license, allowing not less than two hundred and fifty cubic feet for each person employed between the hours of six o'clock in the morning and six o'clock in the evening, unless by special written permit of the commissioner of labor, and not less than four hundred cubic feet for each person employed therein between the hours of six in the evening and six in the morning, but no such permit shall be issued unless such room or apartment

Manu-  
factures in tenement.

License.

Air space.

has suitable light at all times during such hours as such persons are employed therein.

- License to be posted.** Such license must be posted in a conspicuous place in the room or apartment to which it relates. It may be revoked by the commissioner of labor if the health of the community or of the employees requires it, of [or] if it appears that the rooms or apartments to which such license relates are not in a healthy and proper sanitary condition. Every room or apartment in which any of the articles named in this section are manufactured, altered, repaired or finished shall be kept in a clean and sanitary condition and shall be subject to examination and inspection by the commissioner of labor, factory inspectors or local boards of health for the purpose of ascertaining whether said garments or articles, or any part or parts thereof, are clean and free from vermin and every matter of infectious or contagious nature.
- Sanitation.**
- Diseases.** If the commissioner of labor, factory inspector or local board of health shall find evidence of infectious or contagious diseases present in any workshop, or in goods manufactured or in process of manufacture therein if [sic] the commissioner of labor, factory inspector or local board of health shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious articles.
- What contracts forbidden.** SEC. 31a. No person, firm or corporation shall hire, employ or contract with any member of a family, or any person, firm or corporation not holding a license therefor, to manufacture, alter, repair or finish any articles whatsoever in any room or apartment in any tenement or dwelling or any room or apartment in any building situated in the rear of a tenement or dwelling house as aforesaid, and no person, firm or corporation shall receive, handle or convey to others or sell, hold in stock or expose for sale any articles whatsoever unless made under the sanitary conditions and in accordance with this act. This act shall not prevent, however, the employment of a tailor or seamstress by any person or family for the purpose of making, altering, repairing or finishing any articles of wearing apparel for such person or for family use, and shall not prevent such employment by women's exchanges or philanthropic associations not organized for pecuniary profit.
- Exemptions.** SEC. 2. Section thirty-two of this act to which this act is an amendment [sec. 47, p. 3030, Comp. Stat.] is hereby amended so as to read as follows:
- Violations.** SEC. 32. Any person, firm or corporation being the owner, lessee or occupant of the place, or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions therein, be liable to a penalty of \$50 for the first offense and \$100 for each succeeding offense.
- Approved March 27, 1917.

CHAPTER 185.—*Inspection, etc., of steam boilers—Board of boiler rules.*

- Board created.** SECTION 1. The governor shall appoint two citizens of this State, who, together with the commissioner of labor and the members of the steam engine and boiler operator's license bureau, shall act as members of a board of boiler rules. This board shall meet at the call of the commissioner of labor, who shall be the chairman of the board, and shall formulate rules and regulations for the safe and proper construction and installation of steam boilers. No steam boiler shall be installed or used in this State unless it conforms to the rules and regulations adopted pursuant to this act.
- Duties.**
- Violations.** SEC. 2. Any person violating any of the provisions of this act or violating any of the rules or regulations or requirements of the board of boiler rules shall be subject to a penalty of \$50 for the first offense and \$100 for the second and each subsequent offense. Any penalty incurred under this act shall be sued for and recovered by and in the name of the commissioner of labor in accordance with the procedure provided for by an act \* \* \* [chap-

ter 64] approved March twenty-fourth, nineteen hundred and four. [Comp. Stat., pp. 3023-3035.]

Approved March 27, 1917.

CHAPTER 229.—*Factory, etc., regulations.*

SECTION 1. The commissioner of labor may, when he deems it necessary, require that all rooms or apartments used for the purpose of manufacturing, altering, repairing or finishing therein any articles as mentioned in section thirty-one of the act of which this act is a supplement [sec. 46, p. 3030, Comp. Stat.] shall be separate from and have no door, window or other opening into any living or sleeping room or any tenement or dwelling, and that no other rooms or apartments shall be used at any time for sleeping purposes and shall contain no bed, bedding or cooking utensils. He may further require or direct a separate outside entrance to the rooms or apartments where the work is carried on, and if such work is carried on above the first floor, then there may be directed a separate and distinct stairway leading thereto, and every such room or apartment shall be well and sufficiently lighted, heated and ventilated by ordinary, or, if necessary, by mechanical appliances. He may also require suitable closet arrangement and separate toilets when and as he deems it necessary.

Work rooms to be separate, when.

SEC. 2. Any person, firm or corporation, by themselves or by their agents or managers, contracting for the manufacturing, altering, repairing or finishing of any articles whatsoever, as mentioned in section thirty-one of the act of which this is a supplement, or giving out material for which they or any part of them are to be manufactured, altered, repaired or finished, shall keep a register of the names and addresses plainly written in English of the persons to whom such article or articles are given to be so manufactured, altered, repaired or finished, or with whom they have contracted to do the same. Such register shall be subject to inspection on demand by the commissioner of labor or factory inspectors, and a copy thereof shall be furnished at his or their request.

Registers.

SEC. 3. No articles of food, no dolls, doll's clothing and no article of children's or infants' wearing apparel shall be manufactured, altered, repaired or finished in whole or in part for a factory, either directly or through the instrumentality of one or more contractors or third persons in a tenement house, in any portion of an apartment, any part of which is used for living purposes.

Articles not to be manufactured, etc.

SEC. 4. Any person, firm or corporation, being the owner, lessee or occupant of the place or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions herein, be liable to a penalty of \$50 for the first offense and \$100 for each succeeding offense.

Violations.

Approved March 29, 1917.

CHAPTER 243.—*Manufacture, etc., of explosives.*

[The provisions of this act are directed mainly to securing the safety of the public. Its enforcement is intrusted to the commissioner of labor, who issues licenses, makes inspections, etc. Certain portions of the act affecting employment conditions are here reproduced.]

Enforcement.

SEC. 11. The commissioner of labor shall make, or cause to be made, at least one inspection during every year of each licensed factory or magazine. The commissioner of labor shall appoint one or more inspectors who shall be subject to the direction and control of such commissioner of labor to carry out the provisions of this act, and such other duties as may be assigned to them by such commissioner of labor. \* \* \*

Inspection.

SEC. 12. No person, except an official as authorized herein or a person authorized to do so by the owner thereof, or his agent, shall enter any factory, building, magazine or car containing explosives in this State.

Who may enter.



spigots, conveying hot and cold water. Where basins are provided, there shall be at least one basin for every five employees; and where troughs are provided, at least 2 feet of trough length for every five employees. The department will accept as a substitute for the hot and cold water spigots to every 2 feet of trough length a perforated pipe, conveying tempered water, installed above the middle of the trough at a height above the edge of the trough of from 18 to 24 inches. Stoppers shall be pulled so that all washing is done in running water.

In plants where the workers are exposed to dust, dirt, the handling of poisonous materials, excessive physical exertion, heat or humidity, the department requires the additional provision of shower baths in the proportion of 1 to every 15 employees so exposed.

**Showers.**

Each worker shall be provided with a clean place in which to change from street clothes to working clothing. A pipe rail equipped with clothes hangers, and fastened high enough from the floor so as to prevent the clothes from dragging, will be accepted by the department; excepting when the workers are:

**Dressing rooms.**

- a. Engaged in handling poisonous materials,
- b. Exposed to injurious dust or fumes,
- c. Excessive heat, humidity, or fatigue from physical exertion.

In such cases clean, lighted, ventilated and when necessary heated dressing rooms shall be provided, separate from the workroom, but connected therewith. When poisonous materials are handled which expose the person of the worker to contamination, lockers shall be provided (divided by perpendicular partitions) of a double type having the following dimensions: 60 inches high by 24 inches wide by 12 inches deep.

Workers exposed to heat, humidity and excessive physical exertion shall be provided with single type lockers having the following dimensions: 60 inches high by 12 inches wide by 15 inches deep.

Clothes baskets that can be drawn by means of a rope to the ceiling of the workroom may be used in lieu of lockers when room is free from dust or smoke.

The department advises, in the absence of mechanical ventilation, that lockers be provided with perforated metal tops and bottoms, and fluted or perforated metal doors.

**Ventilation.**

Lunch rooms: Workers exposed to dangerous dusts or fumes should be provided with a lunch room or rooms separate for the sexes, and apart from the workrooms so contaminated.

**Lunch rooms.**

Toilet facilities: These shall consist of 1 siphon-action toilet bowl for each 20 persons or fraction thereof. Toilets shall be frequently cleaned, well lighted, comfortably heated, and adequately ventilated to the outer air by a window or windows (except in cases where mechanical ventilation is permitted), and in addition, toilets shall be separate for the sexes, and provided with vestibule entrances. Urinals, when deemed necessary, shall be provided on a basis of 1 urinal for each 50 persons using same. Urinals shall be properly flushed and so installed as to prevent noxious odors from arising.

**Toilets.**

The plumbing used for washing and toilet installations shall be made in conformity with the local requirements of the city wherein the plant is located.

Where no regulations are operative, the department will furnish the code required upon request.

Drinking water should be furnished by means of sanitary bubbling drinking fountains, provided with pipe coils so arranged they can be ice cooled during the summer months. The fountains should be of a type that prevents contamination from use.

**Drinking water.**

In addition to the foregoing, issued by the bureau of hygiene and sanitation of the department, standard specifications were issued for the construction and installation of exhaust systems for the removal of industrial dust, noxious fumes, excessive heat,

**Specifications.**

Classes of establishments. and humidity, giving the kind of material, gauges of material, methods of riveting, soldering, and lapping, prescribing the use of elbows and collars, and other details of construction. Separate lists of standard regulations were also established for removing dust generated by buffing, polishing, and grinding metal; from woodworking machinery; in shoe manufacturing; in the pearl-goods industry; in the manufacture of leather goods; in flint grinding; in the manufacture of pottery; and in the manufacture of celluloid goods. Other regulations relate to printing establishments, the ventilation of laundries, the felt-hatting industry, fur dressing, the manufacture of leather and metal dipping in alkali and acid solutions. These consist in part of tables standardizing the sizes of pipes, etc., for the specific kinds of establishments and their construction, and in part of requirements to be observed by employees under the conditions existing in the specified industries. Besides emphasizing the necessity for ventilation, the wearing of protective clothing, cleanliness of person, the supply of water for drinking and for toilet purposes, and avoidance of eating food or putting any object in the mouth without precautions as to cleanliness are particularly noticed. On account of the detail and the limited scope of the separate orders, the text of these regulations is not reproduced.]

*Safety standards for lead corrodors, lead oxidizers, paint grinders, etc.*

Orders. [Chapter 162 of the Session Laws of 1914 enacts in some detail a statute governing the inspection and regulation of factories engaged in the manufacture of white lead and similar products. The bureau of hygiene and sanitation has issued orders extending the requirements as to safety to be observed, prescribing necessary sanitary provisions binding upon employers and employees, setting forth the requirements both of a general nature and those that are applicable to particular processes and the different branches of the industry. Lists of regulations to be posted in the different establishments, and forms of blanks for reports are prescribed.]

Nitro and amido compounds. Similar to the foregoing in purpose, and issued under the same general authority, are standards of safety to be observed in the manufacture of nitro and amido compounds. Eight forms of these compounds are designated as injurious. The regulations refer to the ventilation of buildings, the construction of operating platforms, the character and care of floors and walls, the storage and handling of materials, the use of work clothing and the furnishing of washing and dressing rooms, precautions as to eating, drinking, using intoxicants and tobacco, the supply of drinking water, the method of carrying on repairs, modes of resuscitation, provisions for first aid, physical examination of employees, etc.]

*Rules and requirements for the installation and maintenance of electrically controlled engine stops and speed limit governors for engines used for the purpose of furnishing power in manufacturing establishments.*

Scope. [These rules were issued by the bureau of electrical equipment of the Department of Labor, and bear date of June 1, 1916. They prescribe in detail the construction and installation of electrically controlled equipment of the nature indicated, but are offered only as "a partial outline of requirements." Samples of appliances must be submitted to the bureau for examination and report before being introduced for use.]

*Code of lighting for factories, mills, and other work places.*

RULE 1. Working or traversed spaces in buildings or grounds shall be supplied during the time of use with artificial light, in accordance with the following rules, whenever natural light falls below the intensities specified in rule 2. Artificial lighting.

RULE 2. The desirable illumination intensity to be provided and the minimum intensity which shall be maintained are shown in the following table: Standards.

	At the work.		
	Minimum foot-candles.	Ordinary acceptable practice.	
A. Roadways and yard thoroughfares.....	0.05	0.05	0.25
B. Stairways, passageways, aisles, storage spaces.....	.25	.25	.50
C. Rough manufacturing operations, such as foundry work, rough machining, rough assembling, rough bench work.....	1.25	1.25	2.50
D. Fine manufacturing operations, such as fine lathe work, pattern and tool making, light-colored textiles, tobacco manufacture.....	3.50	3.50	6.00
E. Special cases of fine work, such as watchmaking, engraving, drafting, dark-colored textiles.....	5.00	10.00	15.00

RULE 3. Glare, either from lamps or from unduly bright reflecting surfaces, produces eyestrain and increases accident hazard. Exposed bare lamps shall not be used except when they are out of the ordinary line of vision. Lamps should be suitably shaded to minimize glare. Glare.

RULE 4. Lamps shall be so arranged as to secure a good distribution of light on the work, avoiding objectionable shadows and sharp contrasts of intensity. Distribution.

RULE 5. Emergency lights shall be provided in all work space aisles, stairways, passageways and exits; such lights shall be so arranged as to insure their reliable operation when, through accident or other cause, the regular lighting is extinguished. Emergency lights.

RULE 6. Switching or controlling apparatus shall be so placed that at least pilot or night lights may be turned on at the main point of entrance. Lights at entrance.

*Fire-alarm signal systems.*

[These rules, like those relating to electrically controlled engine stops, etc., are issued by the bureau of electrical equipment, the rules relating to design and construction of appliances, being but a partial outline of the actual requirements. The rules are applicable to factory buildings, which are classified according to their construction, floor area, and presence or absence of a sprinkler system. General and special provisions are made relating to fire-alarm boxes, signal devices, sources of energy, etc. The similarity of rules of this class, and their technical nature, make it inadvisable to reproduce them in detail.] Scope.



## NEW MEXICO.

### ACTS OF 1917.

#### CHAPTER 16.—*Payment of wages—Semimonthly pay day.*

SECTION 1. All railway, mining and manufacturing corporations operating in this State shall designate regular days, not more than sixteen days apart, as days fixed for the payment of wages to all employees thereof, paid in this State, and shall post and maintain notices, printed or typewritten, in plain type in at least two conspicuous places where said notices can be seen by said employees as they go to and from their work, setting forth said days as "pay days." And every such corporation shall pay on each of said days to its employees in lawful money of the United States, or in negotiable bank check, payable on demand, of the date of said day, all wages due said employees up to such pay day, except it may withhold wages for not more than sixteen days' labor due any employee remaining in the service of such corporation.

Scope of law.

Payment in cash.

SEC. 2. Every such corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500 for each offense.

Violations.

Approved March 5, 1917.

#### CHAPTER 18.—*Exemption of wages from garnishment.*

SECTION 1. No person shall be charged as garnishee, in any courts in this State, on account of current wages or salary due from him to a defendant in his employ, for more than twenty per cent of any wages or salary due such defendant for the last thirty days' service unless the wages or salary due said defendant exceed \$75 per month. If such wages or salary exceed \$75 per month, garnishment may be had for the full amount of the excess above \$75: *Provided*, That no exemption whatever shall be claimed where the debt was incurred for the necessities of life and the defendant is not the head of a family residing in this State. No public officer shall be summoned as a garnishee in his official capacity, excepting in all cases where the plaintiff has a judgment against the defendant in some court of this State. In all cases where the plaintiff has a judgment in some court of the State against any public official or any employee of the State of New Mexico, any county, city, town, village, municipality or school district thereof, the salaries of any such public officials and the salaries or wages of any such person so employed by the said State of New Mexico, or any such county, city, village, town, municipality or school district thereof, shall be subject to garnishment: *Provided*, Nothing in this act shall be construed to impair the rights of such public officials or such employee of said State, county, city, town, village, municipality or school district, to claim exemption of wages or salaries as provided herein. In all cases where the plaintiff has a judgment in some court of the State against the defendant, any public officer may be summoned as garnishee and the return of such public officer shall be by a statement over his official signature of the amount due the defendant, which said statement shall be filed by such public officer without costs in the action.

Amount subject to garnishment.

Proviso.

Public employees.

Approved March 5, 1917.

## EXTRAORDINARY SESSION,

CHAPTER 5.—*Public defense—Increase of production.*

Appropriation.

Production to be increased.

SECTION 1. There is hereby appropriated the sum of \$750,000, or so much thereof as may be required to be expended and disbursed by and under the direction of the governor, as provided in this act, in such manner and for such purposes, and through such agencies, and under such regulations as the governor may deem necessary or proper to provide for the increase of domestic production of articles and materials essential to the support of armies and of the people, during the interruption of foreign commerce, and to provide for the public defense.

Approved May 8, 1917.

NEW YORK.

ACTS OF 1917.

CHAPTER 370.—*Railroads—Equipment of locomotives.*

SECTION 1. Section seventy-seven of \* \* \* chapter forty-nine of the Consolidated Laws is hereby amended to read as follows:

Sec. 77. It shall be unlawful for any railroad company to use within the State on its line or lines any locomotive engine not equipped with a power driving wheel brake and appliances for operating the train brake system, or to use any locomotive engine operated by steam not equipped with a mechanically operated door to the fire box of such locomotive engine. Such mechanically operated door shall be so constructed and operated by steam, compressed air, electricity or other means as deemed best and most efficient by the officers of such railroad. The device for operating such door shall be so constructed that it may be operated by the fireman on said engine by means of a push button or other appliance located in the floor of the deck or floor of the tender at a suitable distance from such door to enable the fireman while firing such engine, by pressure with his foot to open such door for the firing of such engine: *Provided, however,* That such mechanically operated doors shall not be required on locomotives equipped with mechanical stokers: *And provided further,* That nothing in this section shall be construed to inhibit the passage of a locomotive engine not so equipped with such mechanically operated door, moving under its own steam either with or without a train, when such movement is from a point without this State through and to a point beyond its borders, or from a point without this State to a point within it, or from a point within this State to a point without it if such passage is for the purpose of moving it to or from a repair shop or shops for the purpose of repairing such locomotive engine, and when it is not intended for service within this State.

Equipment required.

SEC. 2. All new locomotive engines placed in service, after this act shall take effect, shall be equipped with such mechanically operated doors. As to all locomotive engines not actually in service, nor assigned to or held for such service, within this State, at the time of the passage of this act, it shall take effect on and after the first day of January, nineteen hundred and nineteen. As to any locomotive engine or engines in actual service, or assigned to and held for such service, within this State, when this act shall take effect, the same may be continued in service until it is necessary to withdraw it or them for repairs; and every locomotive engine so withdrawn from service for repairs shall be properly equipped with such mechanically operated fire box doors before it shall be returned to service.

Installation.

SEC. 3. This act shall take effect January first, nineteen hundred and nineteen.

Act in effect.

Became a law May 5, 1917.

CHAPTER 532.—*Factory, etc., regulations—Elevators.*

SECTION 1. Subdivision two of section seventy-nine of \* \* \* chapter thirty-one of the Consolidated Laws \* \* \* is hereby amended to read as follows:

2. All counterweights of every elevator shall be adequately protected by proper inclosures at the top and bottom of the run, except where, in the judgment of the commission, such inclosures are unnecessary. The car of every elevator used for carrying passengers or employees shall be substantially inclosed on all sides,

Guards.

Including the top, and shall be properly lighted during working hours or when in use. The top of every freight elevator car or platform shall be provided with a substantial grating or covering for the protection of the operator thereof, in accordance with such rules and regulations as may be adopted with reference thereto by the industrial commission.

Became a law May 17, 1917.

CHAPTER 535.—*Employment of women—Hours of labor.*

SECTION. 1. Section one hundred and sixty-one of \* \* \* chapter thirty-one of the Consolidated Laws \* \* \* is hereby amended by adding thereto, after subdivision two thereof, a new subdivision, to be subdivision three, and to read as follows:

Work in res-  
taurants. 3. In cities of the first and second class no female over the age of sixteen years shall be employed, permitted or suffered to work in or in connection with any restaurant more than six days or fifty-four hours in any one week, or more than nine hours in any one day or before six o'clock in the morning or after ten o'clock in the evening of any day. This subdivision shall, however, not apply to females employed in restaurants as singers and performers of any kind, or as attendants in ladies' cloak rooms and parlors, nor shall it apply to females employed in or in connection with the dining rooms and kitchens of hotels, or in or in connections with lunch rooms or restaurants conducted by employers solely for the benefit of their own employees.

SEC. 2. Present subdivision three of said section is hereby re-numbered subdivision four.

Became a law May 17, 1917.

CHAPTER 536.—*Employment of children—General provisions.*

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

List of names  
to be reported. SEC. 75. The board or department of health or health commissioner of a city, village or town, shall transmit, between the first and tenth day of each month, to the commissioner of labor, a list of the names of all children to whom certificates have been issued during the preceding month together with a duplicate of the record of every examination as to the physical fitness, including examinations resulting in rejection. Such list shall be accompanied by a statement in a form which shall be prepared and furnished by the commissioner of labor, certifying to the kinds of evidence of age, together with the number of each specified kind, accepted by the officer issuing employment certificates as proof of age for the granting of employment certificates. The board or department of health or health commissioner of a city, village or town shall likewise transmit weekly to the superintendent of schools of each such locality, a list of the names and home addresses of all children granted or refused employment certificates, together with a statement showing in each rejected case the reason for such refusal.

Forms. In cities of the first and second class all employment certificates and school records required under the provisions of this chapter shall be in such form as shall be approved by the commissioner of labor. In towns, villages or cities other than cities of the first or second class, the commissioner of labor shall prepare and furnish blank forms for such employment certificates and school records. No school record or employment certificate required by this article, other than those approved or furnished by the commissioner of labor as above provided, shall be used. The commissioner of labor shall inquire into the administration and enforcement of the provisions of this article by all public officers charged with the duty of issuing employment certificates, and for that purpose the commissioner of labor shall have access to all papers and records required to be kept by all such officers.

The commissioner of labor shall transmit to the local superintendent of schools between the first and tenth day of each month, on forms prepared and furnished by the State education department, a list of the names and home addresses of all children under sixteen years of age found during the preceding month, working illegally in factories or for any factory at any place or in any establishments specified in section one hundred and sixty-one of this chapter.

[Section 166 is identical with section 75, and is identically amended.]

Became a law May 17, 1917.

CHAPTER 563.—*Employment of children—School attendance.*

[This act amends subdivision 1 of section 621, chapter 16, of the Consolidated Laws, by requiring school attendance for 180 days per year, instead of 160 as formerly, in the case of children between 7 and 14 years of age. Time ex- tended.

Subdivision 1 of section 630 is also amended, so as to read as follows:]

1. A school record certificate shall contain a statement certifying that a child has regularly attended the public schools, or schools equivalent thereto, or parochial schools, for not less than one hundred and thirty days during the twelve months next preceding his fourteenth birthday or during the twelve months next preceding his application for such school record, and has completed the work in reading, writing, spelling, arithmetic, English language and geography, in English, prescribed for the first six years of the public elementary school or parochial school or school of equal rank maintaining an equivalent course of study in which the branches specified in subdivision one of section six hundred and twenty of this chapter are taught in English. Such record shall also give the date of birth and residence of the child, as shown on the school records, and the name of the child's parents, guardian or custodian. Such school record certificate shall be in the form prescribed or approved by the commissioner of education. School rec- ord certificates.

No school record certificate shall be issued to any child under fifteen years of age for the purpose of obtaining an employment certificate, unless such child at the age of fourteen is a graduate of a public elementary school or parochial school or a school of equal rank maintaining an equivalent course of study in which the branches specified in subdivision one of section six hundred and twenty of this chapter are taught in English; or holds a preacademic certificate issued by the regents, or a certificate of the completion of an elementary course issued by the State education department. Standard.

Became a law May 18, 1917.

CHAPTER 634.—*Factory, etc., regulations—Protection against fire.*

SECTION 1. Subdivision one of 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: Act amended.

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 board Signal sys- tems.

of standards and appeals in the city of New York, and elsewhere the industrial commission, may make rules and regulations prescribing the number, character and location of such signals, and the mode, manner, method and character of installation, including the character of all appliances in connection therewith. 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.

Became a law May 23, 1917.

CHAPTER 689.—*Employment of children—War emergency.*

Suspension  
of law.

SECTION 1. The provisions of article twenty-three of the education law, relative to the compulsory education of children, may, in the discretion of the commissioner of education, be suspended for the period between the first day of April and the first day of November of each year, or any portion thereof, during the time that this act shall remain in effect, for the purpose of aiding and performing labor in the cultivation, production and care of food products upon farms and gardens within the State. Such suspension shall be subject to such conditions, restrictions and limitations as may be imposed by the commissioner of education, and shall be subject to rules and regulations to be prescribed by him. In case of any such suspension provision shall be made for the welfare and protection of the children affected thereby, and during the period of such suspension and while engaged in such work they shall be under the supervision and direction of the school authorities of the city or district in which they reside.

Carrying out  
employment  
provisions.

SEC. 2. The board of education of a union free school district or the trustee of a common school district may appropriate and expend district funds for the purpose of carrying out the provisions of this act and of the rules and regulations of the commissioner of education, without the vote of a district meeting, and such amount may be raised by tax in the same manner as for other school expenditures. The board of education or other proper authorities of a city shall provide for the raising of money for the purpose of providing for the supervision, protection and welfare of the children of the city during the time that they are engaged in the work authorized by this act, and the amounts expended therefor shall be a charge against the city and shall be paid in the same manner as other charges against the city are paid.

Source of  
funds.

SEC. 3. The expenditures of the commissioner of education in carrying into effect the provisions of this act shall be paid out of the sums appropriated by the State for national or State defense, upon the certificate of the governor that in his opinion there is necessity for using a portion of the sums so appropriated for such purpose. The commissioner of education may apportion to the cities and school districts of the State, out of funds available therefor, a sum not exceeding twenty-five per centum of the amount expended by any of such cities or districts in providing for the supervision, protection and welfare of children who are engaged in the work authorized by this act. The board of education or trustees of a city or district may accept a gift, transfer, devise or bequest of property or money, to be used or applied for the purpose of carrying into effect the provisions of this act and of the rules and regulations of the commissioner of education in such city or district, and for the purpose of providing for the proper supervision, protection and welfare of the children of such city or district who may be engaged in such work.

Credits.

SEC. 4. A pupil in the public schools or in any State school or institution who is relieved from school work and is engaged satisfactorily in agricultural service during the present school year

shall be given credit for the work of the present term without examination, on the certificate of the person in charge of such school or institution that his work therein up to the time of engaging in such service is satisfactory. A pupil in any such school or institution who engages in such service during the present school year shall not incur any loss of standing or credit on account of such service. All pupils in public schools who are candidates for college entrance diplomas or other credentials to be issued to them at the close of the present school year shall be granted such diplomas or credentials on the certificate of the principal of the school that their work up to the time of engaging in such service is satisfactory. The regents of the university shall make rules for the purpose of giving credit to pupils in the public schools who have been in attendance at school during the present school year and who have left the schools for the purpose of rendering agricultural or industrial service.

Where the holders of university scholarships awarded as provided in sections seventy to seventy-seven, inclusive, of the education law as amended, shall be absent from the colleges or universities where they are in attendance, because of the performance of military service or of agricultural or industrial service, they shall be entitled to an extension of the period covered by such scholarships, upon presentation of evidence satisfactory to the commissioner of education, that they have been engaged in such service; but in no case shall the holder of such a scholarship be entitled to receive more than the sum of \$100 each year for a period of four years, to aid him in the completion of a college education.

Extension of scholarship periods.

SEC. 5. The commissioner of education shall cause appropriate certificates or badges to be prepared and issued to pupils in the schools of the State who shall perform satisfactory agricultural or industrial service under rules and regulations of the commissioner of education.

Badges.

SEC. 6. This act shall take effect immediately and shall continue in full force and effect until the end of the present war and for a period of two months thereafter.

Act in effect.

Became a law May 29, 1917.

CHAPTER 693.—*Factory, etc., regulations—Toilets.*

SECTION 1. Subdivision three of section eighty-eight-a of \* \* \* chapter thirty-one of the Consolidated Laws, as added by chapter three hundred and forty of the laws of nineteen hundred and thirteen, is hereby amended to read as follows:

Act amended.

3. The use of any form of trough water-closet, latrine or school sink, other than those types specified in the rules of the State industrial commission, within any factory is prohibited. All such trough water-closets, latrines or school sinks which do not conform to the specifications set forth in the rules of the State industrial commission shall, before the first of October, nineteen hundred and fourteen, be completely removed and the place where they were located properly disinfected under the direction of the department of labor. Such appliances shall be replaced by proper individual water-closets, or by trough water-closets conforming to the rules of the State industrial commission, placed in water-closet compartments, all of which shall be constructed and installed in accordance with the rules and regulations to be adopted by the State industrial commission.

Types not to be used.

Became a law May 31, 1917.

CHAPTER 694.—*Factory, etc., regulations—Definitions.*

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

Sec. 2. Whenever used in this chapter:

Definitions.

The term "employee" means a mechanic, workingman or laborer who works for another for hire.

The term "employer" means the person employing any such mechanic, workingman or laborer, whether the owner, proprietor, agent, superintendent, foreman or other subordinate.

The term "factory" includes any mill, workshop, or other manufacturing establishment and all buildings, sheds, structures or other places used for or in connection therewith, where one or more persons are employed at manufacturing, including making, altering, repairing, finishing, bottling, canning, cleaning or laundering any article or thing, in whole or in part, except dry dock plants engaged in making repairs to ships, and except power houses, generating plants, barns, storage houses, sheds and other structures owned or operated by a public service corporation, other than construction or repair shops, subject to the jurisdiction of the public service commission under the public service commissions law. The provisions of this chapter affecting structural changes and alterations, shall not apply to factories or to any buildings, sheds, structures or other places used for or in connection therewith where less than six persons are employed at manufacturing except as otherwise prescribed by the State industrial commission in its rules.

The term "factory building" means any building, shed or structure which, or any part of which, is occupied by or used for a factory, and in which at least one-tenth or more than twenty-five of all the persons employed in the building are engaged in work for a factory but shall not include a building used exclusively for dwelling purposes above the first story. The provisions of this chapter shall, so far as prescribed by the State industrial commission in its rules, also apply to any building, not a factory building within the meaning hereof, any part of which is occupied by or used for a factory.

The term "mercantile establishment" means any place where goods, wares or merchandise are offered for sale and shall include any building, shed or structure, or any part thereof, which is occupied in connection with such establishment. The provisions of this chapter affecting structural changes and alterations, shall not apply to mercantile establishments where less than six persons are employed except as otherwise prescribed by the State industrial commission in its rules.

The term "tenement house" means any house or building, or portion thereof, which is either rented, leased, let or hired out, to be occupied, or is occupied in whole or in part as the home or residence of three families or more living independently of each other and doing their cooking upon the premises, and includes apartment houses, flat houses and all other houses so occupied, and for the purposes of this chapter shall be construed to include any building on the same lot with any such tenement house and which is used for any of the purposes specified in section one hundred of this chapter.

The term "department" means the department of labor of the State of New York.

The term "commission" means the industrial commission of the State of New York.

The term "rule" means any rule or regulation made by the industrial commission and any amendment or repeal thereof.

Whenever, in this chapter, authority is conferred upon the State industrial commission, it shall also be deemed to include its deputies or a deputy acting under its direction. Whenever the enforcement of any of the provisions of this chapter is committed to any local officer or officers, by any law now in force or hereafter enacted, such local officer or officers with respect to the matters thus committed to them shall be deemed to have the powers and jurisdiction of the industrial commission of the State of New York to the extent specified in the law committing the enforcement of such provisions to each local officer or officers.

**Prohibited employment.**

2. Whenever the provisions of this chapter prohibit the employment of a person in certain work or under certain conditions, the employer shall not permit, suffer or allow such person to so work,

either with or without compensation, and in a prosecution or action therefor lack of consent on the part of the employer shall be no defense.

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

Work in factories.

Became a law May 31, 1917.

CHAPTER 721.—*Factory, etc., regulations—Exits.*

SECTION 1. Subdivision two of section seventy-nine-a 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:

2. The term floor area as used in this section means the entire space between fire walls, or between a fire wall and an exterior wall of a building, or between the exterior walls of the building where there is no intervening fire wall. From every floor area there shall be not less than two means of exit remote from each other, one of which on every floor above the ground floor shall be an interior inclosed fireproof stairway or an exterior inclosed fireproof stairway, and the other shall be such a stairway or a horizontal exit. No point in any floor area in an unsprinklered building shall be more than one hundred feet distant from the entrance to one such means of exit, and in a sprinklered building shall be more than one hundred and fifty feet distant from the entrance to one such means of exit. Whenever any floor area exceeds five thousand square feet there shall be provided at least one additional means of exit as hereinbefore described for each five thousand square feet in excess of five thousand square feet, except where the industrial commission shall otherwise prescribe. In every building over one hundred feet in height there shall be at least one exterior inclosed fireproof stairway which shall be accessible from any point in the building.

Floor area.

Exits.

Became a law June 4, 1917.

CHAPTER 749.—*Public employment offices—Juvenile departments.*

SECTION 1. Sections sixty-six-i and sixty-six-j of chapter thirty-one of the Consolidated Laws, as added by chapter one hundred and eighty-one of the laws of nineteen hundred and fourteen, are hereby amended to read, respectively, as follows:

Sec. 66-i. The State industrial commission may organize in any branch office separate departments with separate entrances for men and women and shall organize in each branch, located in cities of the first and second class, a separate juvenile placement department. These departments for men and women may be subdivided into a division for farm labor and such other divisions for other classes of work as in its judgment may be required.

Separate departments.

Sec. 66-j. Juvenile placement departments shall be established in connection with the branch office of the bureau of employment. The purposes and function of such juvenile placement departments shall be to provide information concerning vocational and trade training, the conditions and processes in industry, to give advice tending to help keep juveniles in school, and assist in such other ways as will contribute to the welfare of juveniles. When juveniles, after leaving school, are seeking positions, the juvenile placement department shall use its efforts to procure the best opportunity for such applicants in accordance with the State law regulating work certificates and age limits. The State industrial commission shall appoint an advisory committee composed of representatives of employers, employees, the board of education, and such other persons as are interested in juvenile place-

Children.

ment work, for the purpose of advising and assisting in the work of each such department. The supervisor and all other employees in this department shall be selected from special civil-service lists. Became a law June 5, 1917.

#### RULES OF INDUSTRIAL COMMISSION—1915.

##### *Elevators.*

**Amendments.** [The 1917 edition of these rules contains a number of changes, especially in rules 402 to 405, relating to hoistway inclosures, and rules 406 to 411, relating to hoistway gates and doors. The principal change as to inclosures requires hoistways used for passenger and employees' elevators to be inclosed from floor to ceiling on all sides other than those in which door openings exist, the rule being made applicable to existing hoistways. The provisions as to gates and doors are directed to the greater security of locking and interlocking devices, and the avoidance of the possibility of cars leaving the landing while the gates or doors are open.]

##### *Inspection of steam boilers.*

**Summary.** [These rules are supplemental to the labor law, sections 91 to 124. They relate to the inspection and maintenance of boilers, with detailed provisions also as to construction and installation. The general requirement of external inspection at least once in six months and internal inspection once a year are first laid down, inspection by an insurance company being accepted on prescribed conditions. Provisions as to certificates of competency for inspectors are presented, and general safety regulations, including tables of maximum pressures, valve loadings, etc., are given. The regulations are omitted as being too technical to be of general interest.]

NORTH CAROLINA.

CONSTITUTION.

ARTICLE II.

SECTION 29.—Special acts regulating labor, etc.

The general assembly shall not pass any local, private or special act or resolution \* \* \* regulating labor, trade, mining, or manufacturing; \* \* \* Laws forbid- den.

Amendment adopted November 7, 1916.

ACTS OF 1917.

CHAPTER 170.—Unemployment—Boards of charities and public welfare.

SECTION 1. Chapter eighty-five of the revisal of nineteen hundred and five is hereby repealed and the following enacted in lieu thereof. \* \* \* Act amended.

Sec. 3913. There shall be elected by the general assembly, upon the recommendation of the governor, seven persons who shall be styled "The State board of charities and public welfare," and at least one of such persons shall be a woman, which persons shall serve without pay: Provided, however, That they shall receive their necessary expenses. \* \* \* Board to be appointed.

Sec. 3914. The board shall hold meetings at least quarterly and whenever called in session by the chairman, and shall make such rules and orders for the regulation of its own proceedings as it deems proper. It shall have the following powers and duties, to wit: Duties.

\* \* \* (b) To study the subjects of nonemployment, poverty, vagrancy, housing conditions, \* \* \* and the prevention of any hurtful social condition.

\* \* \* (i) To encourage employment by counties of a county superintendent of public welfare and to cooperate with the county superintendent of public welfare in every way possible.

\* \* \* Sec. 3915. The county commissioners of any counties of the State shall have the right and power to create the county board of charities and public welfare and to employ a county superintendent of public welfare; \* \* \* the powers and duties of the county superintendent of public welfare shall be as follows: C o u n t y boards.

\* \* \* (i) To assist the State board in finding employment for the unemployed.

Ratified the 6th day of March, 1917.

CHAPTER 208.—Employment of children—School attendance.

[This act amends chapter 173, Acts of 1913, by making the upper limit of the age of compulsory school attendance 14 years instead of 12.] A g e a d . vaccd.



## NORTH DAKOTA.

### ACTS OF 1917.

#### CHAPTER 68.—*Employees in butcher shops—Health certificates.*

SECTION 1. Every person who handles meats in a butcher shop or meat market where meats are sold to the public, shall file with the executive officer of the board of health a certificate from a physician licensed to practice medicine in this State, to the effect that he has examined such person and found him to be free from any infection, contagious or loathsome disease. Every such person must be examined at least once in each year. Certificate required.

Approved March 10, 1917.

#### CHAPTER 152.—*Payment of wages by contractors.*

SECTION 1. Any contractor or subcontractor on any improvement to real estate within the meaning of section sixty-eight hundred and fourteen of the Compiled Laws of nineteen hundred and thirteen, with intent to defraud, shall use the proceeds of any payment to him on account of such improvement by the owner of such real estate, or person having any improvement made, for any other purpose than the payment of labor performed upon, or materials, machinery or fixtures furnished for such improvement, while any such labor performed, or materials, machinery or fixtures furnished for such improvement at the time of such payment, remains unpaid for, shall be guilty of larceny of the proceeds of such payment so used. Appropriating payments on contracts.

SEC. 2. When payment so used in violation of the preceding section is of an amount exceeding \$20, such person shall upon conviction be punished as provided by law for the crime of grand larceny, and when the amount of such payment so used in violation of the preceding section is of an amount to \$20 or less, such person shall upon conviction be punished for petit larceny. Penalty.

Approved March 10, 1917.

#### CHAPTER 179.—*Actions for personal injuries—Contracts—Settlements.*

SECTION 1. Every settlement or adjustment of any cause of action and every contract of retainer or employment to prosecute an action for damages on account of any personal injuries received, whether death ensue or not to the person injured, shall be voidable if made while the person so injured is under disability from the effect of the injury so received, or if made within thirty days after the date of such injury. What settlements, etc., voidable.

SEC. 2. The person so injured, or in case of his death, his personal representative, may elect, at any time within six months after the date of such injury to avoid such settlement, adjustment or contract by a notice in writing to that effect or by bringing an action to recover damages therefor. Whenever such action shall be so commenced within the period of time so limited, the amount received by the person so injured or his representative in case of his decease, in any settlement or adjustment so made, shall not be a bar to the prosecution of such action, but may be set up as an offset or counter claim to the amount of damages recoverable, if any. Limitation.  
Payment on offset.

Approved March 1, 1917.

CHAPTER 181.—*Employment of women and children—Public welfare commission.*

- Commission created. SECTION 1. There is hereby created a commission which shall be composed of the commissioner of agriculture and labor, the attorney general and a woman to be appointed by the governor. Such woman shall have had, if possible, experience as a welfare worker among women and girls and shall be at least thirty years of age. The woman so appointed shall be the executive officer and secretary of the commission and shall receive as compensation for her services the sum of \$1,200 per annum together with actual and necessary expenses while engaged in the work of the commission. The other members of the commission shall receive their actual and necessary expenses while engaged in performing the duties imposed by this act outside the city of Bismarck.
- Duty. SEC. 2. It shall be the duty of the Public Welfare Commission to investigate or cause to be investigated, the economic, moral and social conditions of women, girls and child workers in factories, hotels, restaurants, stores, laundries, and other industrial establishments. The executive officer and secretary of the commission shall have the same police powers as are conferred by law upon officers of the State Humane Society.
- Hotel inspector. SEC. 3. It shall be the duty of the State hotel inspector when so directed by the Public Welfare Commission to investigate the wages, hours of labor, opportunity for recreation and other social, economic and moral conditions of women and girls employed in hotels and restaurants inspected by him.
- Report. SEC. 4. It shall be the duty of the Public Welfare Commission to make a report to the governor and the next legislative assembly concerning the social, economic and moral conditions of female and child workers mentioned in section two of this act, and recommend legislation for the improvement of said conditions. Such report shall also show the average wages received by female and child workers in the places mentioned in section two of this act.
- Appropriation. SEC. 5. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of \$4,000 or so much thereof as may be necessary to carry out the provisions of this act.
- Approved March 15, 1917.

CHAPTER 189.—*Payment of wages—Semimonthly pay day on railroads.*

- Pay days established. SECTION 1. All railroad corporations doing business within this State are required to pay their employees at least semimonthly, the wages earned by them to within fifteen days of the date of such payment, unless prevented by inevitable casualty; *Provided, however,* That whenever an employee shall be discharged, his wages shall be paid to him at the time of his discharge or whenever he shall demand the same thereafter.
- Failure to pay. SEC. 2. Whenever any railroad corporation shall for seven days neglect or refuse to pay its employees as prescribed by section one of this act, the wages due them may be recovered by action without further demand, and there shall be allowed to the plaintiff and included in his judgment, in addition to his costs and disbursements allowed by law §5 if the judgment be recovered in a justice court, and a like sum if the judgment be recovered in a municipal court where no statutory costs are now allowed in such municipal court in such action, and double costs in all other courts on appeal.
- Approved March 8, 1917.

CHAPTER 206.—*Employment of children—School attendance.*

[This act amends chapter 141, Acts of 1915, subdivision 3 (sub-  
 division 2 of section 232, ch. 266, Acts of 1911), so as to exempt a **Dependent**  
 child from compulsory school attendance on the ground "That **family.**  
 such child is actually necessary to the support of the family as  
 determined by the State's attorney, subject to appeal."]

CHAPTER 222.—*Sunday labor.*

SECTION 1. Section ninety-two hundred and thirty-six of the **Act amended.**  
 Compiled Laws of the State of North Dakota for the year nineteen  
 hundred and thirteen is hereby amended and reenacted to read  
 as follows:

Sec. 9236. All manner of servile labor on the first day of the **Labor for-**  
 week is prohibited, excepting works of necessity and charity, **bidden.**  
 provided, however, that the operation of steam railroads, street **Exceptions.**  
 railways, telegraph and telephone systems, electric light, gas,  
 heat and power systems, livery and feed barns, hacks, taxicabs  
 and busses, automobile garages and supply stations, bakeries,  
 bootblack stands, pop-corn stands and newspaper plants shall be  
 deemed and are construed to be works of necessity.

Sec. 2. Section ninety-two hundred and forty of the Compiled  
 Laws of the State of North Dakota for the year nineteen hundred  
 and thirteen, is hereby amended and reenacted to read as follows:

Sec. 9240. All manner of public selling or offering or exposing **Sale of arti-**  
 for sale publicly, of any commodity upon the first day of the week **cies.**  
 is prohibited; excepting that meats and fish may be sold at any  
 time before ten o'clock ante meridian, and excepting that foods  
 may be sold to be eaten upon the premises where sold, and drugs,  
 medicines, surgical appliances, milk, ice cream and soda-fountain  
 dispensations, fruits, candy and confectionery, tobacco, and cigars,  
 newspapers and magazines may be sold at any time of the day,  
 provided that none of said articles or commodities shall be sold  
 in any billiard hall, pool hall, bowling alley, temperance saloon  
 or any other place where gaming of any kind is conducted unless  
 said gaming is discontinued from twelve o'clock midnight on  
 Saturday night until six antemeridan on Monday.

Sec. 3. Section ninety-two hundred and forty-two of the Compiled  
 Laws of the State of North Dakota for the year nineteen  
 hundred and thirteen is hereby amended and reenacted to read  
 as follows:

Sec. 9242. Every person guilty of Sabbath breaking is punish- **Violations.**  
 able by a fine of not less than \$1, nor more than \$50, or less than  
 one day in the county jail, nor more than twenty days in the  
 county jail, or both such fine or imprisonment at the discretion  
 of the court.

Approved February 17, 1917.



OHIO.

ACTS OF 1917.

*Employment of women.*

[Page 149.]

[This act amends sec. 1008, General Code, by limiting the hours of labor of females employed in the establishments designated to 9 per day instead of 10, except that on Saturday they may be employed 10 hours in mercantile establishments. The maximum for the week is 50 hours instead of 54, and work may be done on but 6 days. Canneries continue to be excepted, but only during the canning season.]

Hours per day and week.

*Mine regulations.*

[Page 150.]

[This act amends secs. 929 and 950 of the General Code. The only change made in sec. 929 is to substitute 50 feet for 100 feet in describing the mine shafts to which the law is applicable. The amendment to sec. 950 consists in striking out the last sentence, which permitted the owner, etc., of a mine to appeal to the courts against an order of the district inspector and chief inspector to provide an additional shaft where the hazards of the situation appear to warrant it.]

Depths of shafts.

Appeals.

*Industrial commission.*

[Page 157.]

SECTION 1. Sections 871-5, 871-9 \* \* \* of the General Code [shall] be amended to read as follows:

Organization.

Sec. 871-5. The industrial commission of Ohio shall choose one of its members as chairman. A majority of such commission shall constitute a quorum to transact business. No vacancy shall impair the rights of the remaining commissioners to exercise all the powers of said commission, so long as a majority remains; any investigation, inquiry or hearing which said commission is authorized to hold, or undertake, may be held or undertaken by or before any one member of said commission, or by or before one of its deputies, and every order made by a member thereof, or by one of its duly authorized deputies, when approved and confirmed by a majority of the members, and so shown on its record of proceedings, shall be deemed to be the order of said commission.

Sessions and records.

Sec. 871-9. The industrial commission of Ohio shall be in continuous session and open for the transaction of business during all business hours of each and every day, excepting Sundays and legal holidays. The sessions of said commission shall be open to the public and shall stand and be adjourned without further notice thereof on its record. All of the proceedings of said commission shall be shown on its record, which shall be a public record, and all voting shall be had by calling each member's name by the secretary, and each member's vote shall be recorded on the record of proceedings as cast. \* \* \* Said commission

Approved March 29, 1917.

*Protection of employes as members of the National Guard.*

[Page 382.]

**Discrimination forbidden.** SECTION 1. Sections \* \* \* [5265] of the General Code \* \* \* [shall] read as follows:

Sec. 5265. No person shall discriminate against any officer or enlisted man of the Ohio National Guard because of his membership therein. \* \* \* No employer, or agent of any corporation, company, or firm shall discharge any person from employment because of being an officer or enlisted man of the Ohio National Guard, or prevent him from performing any military service he may be called upon to perform by proper authority. Any person violating any of the provisions of this act shall be deemed guilty of misdemeanor, and upon conviction may be fined not exceeding \$200 or imprisoned not exceeding six months, or both, at the discretion of the court.

Approved March 30, 1917.

*Commission on health and old-age insurance.*

[Page 520.]

**Commission created.** SECTION 1. The governor is hereby authorized and directed to appoint within thirty days after this bill becomes a law a commission of seven members to conduct a study of the subject of health insurance and sickness prevention and also of the subject of old-age insurance and of the application of health insurance and old-age insurance to Ohio conditions.

**Duties as to sickness.** SEC. 2. It shall be the duty of such commission to make an inquiry into the subject of sickness, and the causes thereof; the loss to individuals and to the public thereby; the adequacy of the present methods of treatment and care of such sickness and of meeting the losses caused by such sickness by existing insurance companies or associations, or otherwise; and the influence of working and living conditions upon the health of employed and unemployed persons and methods for the prevention of such sickness, and other related subjects.

**Old age.** SEC. 3. It shall also be the duty of such commission to make an inquiry into the subject of old age in its relation to industry and to the public interest and of the adequacy of existing methods of caring for aged workers.

**Organization.** SEC. 4. The commission herein authorized to be appointed shall, within thirty days after its appointment, meet in Columbus and organize by the election of a chairman and it shall submit to the eighty-third general assembly a full report of its work and findings on the subject of health insurance and sickness prevention and also a full report of its work and findings on the subject of old-age insurance. Such commission, however, may issue partial reports on these subjects during the progress of its work.

**Report.** SEC. 5. The members of such commission shall serve without compensation except that each shall be entitled to his actual and necessary expenses incurred in the performance of his duties under the provisions of this act including his necessary traveling expenses incurred in attending meetings or in performing other duties incidental to the work of the commission.

**Expenses.** SEC. 6. Such commission shall have the power to employ and fix the compensation of a secretary and such investigators and other employees as may be necessary to carry out the purposes of this act. Such commission shall have the power to provide necessary office furniture, supplies, stationery, printed forms, books, periodicals, maps, and other furnishings and equipment necessary to the performance of their duties.

**Powers.** SEC. 7. The secretary, investigators, and other employees of such commission, in addition to the compensation herein provided for, shall be paid their necessary traveling expenses and other expenses necessarily incurred in the performance of their duties.

**Travel expenses.**

SEC. 8. The expenses incurred by such commission and the compensation and expenses of its secretary, investigators, and other employees for the purposes specified herein, shall be paid from the State treasury upon the warrant of the auditor of State when the vouchers therefor have been duly signed by the chairman of such commission.

Payment.

SEC. 9. Such commission and any sub-committee or member of such commission delegated to conduct hearings shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses within the county of their residence. In case of disobedience on the part of any person to comply with any proper order of the commission or any subpoena issued in behalf of such commission, or on the refusal of any witness to testify concerning any matters regarding which he may be lawfully interrogated, the presiding officer shall make complaint thereof, in writing, to the probate judge of the county in which such witness resides, who shall issue a subpoena for the appearance of such person forthwith before him to give testimony. If any person so summoned fails to appear, or appearing, refuses to testify, he shall be subject to like proceedings and penalties for contempt as witnesses in actions pending in the probate court.

Administering oaths, etc.

SEC. 10. Such commission shall have free access to all public records necessary for the carrying out of the duties herein prescribed, and suitable rooms shall be furnished to such commission either in the State House or in some other building.

Use of records, etc.

SEC. 11. There is hereby appropriated, out of any moneys in the State treasury to the credit of the general revenue fund, not otherwise appropriated, not to exceed the sum of \$25,000 to carry out the purposes of this act.

Appropriation.

Approved March 30, 1917.

*Railroads—Automatic doors on locomotives.*

[Page 560.]

SECTION 1. (8951-1.) All steam railroad companies, operating steam locomotives on its railroads in, or through this State, shall provide and equip each and every such locomotive engine so operated over its said road, or roads, in this State, with an automatic or foot-power door to the fire box of such locomotive engines. Such automatic or foot-power doors shall be so constructed and operated by steam, compressed air, electricity, or foot power, as deemed best and most efficient. The device for operating such door shall be so constructed that it may be operated by the fireman on said engine by means of a push button, pedal, or other appliance located in, on, or near the floor of the engine deck or floor of the tender at a suitable distance from such door to enable the fireman, while firing such engine, by pressure with his foot, to open such door for the firing of such engine.

Doors to be installed.

SEC. 2. (8951-2.) Any person, or steam railroad company, violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100, nor more than \$500 for each offense.

Violations.

SEC. 3. (8951-3.) The public utilities commission shall be empowered to enforce the foregoing sections and prosecute any violations thereof.

Enforcement.

SEC. 4. This law shall take effect and be in force on and after December thirty-first, nineteen hundred and twenty.

Act in effect.

Approved March 31, 1917.

*Street, etc., railways—Seats for employees.*

[Page 590.]

SECTION 1. (9007-1.) It shall be unlawful to operate in Ohio any electric, street or interurban railroad car unless it be provided at all times during operation with seats for the motorman and conductor.

Seats to be provided.

- Violations.**      **Sec. 2. (9007-2.)** A violation of section one hereof shall constitute a violation thereof by the president, general manager, general superintendent, or other officer in charge of operation, and shall be punishable by a fine of not less than \$50 nor more than \$100, or by imprisonment for not less than ten nor more than thirty days for each offense. An offense on any calendar day and as to any car shall be a separate and distinct offense from a violation on any other such day.
- Enforcement.**      **Sec. 3. (9007-3.)** It shall be the duty of the prosecuting attorneys of the various counties to prosecute violations of this act.
- Approved March 30, 1917.

*Protection of employees as voters, etc.*

[Page 601.]

- Employers not to interfere.**      **SECTION 1. (5175-26a.)** It shall be unlawful for any employer of labor to make, adopt or enforce any rule, regulation or policy forbidding or preventing his employees, or any of them, from engaging or participating in politics or from becoming candidates or a candidate for public office, or controlling or directing, or tending to control or direct the political activities or affiliations of such employees or any of them; or to coerce or influence or attempt to coerce or influence such employees or any of them through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity.
- Violations.**      **Sec. 2. (5175-26b.)** Any employer violating the provisions of this act shall upon conviction thereof, be punished by a fine of not to exceed \$1,000. In all prosecutions hereunder the person, firm, or corporation violating this act shall be held responsible for the acts of his or its managers, officers, agents and employees.
- Damages.**      **Sec. 3. (5175-26c.)** Nothing herein contained shall be construed to prevent the injured employee from recovering damages from his employer for injury suffered through a violation of this act.
- Approved March 31, 1917.

*Discharge of railroad employees—Hearings.*

[Page 603.]

- Hearings to be granted.**      **SECTION 1. (12956-1.)** It shall be unlawful for any steam railroad company, its superintendent or manager thereof, employing any special agent, detective, or person commonly known as "spotter" for the purpose of investigating, obtaining and reporting to the employer, its agent, superintendent or manager, information concerning its employees, to discipline or discharge any employee in its service, where such act of discipline or the discharge is based upon a report by such special agent, detective or spotter, which report involves a question of integrity, honesty or a breach of rules of the employer, unless such employer, its agent, superintendent or manager, shall, before disciplining or discharging such employee, grant to him a fair opportunity to be heard in defense or explanation of the complaint against him, at which hearing said employer shall state specific charges on which said act or discharge is based and at which said accused employee shall have the right to furnish testimony in his defense.
- Violations.**      **Sec. 2. (12956-2.)** Each and every violation of this act shall be deemed a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 and not more than \$300, or by imprisonment in the county jail for a period of not more than one year, or both and the imprisonment when imposed shall be imposed upon the officers or agents thereof committing such offense.
- Approved March 31, 1917.

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

[Page 614.]

SECTION 1. (897.) Whoever requests or accepts a fee, gift, or gratuity or promise to pay a fee, to make a gift or to do an act beneficial to himself, under an agreement or with an understanding that he, as principal, agent, employee, or servant, shall hire, or undertake to secure or assist in securing work for another with his principal, employer, or master; or with an understanding that he shall advance or undertake to secure or assist in securing an advance in pay or position of another in the employ of his principal, employer, or master; or with an understanding that he shall prevent or undertake to prevent or assist in preventing the discharge or reduction in pay or position of another in the employ of his principal, employer, or master, shall be guilty of a misdemeanor.

**Acts forbidden.**

SEC. 2. (897-1.) Whoever violates any provision of this act shall be fined for the first offense not less than \$25 nor more than \$100 and the costs of prosecution; and for the second or any subsequent offense not less than \$100 nor more than \$500 and the costs of prosecution.

**Penalty.**

SEC. 3. (897-2.) Justices of the peace, police judges, judges of municipal courts, and mayors of cities and villages shall have jurisdiction coextensive with the county in all cases for violation of provisions of this act, and the procedure provided by law for such courts shall extend to all such cases. The defendant shall have the right to trial by jury in all prosecutions under the provisions of this act.

**Jurisdiction.**

SEC. 4. (897-3.) A person authorized by law to prosecute a case under the provisions of this act shall not be required to advance or secure costs therein. If the defendant be acquitted or discharged from custody, or if he be convicted and committed in default of payment of fine and costs, such costs shall be certified under oath by the justice of the peace, police judge, judge of municipal court, or mayor to the county auditor who shall correct all errors therein and issue his warrant on the county treasurer payable to the person or persons entitled thereto.

**Costs.**

SEC. 5. (897-4.) The industrial commission of Ohio shall have full power, jurisdiction and authority to administer the provisions of this act.

**Enforcement.**

Approved March 30, 1917.



OKLAHOMA.

ACTS OF 1917.

CHAPTER 181.—Private employment offices.

SECTION 1. No person, firm or corporation shall open, operate or maintain a private employment agency for hire, or where a fee is charged, to either applicant for employment or for help, without first obtaining a license from the commissioner of labor, and such license fee shall be \$50 per annum, payable in advance, on the first day of May of each year. and shall expire on the last day of April of each year. Every license shall contain a designation of the city, street and number of the building in which the licensed parties conduct said employment agency. In case of removal to another location during the period covered by such license, the commissioner of labor shall be at once notified and the license corrected accordingly. No such license shall be transferable.

License re- quired.

Fee.

SEC. 2. The commissioner of labor shall require with each application for a license a surety bond in the penal sum of \$500, to be approved by said commissioner, and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions or requirements of this act. The commissioner of labor is authorized to cause an action, or actions, to be brought on said bond in the name of the State for any violation of any of its conditions, and he may revoke, upon a full hearing, any license whenever in his judgment the party licensed shall have violated any of the provisions of this act, and in prosecution of any such inquiry the commissioner of labor is hereby empowered to administer oaths, subpoena witnesses, take depositions, compel the attendance of witnesses and the production of books, accounts, papers, record, documents and testimony.

Bond.

SEC. 3. In case of refusal of any person to comply with the order of the commissioner or subpoena issued by him or the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, or refusal to permit any inspection as aforesaid, the district judge of the district in which the person resides, on application of the commissioner, shall compel obedience by attachment proceedings as for contempt.

Enforce- ment.

SEC. 4. No private employment agency shall print, publish or paint on any sign, [or] window or insert in any newspaper or publication, a name similar to that of the Oklahoma Free Employment Bureau.

Use of sign.

SEC. 5. It shall be the duty of every licensed agency to keep a register in which shall be entered the age, sex, nativity, trade or occupation, name and address of every person for whom employment is secured and the amount of fee charged. Such licensed agency shall also enter into a register the name and address of every person for whom help or servants are secured, [and] the name and nature of the employment for which such help shall be employed. Such register shall at all reasonable hours be open to the inspection and examination of the commissioner of labor, or his agent, and shall be in such form as may be provided by him.

Registers.

SEC. 6. Every licensed agency shall issue a receipt to each person securing employment or help, showing age, sex, nativity, trade or occupation, name and address of the applicant, and the amount of fee charged for procuring the position. Such receipt shall also show the wages to be paid to said person securing employment, together with the name and address of the employer and the name of the agent issuing such receipt. Said agency receipt shall be made in triplicate, upon forms prescribed by the

Receipts.

commissioner of labor, the original copy to be given to the person procuring employment, the duplicate to be mailed to the commissioner of labor, and the third copy to be retained by the agency issuing same. The carbon copy of each and every receipt shall be mailed to the commissioner of labor daily.

No fee for registration.

SEC. 7. No licensed agency shall charge a registration fee for filing or receiving applications for help or employment, nor on any agreement to furnish employment or help. Daily reports shall be made to the commissioner of labor upon forms prescribed by him, showing all registrations for employment or help as and in such form as may be required by the commissioner of labor.

Fee for service.

SEC. 8. The fee for procuring employment or help shall not exceed five per centum of the first month's wages, where the employment is for one month or more. In all other cases the maximum fee shall not be more than \$1, and in no case shall there be a charge made against both the employer and employee. The above fee shall include all commissions, expense or compensation whatsoever to such licensed agency for procuring employment or help. In case the party paying such fee fails to obtain employment, such licensed agency shall repay the same to such person, upon demand being made therefor: *Provided*, That in cases where the person procuring employment is sent beyond the limits of the city in which such employment agent operates, such licensed agency shall repay, in addition to the above, any actual expenses incurred by reason of failure to receive employment.

Dividing fees.

SEC. 9. Any licensed agency, or agent thereof, who shall be guilty of dividing fees with any superintendent, manager, foreman or other employees of any person, company, corporation or association for whom employees are furnished, shall be guilty of a misdemeanor and shall be fined not less than \$50 nor more than \$100 for each offense, or be imprisoned in the county jail for a period not exceeding six months, at the discretion of the court.

Acts forbidden.

SEC. 10. No agency shall send or cause to be sent any female help, minor or servant to any place of bad repute, house of ill-fame or assignation house, or to any house or place of amusement, kept for immoral purposes. No such licensed agency shall publish, or cause to be published, false information, or make any false promise concerning or relating to work or employment, to any one who shall register for employment, or secure employment, and no licensed agency shall make any false entries in the register to be kept as herein provided.

Power of commissioner.

SEC. 11. The commissioner of labor shall, after having determined by investigation that any employer in this State is not fulfilling contracts made through employment agents, order all employment agents in the State to refuse further service to such employer. Any employment agent violating this section shall be subject to the penalties as provided in sections two and twelve of this act.

Contracts to be fulfilled.

SEC. 12. Every person, company, corporation or association doing business in this State, who shall have persons brought into this State or transferred from one point to another within the State, for the purpose of employment through or by means of any employment agency operating in this or any other State, shall immediately fulfill the terms of the contract made between such persons shipped in for the purpose of employment and the employment agency, or shall, within twelve hours after the arrival of such persons desiring employment, in case of failure or refusal to furnish such employment provide such persons with transportation to their original starting point, and such meals and lodging as may be necessary for the proper sustenance of such persons until they arrive at their destination. Failure to comply with the section shall subject the offending parties to a fine of not less than \$50, nor more than \$100 for each offense.

Scope of act.

SEC. 13. The term "employment" or "work," whenever used in this act, shall be construed to mean manual or mechanical labor, clerical, domestic or professional service.

Sec. 14.—In order to make more effective the foregoing statutory regulations, and in order to carry out their purpose and intent, the commissioner of labor is hereby authorized to issue such rules and regulations from time to time as in his judgment are deemed necessary. A violation of any such rules shall be deemed a violation of this act and punishable as provided in section 10 [sic].

Rules.

Sec. 15. It shall be the duty of the commissioner of labor to enforce this act. When informed of any violation thereof it shall be his duty to investigate same as hereinbefore provided, and he may institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act not otherwise provided for shall be guilty of a misdemeanor and shall be fined not less than \$50 nor more than \$100, or be imprisoned in the county jail for a period not to exceed six months, or both, at the discretion of the court: *Provided*, That any person or persons who send any female help, minor or servant to any place of bad repute, house of ill-fame or assignation house, or to any house or place of amusement kept for immoral purposes, shall be punished by imprisonment for not less than thirty days nor more than six months, and no license to operate an employment agency shall again be issued to such party.

Enforce-  
ment.

Penalties.

Sec. 16. A private employment agency for hire is defined and interpreted to mean any person, firm or corporation engaging in the occupation of furnishing employment or help or giving information as to where employment or help may be secured or displaying any employment sign or bulletin, or through the medium of any card, circular or pamphlet offering to secure employment or help: *Provided*, That charitable organizations not charging a fee shall not be included in said term.

Definition.

Approved this 19th day of February, 1917.

CHAPTER 182.—*Employment of children—General provisions.*

SECTION 1. Section three thousand seven hundred and thirty-six, of article three, chapter forty-two, of the Revised Laws of Oklahoma, nineteen hundred and ten, is hereby amended to read as follows:

Who issues  
certificates.

Sec. 3736. The age and schooling certificate shall be approved only by the county superintendent of public instruction, or other school official designated by him, who shall, for the purpose of this article, be empowered to administer an oath. The county superintendent of public instruction, or other school official designated by him, shall approve such certificate only upon the application in person of the child desiring employment accompanied by its parents, guardian or custodian, and after having received, examined and approved documentary evidence of age, showing that the child is fourteen years of age, or over, which evidence shall consist of one of the following named proofs of age, duly attested, and the proof accepted shall be specified in the certificate issued to the child; the proof specified in subdivision (a) shall be required first, but if this is not available then one of the proofs specified in the succeeding subdivisions shall be required and in the order designated until the age of the child be established, as follows:

Evidence.

(a) A birth certificate or transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births which certificate or transcript thereof shall be prima facie evidence of the age of the child.

(b) A certificate of baptism or transcript thereof, showing the date of birth and place of baptism of the child.

(c) A bona fide record of the date and place of the child's birth kept in the Bible in which the records of the births, marriages and deaths in the family of the child are preserved; or a certificate of confirmation or other church ceremony at least one year old showing the age of the child and date and place of such confirmation or

ceremony; or a passport showing the age of the child; or a certificate of arrival in the United States, issued by the United States immigration officer and showing the age of the child; or a life insurance policy at least one year old showing the age of the child.

(d) A certificate signed by two physicians, at least one of whom shall be a public health officer or public school medical inspector stating that they have separately examined the child and that in their opinion the child is at least fourteen years of age; such certificate shall show the height and weight of the child, the condition of its teeth, and any other facts concerning its physical development revealed by such examination and upon which their opinion as to its age is based.

Personal ap-  
pearance.

The employment certificate shall not be issued until such child has further personally appeared before the officer issuing the same and he is satisfied that such child is physically able to perform the work which he intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every employment certificate shall be signed, in the presence of the officer issuing the same by the child in whose name it is issued.

Repeal.

SEC. 2. Section three thousand seven hundred and thirty-seven of article three, chapter forty-two, Revised Laws of nineteen hundred and ten, and all other acts and parts of acts in conflict herewith, are hereby repealed.

Approved this 26th day of March, 1917.

OREGON.

ACTS OF 1917.

CHAPTER 1.—*Sunday labor.*

[This is an initiated act, repealing section 2125 of Lord's Oregon Laws, which forbade the keeping open on Sunday of "any store, shop, grocery, bowling alley, billiard room, or tipping house, for the purpose of labor or traffic, or any place of amusement."]

Repeal.

CHAPTER 29.—*Intoxication of employees.*

SECTION 3. No person shall knowingly employ to drive any automobile, motorcycle or other motor vehicle for the conveyance of passengers upon any public highway or street, any person addicted to drunkenness, under penalty of \$10 for every day such person is in his employment.

Employment.

SEC. 4. If any driver, while actually employed in driving any automobile, motorcycle or other motor vehicle, is intoxicated to such a degree as to endanger the safety of his passengers, the owner of such vehicle, on receiving from any such passenger a written notice of the fact, verified by his oath, must forthwith discharge such driver, and if such owner fails, neglects or refuses to discharge such driver at once, or if he has such driver in his service at any time within six months after the date of the service of such notice, he shall, upon conviction thereof, be guilty of a misdemeanor and shall incur the penalty prescribed in section number one of this act.

Discharge.

Approved by the governor January 30, 1917.

CHAPTER 98.—*Employment of labor on public works—Eight-hour day.*

SECTION 1. Section four of chapter sixty-one [identical with chapter one] General Laws of Oregon of nineteen hundred and thirteen, \* \* \* is hereby amended to read as follows:

Sec. 4. In all cases where labor is employed by the State, county, school district, municipality, municipal corporation or subdivision, either directly or through another, as a contractor, no person shall be required or permitted to labor, except as hereinafter provided, more than eight hours in any one day, or forty-eight hours in any one week, except in cases of necessity, emergency, or where the public policy absolutely requires it, in which event the person or persons so employed for excessive hours shall receive double pay for the overtime so employed; and no emergency, necessity or public policy shall be presumed to exist when other labor of like skill and efficiency, which has not been employed full time, is available; *Provided, however,* That the provisions of this section shall not apply to State institutions and departments; *And provided further,* That in the operation or repair of any plant owned or operated by any municipality of this State in any city or town having a population of not more than one thousand inhabitants, any person hereinbefore mentioned may be permitted to labor more than eight hours in any one day, but not more than fifty-six hours in any one week.

Hours of labor.

Overtime.

Municipal plants.

Approved by the governor February 13, 1917.

CHAPTER 163.—*Employment of women—Hours of labor.*

SECTION 1. Section five thousand and thirty-seven of Lord's Oregon Laws is hereby amended so as to read as follows:

Ten-hour day. Sec. 5037. No female shall be employed in any manufacturing mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in this State more than ten hours during any one day, or more than sixty hours in any one week. The hours of work may be so arranged as to permit the employment of females at any one time so that they shall not work more than ten hours during the twenty-four hours of one day or sixty hours during any one week: *Provided, however,* That the provisions of this section in relation to the hours of employment shall not apply to nor affect females employed in harvesting, packing, curing, canning or drying any variety of perishable fruit, vegetables of [or] fish: *Provided further,* They be paid time and a half for time over ten hours per day when employed in canneries or driers or packing plants: *Provided, also,* That pieceworkers shall be paid one and a half the regular prices for all work done during the time they are employed over ten hours per day.

Partial repeal. Sec. 2. Chapter sixty-two of the Laws of Oregon for the year nineteen hundred and thirteen and chapter thirty-five of the Laws of Oregon for the year nineteen hundred and fifteen in so far as they confer authority upon the industrial welfare commission to regulate the hours of employment for women engaged in harvesting, packing, curing, canning or drying any variety of perishable fruit, vegetables, or fish, are hereby repealed.

Approved by the governor February 16, 1917.

CHAPTER 226.—*Payment of wages by lessees of mines.*

Status of lessee, etc. SECTION 1. Any lessee, licensee, or person other than the owner, who operates or works a mine, lode, mining claim, or deposit yielding metal or mineral of any kind, shall have custody and control of whatever metal or mineral may be produced in such operation or work, as bailee only, and not as owner, until first, the sum or sums due the lessor shall be paid, and second, the wages due from such lessee to said lessor or to any workmen who have performed labor under contract of service on, in or about such mine, lode, mining claim, or deposit, shall have been wholly paid.

Wrongful conversion. Sec. 2. If any such bailee shall embezzle or wrongfully convert to his own use, or shall secrete or conceal with intent to convert to his own use, or shall injure, destroy, sell, give away, or remove from the county where situated when obtained, without the written consent of such lessor and workmen, any such metal or mineral, he shall be deemed guilty of larceny by bailee, and upon conviction thereof be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment in the discretion of the court.

Penalty.

Approved by the governor February 17, 1917.

CHAPTER 267.—*Mothers' pensions.*

Who to receive aid. SECTION 1. The juvenile or county court of each county of the State of Oregon shall give assistance to any mother who has a child or children under the age of sixteen years and who are wholly dependent upon her for support and whose husband, the father of said child or children is either dead or is an inmate of some Oregon State institution or who by reason of physical or mental disease, is wholly unable to work or assist in any manner in supporting his family and who is a citizen of the State of Oregon and a citizen of the United State[s], a sum not to ex-

ceed \$10 a month for one child and if she has more than one child residing with her, \$7.50 per month for each of said additional children.

The total amount given to any one family shall be discretionary with the court but shall not in any case exceed \$40 per month: *Provided*, Such mother had a previous residence of three years in the State of Oregon and one year in the county immediately preceding the date of the filing of the application for assistance and is a citizen of the United States.

Amount.

Sec. 2. The court can not give assistance under the provisions of this act to any applicant who came into the State in indigent circumstances; and the fact that such applicant was not in indigent circumstances at the time of coming into the State must be shown affirmatively in her application for such assistance.

Who may not be aided.

Sec. 3. In case the father of such dependent child or children is an inmate of an Oregon State institution, the residence of the wife and children shall be conclusively presumed to be in the county in which such father was a resident at the time of his commitment and no assistance shall be given under the provisions of this act except by the proper court of such county.

Father in institution.

Sec. 4. The court shall not grant assistance for any dependent child who was not alive at the time of such commitment or who was not born within ten months thereafter, and no child of a father who is mentally or physically unable to work shall be given assistance under the provisions of this act unless such child was alive at the time or was born within ten months after the time said father became wholly unable to work.

Children eligible.

Sec. 5. If, at the date of her application, or at any time thereafter, there is living with any applicant, as a member of her household or otherwise, any of her children over sixteen years of age, or any person or persons not of the immediate family of such applicant; and such children or persons are not contributing their proportionate, individual share of such household expenses, the court shall not, for and during such time, grant nor render to such applicant any assistance hereunder.

Children, etc., able to work.

Sec. 6. The court shall not give assistance under the provisions of this act for the support of any child who has property of his own unless in the judgment of the court relief may be temporarily given, nor for any child or children who do not reside with their mother.

Child owning property.

Sec. 7. The court shall not give assistance under the provisions of this act to any mother or child or children who have resources or other property which may be drawn upon for the support of herself or her child or children, and the court in giving assistance shall take into account any income from the labor of the applicant or her child or children; *Provided*, That the allowance of any child under the age of sixteen years shall cease as soon as it is eligible for a permit to work: *Provided further*, That when the earnings of said child are less than the maximum amount of assistance named in this act the court may in its discretion give such additional assistance as taken with its earnings will equal said amount.

If resources available.

Sec. 8. The court shall not give assistance under the provisions of this act when it shall appear the applicant has deprived herself directly or indirectly of property or income in order to qualify herself for assistance under this act.

Intentional deprivation.

Sec. 9. The court shall not give assistance under the provisions of this act unless monthly accounts are rendered to the court by the applicant; which accounts shall be so rendered before further assistance may be given. And the court shall be the judge as to the sufficiency of these reports and may require more complete reports of the applicant.

Monthly accounts.

Sec. 10. Whenever assistance is given under the provisions of this act to a mother whose husband is incapacitated for work by reason of physical or mental infirmity and the presence of such husband is a menace to the physical or moral welfare of the

Father, infirm.

- mother or children, the court may require that such husband may be removed from the home and provision made for his care elsewhere, or failing to remove such husband or upon his refusal to be separated from his family the court may in its discretion refuse to give further assistance.
- Mother to be qualified.** SEC. 11. No assistance shall be given unless the court finds that the mother is a proper person, physically, mentally and morally fit to care for said child or children.
- What property a bar.** SEC. 12. The court shall not give assistance under the provisions of this act if the applicant has property of an appraised value exceeding \$500 in use as a home, unless the court after full investigation finds that further assistance is necessary to save the child or children from physical or moral neglect; such appraisement to be made by the court.
- Witnesses.** SEC. 13. For the purpose of carrying out the provisions of this act the tribunal mentioned in section one shall have power to summon witnesses and compel their attendance and pay them the same as witnesses in criminal cases are paid.
- Fraud.** SEC. 14. Any person fraudulently attempting to obtain or fraudulently obtaining any assistance under this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment. Justice's courts, district courts, and circuit court[s] shall have concurrent jurisdiction in all cases arising out of a violation of this act.
- Awards exempt.** SEC. 15. All moneys given any person under the provisions of this act shall be exempt from attachment and execution.
- Proofs to be filed.** SEC. 16. There shall be filed with the application, proof of death of husband if he be dead, of his condition if he is mentally or physically incapable of self support, of his residence in any Oregon State institution as provided in section one of this act; birth records of child or children; and such other data as may be required by the court.
- If mother improvident.** SEC. 17. And if in the judgment of the court any mother of such child or children is improvident, careless or negligent in the expenditure of the money received in pursuance of this act, the court may direct that such money shall be paid to some person whom he shall designate to be used for the support of such mother and child or children.
- Orders.** SEC. 18. Whenever the tribunal mentioned in section one shall determine that assistance under this act shall be given, it shall make an order to that effect, which order among other things shall set out in full the name of the mother, place of residence, the names and ages of the children and the amount given for each child and upon presentation of such order the county court shall direct monthly warrants to be drawn therefor, and the payment of such relief shall date from the court order giving such assistance: *Provided*, Whenever the conditions of either the mother or any child change after filing the last order, the court may in its discretion either increase or decrease such monthly allowance, and the fact that an application for assistance has been denied to the applicant shall not be taken into consideration upon a future application being made.
- No prior assistance.** SEC. 19. Under no circumstances shall any assistance be given under the provisions of this act prior to the order giving such assistance.
- Absence from county.** SEC. 20. The relief given under the provisions of this act shall not be allowed during any term of absence from the county giving such relief, except such absence is with the consent of the court and under conditions prescribed by him.
- Decision final.** SEC. 21. The decision of the tribunal mentioned in section one in all matters coming under the provisions of this act shall be final.

Approved by the governor February 19, 1917.

CHAPTER 393.—*Employment of labor—Medical and hospital fees.*

SECTION 1. An employer under the terms of this act shall be taken to mean all persons, firms, companies, corporations or associations of persons, not including employers engaged in interstate commerce, doing business within this State who have been withholding or who may hereafter withhold or accept any portion of the wages of their employees for medical, surgical or hospital care and attention.

Scope of act.

Wherever the word "contractor" is used in this act, it shall be understood to include any individual, firm, association or company, which may contract with any employer for the medical, surgical or hospital care and attention of his employees.

SEC. 2. On or after July first, nineteen hundred and seventeen, it shall be unlawful for any employer to deduct, withhold or accept any portion of the wages of any employee for medical, surgical or hospital care and attention, or to expend any portion of the wages deducted or accepted for such purpose, except as provided in this act.

Law to be observed.

SEC. 3. It shall be lawful for an employer to collect or deduct a portion of the wages of his employees for medical, surgical or hospital care and attention in such an amount and in such a manner as may be reasonable: *Provided*, That if any employee shall complain to the industrial accident commission as to the amount or manner of said deduction, then it shall be unlawful, after notice by said commission, for any employer to deduct or accept any portion of the wages of his employees, except in the manner and amounts approved by the said industrial accident commission: *Provided*, That it shall be unlawful for any employer to directly or indirectly retain any portion of the said fund, so collected, for his own use or benefit, it being the intention of this act that the money so collected by the employer shall be a trust fund and shall be kept in separate accounts and promptly paid over for the purpose for which it is so collected, and shall in no event become a part of the assets of any such employer.

Collection of fees lawful.

Complaints.

Retaining fees.

SEC. 4. It shall be lawful for employers to make contracts with contractors with regard to the funds of his [their] employees collected under the provisions of section three: *Provided*, That the industrial accident commission shall have power and authority to cancel any such contract whenever it shall deem that the physician selected to give service is not reasonably competent or the service furnished is not reasonably efficient: *Provided further*, That no contract shall be valid or effective between an employer and any contractor, which shall extend over a period of more than one year, except that the contractor may make a valid contract for two years with the previous consent of the commission.

Contractors.

Term.

SEC. 5. Each contractor shall, on the first day of July, and the first day of January of each year, make a statement to the industrial accident commission showing the amount of funds received from each employer during the preceding six months.

Statements.

SEC. 6. The supervision given to the industrial accident commission, under the provisions of this act, shall be exercised for the best interests of the employees, and any complaint made by any employee to said industrial accident commission hereunder shall be made in writing and subscribed and sworn to.

Supervision.

SEC. 7. The industrial accident commission is hereby authorized to demand from the employer such sworn statements and reports as may be reasonably deemed necessary in the administration of this act.

Reports.

SEC. 8. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$500.

Violations.

Approved by the governor February 21, 1917.

## HOUSE CONCURRENT RESOLUTIONS.

No. 15.--*Unemployment--Committee of investigation.*

- Committee appointed.** A special committee hereby is appointed and instructed to investigate the problem of unemployment and poverty in Oregon and to recommend such legislation for the alleviation thereof as in its judgment seems practicable, to the end that, as far as possible, any and all human beings within this State shall be provided opportunity to secure the necessaries of life in return for labor requisite to their production.
- Duties.**
- Membership.** Said committee shall consist of the president of the Oregon Agricultural College, president of the University of Oregon, master of the State Grange, president of the State Farmers' Union, president of the Oregon State Federation of Labor, and a representative to be chosen by the several commercial clubs and chambers of commerce within the State. Each member of the committee here designated may act in person or through an accredited representative.
- Expenses.** No expense shall accrue to the State as a result of this resolution.
- Filed in the office of the secretary of state February 20, 1917.

PENNSYLVANIA.

ACTS OF 1917.

No. 139.—Department of labor and industry—Inspectors.

SECTION 1. The commissioner of labor and industry shall, by joint conference with the industrial board and chief inspector, draft a table of qualifications based upon experience and length of service, and shall classify inspectors of the first grade in the department of labor and industry into three classes, designated as "Class A," "Class B," and "Class C."

Classes of inspectors.

SEC. 2. In "Class A" there shall be not more than twenty-five inspectors, each of whom shall receive a salary of \$2,000 per annum. In "Class B" there shall be not more than fifty inspectors, each of whom shall receive a salary of \$1,800 per annum. In "Class C" there shall be not more than twenty-five inspectors, each of whom shall receive a salary of \$1,500 per annum.

Salaries.

SEC. 3. No person shall hereafter be appointed as an inspector of the department of labor and industry unless he shall have first passed an examination before the committee herein provided for, in order to determine his qualifications and that he may be classified in one of the classes hereinbefore provided according to his past experience and ability.

Qualifications.

Approved the 18th day of May, 1917.

No. 194.—Pensions for State employees.

[This act amends section 1 of act No. 423, Acts of 1915, by substituting the word "Hereafter" for the date in the first lines thereof; by striking out the word "continuously" where it occurs; by reducing the age of retirement from 70 years to 65 years; and by adding the following:]

Amendments.

The term "State employee," as used in this act, shall apply to all employees in penitentiaries, reformatories and other institutions operated by the Commonwealth, as well as those more directly in the service thereof.

Persons included.

Approved the 7th day of June, 1917.

No. 254.—Employment of women—Modifications of law.

SECTION 1. The industrial board of the department of labor and industry may modify the provisions of the act to which this is a supplement [No. 466, Acts of 1913], governing the employment of females, except as hereinafter provided, whenever, in the opinion of a majority of the members of the said board after due hearing upon petition filed, such modification may be justified and warranted, and will not result in or tend to the injury of the public health and welfare or of the health and welfare of the females sought to be affected by such modification.

Power of board.

SEC. 2. The request for such modification shall be by written petition filed with said board, and shall contain, in addition to such provisions as said board may from time to time prescribe, a complete statement of the character of the establishment and work to be affected, the number of females employed, the modification desired, and the reason therefor, which petition shall be verified by the oath or affirmation of the applicant or of an officer thereof; and any modification made by said board, pursuant to said application and in accordance with the provisions of this act, shall apply only to the particular establishment, or department thereof, referred to in said petition.

Petition.

SEC. 3. Any person, firm, or corporation affected by any modification granted by said board as aforesaid may, within ten days

Appeals.

- after said board has filed its opinion, appeal therefrom to the said industrial board, as provided for in section fifteen of an act \* \* \* [establishing the department of labor and industry], approved the second day of June, nineteen hundred and thirteen [No. 267]; whereupon said board shall proceed to the consideration thereof as in said act provided; or may, within said time, appeal to a court of common pleas of the Commonwealth of Pennsylvania in the manner now provided by law.
- How modifications made.** SEC. 4. Said board shall not make or decree such modification except upon the agreement of a majority of all its members, and shall file at its office at Harrisburg a written opinion, wherein shall be contained a copy of the petition filed, the testimony taken, the decisions of the board and its reasons therefor. Any modification so made may be changed or withdrawn by said board, by the action of a majority of the members thereof, or by the commissioner of the department of labor and industry whenever, in his opinion, prompt action is necessary and the attendance of a majority of the members of said board can not be secured, upon due notice to the owner of the establishment to be affected thereby; service of which notice and of any other notice required herein may be had by mailing a copy thereof to the last known postoffice address of such establishment: *Provided*, That whenever the said commissioner takes such action he shall immediately report the same and his reasons therefor to the said board for record.
- Powers limited.** SEC. 5. Nothing in this act contained shall have the effect of, or be construed as, conferring power or authority on said board or on said commissioner to increase the maximum hours of labor per week, established by the terms of the act to which this is a supplement, which maximum of hours per week shall be and remain as in said act established; and nothing in this act contained shall have the effect of, or be construed as, applying to females employed in manufacturing establishments.
- Notice.** SEC. 6. Whenever any modification, or a change or withdrawal thereof, shall have been ordered as aforesaid, detailed notice thereof shall be mailed to the establishment affected in the manner aforesaid.
- Rules.** SEC. 7. Said board shall, from time to time, prescribe rules and regulations, not inconsistent herewith, governing the preparation and filing of petitions, the manner and time of service of all notices herein required; and shall have power to administer oaths, to subpoena witnesses and to compel obedience thereto, in the same manner, with like effect, and under like penalties as are now or hereafter may be provided by law with reference to proceedings by or before said board.
- Violations.** SEC. 8. Violations of any of the terms of such modifications, or of such changes or withdrawals thereof, as aforesaid, shall be deemed a misdemeanor, and, upon conviction thereof, shall be punishable in the same manner and to the same extent as is now provided for violations of the provisions of the act to which this is a supplement.
- Expense.** SEC. 9. The members of the said board shall perform the duties herein imposed upon them without additional compensation, but may incur such reasonable expense as may be necessary to the proper administration of the provisions of this act and the enforcement thereof.
- Approved the 5th day of July, 1917.
- No. 345.—*Department of labor and industry—Inspectors' salaries.*
- Salaries.** SECTION 1. The salaries of the four supervising inspectors of the second grade in the department of labor and industry are hereby fixed at \$3,500 per annum each. The salary of the chief of the bureau of mediation and arbitration in the department of labor and industry is hereby fixed at \$4,000 per annum.
- Approved the 18th day of July, 1917.

No. 357.—*Fire escapes on factories, etc.*

[This act amends No. 233, Acts of 1909, so as to read as follows:]

SECTION 1. Every building in this Commonwealth, other than buildings situated in cities of the first and second classes, \* \* \* <sup>What build- ings to have exits.</sup> in which persons are employed above the second story, in a factory, workshop, or mercantile establishment; \* \* \* shall be provided with proper ways of egress, or means of escape from fire, sufficient for the use of all persons \* \* \* employed \* \* \* therein; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, properly lighted, and ready for use at all times; and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire, which shall be placed as near as practical at opposite ends or sides of the building, and leading to stairways on the inside, or, where not possible to provide such stairways, to stair towers or fire escapes on the outside of such buildings: *Provided*, That in all such buildings hereafter erected such ways of egress or means of escape from fire shall be located within the walls of the building, and at least one of such ways of egress or means of escape from fire shall be an inclosed stair tower of fire-resistance construction. Except that properly constructed bridges between two separate buildings, or parts of buildings, separated by approved fire walls, may be accepted in lieu of such inside stairway by the commissioner of labor and industry: *And provided further*, That the commissioner of labor and industry may order fire walls to be built in buildings already erected, or which may hereafter be erected, where in his judgment the erection of such fire walls is necessary to the reasonably safe protection of the inmates. Such ways of egress or means of escape from fire, or fire walls, shall be in accordance with standards drawn up by the industrial board of the department of labor and industry. Where any of said buildings is designated for the use or occupancy of fifty or more persons, the external doors of the same shall open outward, shall be kept unlocked and ready for instant use at all times, and be so constructed or arranged as to afford, when open, an unobstructed passageway of not less than five feet in the clear. Where such doors lead from stairways, there shall be landings inside the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways; said landings to be of a width not less than the stairway approaches thereto.

Fire-walls.

Doors.

Landings.

SEC. 3. In addition to the foregoing means of escape from fire, all such buildings as are enumerated in section one of this act that are more than two stories in height, and buildings having one or more galleries above the first or ground floor, shall have one or more fire escapes, as may be directed by the commissioner of labor and industry, or, under his instructions, by the chief inspector or an inspector of the department of labor and industry. And such fire escapes as are provided for in this section shall be constructed according to specifications to be issued or approved by the department of labor and industry. Fire escapes now in use and hereafter erected must be painted at least once a year, and be kept in safe condition and up to the standard requirements of this section.

Fire escapes.

SEC. 4. Where any of the aforementioned buildings are so constructed that a fire escape can not be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings, or upon a public thoroughfare, and where permission to erect fire escapes has been refused by the said owner or owners of adjoining lands or buildings, or by the municipal authorities of the municipality in which the said building is located, it shall be the duty of the owner or owners of any of the aforementioned buildings, constructed as aforesaid, to erect an internal fireproof means of escape, the same to be located and erected under the direction of the commissioner of labor and industry, or, under his directions, by the chief inspector of the

Internal provisions.

department of labor and industry. Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire escape, nor of an internal fireproof escape, it is hereby enjoined upon the commissioner of labor and industry to notify, in writing, the owner or owners of any building so constructed, to discontinue the occupancy of the whole or of a part of the said building for any of the purposes which make the said building amenable to the fire-escape provisions of this act.

Plans to be approved.

SEC. 5. The owner or owners, or his or their architect or contractor, of any building now used for other purposes than aforesaid, and which is to be adapted to any of the aforesaid uses, or of any building to be erected for any of the aforesaid purposes, shall, before adapting or erecting any such building, submit to the department of labor and industry detailed architectural designs and specifications of such building, in duplicate, showing that compliance with the foregoing sections is provided for therein; and work on the adaption [adaptation] or erection of such building shall not be begun without the approval of the commissioner of labor and industry, or, under his directions, by the chief inspector of the department of labor and industry, or such other person or persons as he may appoint to perform such service: *Provided*, That the industrial board of the department of labor and industry shall have the authority to make, amend, or repeal rules for the approval of such designs and specifications, and for carrying out the other provisions of this act: *And provided*, That the said industrial board shall have authority to receive and hear appeals of those affected by this act; and, after public hearing, may, in specific cases or classes of cases, make, amend, or repeal rules for the adoption of other methods than those herein specified, where, in its judgment, such order will to better advantage enforce the intent and purpose of this act.

Violations.

SEC. 6. Any person who shall fail or refuse to comply with the provisions of this act, or who shall fail or refuse to observe orders for the enforcement of this act, issued by the commissioner of labor and industry, or, under his directions, by the chief inspector or an inspector of the department of labor and industry, or who shall hinder or delay any officer of the said department in the performance of duty in the enforcement of this act, shall, upon conviction thereof, be punished by a fine of not more than \$500, or not more than six months' imprisonment, or either or both, in the discretion of the court.

Enforcement.

Prosecutions for violations of this act may be instituted by the commissioner of labor and industry, or, under his directions, by any inspector of the department of labor and industry, and shall be in the form of summary criminal proceedings instituted before a magistrate, alderman, or justice of the peace. Upon conviction, after a hearing, the sentences provided in this act shall be imposed, and shall be final unless an appeal be taken in the manner prescribed by law.

Damages.

All fines collected under this act shall be forwarded to the commissioner of labor and industry, and by him paid into the State treasury for the use of the Commonwealth.

And in case of fire or panic occurring in any of the said buildings, in the absence of such doorways, landings, exits, fire-escapes, fire preventives, or other safeguards which it is the intent and purpose of this act to have provided, the owner or owners, aforesaid, shall be liable for damages, in case of death or personal injury, the result of fire or panic in any of said buildings; and such action for damages may be maintained by any person now authorized by law to sue, as in other case of loss by death or injuries.

Approved the 18th day of July, 1917.

No. 364.—*Work in compressed air.*

**SECTION 1.** The term "pressure" when used in this act means "gauge pressure in pounds per square inch." **Definitions.**

The term "employer" when used in this act includes individuals, copartnerships, associations, and corporations.

**Sec. 2.** Every tunnel, caisson, compartment, or place to which this act applies shall be so constructed, equipped, arranged, operated, and conducted as to provide such protection to the lives, health, and safety of all persons employed therein as the nature of the employment will reasonably permit. **Provisions for safety.**

**Sec. 3.** Every employer carrying on any work in the prosecution of which persons are employed in compressed air shall: **Duties of employers.**

(1) Provide and install gauges in each tunnel, for showing the air pressure to which the persons so employed therein are subjected. Such gauges shall be accessible at all times during working hours to all employees in the tunnels.

(2) Provide and attach gauges to each caisson, for showing the air pressure to which the persons so employed therein are subjected, and employ a competent person, who may be the lock tender, to take charge of such gauges and of the instruments required under subdivision three of this section. The person so employed shall not be permitted to work more than eight hours in any twenty-four hours.

(3) Provide and attach an air gauge and a timepiece to each air lock. Such gauge and timepiece shall be accessible to the lock tender at all times.

(4) Keep at least two air-pipes or lines connected with each tunnel, caisson, compartment, or place in which persons are so employed.

(5) Provide a suitable iron ladder for the entire length of every shaft used in connection with such work.

(6) Keep every passageway used in connection with such work clear and properly lighted.

(7) Provide sufficient electric lights for all lighting purposes, and provide a wire for lighting the shaft, which wire shall be separated from the wire used for lighting the place where the employees are at work in compressed air; all electric wires shall be properly insulated.

(8) Provide, for the use of all persons so employed, dressing rooms, which shall be kept open and accessible during working hours and during the intervals between working periods, and also a separate room for drying clothes. The dressing rooms shall contain benches and individual lockers, shower baths, with hot and cold water, and sanitary water-closets, and shall be kept properly heated, lighted, and ventilated.

(9) If the maximum air pressure in such work exceeds seventeen pounds, provide and maintain at least one double compartment hospital lock; such lock shall be at least six feet high inside measurement, and be suitably floored; it shall be equipped with inside and outside air gauges and timepieces, and a telephone with proper connections, and shall contain benches and proper surgical and medical equipment; it shall be properly heated, lighted, and ventilated.

**Sec. 4.** No caisson in which persons are employed in compressed air shall, while work is in progress therein, be suspended or hung so that the bottom of the excavation is more than four feet below the cutting edge of the caisson. **Position of caisson.**

**Sec. 5.** Every employer carrying on any work in the prosecution of which persons are employed in compressed air shall cause all engines, boilers, steam pipes, steam gauges, drills, caissons, air pipes, air gages, air locks, dynamos, electric wiring, signal apparatus, brakes, buckets, hoists, cables, chains, ropes, ladders, ways, tracks, sides, roofs, timbers, supports, and all other equipment, apparatus and appliances used in connection with such work to be **Inspection daily.**

inspected at least once every working day by a competent person especially designated for that purpose; and if any defect in such equipment, apparatus or appliances is found, a report thereof in writing shall forthwith be made by the inspector to the employer and the defect shall be immediately repaired.

**Physicians and nurses.** SEC. 6. Every employer carrying on any work in the prosecution of which persons are employed in compressed air shall:

(1) Employ one or more licensed physicians as medical officers, who shall be present to render medical assistance at all necessary times at the place where such work is in progress, and who shall perform such other duties as are imposed on them by this act.

(2) If the maximum air pressure in such work exceeds seventeen pounds, employ one or more registered nurses, or one or more competent persons, which persons shall be selected by the medical officer and be certified by him to be competent by actual experience to handle cases of compressed-air illness. The nurses or persons so employed shall have charge of the hospital lock provided for in this act, and may also have other duties of a clerical nature, exclusive of timekeeping, such as will not require their presence elsewhere than at the hospital lock and such as they may leave at any time their service at the lock is necessary.

**Use of intoxicants.** SEC. 7. No person known to be addicted to the excessive use of intoxicants shall be employed or permitted to work in compressed air.

**Physical examinations.** SEC. 8. (1) No person shall be employed or permitted to work in compressed air until he has been examined by the medical officer and found to be physically qualified therefor.

(2) No person who has not previously worked in compressed air shall, during the first twenty-four hours of his employment, be permitted to work therein longer than one working period, as provided in section ten, and he shall not be permitted to resume such work, if the air pressure exceeds fifteen pounds, until he has been reexamined by the medical officer and found to be physically qualified therefor.

(3) No person who is employed in compressor air, but who has been absent therefrom for ten or more consecutive days for any cause, shall be permitted to resume such work until he has been reexamined by the medical officer and found to be physically qualified therefor.

(4) No person who has been employed regularly in compressed air for three months shall be permitted to continue such work until he has been reexamined by the medical officer and found to be physically qualified therefor.

**Records.** SEC. 9. The medical officer shall keep a record of all physical examinations made in accord with section eight, which record shall be kept at the place where the work is in progress, and shall contain the name, age, address, and full description of each person examined, the date on which each examination was made and the physical condition on that date of the person examined, and the total time such person has worked in compressed air, including time in previous employments. The employer shall also be responsible for the observance of this section.

**Working time.** SEC. 10. When the air pressure in any tunnel, caisson, compartment, or place in which persons are employed exceeds normal, but does not exceed fifty pounds, the maximum number of hours which, in any twenty-four hours, a person may be employed or permitted to work or remain therein, shall be as hereinafter stated. In every case the maximum number of hours shall be divided into two working periods of equal length, and the minimum time interval which shall elapse between such working periods shall be as hereafter stated.

When the air pressure exceeds normal, but does not exceed twenty-one pounds, number of hours in twenty-four, eight; interval between working periods, thirty minutes.

When the air pressure exceeds twenty-one but does not exceed thirty pounds, number of hours in twenty-four, six; interval between working periods, one hour.

When the air pressure exceeds thirty but does not exceed thirty-five pounds, number of hours in twenty-four, four; interval between working periods, two hours.

When the air pressure exceeds thirty-five but does not exceed forty pounds, number of hours in twenty-four, three; interval between working periods, three hours.

When the air pressure exceeds forty but does not exceed forty-five pounds, number of hours in twenty-four, two; interval between working periods, four hours.

When the air pressure exceeds forty-five but does not exceed fifty pounds, number of hours in twenty-four, one and one-half; interval between working periods, five hours.

Except in cases of emergency, no person shall be employed, or permitted to work or remain, in any tunnel, caisson, compartment, or place where air pressure exceeds fifty pounds.

SEC. 11. No person shall be permitted to pass from any tunnel, caisson, compartment, or place where he has been employed in compressed air to atmosphere or [of] normal pressure, without passing through an intermediate lock or stage of decompression. When the employee is passing from a tunnel to atmosphere of normal pressure, the rate of decompression shall be three pounds every two minutes, except when the air pressure in the tunnel exceeds thirty-six pounds, in which case the rate of decompression shall be one pound every minute. When the employee is passing from a caisson, compartment, or place to atmosphere of normal pressure, the time of decompression shall be as follows:

When the pressure in a caisson, compartment, or place exceeds normal, but does not exceed ten pounds, time of decompression one minute.

When the pressure in a caisson, compartment, or place exceeds ten but does not exceed fifteen pounds, time of decompression two minutes.

When the pressure in a caisson, compartment, or place exceeds fifteen but does not exceed twenty pounds, time of decompression five minutes.

When the pressure in a caisson, compartment, or place exceeds twenty pounds but does not exceed twenty-five pounds, time of decompression ten minutes.

When the pressure in a caisson, compartment, or place exceeds twenty-five pounds but does not exceed thirty pounds, time of decompression twelve minutes.

When the pressure in a caisson, compartment, or place exceeds thirty but does not exceed thirty-six pounds, time of decompression fifteen minutes.

When the pressure in a caisson, compartment, or place exceeds thirty-six but does not exceed forty pounds, time of decompression twenty minutes.

When the pressure in a caisson, compartment, or place exceeds forty but does not exceed fifty pounds, time of decompression twenty-five minutes.

SEC. 12. The commissioner of labor and industry shall enforce this act. In enforcing this act any employee or agent of the department of labor and industry, specially authorized in writing, may at any time enter any place of employment covered by this act for purposes of inspection. It shall be unlawful to hinder or prevent such employee or agent in the performance of his duties under this act.

SEC. 13. Every person who, directly or indirectly, violates or fails to comply with any provisions of this act is liable to a penalty of \$50 for the first offense, \$100 for the second offense, and \$300 for the third and each subsequent offense. Such penalties shall be recovered as debts of like amount are recoverable, in action to be brought for the use of the Commonwealth by or under the direction of the commissioner of labor and industry.

Approved the 19th day of July, 1917.

No. 383.—*Mine regulations.*

- Motor ambulances.** [This act amends article 7 of the anthracite mine law of the State (p. 176, Acts of 1891; secs. 94-100, p. 1349, B. P. Dig. 12th edition), by substituting the word "motor-ambulance" for the word "ambulance," where it occurs; also by adding to section 2 (sec. 95) the words: "The motor-ambulance shall at all times be properly heated"; also by substituting 4 miles for 1 mile in section 5; and by adding to section 7 (sec. 100) the following:]
- Number-tags, etc.** There shall be furnished, free of charge, by the State highway department, a registration certificate and two number-tags for every such motor-ambulance.

Approved the 19th day of July, 1917.

No. 411.—*Provisions for unemployment—Public works.*

- Emergency fund.** SECTION 1. In order to provide increased opportunities for employment in useful public works of this Commonwealth during periods of extraordinary unemployment caused by industrial depression, there is hereby created a fund to be known as the emergency public works fund.
- Commission.** SEC. 2. The governor of the Commonwealth, the auditor general, the State treasurer, and the commissioner of labor and industry are hereby constituted a commission, for the custody, management, and disposition of the said fund, and for the performance of such other duties as are prescribed by this act, to be known as the emergency public works commission.
- Duty.** SEC. 3. It shall be the duty of the said commission to proceed forthwith to ascertain and secure from the various departments, bureaus, boards, and commissions of this Commonwealth tentative plans for such extension of the public works of the State as shall be best adapted to supply increased opportunities for advantageous public labor during such periods of temporary unemployment; together with estimates of the amount, character, and duration of said employment, the number of employees who could be profitably used therein, together with rates of wages and such other information as the commission shall deem necessary.
- Industrial board, etc.** SEC. 4. It shall be the duty of the industrial board of the department of labor and industry, in cooperation with the various bureaus of the said department, to keep constantly advised of industrial conditions throughout the commonwealth as affecting the employment of labor; and whenever it shall be represented to the said board by the governor of the State, or the said board shall otherwise have reason to believe, that a period of extraordinary unemployment caused by industrial depression exists in the Commonwealth, it shall be the duty of the said board to immediately hold an inquiry into the facts relating thereto, and to find and report to the governor of the Commonwealth whether, in fact, such condition does exist.
- Report to governor.** SEC. 5. In the event that the industrial board shall report to the governor that a period of extraordinary unemployment caused by industrial depression does in fact exist within this Commonwealth, the said commission is hereby authorized to make such disposition and distribution of the said emergency public works fund, among the said several departments, bureaus, boards, and commissions of the Commonwealth, for such extension of the public works of the Commonwealth under the charge or direction thereof, including the purchase of materials and supplies necessary therefor, as shall, in the judgment and discretion of the said commission, be best adapted to advance the public interest by providing the maximum of public employment, in relief of the existing conditions of extraordinary unemployment, consistent with the most useful, permanent, and economical extension of the works aforesaid.
- Fund to be distributed.**
- Applicants for employment.** SEC. 6. It shall be the duty of the commissioner of labor and industry, immediately upon the publication, under this act, of a finding that a period of extraordinary unemployment due to industrial depression exists throughout this Commonwealth, to cause to be prepared by the appropriate bureaus of his department ap-

proved lists of applicants for public employment, and to secure from such applicants, or otherwise, full information as to their industrial qualifications, and to submit the same to the emergency public works commission for transmission to such departments, bureaus, boards and commissions as shall avail themselves of the provisions of this act: *And it is further provided*, That no person shall be given employment in the works contemplated by this act who shall not be a citizen of the United States, and shall not have been a resident of the State of Pennsylvania for a period of six months prior to his or her application for said employment: *Provided further*, That this section shall not apply to such additional employees as shall, in the judgment of the head of said department, bureau, board or commission, be necessary to prepare the necessary plans for the said extensions, and to provide the materials and equipment therefor, or to supervise the conduct thereof.

SEC. 7. The sum of \$50,000 is hereby appropriated to the said emergency public works commission, from public moneys not heretofore otherwise appropriated, to be held in the said emergency public works fund for the purposes of this act. Appropriation.

Approved the 25th day of July, 1917, in the sum of \$40,000.

No. 413.—*Old-age pensions—Commission of investigation.*

SECTION 1. The governor of this Commonwealth is hereby authorized and directed to appoint a commission, to consist of seven reputable citizens of Pennsylvania, who shall serve without compensation other than for their reasonable expenses, to look into the general subject of old-age pensions, and to investigate the various systems provided for this purpose in other nations and States, together with all the facts relating thereto, especially as bearing upon the industrial and other conditions prevailing in Pennsylvania, and with a view to their practical adaptability here. Said commission to have full powers to subpoena witnesses and to secure information under the authority of the governor of the Commonwealth, and to make its report to the legislature not later than March fifteenth, nineteen hundred and nineteen. Said commission shall consist of two members of the bar of the Supreme Court of Pennsylvania, who have studied social problems, two employers of labor, two members of recognized labor organizations, and one citizen of the Commonwealth, who shall be a woman experienced in the study of social problems. Said commission shall formulate such plans for its organization and work as may deem [seem] desirable to its membership; and an appropriation of \$5,000, or so much thereof as may be necessary, is hereby specifically made for the purpose of carrying out the work of said commission. Commission created.  
Duties.  
Members.  
Appropriation.

Approved the 25th day of July, 1917.

No. 414.—*Health insurance commission.*

SECTION 1. A commission is hereby created, to be known as the Health Insurance Commission, which shall investigate: Commission created.

1. Sickness and accident of employees and their families, not compensated under the provisions of the workmen's compensation act of nineteen hundred and fifteen, the loss caused to individuals and to the public thereby, and the causes thereof; Subjects of investigation.
2. The adequacy of the present method of treatment and care of such sickness and injury;
3. The adequacy of the present methods of meeting the losses caused by such sickness or injury, either by mutual or stock insurance companies or associations, by fraternal or other mutual benefit associations, by employers and employees jointly, by employees alone, or otherwise;
4. The influence or [of] working conditions on the health of employed persons; and
5. Methods for the prevention of such sickness—all with a view to recommending ways and means for the better protection

- of employees from sickness and accident and their effects, and the improvement of the health of employed persons and their families in the Commonwealth. The commission shall hold public hearings in different parts of the Commonwealth. The commission shall submit a full final report, including such recommendations for legislation, by bill or otherwise, as in its judgment may seem proper, to the general assembly of nineteen hundred and nineteen.
- Hearings.**
- Report.**
- Membership.** SEC. 2. The commission shall consist of three senators, to be appointed by the president pro tempore of the senate; three representatives, to be appointed by the speaker of the house of representatives; and three other persons, not members of the general assembly, to be appointed by the governor.
- Powers.** SEC. 3. The commission shall have power to elect its chairman and other officers, to examine witnesses, books, and papers respecting all matters to be investigated, to issue subpoenas, to compel the attendance of witnesses and the production of books and papers, to administer oaths, to employ a secretary, experts in the matters to be investigated, and all necessary clerical and other assistants, to purchase books and all necessary supplies, and to rent halls for hearings. If the commission shall appoint from its members subcommittees to make an inquiry, the subcommittees shall have the same powers for the examination of persons and papers and to administer oaths as are herein conferred upon the commission. Salaries and other expenses of the commission shall be paid upon vouchers approved by the chairman of the commission, up to the amount appropriated by the general assembly.
- Salaries and expenses.**
- Cooperation.** SEC. 4. The commissioner of health and the commissioner of labor and industry are hereby directed to cooperate with the commission, and to render it any such proper aid and assistance as in their judgment may not interfere with the proper conduct of their respective departments; and, as far as possible, rooms in buildings owned or leased by the Commonwealth shall be assigned to the commission for hearings or other purposes.
- Appropriation.** SEC. 5. The sum of \$5,000, or so much thereof as may be necessary, is hereby specifically appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this act. Payment of the money shall be on order of the chairman of the commission and on warrant of the auditor general.

Approved the 25th day of July, 1917.

## DEPARTMENT OF LABOR AND INDUSTRY.

### SAFETY STANDARDS OF INDUSTRIAL BOARD.

#### No. 12.—*Inspection of steam boilers.*

**Code of 1915.** [A boiler code of 140 octavo pages was adopted May 27, 1915, to become effective July 1, 1916. It is too extensive and technical to be reproduced here. Part II, relating to administration, prescribes the scope of the law, the duties of inspectors, and other administrative details.]

#### No. 13.—*Foundries.*

(Given in Bul. No. 186.)

#### No. 14.—*Ladders.*

**Summary.** [Rules adopted November 5, 1915, define the classes of ladders included within the scope of the act, and specify their general use and construction. The different classes of ladders are then taken up, and details as to materials, length, mode of construction, etc., are prescribed.]

No. 15.—*Cereal mills, malt houses, and grain elevators.*

[Regulations adopted April 13, 1916, under this head, relate to ventilation and the prevention of dust explosions.] Scope.

No. 16.—*Lighting.*

[A code of lighting for factories, etc., adopted April 13, 1916, is identical with the code on the same subject adopted by the New Jersey Department of Labor, reproduced on page —.] Code of 1916.

No. 17.—*Elevators.*

[The requirements under this head are applicable to elevators hereafter constructed and installed, except in cities of the first and second class. The rules give details of all parts and appurtenances of the different classes of elevators, shafting, cars, dumb waiters, etc., the relative requirements for cables, sheaves, and drums, carload, and electrical, hydraulic, and other power.] Summary.

No. 18.—*Textiles.*

(Not published.)

No. 19.—*Plants manufacturing or using explosives.*

[This is the first body of regulations coming to hand which attempts to lay down specific protective provisions for workmen, most of the laws giving chief attention to the safety of the public. For this reason the regulations are reproduced in full.]

SECTION 1. This code shall govern the operation of all buildings, factories, establishments, or other places where people are employed, wherein explosives are manufactured, used, handled, stored, or in which they are produced as the result of manufacturing processes. Scope.

SEC. 2. The following materials are classed as explosives by the industrial board: Black powder (all varieties), dry gun-cotton, nitroglycerin, dynamite, chlorates, fulminates, fireworks and any other of their compounds or mixtures or any other substances which are subject to explosion by the aid of shock, friction, spark or heat. Smokeless powder, wet gun-cotton and wet nitro-starch, while not properly classed with the above as explosives, are also included in these regulations. Explosive materials.

SEC. 3. All rooms or portions of explosives plants in which there are used, generated or found, explosive vapors and wherein persons are employed shall be separated from other rooms or portions of plants by fire resisting walls or partitions, pierced with such openings only as are necessary except when such rooms or portions of plants consist of separate buildings. In such places where the material which is being used or which produces the explosive vapors does not exceed ten gallons in quantity and is confined in approved safety cans it will be necessary only to prohibit the use of naked flames, to post approved danger signs and to observe safe practices. Materials which give off explosive vapors shall not be stored in workrooms wherein people are employed, unless such materials are stored in closed containers properly vented. Where practical, safety cans should be used. Construction of buildings.

Where materials giving off explosive vapors are stored in separated or underground storage systems outside of buildings they may be distributed by approved types of pipe lines throughout buildings where persons are employed.

The openings which are necessary in the above mentioned fire resisting walls shall be provided with an approved type of fire resisting door and these doors shall be kept closed at all times except when in use to permit passage from one room or portion of a plant to the other. On all such doors shall be posted an approved

- danger sign, warning against the carrying of matches or an open light and prohibiting the entrance of any but authorized employees or others designated by the manager or superintendent.
- Number of employees.** Sec. 4. The number of employees in such rooms or portions of a plant shall be kept to the minimum compatible with the process of manufacture. This can be obtained by building additional fire resisting portions or by the addition of small unit buildings.
- Lighting.** Sec. 5. No open or naked lights such as lanterns, stoves, torches, etc., shall be allowed in such rooms or portions of plants, except for necessary repairs under proper supervision. Watchmen or others using portable lights shall be supplied with vapor proof lights.
- Such rooms or portions of plants shall be lighted (if artificial light is needed) by means of an electric system installed in conduit or in lead encased cables, with vapor proof keyless lamps. All switches or fuses shall be located on the outside of such rooms or buildings in a protected place. This installation must conform to the Underwriters' Standards. It would be preferable and desirable if all lights could be projected by reflectors into rooms from the outside through properly located windows. The employment of electric motors other than those of a sparkless induction type in the above rooms is forbidden.
- Ventilation.** Sec. 6. If the amount of gases or vapors produced in such rooms or buildings is deemed sufficient by the commissioner of labor and industry, or his authorized representative, to be a menace to the safety or to the health of employees working therein, an efficient exhaust system, plans of which must be approved by the department of labor and industry, shall be installed in such rooms and kept operating at all times when persons are employed therein.
- During necessary repairs which might cause a spark, all other operations shall cease, and such repairs shall be made only after adequate ventilation has been established to free the room or portion of the plant from explosive gas or vapor.
- Prevention of explosions.** Sec. 7. Oil lanterns, open lights, and any method of work which might generate a spark are prohibited in the vicinity of acid containers, except when necessary to apply heat for thawing purposes which shall be done under proper supervision. The opening of drums by means of an iron chisel and hammer is prohibited. Suitable wrenches shall be provided.
- Localities where such material is stored shall be posted with warning signs calling attention to the danger of bringing naked lights into the vicinity.
- Nitric acid.** Sec. 8. In view of the danger to the worker from inhalation of nitrous fumes in case of fire or of the breakage of carboys, such carboys containing nitric acid shall be stored in detached sheds with sandstone, brick, or other suitable flooring, and in quantities not to exceed one hundred carboys placed in not more than four rows. Nitric acid in carboys may be stored in the open in unlimited quantities.
- Notice to be posted.** The following notice will be supplied by the department of labor and industry on application, and shall be posted at all places in plants where there is danger of poisoning by acid fumes:

## ACID FUMES.

**Form.**

## WARNING.

*The inhalation of dense acid fumes may cause death.*

Employees are strictly prohibited from entering buildings where dense acid fumes exist, or tanks, or confined spaces which are not entirely clear of acid fumes, unless they wear a helmet.

Employees working in such places shall, in addition to the helmet, wear a life line which is at all times in the hands of an assistant stationed outside of the tank.

Employees who have been exposed to acid fumes and who feel weak, sick, short of breath, or who are attacked with cramps or coughing shall report this condition to their foreman or to the hospital at once so that proper treatment can be given. Do not wait to get home. Delay may be fatal. Take no chances.

Responsibility for complying with these regulations shall rest with the foreman or other person designated for that purpose by the management of the plant.

Failure to comply with these regulations may subject the offender to a penalty of a fine or imprisonment.

DEPARTMENT OF LABOR AND INDUSTRY.

[End of notice.]

Water shall be always available for use in case of evolution of nitrous fumes caused by breakage or other accident to carbons, and all workers handling such acid shall be warned against sprinkling sand, sawdust, earth or anything other than water or alkalies upon any spilled nitric acid. Water to be at hand.

Sec. 9. In all buildings in which fumes, vapors or gases of an asphyxiating or poisonous nature are manufactured, used, handled or stored and in buildings in which chemicals, which give off such fumes, vapors or gases, are produced, used, handled or stored, the following regulations shall be enforced. Poisonous fumes, etc.

Sec. 10. For every fifty persons or less employed in such plant and exposed to such risk there shall be present at all times at least two persons who are trained or competent to apply means of resuscitation by the prone pressure or Schaeffer method or by mechanical devices approved by the industrial board. First-aid provisions.

A sufficient number of helmets of a type approved by the industrial board shall be kept at each plant, in order that they may be available for use by every employee who has occasion to enter places where there may be asphyxiating or poisonous gases, fumes or vapors.

All employees who are required by the employer to wear helmets in making repairs or in maintenance work shall be thoroughly instructed in the use of such apparatus and be physically examined by a licensed physician at least once in ninety days or after absence from work due to either sickness or accident and the physician shall certify to the proper physical condition of the men so employed and no employee shall be permitted to do such repair work unless so examined and certified.

Sec. 11. If it is necessary for an employee to enter any vats, tanks or other containers in which there have been used, stored or manufactured, gases, fumes or vapors of an asphyxiating or poisonous nature, or materials which give off gases, fumes or vapors of an asphyxiating or poisonous nature, the following procedure shall be pursued: Entering vats.

(a) Empty containers. Disconnect and blank off all connections.

(b) Clean containers thoroughly by repeated washings with water, soda water, steam, compressed air or other suitable means.

(c) If the person in charge then considers conditions satisfactory, employees may enter such containers. They must use an approved type of helmet and have attached to their bodies a life line or rope if the person in charge considers it necessary.

(d) The life line or rope shall be under the control of one or more fellow workmen, who shall remain outside of the container, in order that they may render assistance if necessary.

(e) After the work is finished the men should take, at once, a bath and change their clothing, including shoes, if the foreman or other person in charge shall deem it necessary. Facilities for taking such baths shall be provided.

The superintendent of the plant shall be held responsible for the enforcement of these regulations.

A copy of the rules for procedure as given above will be furnished by the department of labor and industry and shall be

posted at every place in each plant where asphyxiating or poisonous fumes, gases or vapors may be found.

Handling acids.

Sec. 12. The handling and storage of all acids and other chemicals necessary for the operation of explosives plants, not herein provided for, shall be governed by the regulations as set forth in the code governing the operation of chemical works.

Storage, etc., of explosives.

Sec. 13. All buildings in which any quantity of explosives is manufactured, handled, used or temporarily stored shall be classed as explosives buildings. Those buildings, wherein finished explosives not being used in the process of manufacture are kept or are stored for periods exceeding forty-eight hours, shall be classed as magazines. Explosive material, not in process of manufacture but which is being used in loading detonators, timing or priming caps, or in like manufacturing processes, shall not be stored in workrooms wherein people are employed except under the following conditions:

(a) Where the quantity used for the day's run does not exceed one hundred pounds, it is permissible to keep in closely-covered receptacles that necessary for the day's run.

(b) Where the quantity necessary for the day's run exceeds one hundred pounds, only one hundred pounds may be stored in the workroom at one time and then only at a place where it shall be suitably protected from careless or promiscuous handling. Additional supplies shall be brought from the magazine as needed.

(c) Explosive materials being used in the above processes may be stored in any quantity in storage buildings erected for that purpose, provided that such buildings are not used for other purposes and are located at proper distances from other buildings wherein persons are employed, or are protected by suitable natural or artificial barricades.

(d) Fulminates or materials of like sensibility shall be brought into workrooms in quantities sufficient only for concurrent use.

Explosive material not in process of manufacture and not being used in processes of manufacturing as above provided for shall be stored in magazines.

Plans.

Sec. 14. Each concern, manufacturing, using, handling, or storing explosives shall on and after April first, nineteen hundred and seventeen, keep in the office of the superintendent of each plant, a plan of said plant showing the location of all explosives buildings and the distance they are located from other explosives buildings or buildings where persons are employed and from magazines, and these plans shall at all times be open to inspection by a duly authorized inspector of the department of labor and industry. The superintendent of each plant shall, upon the demand of said inspector, furnish the following information:

Data to be furnished.

The number of persons ordinarily engaged at work in or at each building or the proposed number to be allowed there.

The maximum amount and kind of explosive material which is or will be present in each building at one time.

The nature and kind of work carried on in each building and whether or not such buildings are surrounded by natural or artificial barricades and the dimensions of such barricades.

New plants.

Sec. 15. Every concern hereafter engaging in the manufacture, use or handling of explosives, shall before or at the time of commencing operations, comply with section fourteen.

Entering certain plants.

Sec. 16. The entrance to plants manufacturing explosives exclusively, and to all portions of plants where explosives buildings shall be maintained, shall be fenced off in such a manner as to prevent the entrance of persons other than employees unless permission has first been obtained from the superintendent, manager, or proper authorities.

No person other than authorized employees, or State inspectors properly identified, shall be allowed in any plant manufacturing explosives or handling or using the same in the process of manufacture unless they have been given written permission by the superintendent, manager, or proper authorities, and are accompanied by them or their authorized representative. A record of such permissions granted shall be kept on file in the office.

No person upon whom the odor of liquor is detected shall be allowed upon the premises of a plant manufacturing or using explosives, or in any explosives building.

No employee, other than those authorized to do work in or around such buildings, shall be allowed to remain near or in explosives buildings.

SEC. 17. All explosives buildings shall be kept clean of all unnecessary loose tools, refuse and debris of any kind, at all times, and shall not be used as temporary storehouses for material not necessary at that time in the process of manufacture.

Rooms to be clean.

No explosives building while containing explosives shall be used as a storehouse for implements or other paraphernalia.

SEC. 18. Whenever repairs are necessary in an explosives building, they shall be attended to by either a repairs engineer or other authorized person. The foreman, or person in charge of the building, shall be responsible for seeing that only those authorized, attend to these repairs, and that in the case of major repairs all explosive material is removed before repairs are undertaken.

Repairs.

Before work may be resumed, after repairs have been made, all articles other than those allowed shall be removed from the building, and the workroom placed in its original working condition.

SEC. 19. No employee shall have in his possession at any time in any explosives plant, any match or other flame producing device unless he is authorized in writing by the superintendent to do so, in which case approved safety matches only may be used.

Matches.

A search for matches shall be made by some authorized person at least twice a week at irregular intervals. The finding of a match or other flame producing device on the person of an employee not authorized to have matches in his possession shall be cause for instant dismissal, and the facts shall be reported to the commissioner of labor and industry.

SEC. 20. All employees handling loose explosives or working in or around explosives manufacturing buildings where there is a possibility of explosion by the attrition of metals shall wear powder shoes or rubber soled shoes (without iron or steel nails). No pockets shall be allowed in the clothing worn in such work except one skeleton pocket in either the coat or trousers. Neither iron nor steel buttons, nor other metal attachments, shall be allowed on such clothes, nor shall metal objects, such as knives, keys, and so forth, be allowed to be carried in the pockets.

Clothing.

All explosives buildings shall be provided at each entrance with suitable devices whereby the shoes of all those persons entering such buildings can be cleaned and all persons before entering such buildings shall wipe or clean their shoes.

SEC. 21. Suitable change or locker houses shall be provided where employees can change their clothes and wash.

Dressing rooms.

No lockers shall be allowed in explosives buildings.

SEC. 22. All trucks or conveyors used for the transportation of loose explosive material, except smokeless powder not in the dry state or wet nitro compounds, shall be provided with either side or end rails, or guards, to prevent any explosives from slipping off the truck or other conveyors. Only trucks or other conveyors that are in perfect repair shall be used.

Trucks.

Careful inspection shall be made daily by the foreman to see whether all machinery used in the manufacture or handling of explosives is in perfect order. If not found in such shape, it shall not be used until placed in perfect condition.

Machinery.

All dangerous machinery and moving parts of machinery shall be guarded in approved manner as specified by the safety standards of the industrial board of the department of labor and industry.

All platforms, stairways, tanks, vats, runways and other dangerous places shall be guarded by standard railings and toe boards as required by the industrial board standards on standard railings and toe boards, except where there is danger of dust collecting, when toe boards shall not be used; but in all such instances special permission shall be obtained from the department of labor and

Platforms, etc.

industry. Metal shall not be used for railings and toe boards where its presence increases the danger of an explosion and no railings or toe boards shall be installed so as to interfere with safety exits.

Either the tread of all wheels on trucks or conveyors or the rails used inside of explosives buildings shall be composed of non-sparking material.

Carrying explosives.

SEC. 23. Where explosives are carried from one building to another, as for instance from magazines to workrooms, employees carrying such explosives shall not be allowed to follow each other closely but must allow an interval of at least one minute in time or one hundred feet in distance. This does not apply to such explosives as trinitrotoluol and smokeless powder.

Floors to be clean, etc.

SEC. 24. If any explosive material or ingredients shall be spilled, they shall be immediately cleaned up.

The floors of all explosives buildings shall be so laid as to be as free as possible from cracks, openings or any irregularities and no projecting or visible iron or steel nails shall be permitted in such floors.

Lighting.

SEC. 25. Temporary or loose electric wiring, such as extension lights, and so forth, is absolutely prohibited in explosives buildings except in case of emergency while making necessary repairs.

All inside electric wiring shall be of a permanent character installed in metal conduit or lead encased cable with vapor proof keyless lamps. Installation of material of same shall conform to the underwriters' standards.

Table of distances.

SEC. 26. (A table of distances is now in process of preparation and will be issued at an early date.)

Lightning arresters.

SEC. 27. Lightning protection shall be provided for all electric conduits and circuits entering explosives buildings, by means of suitable lightning arresters installed outside and not on the buildings. All installations must be in accordance with underwriters' standards.

Heating.

SEC. 28. The workrooms, when desirable, shall be heated by an approved system of steam, indirect hot-air radiation or hot water. The temperature of the steam shall not exceed one hundred and twenty degrees centigrade. The radiators shall be at least one inch distant from all wooden walls or other inflammable material and shall be attached in such a manner that they can be easily inspected and cleaned.

Fires.

SEC. 29. All outside water mains shall be underground below the frost line. The provision of chemical fire extinguishers is recommended under certain conditions but not in high explosives and black powder manufacturing buildings. In workrooms where alcohol or other easily inflammable liquids, in quantities over one barrel, are being used, steam pipes or sprinkler systems for the extinguishing of fires shall be provided.

In addition to the foregoing regulations the following shall be observed with reference to the manufacture and handling of the respective substances enumerated below:

*Nitroglycerin—Its compounds and mixtures (dynamite, all varieties: Gelatin dynamite, etc.)*

Floors of nitrator house.

SEC. 30. The floor of the nitrator house shall either be covered with sheet lead or the nitrator shall stand in a suitable lead pan, drained to the drowning tank. All seams and joints shall be lead burned in a careful manner, so that there may be no crevices in which nitroglycerin will lodge.

The floor shall be so constructed as to be readily washed and drained.

New lead floor covering shall be extended by means of a round corner at least three inches up each side wall, thus making a sanitary corner.

Thermometers.

SEC. 31. At least two reserve thermometers shall be kept in each nitrator house for use in case of emergency.

SEC. 32. When in the judgment of the commissioner of labor and industry or his authorized representative, fumes are being given off, adequate vent pipes shall be provided to carry off all fumes from the nitrator to the outside of the building.

Construction and equipment.

There shall be a daily inspection of the nitrator and a test of its coils.

No iron valves shall be allowed on any nitroglycerin pipe lines, except quick opening nitrator plug cocks, which shall be frequently lubricated. All other valves or stop cocks on nitroglycerin pipe lines or containers shall be of stoneware, earthenware, hard rubber or wood and shall be kept clean and greased.

No repairs shall be made during nitration except in emergencies.

Nitrators shall be provided with coils for cooling by cold water, or brine or other suitable means and also with means for both mechanical and compressed air agitation.

No more than two nitrators shall be installed and not more than three employees shall be regularly employed in any one building.

During nitration the attention of one employee shall be given wholly to observing the thermometer and running in the glycerine.

Operation.

No removal of supplies of acid or glycerin drums shall be allowed in the nitrator house while nitration is going on. The nitrator house shall be located not less than the approved distance from the nearest operating building containing other employees. The glycerin heating house and acid tanks are excepted.

No charge of nitroglycerin shall be sent to the separator house in a hose line while nitrating operations are in process.

Catch boxes shall be provided on all outlets for wash water and inside catch boxes, if used, shall be cleaned weekly, at times when there is no charge of nitroglycerin in the nitrator house.

The floors shall be washed daily at the conclusion of the day's work.

SEC. 33. Each nitrator house shall be provided with a drowning tank which shall have a water capacity of at least five times the amount of the acid charges and be provided with an air agitator and water inlet. All valves shall be located conveniently for the operators in case of emergency.

Drowning tanks.

SEC. 34. The floor of the separator house shall be covered with sheet lead with all seams and joints lead burned in a careful manner, so that there may be no crevices in which nitroglycerin will lodge.

Separator house.

The floor shall be so constructed as to be readily washed and drained. The lead floor covering on new buildings shall be extended by means of a round corner at least three inches up each side wall, thus making a sanitary corner.

A lead pan under the receptacle for holding nitroglycerin will be acceptable, in old construction, in lieu of a complete lead floor covering.

SEC. 35. Plain reading thermometers shall be supplied in each separating tank and a reserve supply of at least two shall be kept in each separator house.

Thermometers.

SEC. 36. Not more than two charges shall be allowed in a separator house at one time.

The maximum number of regular employees in each separator house shall be three.

Construction and operation.

All stopcocks or valves on nitroglycerin pipe lines or containers shall be of stoneware, earthenware, hard rubber or wood.

Catch boxes shall be provided on all outlets for wash water and inside catch boxes, if used, shall be cleaned weekly, at times when there is no charge of nitroglycerin in the separator house.

No charge shall be sent from the separator house at a time when a charge is being received.

Each separating tank shall be cleaned and the floors washed daily at the conclusion of the day's work.

It is permitted to carry on the three operations of nitration, separation and neutralization in one building, provided that the regulations prescribed for each individual operation are complied with.

**Drowning tanks.** SEC. 37. An air agitator shall be provided for each separating tank and the outlet of each tank shall be suitably arranged so that the entire charge may be drowned in a drowning tank which shall have a water capacity of at least five times that of the acid charge. This drowning tank shall be provided with an air agitator and water supply.

*Neutralizing, storage, and freezing houses.*

**Floors.** SEC. 38. The floors of each of the above houses shall be covered with sheet lead, with all seams and joints lead burned in a careful manner so that there may be no crevices in which nitroglycerin will lodge.

The floors should be so constructed as to be readily washed and drained.

The lead floor covering on new buildings shall be extended by means of a round corner at least three inches up each side wall, thus making a sanitary corner.

A lead pan under receptacles for holding nitroglycerin will be acceptable in old construction in lieu of a complete lead floor covering.

**Construction and operation.** SEC. 39. The maximum number of regular employees in each one of these houses shall be three.

Catch boxes on the outlets for all wash water shall be provided. Inside catch boxes when operating shall be cleaned at least once a week, at a time when no charges are being sent from the house or are being received into it.

No charge of nitroglycerin shall be sent out of a house into a pipe line or gutter during the period in which a charge is being received.

The floors shall be washed daily at the conclusion of the day's work.

**Acid burns.** SEC. 40. A water outlet or shower bath shall be provided inside of all houses where an employee may be in danger of being burned with acid.

*Transportation.*

**Hose lines.** SEC. 41. Before and after a charge of nitroglycerin is sent down a line in cold weather, hot water shall be sent down through the hose line or in a gutter surrounding the hose line.

All nitroglycerin lines shall be carried on substantial scaffold-ing or runways and shall be protected by suitable covering.

A thorough examination of the complete system shall be made monthly by some responsible person and a written report rendered by the official to the superintendent or manager of the plant.

No nitroglycerin lines shall be located or pass an explosives building in such a way as to be liable to rupture or other injury in case of an explosion occurring in a building with which it is not connected.

Hose lines shall be made of the best grade of rubber.

**Gutters.** SEC. 42. If lead gutters are used instead of hose lines, they shall be formed of at least six-pound lead, suitably lead burned and located so that they will drain completely toward one end. Rubber gutters are permissible but shall be made of a good quality of rubber.

**Carriages.** SEC. 43. All carriages for the transportation of nitroglycerin shall be of an approved design, shall be equipped with rubber tires and be of a capacity not exceeding eight hundred pounds.

Smooth runways for these carriages shall be provided and shall be kept in good repair at all times.

**Hand mixing house.** SEC. 44. The floor of the hand mixing house shall be covered with linoleum, rubberoid or other suitable covering, laid by either lapping joints or cementing their edges.

**Construction and operation.** SEC. 45. The maximum number of employees allowed in the mixing house shall be three, except at a time when supplies are being received or finished material is being taken away, when the number may be increased to five.

Proper precautions shall be taken to prevent the freezing of nitroglycerin.

No nitroglycerin shall be stored in the mixing house in excess of that necessary for the next two charges.

The mixing bowl shall be made of wood; wood, lead lined; or of some other approved substance.

All shovels and rakes shall be made of wood.

No iron or steel tools of any kind shall be allowed in or about a mixing house, at platforms or entrances, except in case of repairs when operations shall cease and explosives shall be removed. No iron drums shall be rolled or dragged over the floor or platform.

The maximum amount of nitroglycerin in a mixing house at one time shall be two thousand pounds.

No mixed powder shall be regularly allowed to remain in a mixing house over night.

*Machine mixing house.*

SEC. 46. The regulations for the hand mixing house shall cover the machine mixing houses with the following exceptions: Operation.

The maximum number of regular employees in a mixing house at one time shall be four, except at a time when supplies are being received or finished material is being taken away when the number may be increased to six.

The maximum amount of explosive material allowed at one time in the building shall be four thousand pounds.

*Hand packing or punching house.*

SEC. 47. The maximum number of regular employees in each hand packing or punching house shall be seven. Operation.

The floors of such houses shall be covered with linoleum, rubberoid or other suitable covering laid by either lapping joints or cementing their edges.

No explosive material shall be stored therein during operations except that which is necessary for the day's work.

A thorough cleaning shall be given at the conclusion of the day's work and all refuse material shall be destroyed according to the method adopted at that particular plant.

Proper precautions shall be taken to prevent the freezing of nitroglycerin and no powder shall be packed in a frozen condition.

SEC. 48. All dipping of cartridges must be done in a jacketed kettle, the heat being supplied by either hot water or steam with a maximum pressure of twenty pounds. Paraffin dipping.

SEC. 49. The maximum number of regular employees shall be seven. Whenever the output of the plant is such as to require a larger number of employees they shall be placed in a separate unit protected by barricades. Box packing house.

SEC. 50. All gelatin mixing shall be done in a building provided for that purpose. Gelatin mixing and packing.

The gelatin packer or "sausage" machine shall be located in a separate building, except when the number of employees is four or less when mixing and packing operations may be carried on in the same building.

The maximum number of regular employees in a packing house shall be five.

The maximum number of regular employees in a mixing house shall be four.

When the output is such that it requires an additional number of hand wrappers, they shall be housed in a separate building.

*Black powder mills.*

SEC. 51. All materials used in the manufacture of black powder shall, prior to mixing or incorporating, be subjected to a magnetic separator or put through a screen. Materials used.

- Incorporating mills.** SEC. 52. The mechanism for the starting or stopping of an incorporating mill shall be so arranged that after the material has been placed in the bowl, the mill can be started only by an employee from a reasonably safe station, and then only after all employees have left the building.
- No loading or unloading of ingredients or finished mixed material shall be done while the mill is in operation.
- It is recommended that all bolts or parts of machinery which might break off and fall into the mill, while it is in course of operation, shall be suitably protected so that in the event of such breakage, these parts will not fall into the mixing bowl.
- Cleaning.** SEC. 53. All buildings shall be wet down from time to time as necessity demands and cleaned daily.
- On at least one day in each week, at a time designated by the superintendent, there shall be a thorough cleaning of each building with the removal of all accumulated dust on walls and ceilings.
- All buildings in which loose powder is handled shall be provided with suitable hose and water connections so that a wet down can be given as often as necessary.
- Inspection.** SEC. 54. Workmen when going on duty shall first examine each mill or building in their respective charge, oil up, and if anything is out of order, report at once to the superintendent or foreman.
- Under no circumstances shall the mill be started unless in proper condition.
- When any foreign substance is thought to be in the powder, work and machinery must be stopped at once and report made to the superintendent or foreman.
- At the conclusion of the day's run the machinery and belts shall be examined and if not found to be in first-class condition, a report shall be made to that effect, to the superintendent or foreman.
- Repairs.** SEC. 55. In the event of any major repairs being necessary in any of the buildings, work shall cease at once and those employees so designated shall properly clean up the room and machinery by the removal of all loose powder and dust and afterwards thoroughly wet down all parts of the machine and room. Such repairs shall be made only by persons designated by the management.
- In order that the number of persons present at such times may be kept to a minimum, the millwright or mechanic shall send away any of his helpers when he can dispense with their services. When repairs are complete, all tools taken to the mill shall be accounted for and removed before starting the mill.
- Caked powder can be removed by soaking with water and then loosening by means of a wooden shovel or wooden spud.
- Lighting, etc.** SEC. 56. The lighting of all buildings shall be as provided for in section 5 and no electric devices which may give off sparks shall be permitted in any room where powder dust may accumulate or be present.
- Implements.** SEC. 57. No metal implements of any kind except those made of nonsparking metal, shall be used in handling powder.
- Guncotton, nitrostarch, smokeless powder and similar products.*
- Standard railings.** SEC. 58. All platforms, openings and stairways shall be guarded with standard railings as provided in safety standards of the industrial board on standard railings and toe boards, volume one, number two, except where there is danger of explosive or inflammable dust collecting, when toe boards shall not be used. Metal shall not be used for railings and toe boards where its presence increases the danger of an explosion and no railings or toe boards shall be installed so as to interfere with safety exits.
- Walks or runways.** SEC. 59. Walks or runways should not be built over the tops of tanks or vats but should be located at the sides of such containers at least three feet six inches below the top. Where such condition can not be obtained standard railings shall be installed and toe boards where necessary.

SEC. 60. All explosives buildings two or more stories in height shall have at least one outside means of escape which shall be of the chute type or a sloping lateral runway. In no case shall steps or ladders be considered a sufficient substitute.

Exits.

SEC. 61. Provision shall be made for the carrying away of acid fumes at all stages of the nitrating process, i. e., while filling the nitrating vessels with acid, while adding the cotton and while taking the nitrated cotton from the nitrating apparatus and placing it in wringers or centrifuges.

Acid fumes.

SEC. 62. Employees shall be urged to wear suitable protective clothing such as rubber gloves, rubber aprons, and rubber shoes or boots. Suitable types of respirators and goggles shall be provided.

Protective clothing.

SEC. 63. Each centrifugal wringing out waste acid shall be separated from other centrifugals by partitions or shall be located at a safe distance from other centrifugals. The compartments or sections so created shall be so arranged that employees can make a quick get away in case the cotton should ignite.

Centrifugal sheds.

Adequate water facilities shall be provided for fire fighting apparatus and also for outlets for washing purposes and for shower baths. The latter are necessary especially in the event of workmen receiving acid burns.

*Rooms containing ether vapor.*

SEC. 64. All rooms which may contain ether vapor shall be governed by section three to section six inclusive.

Operation.

SEC. 65. No electric apparatus capable of giving off a spark shall be allowed in such room.

Electric apparatus.

SEC. 66. Floors shall be of such construction that they can be kept clean.

Floors.

SEC. 67. An approved number of exit doors for a quick get away shall be provided in such buildings.

Doors.

*Dry houses, dry dump houses and blending houses.*

SEC. 68. All powder bins shall be suitably grounded to insure safety from static electricity.

Grounding of bins.

A monthly inspection and report shall be made of the condition of such apparatus by a competent person designated by the superintendent.

SEC. 69. (A) Not more than six employees shall be allowed inside of a dry house or dry dump house or around such houses while a filling or emptying process is being carried on.

Number of employees allowed.

(B) (a) Not more than twelve employees shall be allowed inside of a cordite blending house.

(b) Not more than ten employees shall be allowed inside of a gravity type of blending house. By gravity type is meant that type of blending house in which the entire charge of powder is deposited in a bin or funnel situated one or more floors above the packing floor.

(c) Not more than eight employees shall be allowed inside of a bin type of blending house. i. e., a house in which all operations are carried on on one floor.

If more than eight men are necessary to carry on operations in a gravity or bin type of blending house, a maximum number not exceeding twelve men will be permitted, providing a fire resisting wall of a type approved by the commissioner of labor and industry, or his authorized representative, shall be erected. This wall shall separate the employees who are engaged in weighing, packing and inspecting from the bins containing the powder. A covered fire resisting means of escape, extending at least seventy-five feet from the building, shall be erected. The plan and type of this means of escape shall be approved by the commissioner of labor and industry, or his authorized representative.

The restrictions as to the number of men mentioned above is intended to include laborers and foremen but not to include

inspectors, superintendents or other members of the plant manager's staff, whose duties may require their presence occasionally to see that the work is being carried on properly.

No. 20.—*Cranes.*

(Not yet received).

No. 21.—*Electric code.*

Summary.

[This code was prepared in cooperation with the National Bureau of Standards, and is the first to present so complete and detailed a body of regulations. It is, however, too technical and too extensive a compilation to be reproduced in the present collection.

The introductory part is quite comprehensive and includes, besides the regular introduction, a section on definitions of special terms and rules covering methods of protective grounding of circuits, equipment and lightning arresters. The nature of the ground connection, its location, size and resistance are described with much detail.

Part 1 gives rules for the installation and maintenance of electrical supply stations and equipment. Various sections treat of rotating equipment, storage batteries, transformers, switchboards, lightning arresters, etc. Methods are given for reducing danger of contact with live parts by either insulation, isolation or guarding. Adequate illumination and ventilation are specified when required.

Fifty pages are required to give rules for the installation and maintenance of electrical equipment such as motors, lighting fixtures, electric furnaces and welders, portable devices, etc. The same method as followed in the first part is here also used in describing adequate safeguards.

The last part covers operation of electrical equipment and lines.

Comprehensive discussions follow each part explaining the reasons for the various rules where they may not be apparent.]

No. 22.—*Lead corroding and lead oxidizing.*

Scope.

[The rules embodied in this number relate to any and all processes of the corrosion of metallic lead into carbonate of lead, and also the manufacture of red lead, litharge, basic lead sulphate, nitrate of lead, and nitrite of soda. Workrooms must be thoroughly ventilated, and walls and doors of fire-resisting material must separate the rooms in which dust is produced from all departments in which the work or process is of a nondusty character. Dry sweeping is forbidden, and vacuum cleaning or flushing with water is recommended. No female may handle any dry substance or dry compound containing lead in any form in excess of 2 per cent; nor may any male under 21 years of age strip stacks, repair ventilating systems, or work at dry packing of carbonate of lead, litharge, red lead, basic sulphate of lead, or sublimated white lead. The employment of persons who chew tobacco or habitually use intoxicating beverages is to be discouraged. Respirators must be furnished by the employer without cost for use in those operations in which use is required by these rules. The employer must also furnish outer clothing, and keep it clean and in repair.

Workrooms.

Females.

Minors.

Tobacco and alcohol.  
Respirators and clothing.

Washrooms,  
etc.

Washrooms supplied with hot and cold water, nail brushes, soap, and towels must be furnished, and 10 minutes allowed at the employer's expense for the use of the washroom at lunch hour and at the close of the day's work. A shower bath for each 10 employees must be provided, and 10 minutes allowed at the close of the day's work at least twice a week for its use. Dressing rooms and eating rooms must be furnished and suitably equipped, and no person may take any food or drink into any workroom or remain in any workroom during the time allowed for meals. Sanitary drinking fountains or individual cups must be supplied.

A physical examination must be made monthly of all employees exposed to lead dust, lead fumes, or lead solutions. This examination must be made by a licensed physician, and any case of lead poisoning found must be reported to the department on a prescribed blank; a duplicate must be sent to the State department of health. A notice, containing 12 items, on how to prevent sickness must be posted in workrooms, wash rooms, dressing rooms, and eating rooms.

Physical examination.

Details of provisions are prescribed for the Old Dutch process of making white lead, for the Carter process, for the making of sublimed white lead, for the manufacture of litharge, etc., and for nitrate of lead and nitrite of soda. All crushing mills, grinding mills, and sieving machines operating on material in a dry state which contains lead in any form must be fitted with an efficient air exhaust.]

Details.

No. 23.—*Paint grinding.*

(Not yet received).

No. 24.—*Dry colors.*

(Not yet received).

No. 25.—*Manufacture of nitro and amido compounds.*

[The rules and regulations on this subject are presented as "suggested safe practices," rather than absolutely binding rules. Ventilation is of prime importance, and such construction of wash rooms as to permit easy cleaning. The handling of compounds in the various forms, whether liquid, solid, or pulverized, must be done in an appropriate manner to avoid contact and the inhalation of dust, gases, or vapors. The cleansing of garments used, the avoidance of the use of alcohol and tobacco, and of the employment of men either too old or too young, are some of the points covered. Females may be employed only in the offices, hospitals, or welfare rooms. The making of repairs must be preceded by thorough cleansing of the machinery, apparatus of place to be repaired. First-aid methods must be understood by a sufficient number of persons, and suitable provisions made for resuscitation, including an oxygen inhalation apparatus. Monthly physical examinations are prescribed, as well as examinations before resuming work after any absence. Special suggestions are made with reference to the various processes, and a special warning notice is directed to be posted with regard to the danger of inhaling dense acid fumes.]

Summary.



PHILIPPINE ISLANDS.

ACTS OF 1917.

Act No. 2668.—Salary law—Bureau of labor.

SECTION 1. The salaries of the officers and employees of the Philippine Government mentioned in this act shall hereafter be as follows: Salaries.

(bb) The director of labor, 5,000 pesos (\$2,500) per annum. The assistant director, 4,000 pesos (\$2,000) per annum.

Approved December 14, 1916.

Act No. 2711.—Administrative code.

BUREAU OF LABOR.

SECTION 75. There shall be six executive departments, to wit, \* \* \* the department of commerce and communications, which shall be under the direct control of the respective secretaries of departments, exercising their functions subject to the general supervision and control of the governor general. Departments.

SEC. 86. The department of commerce and communication shall have the executive supervision over the bureau of public works, the bureau of posts, the bureau of supply, the bureau of labor, and the bureau of coast and geodetic survey. Bureaus.

BUREAU OF PRINTING—WAGES.

SEC. 1656. Technical employees of the bureau of printing and other employees whose services are required to facilitate the accomplishment of technical work shall be paid, for overtime work on regular work days, twenty per cent more, and on holidays one hundred per cent more, than they receive for the same amount of ordinary day labor. Overtime, etc.

SEC. 1657. Native craftsmen from the date of their entrance into the service, and native apprentices from the date of their entrance into the third year of apprenticeship, for each year of honest, faithful, satisfactory, and continuous service in the bureau of printing shall be entitled to receive, at the end of the next succeeding year of honest, faithful, satisfactory, and continuous service, extra compensation as follows: Twenty centavos (\$0.10) per diem for each full day of actual service rendered at a daily wage of 1 peso and 20 centavos (\$0.60) or more but less than 2 pesos and 40 centavos (\$1.20); 40 centavos (\$0.20) per diem for each full day of actual service rendered at a daily wage of 2 pesos and 40 centavos (\$1.20) or more but less than 3 pesos and 20 centavos (\$1.60); and 60 centavos (\$0.30) per diem for each full day of actual service rendered at a daily wage of 3 pesos and 20 centavos (\$1.60) or more. Rates of wages.

Service shall be deemed to be "continuous," for the purposes hereof, until the employee is definitely separated from the service in the bureau of printing; but periods of unexcused absence shall not contribute toward the maturing of the privileges herein granted.

SEC. 1658. A native craftsman or apprentice separated from the bureau after extra compensation has been earned and before it becomes due shall not be entitled to receive any part thereof unless such separation shall be on account of lack of work, permanent disability, or death, in which event such native crafts- Discharged, etc., employees.

man or apprentice, or his estate in case of death, may, on the recommendation of the director, approved by the department head, receive the extra compensation accumulated at the time of separation.

## BUREAU OF LABOR.

Head of bureau.

Powers and duties.

SEC. 2058. The bureau of labor shall have one chief and one assistant chief, designated, respectively, as the director of labor and the assistant director of labor.

SEC. 2059. The bureau of labor shall have the power, and it shall be its duty—

(a) To see to the proper enforcement of all laws relating to labor and capital in the Philippine Islands, and to promote the enactment of legislation which shall tend to establish the material, social, intellectual, and moral improvement of workers.

(b) To acquire, collect, compile, systematize, and submit from time to time reports to the department head, statistical data relative to the hours and wages of labor, the number of workers in each trade or occupation, employed and unemployed, their place of birth, age, sex, civil status, and moral and mental culture; the estimated number of families of married workers, houses rented by them, and annual rental; property owned by them, the value of such property; the cost of living, the amount of labor required, the estimated number of persons dependent on their daily wages, the probable changes in all the persons employed, the condition of shops, factories, railways, tramways, industrial and commercial establishments, and all other places or centers of labor, whether public or private, including the penal institutions of these islands, with respect to the safety of life and health of workers; the means adopted to avoid accidents or make reparation therefor; the number of accidents which take place, their causes and the action taken in each case; conditions and certainty of the payment of wages; the business of savings banks with the working classes; corporations, [sic] strikes, suspensions of work, and other labor difficulties, their causes and the remedies adopted in each case; mutual benefit associations, workers' insurance societies, associations for the collection of statistics and cooperative production, and other labor organizations, and their effects on labor and capital; private employment, complaint, defense, and consultation agencies for laborers; their conditions and effects and other matters relative to the commercial, industrial, social, educational, moral, and sanitary condition of the working classes and the permanent prosperity of the various industries of the islands; and in the case of laborers born in foreign countries, the date of their arrival and the length of their stay in these islands.

(c) To inspect all shops, factories, railways, tramways, vessels, industrial and commercial establishments, and all other places or centers of labor, whether public or private, and to take the proper legal steps to prevent the exposure of the health or lives of laborers, and to aid and assist by all proper legal means laborers and workers in securing just compensation for their labor, and the indemnity prescribed by law for injuries resulting from accidents when engaged in the performance of their duties.

(d) To secure the settlement of differences between employer and laborer and between master and servant and to avert strikes and lockouts, acting as arbitrator between the parties interested, summoning them to appear before it, and advising and bringing about, after hearing their respective allegations and evidence, such arrangement as these may, in his judgment, show to be just and fair.

(e) To organize in such towns in the Philippine Islands as it may deem necessary or advisable one or more free employment agencies. A fee in an amount to be fixed by the director of labor, with the approval of the department head, may be collected by said director from employers for services performed by an employment agency in securing servants and employees. An employment

agent shall not be subject to the provisions of the civil service law, unless his appointment shall so state.

SEC. 2060. There shall be in the bureau of labor an attorney to be known as the attorney of the bureau of labor. It shall be his duty to assist the director or assistant director of labor in all legal questions by them submitted to him, and to bring suit gratuitously, in the proper courts, for indigent laborers or servants when he shall deem this proper after the failure of the endeavors to bring about a friendly settlement made by the director or assistant director of labor in the performance of the duties imposed and the exercise of the powers conferred upon them by subsection (d) of the next preceding section hereof.

Attorney.

SEC. 2061. The director of labor and the assistant director of labor shall have power to administer oaths in matters connected with the administration of the bureau of labor and to take testimony in any investigation conducted in pursuance of the provisions of this chapter.

Oaths.

The attorney of the bureau of labor shall have power to administer oaths as aforesaid and may, when thereunto specially deputed by the director of labor, exercise the authority to take evidence which is herein-above vested in said director.

PROVINCIAL EMPLOYEES—PAYMENT OF WAGES.

SEC. 2118. Money expendable for provincial improvements of any character may, when duly authorized by the provincial board, be used for purchasing rice or other necessaries to be sold or paid in kind, without profit, to laborers actually engaged upon such improvements.

Payment in kind.

PROTECTION OF EMPLOYEES AS VOTERS.

SEC. 2656. Any person who influences or attempts to influence a voter to give or to withhold his vote at an election by threatening to discharge such voter from his employment or to reduce his wages, or by promising to give him employment at higher wages, and any person who discharges any voter from his employment or reduces his wages for giving or withholding his vote at an election, shall be punished by imprisonment for not less than thirty days nor more than one year, or by a fine of not less than 200 pesos (\$100) nor more than 500 pesos (\$250), or both.

Threatening discharge, etc.

Approved March 10, 1917.



PORTO RICO.

ACTS OF 1917.

ACT No. 14.—*Weight that workmen may carry.*

SECTION 1. No employee shall be required or permitted by his employer to carry on his head, back or shoulders a weight or load for said employer of more than two hundred pounds.

Maximum.

SEC. 2. Any natural or artificial person, or the administrator, superintendent, mayor-domo or representative of such person requiring, consenting or permitting any employee to violate the provisions of the preceding section or any employee violating such provisions shall be guilty of misdemeanor and punished by a fine of not more than \$100 for each violation.

Violations.

Approved April 12, 1917.

ACT No. 17.—*Strikes, etc.—Notice in advertisements for labor.*

SECTION 1. When any employer or owner of a factory or agricultural estate, or mercantile or industrial establishment of any kind, or any of their agents or representatives, during a general strike of their laborers or employees of any class or during a lock-out, advertises in the newspapers, or by means of bills or in any other form, for laborers or employees of any class, or employs agents to solicit or personally solicits persons to work in place of such strikers, he shall state clearly and precisely in all such advertisements, whether written or verbal, the fact that a strike or lockout exists.

Notice to be given.

SEC. 2. If any person, firm, association or corporation, labor agent or representative violates the provisions of this act, such person, corporation, firm, association, agent or representative shall be punished by fine not to exceed \$100, or by imprisonment in jail for not more than one hundred days, or by both penalties, in the discretion of the court, for each violation.

Violations.

Approved April 12, 1917.

ACT No. 43.—*Wages of employees of territorial bureau of supplies, printing and transportation.*

SECTION 1. The chief of the bureau of supplies, printing and transportation is hereby authorized and directed to pay to the employees of the said bureau, who are employed and paid by the hour, for any and all work done during holidays and outside of the regular office hours at a rate of fifty per cent higher than the regular rate authorized in accordance with law.

Overtime work.

Approved April 12, 1917.

JOINT RESOLUTION.

No. 2.—*Commissioner of agriculture and labor.*

SECTION 1. The commissioner of agriculture and labor shall appoint an assistant commissioner of agriculture and labor, who shall perform such duties as may be assigned to him by law.

Assistant.

In case of the absence, death, removal or resignation of the commissioner, the assistant commissioner shall substitute him in office until the former's successor is appointed and shall have qualified.

Approved March 30, 1917.

## ACTS OF 1917—VOLUME II.

ACT No. 10.—*Wages of farm laborers—Procedure for recovery.*

- Complaint.** SECTION 1. Whenever a farm laborer shall find it necessary to claim from his employer any sum for wages, he may appear before the municipal judge for the municipal judicial district wherein the property on which the work was performed is situate, and file a complaint against the said employer, which complaint shall be filled out by the judge or his secretary, setting forth therein under oath the facts upon which the claim is founded: *Provided*, That where the property is situate in territory comprised in two or more municipal judicial districts the complaint may be filed in any of the courts in whose district any portion of the property is situate.
- Hearing.** SEC. 2. The judge shall fix the date for the hearing of the case which shall be held within ten days from and after the day on which the complaint was filed, and it shall be the duty of the secretary of the court to serve notice on the same day and by mail on the commissioner of agriculture and labor of the day so fixed, together with a copy of the complaint, and the commissioner of agriculture and labor may intervene in the proceedings through any of the employees under him.
- Summons.** SEC. 3. The marshal shall personally summon the complainant and defendant for the hearing and deliver to each of them a copy of the complaint: *Provided*, That at least three days shall intervene between the date on which the summons is served and the hearing of the case.
- Service.** SEC. 4. Where the defendant is not found or where he has no residence in the municipal judicial district, the summons shall be served on the person who in any manner shall represent the said defendant on the property or which the work originating the claim was performed.
- Appearance.** SEC. 5. Where the parties shall fail to appear or where the defendant only shall appear, the court shall dismiss the complaint or claim; but where the complainant only appears the hearing shall be held in the absence of the defendant.
- Questions of law.** SEC. 6. Before beginning the introduction of evidence the court shall pass upon all such questions of law as may be submitted to it, but no complaint shall be dismissed for a mere defect as to form.
- Judgment.** In the introduction of evidence the widest possible latitude shall be allowed to the parties.  
SEC. 7. Within twenty-four hours after the hearing the municipal judge shall render judgment, affirming or dismissing the claim. Where the claim is affirmed the defendant shall be adjudged and directed to pay to the complainant such amount of wages as shall have been shown by the evidence: *Provided*, That the said municipal judge, if malice on the part of the defendant is shown, shall adjudge him to pay to the complainant by way of indemnity or punishment an additional sum of not to exceed fifty (50) dollars.
- Appeal.** SEC. 8. Any of the parties who may believe himself prejudiced by the judgment may take an appeal to the district court for the judicial district in which the municipal trial court is situate.  
The appeal shall be taken by filing with the secretary of the municipal court within two days after the rendition of judgment a notice setting forth the intention of appealing and by delivering a copy of the said notice to the opposing party or to his representative or attorney.
- Copy of complaint, etc.** SEC. 9. Within five days from and after the date on which the notice of appeal was filed, the secretary shall transmit to the district court a copy of the complaint, of the judgment, and of all orders which the aggrieved party desires to submit to the said district court for the revision thereof.
- Hearing on appeal.** SEC. 10. Upon receipt of the said proceedings by the secretary of the district court, he shall report the same to the judge who shall fix, irrespective of the calendar, a day for the hearing,

within the first ten days after receipt of said proceedings and notice thereof shall be transmitted by mail to the commissioner of agriculture and labor and by the marshal to the interested parties: *Provided*, That the marshal of the district may entrust the service of such notice to the marshal of the municipal court for the district in which the persons to be served shall reside.

SEC. 11. In the hearing on appeal the trial shall be held *de novo*; and where the appellant shall be the defendant and the court, after the introduction of the evidence, shall be satisfied that the said appeal was taken only for the purpose of delaying a compliance with the judgment, it shall have power to adjudge and direct the said defendant to pay to the complainant by way of indemnity or as a punishment a sum of not to exceed one hundred (100) dollars.

Trial *de novo*.

SEC. 12. In no case of a claim for farm wages shall more than one appeal be allowed.

Single appeal.

SEC. 13. The judgment affirming a claim shall direct payment to be made within five days from and after the date on which the said judgment becomes final. Upon the expiration of this term said judgment may be executed on any property of the defendant through an order of execution which shall be issued by the secretary on petition of the complainant, and which shall be executed by the marshal within a term of not to exceed twenty (20) days from and after the date on which the said order of execution was delivered to him.

Payment in five days.

SEC. 14. No costs shall accrue in this class of suits.

Costs.

Approved, November 14, 1917.

ACT No. 12.—*Employment of labor—General Provisions.*

SECTION 1. Sections 1487, 1488, 1489, and 1490 of the Revised Civil Code of Porto Rico [sections 4593-4596, Revised Statutes and Codes] are hereby amended to read as follows:

SEC. 1487. A person employed for domestic service, whether for the personal service of the head of the family or for the general service of the household, whose service contract is for a specified time, may leave such service or be dismissed before the expiration of the term of the contract; but if the employer dismisses the employee subject to these conditions without sufficient cause, he shall indemnify said employee by paying him the wages due and those for fifteen additional days.

Termination of contract.

SEC. 1488. In addition to the provisions of the foregoing sections in regard to contracts between employers and employees, the provisions of special laws and regulations shall be observed.

Special laws.

SEC. 1489. Field hands, mechanics, artisans, and other laborers hired for a certain time or for a certain work can not leave nor be dismissed without sufficient cause before the contract is completed.

Employees for fixed term.

SEC. 1490. The dismissal of field hands, mechanics, artisans, and other hired laborers to which the preceding sections refer gives the right to dispossess them of all tools and buildings which they may occupy under the contract.

Dispossession of tools, etc.

Approved, November 14, 1917.

ACT No. 26.—*Closing time of commercial and industrial establishments—Sunday labor.*

SECTION 1. Section 553 of the Penal Code [section 6004, Revised Statutes and Codes] \* \* \* is hereby amended to read as follows:

Sec. 553. All day Sunday; from 12 o'clock noon on legal holidays, except Labor Day, that is, the first Monday in September, and the Fourth of July, when they shall remain closed all day; from 9 p. m., every Saturday; from 6 p. m., every working day; and from 10 p. m., on December 24 and 31, and January 5 of each year, commercial and industrial establishments shall remain closed to the public and suspend all work for employees one hour after closing, except the following:

When establishments are to be closed.

- Exceptions.** I. Libraries, sugar and alcohol factories, coffee-cleaning mills, and pharmacies only so far as relates to the dispatch of prescriptions and medicines at retail.
- II. Public markets, printeries, garages, and bakeries: *Provided*, That no establishment in public market places for the sale of provisions and merchandise shall be exempt from compliance with this act.
- III. Establishments where coffee and refreshments only are sold; restaurants, hotels, inns, eating houses, places where meals are served, confectionery and pastry stores.
- IV. Casinos, billiard rooms, ice depots, meat stands, milk stalls, and stands where sweets, matches, manufactured tobacco, and periodicals are sold.
- V. Slaughterhouses, dairies, livery stables, piers or docks and undertaking establishments.
- VI. Public and quasi-public utilities and works of emergency necessary to prevent danger or considerable financial loss.
- VII. Theaters, or other places devoted exclusively to amusements or charitable purposes, shall not be comprised under the provisions of this section so far as relates to the purposes stated herein.
- Repeal.** SEC. 2. Section 554 of the Penal Code in force [Section 6005, Revised Statutes and Codes authorizing municipal councils to require all establishments to be closed on Sunday] is hereby repealed.
- Weekly day of rest.** SEC. 3. Employees and clerks of enterprises and establishments not exempted by this act, and who render services on the basis of an annual, monthly, or weekly salary, or in any form other than for wages or piece work at a fixed price, shall be entitled to one day of rest for every six days of work, at full salary.
- Violations.** SEC. 4. All violations of this act shall be punished by a maximum fine of one hundred dollars for the first offense, or by imprisonment for a maximum term of thirty days, and subsequent violations shall be punished by a fine of from twenty to one hundred dollars, or by imprisonment from five to thirty days, or by both penalties in the discretion of the court.
- Approved November 23, 1917.

ACT No. 28.—*Homes for workmen—Homestead commission.*

- Houses to be built.** SECTION 1. The commissioner of the interior is hereby directed to build houses in any municipality of Porto Rico upon lands of The People of Porto Rico to be selected for such purpose by the commissioner of the interior and the commissioner of health, in order to furnish adequate habitations to artisans, laborers and other workmen at a reasonable cost.
- Rules and regulations.** SEC. 2. Such houses shall be constructed and maintained in accordance with the sanitary laws, rules, and regulations, now or hereafter in force, and they shall be rented, operated, and maintained in accordance with rules and regulations, not in conflict with this act, adopted by the homestead commission created by an act of the legislative assembly of Porto Rico entitled "An act providing for the sale to laborers of certain lands of The People of Porto Rico, and for other purposes," approved March 11, 1915.
- Commission.** The said commission shall consist of the commissioner of the interior, who shall be ex officio chairman thereof, the treasurer, the commissioner of health, the commissioner of agriculture and labor, and three persons of good reputation who shall be designated by the governor with the consent of the Senate: *Provided*, That the two principal political parties and the labor organizations of Porto Rico shall be represented in the said commission.
- Funds.** SEC. 3. In order to provide the necessary funds in an amount not to exceed two hundred and fifty thousand (250,000) dollars for the works and improvements herein authorized, the treasurer of Porto Rico is hereby authorized, directed, and empowered to issue bonds of The People of Porto Rico to the amount of two hundred and fifty thousand (250,000) dollars in accordance with the terms and conditions of this act.

The commission shall fairly distribute in the island the funds appropriated for this purpose, proportionately to the number of laborers: *Provided*, That such houses may be constructed on lands donated by municipalities or private individuals to The People of Porto Rico to carry out the purposes of this act.

SEC. 9. All moneys received as rental or other income from the said houses shall be handled by the treasurer of Porto Rico and shall constitute a special fund in the treasury of Porto Rico, which moneys are hereby appropriated for expenditure under the direction of the homestead commission for the payment of expenses of repairs and maintenance of the said houses: *Provided*, That the net receipts from such rentals or other income, after the payments herein authorized have been made, at the end of each quarter, upon the first day of March, June, September, and December, shall be carried to the credit of a sinking fund for the purpose of paying the interest and principal of the bond issue authorized by this act until such time as the principal and interest of the bonds provided for herein shall have been paid.

Income to be special fund.

SEC. 12. The rental to be charged for houses built under the provisions of this act shall be fixed by the homestead commission. And likewise the price at which the lessee may acquire ownership of the leased house and lot. In determining the rental and the selling price, the homestead commission shall take into consideration the following:

Rental or sale price.

The value of the land occupied by said houses.

The cost of building said houses.

Repairs, insurance, and other necessary and proper administrative expenses: *Provided*, That such amount as shall have been paid as rental shall be applied, first, to the payment of interest on the amount fixed as the selling price, at a rate of not to exceed six (6) per cent, and the remainder shall be applied to the payment of said price, and title to the property shall be transferred to the lessee, his heirs or successors when the said price of said sale shall have been paid in full.

Application of payments.

SEC. 14. The commissioner of the interior is hereby authorized to provide for the survey, drainage, filling, laying out into streets and paving or macadamizing, where any or all of such improvements are necessary, of lands of The People of Porto Rico, and to make such other improvements on such lands as may be necessary or advisable to place said lands in proper sanitary condition for habitation.

Improvements.

SEC. 15. The commissioner of the interior, in accord with the homestead commission, is hereby authorized to lease and sell lots of land belonging to The People of Porto Rico improved in accordance with the preceding section, as hereinafter provided. Public lands situated in or near towns may be leased or sold to workmen for dwelling purposes only; public lands situated in rural sections may be leased and sold to farm laborers either for dwelling purposes or for dwelling and farming purposes, pursuant to the homestead act, approved March 11, 1915.

Lease and sale of lands.

SEC. 16. The lots of land to be leased for dwelling purposes with a certain right to the ownership thereof in accordance herewith shall be of such area as the commissioner of the interior may determine, but not to exceed 500 square meters. Lots of land to be leased for dwelling and farming purposes in accordance herewith shall be of such area as the commissioner of the interior and the homestead commission may determine, but not to exceed two hectares.

Area.

SEC. 17. After any particular tract of land shall have been improved, as provided in section fourteen of this Act, and divided into lots or small farms, the commissioner of the interior, in accord with the homestead commission, shall publish a description of said lots or small farms at least three times in two newspapers of general circulation in Porto Rico. Such public notice shall also state briefly the conditions under which applications for the lease of said lots or small farms are to be made, with a right to the ownership thereof.

Advertisement.

**Who may lease.** SEC. 18. No application for the lease of lands with a right to the ownership thereof under this act shall be received unless the person making the same is (1) a citizen of the United States; (2) one whose annual income does not exceed one thousand (1,000) dollars; (3) of good moral character; and (4) without other property in Porto Rico or elsewhere, the value of which exceeds three hundred dollars: *Provided*, That where dwellings are erected upon any lands which are to be leased, with a right to the ownership thereof, the person actually living in them, if without property in Porto Rico or elsewhere, the value of which exceeds five hundred dollars, shall be given priority over all other persons in obtaining such leases and ownerships.

**Applications.** SEC. 19. After a tract of land has been advertised, as herein provided, any person who can qualify as an applicant, in accordance with the provisions of section eighteen of this act, may make an application for the lease of a lot or for a small farm with a right to the ownership thereof, in the said advertised tract of land. All applications shall be made in writing, and shall be filed with the commissioner of the interior, and shall state the applicant's first and subsequent choices of the lots or farms advertised. Persons making application shall give to the commissioner of the interior all the information required by the homestead commission.

**Registers.** SEC. 20. Persons applying for the lease of lots of land for dwelling purposes or for dwelling and farm purposes with a right to the ownership thereof shall be enrolled in registries kept by the homestead commission, in the order of priority of the filing of application.

**Investigations.** SEC. 21. The commissioner of the interior shall make such inquiries and investigations regarding the worthiness of the various applicants, and the correctness of the information contained in their application as he may deem necessary. After this information has been obtained, the homestead commission, created by an act of the legislative assembly of Porto Rico entitled "An act providing for the sale to laborers of certain lands of The People of Porto Rico, and for other purposes," approved March 11, 1915, shall apportion the lots or small farms with a right to the ownership thereof to the most worthy applicants, due regard being had of all of the provisions of this act, under such rules and regulations and procedure as it may deem proper. In the assignment of lots preference shall be given, other things being equal, (1) to persons actually living upon them, as hereinbefore provided; (2) to persons who have been residents for one year or more, previous to the advertisement of said tract of land, of the municipality in which such lands are located, and in the assignment of small farms preference shall be given to those having the best records for industry and to those having the best knowledge of practical farming; and (3) choice of lots or small farms available for lots shall be granted in the order of priority of the filing of applications.

**Apportionment.** SEC. 22. Persons leasing lots with a right of ownership under the provisions of this act may, with the approval of the homestead commission, assign their leases and ownership to other persons who are qualified under this act to lease or purchase such lots, or they may release their leases and ownership to The People of Porto Rico under such conditions as the homestead commission may determine by rules and regulations.

**Assignment of leases, etc.** SEC. 23. The commissioner of the interior, in accord with the homestead commission, is hereby authorized to contract with the persons actually occupying dwellings erected on lands of The People of Porto Rico to remove said dwellings, and the homestead commission may, in consideration for such removal, transfer all right and title of The People of Porto Rico in said dwellings to the persons removing them: *Provided*, That the title to the said dwellings shall not be transferred to any person other than the persons actually occupying them. The commissioner of the interior, in accord with the homestead commission, is hereby authorized to permit persons removing their dwellings and ob-

taining title thereto, as provided in this section, to lease with the right of ownership other lots of The People of Porto Rico available for that purpose and to place such dwellings thereon upon compliance with the conditions herein specified, for the lease of lots of lands belonging to The People of Porto Rico.

SEC. 24. It is hereby expressly declared that the purposes for which lands of The People of Porto Rico are to be used, in accordance with the provisions of this act, are public purposes. Purpose.  
public.

SEC. 25. Whenever in this act rules and regulations are to be adopted by the homestead commission, such rules and regulations may be repealed and amended, or new rules and regulations adopted from time to time in the discretion of said homestead commission. Amending  
rules.

SEC. 26. Whenever the word "person" is used in this act, it shall be interpreted to include workingman, head of a family, and the plural forms of the same when applicable. The word "dwelling," as used in this act shall include structure, house, habitation, inclosure, and building, and the plural form of the same when applicable. Definitions.

SEC. 27. Any person knowingly hereafter erecting any dwelling upon lands belonging to The People of Porto Rico, otherwise than in accordance with the provisions of law, shall be guilty of a misdemeanor punishable by a penalty of not less than ten (10) dollars, nor more than fifty (50) dollars, or by imprisonment for not less than five days nor more than thirty days, or by both such fine and imprisonment. Any person who, after this law goes into effect, knowingly rents or leases for profit any dwelling erected upon lands of The People of Porto Rico, except as permitted by law, shall be guilty of a misdemeanor punishable by a fine of not less than fifty (50) dollars or by imprisonment of not less than thirty days or by both such fine and imprisonment. Law to be  
compiled with.

SEC. 28. The sum of twenty thousand (20,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular treasury, not appropriated for other purposes, in order to carry out the provisions of this act, which said sum shall be reimbursed to the Insular treasury out of the proceeds of the sale of bonds authorized by this act. Administra-  
tive fund.

Approved November 27, 1917.

ACT No. 41.—*Factory, etc., regulations—First-aid provisions.*

SECTION 1. Every owner of a sugar factory, factory, workshop, electric or hydraulic plant, or building plant operating power-driven machinery outside of the urban zone, whose employees shall exceed fifty (50) in number, are [is] hereby obligated to provide a dispensary with a sufficient stock of medicines adequate for cases of accident. Scope of  
law.

SEC. 2. The dispensary referred to in section 1 hereof shall be established in a proper room with sanitary conditions and of sufficient light and supplied with water, telephone, operating table, and other appurtenances thereunto belonging, so that it may be used for giving first aid in cases of accidents: *Provided*, That in any accident occurring in the places mentioned in section 1 hereof the physician or minor surgeon shall be furnished with such supplies as it may be necessary to use. Equipment.

SEC. 3. It shall be the duty of every owner of a sugar factory, factory, workshop, electric, hydraulic, or building plant operating power-driven machinery, whose employees shall exceed fifty (50) in number, to contract for the services of a physician and a minor surgeon or a nurse for the care of traumatic accidents occurring during the year. Physician.

SEC. 4. Minor surgeons under contract by virtue hereof shall be duly licensed to practice their profession and shall be provided with such instruments as may be indispensable. Minor sur-  
geons.

SEC. 5. The commissioner of health shall be in charge of the enforcement of this act and shall visit and inspect said dispensaries either personally or through his inspectors or other em- Enforcement.

ployees, to satisfy himself that said dispensaries are properly supplied with all the material necessary for the purposes for which they are intended.

Violations. SEC. 6. Any violation of this act shall be punished by fine not to exceed five hundred (500) dollars or by imprisonment in jail for not to exceed six (6) months.

Approved November 30, 1917.

ACT No. 42.—*Protection of employees as members of labor organizations.*

Forbidding membership. SECTION 1. It shall be unlawful for any corporation, company, partnership, association, individual, or any employer of laborers to require that the person or persons so employed, as a condition precedent to obtaining work or to continue working, or to the execution of any contract, agreement, or covenant, evidenced in writing or otherwise, or by reserve conditions, shall sever their connections or abstain from belonging to any legal organization or society; or under any pretext whatever to prohibit, limit, or restrict said employees in the exercise of their social, economical, fraternal, or commercial rights in connection with or through any legal organization or society during their employment by any employer.

Evidence. SEC. 2. Any contract, agreement, covenant, or reserve condition of the aforesaid nature shall constitute prima facie evidence of the violation of this act.

Violations. SEC. 3. Any corporation, company, partnership, association, individual, or employer of laborers violating any of the provisions of this act shall be deemed guilty of misdemeanor and upon conviction of any person or persons under the provisions of this act they shall be punished by a fine of not less than fifty (50) dollars nor more than five hundred (500) dollars for each and every such violation, or by imprisonment for not less than ninety days nor more than six months in the jail of the district where the violation shall have been committed, or by both penalties, fine and imprisonment, in the discretion of the court.

Approved November 30, 1917.

ACT No. 46.—*Protection of employees on buildings.*

Changes in act. [This act amends No. 30, Acts of 1913, minor changes being made. Protection to "life and limbs" is the object of the act, instead of "life and body," as formerly; and violations are to be punished by a minimum fine of \$25, the maximum limit being stricken out.]

ACT No. 70.—*Railroads, etc.—Safety of employees—Accidents to be reported.*

Facilities, etc., to be safe. SECTION 3. It shall be the duty of every public-service company: (a) To furnish and maintain such service, including facilities, as shall in all respects be just, safe, reasonable, adequate, and practically sufficient for the accommodation and safety of its patrons, employees, and the public, and in conformity with such reasonable regulations or orders as may be made by the [public service] commission.

Repairs. (c) To make all such repairs, changes, alterations, and improvements, including facilities, as shall be reasonably necessary for the accommodation or safety of its patrons, employees, and the public.

Accidents. (w) To give immediate notice to said commission of the happening of any accident in or about, or in connection with, the operation of its property, facilities, or service, wherein any person shall have been killed or injured, and to furnish such full and

detailed report of such accident, within such time and in such manner as the commission shall by general rule or special order or otherwise require. Such report shall not be open for public inspection, except by order of the commission, and shall not be admitted in evidence for any purpose in any suit or action for damages growing out of any matter or thing mentioned in said report.

\* \* \* \* \*  
Approved December 6, 1917.

ACTS OF 1916-17, UNITED STATES CONGRESS.

CHAPTER 145.—*Employment of labor—Department of Agriculture and Labor—Civil government act.*

SECTION 2. No law shall be enacted in Porto Rico which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws. Limit of power.

\* \* \* \* \*  
Nothing contained in this act shall be construed to limit the power of the legislature to enact laws for the protection of the lives, health, or safety of employees. Safety laws.

\* \* \* \* \*  
Eight hours shall constitute a day's work in all cases of employment of laborers and mechanics by and on behalf of the government of the island on public works, except in cases of emergency. Eight-hour day.

The employment of children under the age of fourteen years in any occupation injurious to health or morals or hazardous to life or limb is hereby prohibited. Age limit.

SEC. 13. The following executive departments are hereby created: \* \* \* a department of agriculture and labor, the head of which shall be designated as the commissioner of agriculture and labor; \* \* \* Departments.

SEC. 18. The commissioner of agriculture and labor shall have general charge of such bureaus and branches of government as have been or shall be legally constituted for the study, advancement, and benefit of agricultural and other industries, the chief purpose of this department being to foster, promote, and develop the agricultural interests and the welfare of the wage earners of Porto Rico, to improve their working conditions, and to advance their opportunities for profitable employment, and shall perform such other duties as may be prescribed by law. Duties of commissioner.

\* \* \* \* \*  
SEC. 38. \* \* \* The [railroad] safety appliance acts and the several amendments made or to be made thereto \* \* \* shall not apply to Porto Rico. Laws not to apply.

\* \* \* \* \*  
SEC. 52. \* \* \* The offices of secretary of Porto Rico and director [of] labor, charities, and correction are hereby abolished. \* \* \* Offices abolished.

Approved March 2, 1917.



## RHODE ISLAND.

### ACTS OF 1917.

#### CHAPTER 1522.—*Factory, etc., regulations—Sanitary conveniences.*

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

Sec. 8. In any city, town or district wherein there is a public water service, the owner, agent or lessee of any factory, manufacturing or mercantile establishment employing twenty-five persons or less located on, adjacent, or in close proximity to, any highway, street, road or path in which are laid public water mains, shall equip said factory, manufacturing or mercantile establishment with at least one effectively trapped and ventilated water-closet for the use of the employees: *Provided, however,* That if the employees are of different sex, then and in such case, there shall be at least two effectively trapped and ventilated water-closets, one for male and one for female employees separately located, with separate entrances, properly designated and so built as to insure privacy.

The owner, agent, or lessee of any factory, manufacturing or mercantile establishment, employing more than twenty-five persons, shall equip said factory, manufacturing or mercantile establishment with one effectively trapped and ventilated water-closet, for every forty employees or fraction thereof exceeding one-half: *Provided, however,* That if the employees are of different sex then there shall be separate water-closets for the different sexes with separate entrances properly designated and so built as to insure privacy.

Water-closets, earth closets, or privies shall be provided in all other places where women and children are employed, in such manner as shall, in the judgment of said inspectors, meet the demands of health and propriety.

Separate dressing rooms for women and girls shall be provided in all establishments where such are deemed a necessity by said factory inspectors; and in every manufacturing, mechanical or mercantile establishment in which women or girls are employed, there shall be provided, conveniently located, seats for such women and girls, and they shall be permitted to use them when their duties do not require their standing.

Approved April 19, 1917.

W a t e r -  
closets.

Numbers.

D r e s s i n g  
rooms.



**SOUTH CAROLINA.**

**ACTS OF 1917.**

**No. 95.—*Employment of children—General provisions.***

[This act amends section 426 of the Criminal Code by substituting 16 for 14 as the age up to which parents must give certificates of age, and registers be kept of the same.] A g e a d -  
v a n c e d.

**No. 197.—*Employers' advances—Repayment.***

[This act merely repeals sections 501 and 502 of the Criminal Code, which provides penalties of fine or imprisonment where advances were received for farm labor to be performed, and the laborer failed, "without just cause," to fulfill the contract.] R e p e a l.



## SOUTH DAKOTA.

### ACTS OF 1917.

#### CHAPTER 300.—*Mothers' pensions.*

[This act supersedes and repeals chapter 275, Acts of 1913, as amended by chapter 251, Acts of 1915. The essential provisions of the new law are the same as those of the act of 1913. The duty of investigating applications is placed upon the county commissioner of the district in which the applicant resides instead of on the State's attorney. Officers of charity organizations and humane societies are not designated as alternative investigators under the new law, but the provision of an appointee by the judge of the county court remains.]

The tax for funds may be one-sixth of a mill on the valuation of taxable property of the county, instead of only one-tenth.]

Funds.  
319



TENNESSEE.

ACTS OF 1917.

CHAPTER 28.—*Payment of wages—Semimonthly pay day—Lawful money.*

SECTION 1. All wages or compensation of employées in private employments shall be due and payable as follows, that is to say, all such wages or compensation earned and unpaid prior to the first day of any month, shall be due and payable not later than the twentieth day of the month following the one in which such wages were earned; and all wages or compensation earned and unpaid prior to the sixteenth day of any month, shall be due and payable not later than the fifth day of the succeeding month.

Pay days established.

The words "private employment" used in this act shall mean and include all employments except those under the direct management, supervision and control of the State of Tennessee, any county, incorporated city or town, or other municipal corporation or political subdivision of the State of Tennessee, or any officer or department thereof.

Scope of act.

But nothing contained herein shall be construed as prohibiting the payment of wages at more frequent periods than semimonthly: *Provided*, That this act shall apply only to private employments where twenty or more employees are employed.

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

Notice to be posted.

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

Payment in money.

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

Absent employees.

SEC. 5. Every person, partnership or corporation willfully failing or refusing to pay the wages of any employee at the time and in the manner provided in this statute shall forfeit to the State of Tennessee the sum of \$25 for each and every such failure or refusal, and suits for penalties accruing under this act shall be brought in any court having jurisdiction of the amount in the county in which the employee should have been paid, or where employed. Such suit shall be instituted at the direction of the chief of the department of workshop and factory inspection by the district attorney general, or under his direction, for the county or district in which suit is brought.

Violations.

SEC. 6. The department of workshop and factory inspection shall enforce the provisions of this act.

Enforcement.

Approved March 13, 1917.

CHAPTER 48.—*Enticing employees.*

SECTION 1. Chapter 93 of the Acts of the General Assembly of the State of Tennessee for eighteen hundred and seventy-five [sections 4337, 4338, Shannon's Code] \* \* \* is hereby amended by adding thereto \* \* \* the following additional section, to wit:

Act amended.

Fraud [Sec. 4337a.] Any person who shall misrepresent to any employee the amount of wages to which such employee is to receive on entering into a new contract of employment or who shall fail to give a bond with good and solvent sureties to be filed with the judge or chairman of the county court of the county in which the contract of new employment is made, said bond to be in an amount sufficient to cover the difference in wages received by such employee at the time he is solicited to change his employment and the amount promised to such employee as wages in his new employment, also a good and solvent bond to protect the employer against any and all loss sustained through the removal of his employees by a fraudulent promise or contract shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$5 nor more than \$250 or imprisoned in the county workhouse not less than thirty days nor more than six months, or both in the discretion of the court.

Approved March 30, 1917.

CHAPTER 50.—*Factory, etc., regulations—Shower baths at foundries.*

Shower baths required. SECTION 1. It shall be the duty of all owners, proprietors and operators of foundries employing twelve or more men to provide shower baths, with hot and cold water, for the use of their employees, and also to provide and furnish their employees comfortable dressing rooms, with heat when necessary to dry clothing, and lockers in which their employees may hang their clothes.

Violations. SEC. 2. Any failure or neglect on the part of any such owners, proprietors or operators to comply with or perform any of the provisions of this act, shall be on conviction thereof, subject to a fine of not less than \$5 nor more than \$50: *And provided, further,* That each day the provisions of this act are violated shall constitute a separate offense.

Approved March 30, 1917.

CHAPTER 54.—*Negligence of employees of common carriers.*

Amendment. [This act amends chapter 123, Acts of 1852, codified as sections 6479 et seq. of Shannon's Code, by inserting the word "gross" before the word "negligence" where it occurs. The penal provisions are also modified.]

CHAPTER 62.—*Wage brokers—License required.*

Bond. Records. [This act forbids engaging in the business of making loans on personal property or wages or salaries without obtaining a license and giving bond. Detailed records are to be kept plainly, and the borrower is to have a duplicate statement of all matters connected with the transaction. The amount of fees chargeable for the different incidents of a loan is fixed according to the amount of the loan. The rate of interest is to be not over 6 per cent per annum. The splitting of loans is forbidden and renewals are regulated. The taking of excess fees or interest is penalized by the forfeiture of the principal and interest, and the license also becomes void.]

Interest.

CHAPTER 70.—*Emigrant agents.*

License fee. \* \* \* \* \* Each emigrant agent, or person engaged in hiring laborers, or soliciting emigrants in this State, to be employed or to go beyond the limits of the State, must pay in annual license, each per annum, [a fee] of \$500.

Approved April 7, 1917.

CHAPTER 77.—*Employment of children—Age limit.*

[This act amends chapter 57, Acts of 1911, by adding canneries to the list of establishments enumerated in section 1, in which employment under the age of 14 is forbidden. Sections 4 and 5 are amended so as to read as follows:]

SEC. 4. It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit or suffer to work any child between the ages of fourteen and sixteen years in, about, or in connection with any place or establishment named in section one, for more than eight hours in any one day, or more than six days in any one week, or after the hour of seven o'clock post meridian, or before the hour of six o'clock ante meridian, or to employ any child under eighteen years of age as a messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day.

SEC. 5. It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child between the ages of fourteen and sixteen years in, about, or in connection with any place or establishment named in section one, unless said proprietor, foreman, owner, or other person keep on file and accessible to the shop and factory inspector an employment certificate which shall be issued only by the county superintendent of schools, or by a person authorized by him in writing in the city, town, or village where such child resides, or in the city, town, or village, in which the child is to be employed, and only upon the application in person, of the child desiring employment, accompanied by its parent, guardian or custodian. Such certificate shall only be issued after the person so authorized shall have received, examined, approved and filed in his office documentary evidence of age, showing that the child is fourteen years of age, or over, which evidence shall consist of one of the following named proofs of age, duly attested, and the proof accepted shall be specified in the certificate issued to the child; the proof specified in subdivision (a) shall be required first, but if this be not available, then the proof specified in the succeeding subdivision shall be required and filed in the order designated until the age of the child be established as follows:

(a) A birth certificate or transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births, which certificate or transcript thereof shall be prima facie evidence of the age of the child.

(b) A certificate of baptism or transcript thereof, showing the date of birth and place of baptism of the child.

(c) A bona fide record of the date and place of the child's birth kept in the Bible in which the records of the birth, marriages and deaths in the family of the child are preserved, or a certificate of confirmation or other church ceremony at least one year old showing the age of the child and date and place of such confirmation of ceremony; or a passport showing the age of the child, or a certificate of arrival in the United States, issued by the United States immigration officers and showing the age of the child; or a life insurance policy at least one year old showing the age of the child.

(d) A certificate signed by two physicians, at least one of whom shall be a public health officer or public school medical inspector stating that they have separately examined the child and that in their opinion the child is at least fourteen years of age; such certificate shall show the height and weight of the child, the condition of its teeth, and any other facts concerning its physical development revealed by such examination and upon which their opinion as to its age is based.

Approved April 7, 1917.

Canneries.

Hours of labor.

Night work.

Messenger service.

Employment certificates.

Evidence.

CHAPTER 78.—*Private employment agencies.*

**License re-quired**      **SECTION 1.** It shall be unlawful for any person, firm or corporation to open, maintain, conduct or operate any employment agency in the State of Tennessee for profit without first obtaining a State license to be issued by the department of workshop and factory inspection. For said license a fee shall be paid as hereinafter set out. In cities of twenty-five thousand or more inhabitants, \$50 per annum; in cities and towns less than twenty-five thousand and more than five thousand inhabitants, \$25 per annum; in all cities or towns less than five thousand inhabitants, \$10 per annum. The fees above provided shall be paid direct to the county court clerk and by him transmitted to the comptroller of the treasury as other State revenue.

**Fee.**

Every such license shall contain the name of the person, firm or corporation holding the same, together with his, their or its correct address, including street or building number where business is located, and such license shall be conspicuously posted in the place of business of such employment agency.

**Signs.**      No employment agency shall print, publish or paint on any sign, window or other place or insert in any newspaper or publication a name similar to that of any free employment bureau or office. The chief officer of the department of workshop and factory inspection shall require that any person, firm, or corporation desiring to open, operate, maintain or conduct an employment agency within the scope of this act shall, before opening such employment agency, secure a license therefor as hereinbefore provided, and such person, firm or corporation, before such license is issued, shall give bond in the sum of \$1,000 with two or more good and sufficient sureties to be approved by the said chief officer of the department of workshop and factory inspection, payable to the State of Tennessee, and conditioned that such person, firm or corporation will not violate any of the terms, conditions, provisions or requirements of this act.

**Bond.**

The chief of the department of workshop and factory inspection is hereby authorized to cause an action or actions to be brought on said bond in the name of the State of Tennessee on the relation of such chief of said department for the violation of any of the conditions of said bond.

**Register.**      It shall be the duty of every licensed agency to keep a register in which shall be entered the name and address of every applicant, and such licensed agency shall also enter in said register the name and address of every person who shall make application for employment, and the nature of the employment sought. And such register shall at all reasonable hours be open to the inspection and examination of the chief officer of the department of workshop and factory inspection, or any deputy of said department.

**Acts forbidden.**      **Sec. 2.** No employment agency shall send or cause to be sent any female help or servant to any place of bad repute, house of ill fame or assignation house, or any place of questionable character. No such licensed agency shall publish or cause to be published any false or fraudulent notice or advertisement, or give any false information or make any false promise concerning or relating to work or employment to anyone who may register for employment; and no licensed agency shall make any false entries in the register to be kept as hereinbefore provided.

**Information to employees.**      **Sec. 3.** It shall be unlawful for any person conducting any employment agency within the scope of this act to ship, or attempt to ship any number of employees to any point within or without the State of Tennessee without first advising said applicants of the general conditions surrounding the employment for which said employees are to be furnished, and fully explaining the absence or presence of any labor dispute, strike, or lockout then existent with reference to such employment. In all cases where a fee is charged by such agency a receipt shall be given in which shall be stated the name of the applicant, the amount of the fee charged and the nature of the employment sought which information shall be recorded in the register as hereinbefore provided. In case

**Return of fees.**

said applicant shall not obtain a situation or employment through such licensed agency within ten days after registration as aforesaid, then said licensed agency shall forthwith repay or return to said applicant the full amount of the fee paid or delivered by said applicant to said licensed agency.

Duty to return fees.

Sec. 4. Every licensed agency as hereinbefore provided which shall agree or promise, or which shall advertise in the public press, or otherwise to furnish employment or situations to any person or persons, and in pursuance of such advertisement, agreement or promise shall receive any money, personal property, or other valuable consideration whatsoever, and who shall fail to procure for such person or persons the situation or employment applied for within the time hereinbefore provided, shall return to such person such money, personal property, or other valuable consideration as provided for in section 3 of this act.

Violations.

Sec. 5. Any person, or any members of a firm or copartnership, or any officers or employees of any corporation who violate any of the foregoing provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$50, or by imprisonment in the county jail for not less than ten days nor more than three months, or by both fine and imprisonment in the discretion of the court. In addition to the above imprisonment the license granted to such person, firm, or corporation shall be revoked, and no subsequent license shall be granted to such person, firm, or corporation for a period of three months thereafter.

Reports.

Sec. 6. Any person, firm or corporation who has an established business known as an employment agency and as described in this act shall report or cause to be reported at least four times per annum, or once a month if requested by the department of workshop and factory inspection, said report to designate the number of applicants for employment, the sex of each, the disposition of the application, as to whether a position was secured by and through the source of said agency, and in the absence of securing a position applied for a report as to whether the fee, if any, charged has been returned to said applicant.

Failure to procure license.

Sec. 7. Any person, firm or corporation who shall, after the passage of this act, open or attempt to open, operate, maintain or conduct an employment agency without procuring a license therefor as set out in section one of this act shall upon conviction be fined not less than \$100 nor more than \$250. One-half of any fines assessed and collected under the provisions of this act shall be paid to the county court clerk in the county where the offense is committed and the remaining half paid by him to the State treasurer as other State revenue.

Approved April 7, 1917.

CHAPTER 102.—*Mine regulations—Inspector.*

[This act amends chapter 169, Acts of 1915, providing for three district mine inspectors instead of two and increasing the limit for annual expenditure by the office of chief mine inspector from \$15,000 to \$20,000.]

Expenditure.

CHAPTER 111.—*Mine regulations.*

[This act amends section 24 of chapter 129, Acts of 1915, by adding to the items to be reported to the chief mine inspector of the State the following: "Eighth, every accident of every nature, when any person is injured in any manner or form, whether it results in death or not."]

Injuries to persons.



TEXAS.

ACTS OF 1917.

CHAPTER 59.—*Employment of children—General provisions.*

SECTION 1. Any person, or any agent or employee of any person, firm or corporation, who shall hereafter employ any child under the age of fifteen years, to labor in or about any factory, mill, workshop, laundry, theater or other place of amusement or in messenger service in towns and cities of more than fifteen thousand population according to the federal census, except as hereinafter provided, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not less than \$25, nor more than \$200, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment: *Provided*, That nothing in this act shall be construed as affecting the employment of children on farms.

Age limit.

SEC. 2. Any person, or agent or employee of any person, firm or corporation who shall hereafter employ any child under the age of seventeen years to labor in or about any distillery, brewery, or other place where intoxicating liquors are kept or manufactured, or in any mine, quarry, or place where explosives are used, or who, having control or employment of such child, shall send or cause to be sent, or who shall permit any person, firm or corporation, their agents or employees, to send any such child under the age of seventeen years to any disorderly house, bawdy house, assignation house or place of amusement conducted for immoral purposes, the character or reputation of which could have been ascertained upon reasonable inquiry on the part of such person, firm or corporation having the control of such child shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail not to exceed sixty days, or both such fine and imprisonment.

Employments forbidden.

SEC. 3. It shall be the duty of every person, firm or corporation, their agents or employees, having in their employ or under their control, any child under the age of seventeen years, doing a messenger or delivery business, or whose employees may be required to deliver any message, package, merchandise or other thing, before sending any such child on such errand, to first ascertain if such child is being sent or is to be sent to any place prohibited in section two of this act. Failure or refusal to comply with this section shall subject any person, firm or corporation, their agents or employees, having the control of such child or children to the penalties provided in section two of this act.

Messengers, etc.

SEC. 4. Any person, firm or corporation, their agents or employees, having in their employ or under their control any child under the age of fifteen years who shall require or permit any such child to work or be on duty for more than ten hours in any one calendar day, or for more than forty-eight hours in any one week, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail not to exceed sixty days, or by both such fine and imprisonment: *Provided*, That nothing herein or in any other section of this act shall apply to employment of children for farm labor, or to hours which children may work on farms.

Hours of labor.

SEC. 5. Upon application being made to the county judge of any county in which any child over the age of twelve years shall reside, the earnings of which child are necessary for the support

Children of widows, etc.

of itself, its mother when widowed, or in needy circumstances, or invalid father, or of other children younger than the child for whom the permit is sought, the said county judge may, upon the sworn statement of such child or its parent or guardian, that the child for whom the permit is sought is over twelve years of age, that the said child is able to read and write in the English language, that it is able physically to perform the work or labor for which a permit is sought, and that it shall not be employed in or around any mill, factory, workshop, or other place where dangerous machinery is used, nor in any mine, quarry, or other place where explosives are used, nor in any distillery, brewery or other place where intoxicating liquors are manufactured, sold or kept, or where the moral or physical condition of the child is liable to be injured, and that the earnings of such child are necessary for the support of such invalid parent, widowed mother or mother whose husband has deserted her, or of younger children, and that such support can not be obtained in any other manner, and that suitable employment has been obtained for such child, issue a permit for such child to enter such employment. Every person, firm or corporation employing any such child between the ages of twelve years and fifteen years shall post in a conspicuous place where such child is employed, the permit issued by the county judge: *Provided*, That no permit shall be issued for a longer period than six months, but may be renewed from time to time upon satisfactory evidence being produced that the conditions under which the former permit was issued still exist, and that no physical or moral injury has resulted to such child by reason of its employment. In every case where a permit is sought for any child between the ages of twelve years and fifteen years, the parent guardian or other person in charge or control of such child shall appear before the county judge in person with such child for whom a permit is sought before such permit shall be issued. There shall be nothing in this act to prevent the working of school children of any age from June first to September first of each year except that they shall not be permitted to work in [any] factory, mill, workshop, theater, moving picture show or other places of amusement, and the places mentioned in sections two and five of this act.

Access to  
work places.

SEC. 6. The commissioner [of] labor statistics, or any of his deputies or inspectors shall have free access during working hours to all places where children or minors are employed, and any owner, manager, superintendent, foreman or other person in authority, who shall refuse to admit, or in any way hinder or deter the said commissioner or any of his deputies or inspectors from entering or remaining in such place, or from collecting information with respect to the employment of children as provided in this act, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be punished by a fine or [of] not less than \$25, nor more than \$100: *Provided*, That nothing herein shall apply to those engaged in stock raising pursuits.

Domestic em-  
ployment

SEC. 6a. *Provided*, That nothing in this act shall be construed as prohibiting the employment by any person of nurses, maids, yard-servants or others for private homes and families, regardless of their ages.

Provisions  
severable.

SEC. 7a. If any of the provisions of this act shall be declared by proper judicial action to be unconstitutional, that fact shall not operate to invalidate other provisions of the bill.

Approved March 6, 1917.

#### CHAPTER 120.—*Mothers' pensions.*

Who may re-  
ceive aid.

SECTION 1. Any widow who is the mother of a child or children under the age of sixteen years and who is unable to support them and to maintain her home, may present a petition for assistance to the board of county commissioners of the county wherein she resides.

SEC. 2. Such petition shall be verified and shall set forth the following:

Petition.

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

(b) Her residence and the length of time that she has been a resident of the State, the length of time she has lived at said residence and the address or addresses of her place or places of abode for the previous five years, and the date, as near as possible, when she moved in and when she left said place or places of residence.

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

(d) A statement of the efforts made by her to support her children.

(e) The name, relationships and addresses of all her and her husband's relatives, that may be known.

(f) The names, sex, and age of each of her children, giving date and place of birth of same.

SEC. 3. A copy of the petition provided for in section two hereof and a notice of the time and place when it will be presented to the board of county commissioners must be served on or mailed to the county judge as chairman of the board at least five days before the time the board shall be requested in said petition to meet and consider the same.

Service of notice.

SEC. 4. Upon the return of the petition and notice the board of county commissioners shall examine under oath all who desire to be heard: *Provided, however,* That the board may, in its discretion, issue subpoenas for the attendance of witnesses and adjourn the hearing from day to day: *And provided, however,* That the board may refer said matter to a commissioner to be appointed by the board to hear such witnesses. Said commissioner shall make a report to the board setting forth the facts as proven before him.

Hearings.

SEC. 5. If, upon the completion of the examination provided for under section four hereof, the board concludes that, unless relief is granted, the mother will be unable to properly support and educate her children, and that they may become a public charge, it may make an order directing that there shall be paid to the mother, monthly, out of the county funds, the following amounts, for the maintenance and support of the children under sixteen years old; not more than \$12 for one such child; \$18 for two children; and \$4 per month additional for each additional child; and it is provided further that said allowance or relief shall be discontinued after said child or any of said children as mentioned in section one of this act has reached the age of sixteen years.

Orders.

Amounts.

SEC. 6. It shall be the duty of the board of county commissioners to see that any widow receiving an allowance as provided under this act is properly caring for her children, that they are sufficiently clothed and fed, and when it is found that she is not properly caring for her child or children, or that she is an improper guardian for such child or children, or when the board shall find that she no longer needs such support as is afforded by said allowance, the board shall thereupon revoke or cancel any order made pursuant to this act, at any time with or without notice, and in lieu thereof make any order that in the judgment of the board may protect the welfare of the child or children.

Supervision.

SEC. 7. *Provided,* That the commissioners' court shall have the right to refuse any and all applications for allowance under this act, and their action in so doing shall be final and not subject to review by any court.

Decisions final.

SEC. 8. *Provided,* That no person shall be entitled to receive allowances under the terms of this act until after they have been a bona fide resident of the State of Texas for five years and the county in which they make their application for at least two years.

Residence.

Approved March 29, 1917.

CHAPTER 124.—Suits for wages, etc.—Venue.

Act amended. SECTION 1. Article 2308 of chapter five, title forty-one, Revised Civil Statutes of the State of Texas, 1911, relating to venue of suits in justice courts, is hereby amended so as to read hereafter as follows:

Where suit may be brought.

Art. 2308. Every suit in the court of a justice of the peace shall be commenced in the county and precinct in which the defendant, or one or more of the several defendants, resides, except in the following cases and such other cases as are or may be provided by law:

\* \* \* \* \*

In the following cases the suit may, at the plaintiff's option, be brought either in the county and precinct of the defendant's residence, or in that provided in each exception.

(4) Suits upon a contract in writing promising performance of [at] any particular place, may be brought in the county and precinct in which such contract was to be performed: *Provided*, That in all suits to recover for labor actually performed, suit may be brought and maintained, where such labor is performed, whether the contract for same be oral or in writing.

\* \* \* \* \*

(11) Suits against railroad and canal companies, or the owners of any line of mail stages or coaches, for any injury to person or property upon the road, canal or line of stages or coaches of the defendant, or upon any liability as a carrier, may be brought in any precinct through which the road, canal or line of stages or coaches may pass, or in any precinct where the route of such railroad, canal, stages or coaches may begin or terminate.

\* \* \* \* \*

Approved March 29, 1917.

CHAPTER 140.—Fire escapes on factories, etc.

What buildings to have fire escapes.

SECTION 1. It shall be the duty of the owner entitled to the beneficial use, rental or control, or, if such owner be a nonresident, the occupant or lessee, of any building three or more stories in height, constructed or used, or intended to be used, in whole or in part, as a \* \* \* hotel, \* \* \* or any manufacturing establishment or industrial plant, wholesale or retail mercantile store, workshop, warehouse, office building, \* \* \* to cause to be erected and fixed to every such building one or more adequate fire escapes, which, in no case, shall be less than one such escape to each five thousand square feet of lot area covered by such building: *Provided*, That any building six or more stories in height shall have at least two such fire escapes to each five thousand square feet of lot area covered by such building: *Provided*, That where the area and height of any building is such that the construction of one fire escape will meet the requirements of this act and it is elected to construct an interior stairway type escape, then, in such case, there shall be provided at least one other exit from each floor of said building which exit shall be placed as remote from the entrance to the fire escape as is consistent with the construction of the buildings: *And provided, further*, That all fire escapes shall be located as far as possible, consistent with accessibility, from stairways, elevator hatchways and other openings in the floors, and as far apart as is consistent with the construction and location of the building. \* \* \*

Numbers.

Construction.

SEC. 2. An adequate fire escape, provided for in section one of this act, is defined to be a concrete stairway, an iron or steel stairway, an iron or steel straight chute, or an iron or steel spiral chute, each type of which may be constructed of other fire-proof material of equal strength, and may be erected on the exterior or interior of any building requiring fire escapes. It is hereby made the duty of the fire marshal of the State fire insurance com-

mission, who for convenience will be referred to herein as the State fire marshal, to prepare and promulgate minimum specifications for the construction and erection of each type of fire escape authorized by this act, which specifications shall be based upon a working stress of not less than sixteen thousand pounds to the square inch for steel, twelve thousand pounds to the square inch for wrought iron, and seven hundred pounds to the square inch for concrete: *Provided*, That specifications for interior fire escapes shall require that they be inclosed with noncombustible material, and that all door and window openings be properly protected with self-closing, fire-proof shutters, and that all stairway escapes, interior and exterior, be continuous and suitably connected with the roof of the building. No fire escapes shall be approved as complying with the provisions of this act, the material and erection of which are not at least the equivalent of the minimum specifications promulgated by the State fire marshal as herein provided. It shall also be the duty of the State fire marshal to prepare and promulgate minimum specifications for the construction of stairways required for buildings two stories in height, as set forth in section one of this act, which stairways may be constructed of wood or other material, and located on the interior or exterior of the building, but shall not be required to be inclosed.

SEC. 3. It shall be the duty of the owner entitled to the beneficial use, rental or control; or if the owner be a nonresident occupant or lessee, of any building used or intended to be used as described in section one of this act, where fire escapes are required, also to provide and maintain, in good condition at all times, therein proper guide signs and exit lights, which signs and lights shall be of a sufficient number on each floor to indicate the location of fire escapes and all entrances thereto. And it shall be unlawful to obstruct, in any manner whatsoever, any fire escape required by the provisions of this act, or any hallway, corridor, or entrance way leading thereto. Who respon-  
sible.

SEC. 4. The State fire marshal shall have general charge and supervision of the enforcement of the provisions of this act, and, for this purpose, it is hereby made the duty of any inspector of the State fire insurance commission, the chief of any fire department, or the fire marshal of any city or town to assist the State fire marshal in giving effect to the terms and provisions hereof, and shall be subject to his direction, and to the rules and regulations adopted for its enforcement. Enforcc-  
ment.

SEC. 5. It shall be the duty of the State fire marshal or anyone authorized to act in his stead, when any building shall be found which required the erection of fire escapes, and upon which fire escapes have not been erected according to the provisions of this act, to serve a written notice upon the party or parties whose duty it is to erect such fire escapes, which notice shall specify the time within which said fire escapes shall be erected, and which in no case, shall be more than ninety days, and said notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified, or if deposited in the post office, directed to the last known address of the person to be notified. \* \* \* *Provided*, That the occupant or lessee of any building who is required to erect fire escapes under the provisions of this act shall be entitled to reimburse himself for the cost and expense of erecting said fire escapes out of the rent or lease money of said premises, and such reimbursement shall not be construed to be a breach of any existing lease contract or any covenant thereof, nor grounds for any action of damages or ouster. Notice to be  
served.

SEC. 6. Any person failing, neglecting or refusing to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$50, nor more than \$200, and each day's failure to comply with any of the provisions of this act, after the expiration of the time Violations.

stipulated in the written notice provided for herein, shall constitute a separate offense. And it shall be the duty of the State fire marshal, or any person authorized to act in his stead, to file complaints for violations of the provisions of this act in any court of competent jurisdiction within the county where said violations occur, and it shall be the duty of the county attorney of such county to forthwith prosecute all such complaints so filed.

**Prosecutions.**

SEC. 7. In addition to the other remedies and penalties herein provided, upon the failure of any of the parties charged with the duty so to do to erect fire escapes in accordance with this law, the attorney general of the State, or any county or district attorney of the county where any such building is located, upon direction of the attorney general, shall bring an action against the owner, lessee and occupants of any such building for an injunction enjoining the further occupancy of such building until compliance with this act. Such action may be brought in the county where such building is located. In case the owner of the building is a nonresident, then, in addition to an injunction against the actual occupants, the same shall be taken in possession by the court under a writ of sequestration issued at the instance of the State without bond which possession shall be retained until the owner thereof files in the court a bond in such amount as the court may direct conditioned for the immediate installation of proper fire escapes in accordance with this law.

Approved March 30, 1917.

THIRD CALLED SESSION, 1917.

CHAPTER 36.—*Emigrant agents.*

**License required.**

SECTION 1. No person, firm, or private employment agency shall carry on the business of an emigrant agent in this State without first having obtained a license therefor from the commissioner of labor statistics of the State of Texas.

**Definition.**

SEC. 2. The term "emigrant agent" as contemplated in this act shall be construed to mean any person who for compensation or fees paid or to be paid directly or indirectly by those employed or solicited to emigrate is engaged in hiring laborers of [or] soliciting emigrants in this State to be employed beyond the limits of this State.

**Application for license.**

SEC. 3. Any person, firm, or private employment agency desiring to be licensed hereunder as an emigrant agent shall make application to the commissioner of labor statistics on forms to be prescribed by said commissioner, in which he shall state his name, age, place where his business is to be conducted, his previous occupation for the past five years, and the names of the counties of the State in which he expects to engage in the business of hiring laborers or soliciting emigrants in this State to be employed beyond the limits of the State, [;] such application shall, also, be accompanied by affidavits of at least three credible men that the applicant is to [of] good moral character. The commissioner of labor statistics may require other and additional evidence of the moral character of the applicant, if necessary; and no license shall be granted to any person except one of good moral character. Such application shall be examined by the commissioner of labor statistics and if he finds that the same in all respects complies with the law and that the applicant is entitled to a license under this act, then he shall issue a license to the applicant for each county for which applications [application] is made, and shall deliver such license to the applicant upon the payment of a license fee of fifty dollars for each county for which application is made, and shall deliver such license to the applicant upon the payment of a license fee of fifty dollars for each county in which an office is to be maintained by said agent, and the execution of a good and sufficient bond in the penal sum of five hundred dollars for each county to be ap-

**Fee.**

**Bond.**

proved by said commissioner of labor statistics and conditioned that the obligor will not violate any of the duties, terms, conditions and requirements of this act. Said commissioner is authorized to cause action to be brought on said bond by the attorney general for any violation of any of its conditions; and any person aggrieved by any action or conduct of any such licensed party may bring action for damages against such party on said bond and recover thereon and against the bondsmen in any court of competent jurisdiction without the necessity of making the State a party thereto. On a full hearing the commissioner may revoke any license for any violation of the provisions of this act.

SEC. 4. It shall be the duty of every party licensed hereunder to keep and maintain an office, at which office a complete record of the business transacted shall be kept; there shall be kept 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 person or laborer hired or emigrant solicited to be employed beyond the limits of this State and where such person or emigrant was directed to go, and the address of such person or emigrant if known. Such licensed party shall also enter in a register the name and address of every person who shall make application for laborers or emigrants to be employed beyond the limits of this State. All the books and registers, correspondence, memoranda, papers and records of every party licensed hereunder shall be subject to examination at any time by the commissioner of labor statistics, his deputies and inspectors. The fees charged for hiring laborers or soliciting emigrants in this State for employment beyond the limits of this State shall not exceed two dollars (\$2) for each such person or emigrant; and the fees charged any person who desires to find labor beyond the State or to emigrants beyond the boundaries of the State for the purpose of obtaining employment shall not exceed two dollars (\$2) for each such person, and in no event shall more than two dollars (\$2) be collected from any one for the same person who seeks employment beyond the State as a laborer or emigrant: *Provided*, That all cases where the applicant who seeks employment beyond the State does not obtain such employment through the party licensed hereunder, then such party must return all fees collected from such applicant within thirty days after [the] same has been collected.

SEC. 5. It shall be the duty of the commissioner of labor statistics to enforce this act, and when any violation thereof comes to his knowledge it shall be his duty to institute criminal proceedings for the enforcement of its penalties before any court of competent jurisdiction.

SEC. 6. Any person engaging in the business governed and regulated by this act, except in accordance with the provisions hereof and except he be licensed, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than three hundred dollars for each such offense, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment: *Provided*, Nothing in this act shall be construed to apply to municipal employment bureaus or employment agencies operated purely for charitable purposes.

SEC. 8. All appropriations heretofore made for the support and maintenance of the department of the commissioner of labor statistics may be used in the enforcement and administration of this act.

Approved October 18, 1917.

Records.

Fee for service.

Enforcement.

Acting without license.

Enforcement.



## UTAH.

### ACTS OF 1917.

#### CHAPTER 41.—*Wage brokers—Assignments of wages.*

[This act applies to persons, firms, corporations or associations engaging in the business of loaning money in sums of \$300 or less. A license must be procured from the bank commissioner of the State, the annual fee being \$50. The commissioner may reject applications if in his judgment the character and general fitness of the applicant warrant such action. Licenses may also be revoked for cause. A bond in the amount of \$2,000 must be executed for the faithful observance of all laws relating to the business. But a single office may be maintained under one license, and all papers and records must be freely accessible to the bank commissioner for inspection and investigation. Inspections are to be made at least once a year, and oftener if the bank commissioner deems it advisable; all costs are to be met by the licensee. Interest rates are limited to 3 per cent per month, and no transaction may be split up for the purpose of bringing it within the act or of avoiding its provisions. Interest shall not be paid in advance, and is to be computed on unpaid balances only. No other fees or charges are to be permitted except upon an actual foreclosure of security or upon entry of judgment. The borrower must be furnished with a clear statement in the English language of the terms and amount of the loan, the rate of interest, time of maturity, etc. A copy of the section as to interest rates and statements must be printed on the back of the statement furnished. Forfeitures and other penalties are provided.] General provisions.

The act is of general application, but the following section relates specifically to assignments of wages:]

SEC. 6. No assignment of or order for wages earned or to be earned in the future to secure a loan or advancement of \$300 or less shall be valid when made by a married man, unless the written consent of his wife to the making thereof is attached thereto: *Provided, however,* That where a married man is living separate and apart from his wife for a period of five months prior to the making of said assignment or order then said consent shall not be required. Wife's signature.

Approved March 8, 1917.

#### CHAPTER 47.—*Railroads—Safety appliances—Accidents.*

##### ARTICLE IV.

SEC. 13. The [public utilities] commission shall have power, by general or special orders, rules or regulations, or otherwise, to require every public utility to construct, maintain and operate its line, plant, system, equipment, apparatus, tracks and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers, and the public, and to this end to prescribe, among other things, the installations, use, maintenance and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices, at grade crossings, or junctions, and block or other system of signaling, to establish uniform or other standards of construction and equipment, and to require the performance of any other act which the health or safety of its employees, passengers, customers or the public may demand. Power of commission.

**Accidents.** SEC. 15. The commission shall investigate the cause of all accidents occurring within this State upon the property of any public utility, or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to persons, or property, and requiring, in the judgment of the commission, investigation by it, and shall have the power to make such order or recommendation with respect thereto as, in its judgment, may seem just and reasonable: *Provided*, That neither the order or recommendation of the commission nor any accident report filed with the commission, shall be admitted as evidence in any action for damage based on or arising out of the loss of life or injury to person or property, in this section referred to. Every public utility is hereby required to file with the commission, under such rules and regulations as the commission may prescribe, a report of each accident so occurring of such kinds or classes as the commission may from time to time designate.

**Reports.**

Approved March 8, 1917.

CHAPTER 68.—*Labor organizations—Injunctions—Contempts.*

**Organizations lawful.** SECTION 1. It shall not be unlawful for working men and women to organize themselves into, or carry on, labor unions for the purpose of lessening the hours of labor, increasing the wages, bettering the conditions of the members of such organization; or carrying out their legitimate purposes as freely as they could do if acting singly.

**Injunctions limited.** SEC. 2. No restraining order or injunction shall be granted by any court of the State of Utah, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employers, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property rights must be described with particularity in the application, which must be in writing and sworn to by the applicant, or by his agent or attorney.

**What may not be prohibited.** SEC. 3. And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize, or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful means and lawful means so to do; or from paying or giving to or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of the law of the State of Utah.

**Contempts.** SEC. 4. Whenever it shall be made to appear to any district court or judge thereof, or to any judge therein sitting, by the return of a proper officer on lawful process, or upon the affidavit of some creditable person, or by information filed by any district attorney, that there is reasonable ground to believe that any person has been guilty of such contempt, the court or judge thereof, or any judge therein sitting, may issue a rule requiring the said person so charged to show cause upon a day certain why he should not be punished therefor, which rule, together with a copy of the affidavit or information, shall be served upon the person charged, with sufficient promptness to enable him to prepare for and make return to the order at the time fixed therein.

If upon or by such return, in the judgment of the court, the alleged contempt be not sufficiently purged, a trial shall be directed at a time and place fixed by the court: *Provided, however,* That if the accused, being a natural person, fail or refuse to make return to the rule to show cause, an attachment may issue against his person to compel an answer, and in case of his continued failure or refusal, or if for any reason, it be impracticable to dispose of the matter on the return day, he may be required to give reasonable bail for his attendance at the trial and his submission to the final judgment of the court. Where the accused is a body corporate, an attachment for the sequestration of its property may be issued upon like refusal or failure to answer.

Trial.

Sec. 5. In all cases within the purview of this act, such trial may be by the court, or, upon demand of the accused, by a jury; in which latter event the court may impanel a jury from the jurors then in attendance, or the court or the judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor; and such trial shall conform, as near as may be, to the practice in criminal cases prosecuted by indictment or upon information.

Judgment.

Sec. 6. If the accused be found guilty, judgment shall be entered accordingly, prescribing the punishment, either by fine or imprisonment, or both, in the discretion of the court. Such fine shall be paid to the State of Utah, or to the complainant, or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided, or apportioned among them as the court may direct, but in no case shall the fine to be paid to the State of Utah exceed, in case the accused is a natural person, the sum of \$1,000, nor shall such imprisonment exceed the term of six months: *Provided,* That in any case the court or a judge thereof may, for good cause shown, by affidavit, or proof taken in open court or before such judge and filed with the papers in the case, dispense with the rule to show cause, and may issue an attachment for the arrest of the person charged with contempt; in which event such person, when arrested, shall be brought before such court or a judge thereof without unnecessary delay and shall be admitted to bail in a reasonable penalty for his appearance to answer to the charge or for trial for the contempt; and thereafter the proceedings shall be the same as provided herein in case the rule had issued in the first instance.

Labor not a commodity.

Sec. 7. The labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purpose of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws.

Jury trial.

Sec. 8. In all cases where persons are charged with contempt of court for the violation of writs of injunction, issued within the purview of this act, unless such contempt be committed in the immediate presence of the court, the accused shall have the right to a jury trial upon demand, and, in case a jury trial be demanded, such jury shall be selected and impaneled as in criminal cases, and the trial shall conform as nearly as may be to the district court practice in criminal cases.

Approved March 8, 1917.

[An act of the Massachusetts Legislature (ch. 778, Acts of 1914), similar to the foregoing in several respects, was held unconstitutional by the supreme court of the State. *Bogni v. Perotti* (1916), 112 N. E. 853; Bul. No. 224, p. 181.]

45913°—18—Bull. 244—22

CHAPTER 80.—*Employment of children—General provisions.*

SECTION 1. Sections one and eight [chapter one hundred and forty-four], Laws of Utah, nineteen hundred and eleven, as amended by chapter sixty-one, Laws of Utah, nineteen hundred and fifteen, are hereby amended to read as follows:

Dangerous,  
etc., employ-  
ments.

Section 1. 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 the preparing of any composition in which dangerous or poisonous acids are used—manufacture of paints, colors or white lead; manufacturing, packing or storing powder, dynamite, nitroglycerine compounds, fuses or other explosives; manufacture of goods for immoral purposes; or in any quarry, any mine, coal breaker, laundry, tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared, cigar store or stand or in any cigar or tobacco store; distillery, brewery or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; theater, concert hall, saloon or pool room, or in operating any automobile, motor car or truck; in the running or management of elevators, lifts or hoisting machines; or in bowling alleys, or in any other employment declared by the State board of health to be dangerous to lives or limbs, or injurious to the health or morals of children under the age of sixteen.

Hours of la-  
bor.

Sec. 8. No boy under the age of fourteen years and no girl under the age of sixteen years shall be employed, permitted or suffered to work at any gainful occupation other than domestic service, fruit or vegetable packing or work on a farm more than eight hours in any one day nor more than forty-eight hours in any one week.

Approved March 12, 1917.

CHAPTER 92.—*Political rights of employees.*

Campaign  
contributions.

SECTION. 20. \* \* \* No corporation, public or private, shall deduct, or in any manner withhold, any salaries or parts of salaries, from its employees, for political campaign expenses incurred in the past, present, or to be incurred in the future.

\* \* \* \* \*

Attendance  
at polls.

SEC. 30. It shall be unlawful for any person to pay another for any loss due to attendance at the polls or in registering: *Provided*, That this shall not be construed to permit an employer to make any deduction from the usual salary or wages of any employee while in attendance at the polls for the purpose of voting.

\* \* \*

Approved March 13, 1917.

CHAPTER 100.—*Industrial commission—Factory, mine, etc., regulations.*

Commission  
created.

SECTION 1. There is hereby created the industrial commission of Utah, to be composed of three members, who shall be appointed by the governor, within thirty days after this act goes into effect. Two of the members of such commission shall be appointed for the term of two years and one for four years, and thereafter each member shall be appointed with the advice and consent of the senate, for the term of four years. Not more than two of the members of said commission shall belong to the same political party.

Removals.

SEC. 2. The governor at any time may remove any member of the commission for inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office.

Other em-  
ployment.

SEC. 3. No commissioner shall hold any office of trust or profit, or engage in any occupation or business, interfering or inconsistent with his duties as such commissioner, and no commissioner shall serve on any committee of any political party.

Sec. 4. Each of said commissioners shall receive an annual salary of \$4,000, payable in the same manner as the salaries of other officers of the State are paid. Before entering upon the duties of his office, each commissioner shall take and subscribe to the constitutional oath of office, which oath shall be filed in the office of the secretary of state. Each member of the commission shall give a corporate surety bond in the sum of \$10,000, which bond shall be approved by the governor and filed with the State treasurer. All employees or deputies of the commission receiving or disbursing funds of the State shall give corporate surety bonds to the State in amounts and with surety to be approved by the commission. The premiums of all bonds provided for in this section shall be paid out of the State treasury.

Salary, bond, etc.

Sec. 5. Within thirty days after this act goes into effect, the commission shall meet at the seat of government and organize by choosing one of its members as chairman. A majority of the commission shall constitute a quorum to transact business. No vacancy shall impair the rights of the remaining commissioners to exercise all the powers of the commission; and in case a vacancy exists, the remaining members of the commission shall exercise all of the powers and authorities of the commission until such vacancy is filled.

Organization.

Sec. 6. The commission shall keep and maintain its offices at the State capitol, and suitable room or rooms. Necessary office furniture shall be furnished to the commission in the State capitol. The commission may hold sessions in any place within the State of Utah.

Offices.

Sec. 7. The commission shall have an official seal for the authentication of its orders and proceedings, upon which seal shall be engraved the words, "The Industrial Commission of Utah," and such other design as the commission may prescribe; and the courts in this State shall take judicial notice of the seal of the commission, and in all cases copies of orders, proceedings or records in the office of the industrial commission of Utah, certified by the secretary of the said commission under its seal, shall be equal to the original as evidence.

Seal.

Sec. 8. The commission shall be open for the transaction of business during all business hours of each and every day except Sunday and legal holidays. The sessions of the commission shall be open to the public. All proceedings of the commission shall be shown on its records, which shall be a public record, and all voting shall be had by calling each member's name by the secretary, and each member's vote shall be recorded on the proceedings as cast.

Sessions, etc.

Sec. 9. Subject to the provisions of this act, the commission may adopt its own rules of procedure and may change the same from time to time in its discretion.

Rules.

Sec. 10. The commission may employ a secretary, deputies, actuaries, accountants, inspectors, examiners, experts, clerks, physicians, stenographers and other assistants, and fix their compensation. Such employment and compensation shall be first approved by the governor, and shall be paid out of the State treasury. The members of the commission, deputies, secretary, actuaries, accountants, inspectors, examiners, experts, clerks, physicians, stenographers, and other assistants that may be employed shall be entitled to receive from the State treasury their salaries or compensation and also their actual and necessary expenses while traveling on the business of the commission, and the members of the commission may confer and meet with officers of other States and officers of the United States on any matters pertaining to their official duties. Such expenses shall be itemized and sworn to by the person who incurred the expense and allowed by the commission.

Employees.

Sec. 11. Every employer shall furnish employment and a place of employment which shall be safe for the employees therein, and shall furnish and use safety devices and safeguards, adopt and use methods and processes, and follow and obey orders of the

Safe place.

commission, reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life, health, safety and welfare of such employees.

**Guards, etc.** SEC. 12. No employer shall require or knowingly permit any employee to be in any employment or place of employment which is not safe, and no such employer shall fail to provide and use safety devices and safeguards, or fail to obey and follow orders of the commission or to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no employer shall fail or neglect to do every other thing reasonably necessary to protect the life, health, safety and welfare of his employees; and no employer or other person shall hereafter construct or occupy or maintain any place of employment that is not safe.

**Removing guards, etc.** SEC. 13. No employee shall remove, displace, damage, destroy, or carry off any safety device or safeguard provided for use in any employment or place of employment, nor interfere in any way with the use thereof by any other person, nor shall any such employee interfere with the use of any method or process adopted for the protection of any employee in such employment or place of employment, nor fail or neglect to follow and obey orders and to do every other thing reasonably necessary to protect the life, health, safety and welfare of employees.

**Access to work places.** SEC. 14. Any commissioner or deputy of the commission may enter any place of employment for the purpose of collecting facts and statistics, examining the provisions made for the health, safety, and welfare of the employees therein, and bring to the attention of every employer any law, or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner or deputy of the commission to his place of employment.

**Power of commission.** SEC. 15. The commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment and of every building and establishment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring every employment and place of employment to be safe, and requiring the protection of the life, health, safety and welfare of every employee in such employment or place of employment.

**Same.** SEC. 16. It shall also be the duty of the commission and it shall have full power, jurisdiction and authority:

(1) To administer and enforce all laws for the protection of life, health, safety and welfare of employees.

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

(3) To ascertain, fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe.

(4) To investigate, ascertain and determine such reasonable classifications of persons, employments and places of employment as shall be necessary to carry out the purposes of this act.

(5) To do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employees.

(6) To establish and conduct free employment agencies, and license and supervise the work of private employment offices and to do all in its power to bring together employers seeking employees and working people seeking employment, and to make known the opportunities for employment in this State.

(7) To collect, collate and publish all statistical and other information relating to employees, employers, employments and

places of employment and such other statistics as it may deem proper.

(8) Upon petition by any person that any employment or place of employment is not safe or is injurious to the welfare of any employee the commission shall proceed with or without notice to make such investigation as may be necessary to determine the matter complained of. After such investigation, the commission shall enter such order relative thereto as may be necessary to render such employment or place of employment safe and not injurious to the welfare of the employees therein.

Whenever the commission shall believe that any employment or place of employment is not safe or is injurious to the welfare of any employee, it may of its own motion summarily investigate the same, with or without notice, and issue such order as it may deem necessary to render such employment or place of employment safe.

(9) All duties, liabilities, authority, powers and privileges conferred and imposed by law upon the commissioner of immigration, labor and statistics, state mine inspector of coal and hydro-carbon mines, and board of conciliation and arbitration are hereby imposed upon the commission.

All laws relating to the commissioner of immigration, labor and statistics, state mine inspector of coal and hydro-carbon mines, and board of conciliation and arbitration shall apply to, relate, and refer to the industrial commission of Utah. The industrial commission of Utah shall be deemed the commissioner of immigration, labor and statistics, state mine inspector of coal and hydro-carbon mines, and board of labor, conciliation and arbitration within the meaning of existing laws.

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

(11) All general orders of the commission shall take effect within thirty days after their publication. Special orders shall take effect as therein directed.

The commission shall, upon application of any employer, grant such time as may be reasonably necessary for compliance with any order.

Any person may petition the commission for an extension of time, which the commission shall grant if it finds such extension of time necessary.

SEC. 17. (1) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness and lawfulness of any order of the commission provided in this act.

Hearings.

(2) Such petition for hearing shall be by verified petition filed with the commissioner, setting out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable or unlawful, and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objection to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

(3) Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the commission shall determine the same by confirming, without hearing, its previous determination, or if such hearing is necessary to determine the issue raised, the commission shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

(4) Upon such investigation, if it shall be found that the order complained of is unlawful or unreasonable, the commission shall substitute therefor such other order as shall be lawful and reasonable.

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

**Limitation of actions.**

SEC. 18. No action, proceeding or suit to set aside, vacate, or amend any order of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 17 of this act, and in the petition therefor shall have raised every issue raised in such action.

**Orders presumed reasonable.**

Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable and lawful, unless prior to the institution of the prosecution for such violation an action shall have been brought to vacate and set aside such order, as provided in section 27 of this act.

**Powers.**

SEC. 19. Each of the commissioners and the secretary of the commission for the purposes mentioned in this act shall have power to administer oaths, certify to official acts, issue subpoenas, compel attendance of witnesses and the production of papers, books, accounts, documents and testimony. In case of the failure of any person to comply with any order of the commission or any subpoena lawfully issued, or upon the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county in this State on the application of a commissioner, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

**Duty of courts.**

**Witnesses.**

SEC. 20. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in the district court, which shall be audited and paid by the State out of the State treasury in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But no witness subpoenaed at the instance of the parties other than the commission shall be entitled to compensation from the State for attendance or travel, unless the commission shall certify that his testimony was material to the matter investigated.

**Depositions.**

SEC. 21. The commission or any party may in any investigation cause depositions of witnesses residing within or without the State to be taken as in civil actions.

**Records.**

SEC. 22. A full and complete record shall be kept of all proceedings had before the commission on any investigation, and all testimony shall be taken down by a stenographer appointed by the commission.

**Rules to be published.**

SEC. 23. Publication of rules and orders of the commission shall be made by the commission in pamphlet form to be furnished on demand at the office of the commission. The expenses of publication shall be audited and paid as are other expenses of the commission.

**Agents.**

SEC. 24. (1) For the purpose of making any investigation with regard to any employment or place of employment, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy, or any other competent person who is a resident of the State as an agent whose duty shall be prescribed in such order.

(2) In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the commission, and the same powers as a referee appointed by a district court with regard to taking testimony.

(3) The commission may conduct any number of such investigations contemporaneously through different agents, and may

delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so orders, nor further investigation.

SEC. 25. The commission shall have authority to direct any deputy to act as special prosecutor in any action, proceeding, investigation, hearing or trial relating to matters within its jurisdiction.

Attorneys.

Upon the request of the commission, the attorney general, district attorney or the county attorney of the county in which any investigation, hearing or trial had under the provision of this act is pending, shall aid therein and prosecute under the supervision of the commission, all necessary actions or proceedings for the enforcement of this act and all other laws of this State relating to the protection of life, health, safety and welfare, and for the punishment of all violations thereof.

SEC. 26. A substantial compliance with the requirements of this act shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto.

Compliance.

SEC. 27. Any employer or other person in interest being dissatisfied with any order of the commission may commence an action in the district court of the county where the property, plant or place of employment affected by such order may lie against the commission as defendant to set aside, vacate or amend any such order on the ground that the order is unreasonable or unlawful and the district court is hereby authorized and vested with exclusive jurisdiction to hear and determine such action. The commission shall be served with summons as in other civil cases. The answer of the commission shall be filed within ten days after service of summons upon it and with its answer it shall file a certified transcript of its record in said matter. Upon the filing of said answer said action shall be at issue and shall be advanced and assigned for trial by the court, upon the application of either party, at the earliest possible date.

Actions to vacate orders.

SEC. 28. (1) If upon the trial of such action it shall appear that all issues arising in such action have not theretofore been presented to the commission in the petition filed as provided in section seventeen of this act, or that the commission has not theretofore had ample opportunity to hear and determine any of the issues raised in said action, or has for any reason not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered and shall stay further proceedings in such action for fifteen days from the date of such transmission and may thereafter grant such further stay as may be necessary.

Procedure.

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

(3) The court shall thereupon order the pleading to be so amended as to raise the issues resulting from such alteration, modification, amendment or rescision of the commission's order, and shall thereafter proceed with such action in the manner provided by law for other civil actions.

SEC. 29. No court of this State except the district court and the supreme court on appeal shall have jurisdiction to review, vacate, set aside, reverse, revise, correct, amend or annul any order of the commission, or to suspend or delay the execution or operation thereof or to enjoin, restrain or interfere with the commission in the performance of its official duties provided that the writ or

Review.

mandamus shall lie from the said supreme court to the commission in all proper cases.

**Suspension.**

Sec. 30. The pendency of an action to set aside, vacate or amend an order of the commission shall not of itself stay or suspend the operation of an order of the commission; but, during the pendency of said action the said district court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order. But no order so staying or suspending an order of the commission shall be made by the said court otherwise than upon three days' notice and after hearing. In case the order is stayed or suspended the order of the court shall not become effective until a suspending bond first shall have been executed and filed in the action and approved by the court or the clerk thereof, payable to the State of Utah, and sufficient in amount and security to insure the prompt payment by the party petitioning to set aside, vacate or amend such order of all damages caused by the delay in the enforcement of the order of the commission.

**Precedence.**

Sec. 31. All actions and proceedings under this act, and all actions or proceedings to which the commission or this State may be parties and in which any question arises under this act, or under or concerning any order of the commission, shall be preferred over all other civil cases, except election causes and causes involving or affecting the public utilities commission, irrespective of position on the calendar. The same preference shall be granted upon application of the attorney of the commission in any action or proceeding in which he may be allowed to intervene.

**Violations.**

Sec. 32. If any employer, employee, or other person shall violate any provisions of this act or shall do any act prohibited by this act or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or fail, neglect or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with provisions of this act, for each such violation, failure or refusal such employer or other person shall be fined not less than \$50 nor more than \$1,000 for the offense and not less than \$100 nor more than \$5,000 for each subsequent offense.

**Each day an offense.**

Sec. 33. Every day during which any person, persons or corporations, or any officer, agent or employees thereof shall fail to observe and comply with any order of the commission, or to perform any duty enjoined by this act shall constitute a separate and distinct violation of such order or said section as the same may be.

**Employers' statements.**

Sec. 34. Every employer shall furnish the commission, upon request, all information required by it to carry out the purpose of this act. In the month of January of each year, every employer shall prepare and mail to the commission at the State capitol, Salt Lake City, Utah, a statement containing the following information, viz: The number of employees employed during the preceeding year from January first to December thirty-first, inclusive; the number of such employees employed at each kind of employment; and the scale of wages paid to each class of employment showing the minimum and maximum wage paid, and the aggregate amount of wages paid to all employees; which information shall be furnished on a blank or blanks to be prepared by the commission; and it shall be the duty of the commission to furnish such blanks to employers free of charge, upon request therefor. Every employer shall cause said blanks to be properly filled out so as to answer fully and correctly all questions therein propounded, and to give all the information therein sought, or if unable to do so, he shall give to the commission in writing good and sufficient reasons for such failure. The commission may require the information herein required to be furnished to be certified under oath and returned to the commission within the period fixed by it or by law. The commission or any member thereof, or any person employed by the commission for that purpose, shall have the right to examine, under oath, any employer or

the officer, agent, or employee thereof, for the purpose of ascertaining any information which such employer is required by this act to furnish to the commission.

Any employer who shall refuse to furnish to the commission the annual statement herein required, or who shall refuse to furnish such other information as may be required by the commission under authority of this section, or who shall willfully furnish a false or untrue statement shall be liable to a penalty of not to exceed \$500 for each offense to be collected in a civil action brought against said employer in the name of the State; all such penalties, when collected, shall be paid to the State insurance fund hereinafter provided for.

Sec. 52. The following terms as used in this act shall be construed as follows:

Definitions.

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

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

(3) The term "welfare," shall mean and include comfort, decency and moral well-being.

(4) The terms "safe" and "safety," as applied to any employment or a place of employment, shall mean such freedom from danger to the life, health, safety or welfare of employees as the nature of the employment will reasonably permit.

(5) The words "personal injury by accident arising out of and in the course of employment" shall include an injury caused by the willful act of a third person directed against an employee because of his employment.

They shall not include a disease except as it shall result from the injury.

(6) The term "compensation" shall mean the compensation and benefits provided for in this act.

Sec. 95. Every employer shall keep a record of all injuries, fatal or otherwise, received by his employees arising out of and in the course of their employment. Within a week after the occurrence of an accident resulting in personal injury, a report thereof shall be made in writing to the commission upon blanks to be procured from the commission for that purpose. Such report shall contain the name and nature of the business of the employer, the location of his establishment or place of work, the name, address and occupation of the injured employee, and shall state the time, the nature and cause of injury and such other information as may be required by the commission. Any employer who refuses or neglects to make any report required by this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$500 for such offense.

Injuries.

Sec. 96. Upon the request of the commission, the attorney general or, under his direction, any district attorney or the county attorney of any county shall institute and prosecute the necessary actions or proceedings for the enforcement of any of the provisions of this act, or for the recovery of any money due the State insurance fund, or any penalty herein provided for, arising within the county in which he was elected, and shall defend in like manner all suits, actions or proceedings brought against the commission or the members thereof in their official capacity.

Enforcement.

Sec. 97. The commission may make necessary expenditures to obtain statistical and other information provided for herein.

Expenditures for information.

Sec. 98. Annually on or before the fifteenth day of December, the commission, under the oath of at least two of its members, shall make a report to the governor for the preceding fiscal year, which shall include a statement of the number of awards made

Annual report.

by it, and a general statement of the causes of accidents leading to the injuries for which the awards were made, a detailed statement of the disbursements from the expense fund, and the condition of its respective funds, together with any other matters which the commission deems proper to call to the attention of the governor, including any recommendations it may have to make; and it shall be the duty of the commission from time to time to publish and distribute among employers and employees, such general information as to the business transacted by the department as in its judgment may be useful.

**Restraining order.** SEC. 100. No injunction shall issue suspending or restraining any order, classification or rate adopted by the commission, or any action of the State auditor, State treasurer, attorney general, or the auditor or treasurer of any county, required to be taken by them or any of them by any of the provisions of this act; but nothing herein shall affect any right or defense in any action brought by the commission or the State in pursuance of authority contained in this act.

**Provisions severable.** SEC. 101. Should any section or provision of this act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the act as a whole or any part thereof other than the part so decided to be unconstitutional.

**Appropriation.** SEC. 102. The sum of \$40,000 is hereby appropriated out of any money in the State treasury not otherwise appropriated, and the same is hereby set aside for the State insurance fund, to be administered by the commission as provided in this act; and the further sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated, for the payment of salaries and expenses of the commission and the employees of said commission, during the years 1917 and 1918.

Approved March 15, 1917.

**VERMONT.**

**ACTS OF 1917.**

**No. 171.—Commissioner of industries.**

SECTION 1. Section twenty-eight of number one hundred and sixty-four of the Acts of nineteen hundred and fifteen is hereby amended so as to read as follows: Act amended.

Sec. 28. The governor shall biennially, in the month of January, with the advice and consent of the senate, appoint a commissioner of industries. Appointment.

SEC. 2. Section twenty-nine of number one hundred and sixty-four of the Acts of nineteen hundred and fifteen is hereby amended so as to read as follows:

Sec. 29. The annual salary of said commissioner shall be \$3,000, and he shall be paid his necessary expenses when away from home on official business. Salary, etc.

Said commissioner shall maintain such office and employ such assistance, clerical or otherwise, as the governor deems necessary for the proper performance of the duties of said commissioner. Office.

Said commissioner shall be furnished with office supplies and stationery necessary for official use and the payment of postage, freight, telephone and telephone rental, telegraphic and express charges necessarily made in connection with his official duties shall be allowed in the settlement of his accounts. Said commissioner shall be provided with an office in the capitol or in some other State building at Montpelier in which his records shall be kept. Said commissioner shall have a seal for the authentication of his orders, awards and proceedings upon which shall be inscribed the words "Commissioner of Industries—Seal—Vermont."

Seal.

SEC. 4. All the powers, duties and liabilities of the State inspector of factories are hereby imposed upon the commissioner of industries, and the words "commissioner of industries" are hereby inserted in lieu of the words "State factory inspector" as used in number one hundred and eighty-eight of the Acts of nineteen hundred and twelve and amendments thereto and in the General Laws. Transfer of powers.

SEC. 5. The commissioner of industries shall, in each even year, make a report to the governor showing the work done during the preceding two years and shall include therein a properly classified statement of his expenses, statistical information relating to the number and character of industrial accidents during such two years, information as to the general industrial conditions prevailing within the State, and such other information and recommendations as seem pertinent. Such report shall be printed. Reports.

SEC. 6. Said commissioner shall make examinations and investigations to see that the laws pertaining to the employment of minors and women and to the weekly payment of wages are being complied with and for such purposes may enter any place where persons are employed, summon witnesses, administer oaths, and demand the production of books and papers. The county court, a justice of the supreme court or a superior judge shall have power to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers, records, and documents before said commissioner, and, in the case of a corporation, the provisions of sections four thousand two hundred and fifty-two to four thousand two hundred and fifty-six, both inclusive, of the Public Statutes shall apply. Whenever said commissioner finds a violation of the provisions of number one hundred and eighty-eight of the Acts of Enforcement of laws.

nineteen hundred and twelve, and amendments thereto, of the provisions of law relating to the employment of minors and women, of the provisions of law relating to the weekly payment of wages and the provisions of law relating to the health, lives and limbs of operators in factories, work shops, railroads and other places and the provisions of law relating to the protection of the working classes, he shall submit the evidence thereof to the proper prosecuting officer, who shall prosecute the offender.

Deputies.

Sec. 7. Said commissioner may, subject to the approval of the governor, appoint one or more deputy commissioners for whose official acts he shall be responsible. Said deputy or deputies shall hold office during the pleasure of said commissioner, and their compensation shall be fixed by said commissioner subject to the approval of the governor.

[The act also repeals sections 1, 2, and 7 of act No. 188 of the Acts of 1912, as amended.]

Approved February 28, 1917.

No. 172.—*Suspension of labor laws—War emergencies.*

Power of  
commissioner.

SECTION 1. The commissioner of industries may, with the approval of the governor, suspend the operation of the laws of this State relating to the hours of employment of women and children while the United States is at war.

Approved April 12, 1917.

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

Employment  
certificate.

SECTION 1. Section 1044 of the Public Statutes as amended \* \* \* is hereby amended so as to read as follows:

Sec. 1044. A child shall not be employed in any of the occupations or industries enumerated in this section unless such child deposits with the employer a certificate from the commissioner of industries to the effect that he is eligible to employment in accordance with the provisions of this chapter. A child under sixteen years of age, who has not completed the elementary school course or the rural school course and the first two years of the junior high school course or, if educated in a private or parochial school, is found on examination not to have received an equivalent education, shall not be employed at work connected with railroading or manufacturing or be employed in a hotel, billiard or pool room or bowling alley, or in delivering messages, except during vacation and before and after school. Such a child shall not be employed more than eight hours in any day, or more than six days in any week or earlier than six o'clock in the morning, or after seven o'clock at night in any of the occupations or industries herein enumerated. The superintendent of schools within and for the school district where said child resides shall, when so ordered by the commissioner of education, examine said child for the purpose of determining his eligibility to employment in accordance with the provisions of this section and shall, upon the completion of such examination, make a written report thereof to the commissioner of education, who shall forthwith transmit a copy thereof to the commissioner of industries.

Hours of la-  
bor  
Limit work.

Sec. 2. Section 1046 of the Public Statutes as amended \* \* \* is hereby amended so as to read as follows:

Age limit.

Sec. 1046. A child under fourteen years of age shall not be employed, permitted or suffered to work in or about any mill, cannery, workshop, factory or manufacturing establishment.

Mines and  
quarries.

[Section 2 of act No. 70, Acts of 1910, is amended by adding mines and quarries to the list of places in which children under 16 years of age are forbidden to work.]

Sec. 4. Section one of number eighty-five of the Acts of nineteen hundred and twelve is hereby amended so as to read as follows:

Sec. 1. A child over sixteen and under eighteen years of age and a woman shall not be employed in laboring in a mine or quarry, manufacturing or mechanical establishment more than ten and one-half hours in any one day or more than fifty-six hours in any one week.

Hours of labor.

SEC. 5. Section two of number eighty-five of the Acts of nineteen hundred and twelve is hereby amended so as to read as follows:

Sec. 2. An employer shall post in a conspicuous place in every room in which persons mentioned in the preceding section are employed, a printed notice stating the number of hours' work required of them on each day of the week, the hours of commencing and stopping work, and the hours when the time allowed for meals begins and ends. The printed forms of such notices shall be provided by the commissioner of industries. An employer who employs such persons at any time other than as stated in such notice shall be guilty of a violation of a provision of the preceding section, unless it appears that such employment was to make up time lost on a previous day of the same week, in consequence of the stopping of machinery upon which such woman or child was employed or dependent for employment; but stopping of machinery for less than thirty consecutive minutes shall not justify employment at a time not stated in such notice.

Schedule to be posted.

SEC. 6. Section three of number eighty-five of the acts of nineteen hundred and twelve is hereby amended so as to read as follows:

Sec. 3. A woman shall not knowingly be employed in laboring in any mill, cannery, workshop, factory, manufacturing or mechanical establishment within two weeks before or four weeks after childbirth. This provision shall be included in the notice required by the preceding section.

Vacation for women at childbirth.

SEC. 7. Section seven of number seventy of the Acts of nineteen hundred and ten is hereby amended so as to read as follows:

Sec. 7. A person who makes a false statement for the purpose of procuring or assisting in the procuring of a certificate under the provisions of the two preceding sections shall be fined as provided in section one thousand and forty-eight of the Public Statutes as amended by section eight of this act.

False statements.

SEC. 8. Section one thousand and forty-five of the Public Statutes as amended \* \* \* is hereby amended so as to read as follows:

Sec. 1045. The commissioner of industries may inquire of the owner or superintendent of a mill, factory, quarry, workshop, hotel, pool or billiard room, bowling alley, or railroad office, shop, or yards as to the employment of minors therein, may call for the production of certificates deposited with such owner or superintendent, and shall satisfy himself that the provisions of this chapter have been complied with. Such commissioner shall, at least three times during each year, investigate concerning the employment of minors in any of the occupations enumerated in this chapter and shall require the provisions of this chapter to be complied with.

Investigations.

SEC. 9. Section five of number eighty-five of the Acts of nineteen hundred and twelve is hereby amended so as to read as follows:

Sec. 5. Justices, municipal and city courts, shall have concurrent jurisdiction with the county court of offenses arising under this chapter.

Jurisdiction.

SEC. 10. The commissioner of industries is hereby authorized to make and prescribe, and from time to time to change and amend, such rules and regulations, not in conflict with this act as he may deem necessary and proper to secure satisfactory evidence of the age of the child applying for an age certificate: *Provided, however,* That the evidence of age required under such rules and regulations shall at all times comply substantially with the requirements for proof of age prescribed by any rules and regulations made pursuant to the act of Congress entitled "An act to prevent interstate commerce in the products of child labor, and

Rules.

for other purposes," approved September first, nineteen hundred and sixteen.

Repeal.

SEC. 11. Sections four and six of number seventy of the Acts of nineteen hundred and ten and section four of number eighty-five of the acts of nineteen hundred and twelve, and section five of number seventy of the Acts of nineteen hundred and ten are hereby repealed.

Approved April 12, 1917.

No. 200.—*Regulation of bakeries, etc.*

Conditions to be sanitary.

SECTION 1. No person shall manufacture, prepare, pack, can, bottle, keep, store, handle, serve, or distribute, in any manner, food, for the purpose of sale, in an unclean, unsanitary, or unhealthful establishment, or, under unclean, unsanitary, or unhealthful conditions.

Construction, etc.

SEC. 2. Each establishment, subject to the provisions of this act, shall be constructed, maintained, and operated with strict regard for the health of the employees and for the purity and wholesomeness of the food therein produced, kept, stored, handled, served, or distributed, so far as may be reasonable and necessary in the public interest and consistent with the character of the establishment, pursuant to the following general requirements:

1. The entire establishment and its immediate appertaining premises, including the fixtures and furnishings, the machinery, apparatus, implements, utensils, receptacles, vehicles, and other devices used in the production, keeping, storing, handling, serving or distributing of the food, or of the materials used in the food, shall be constructed, maintained, and operated in a clean, sanitary and healthful manner;

2. The food and the materials used in the food shall be protected from any foreign or injurious contamination which may render them unfit for human consumption;

3. The clothing, habits, and conduct of the employees shall be conducive to and promote cleanliness, sanitation and healthfulness;

4. There shall be proper, suitable and adequate light, ventilation, drainage and plumbing;

5. There shall be proper, suitable and adequate toilets and lavatories, constructed, maintained and operated in a clean, sanitary, and healthful manner.

Contagious, etc., diseases.

SEC. 3. No employer shall require, permit or suffer any person affected with any contagious, infectious, or other disease or physical ailment which may render such employment detrimental to the public interest, to work in such establishment, and no person, so affected, shall work in any such establishment, subject to the provisions of this act, and pursuant to the provisions of section four.

Power of board of health.

SEC. 4. The State board of health may require any person proposing to work, or working in, an establishment, subject to the provisions of this act, to undergo a physical examination, for the purpose of ascertaining whether said person is affected with any contagious, infectious or other disease or physical ailment, which may render the employment detrimental to the public interest. The examination shall be made at the time and pursuant to the conditions duly defined by the State board of health. No person who refuses to submit to such examination shall work or be required, permitted, or suffered to work in any such establishment.

Enforcement.

SEC. 5. The State board of health shall be charged with the duty of enforcing the provisions of this act.

Access to work places.

SEC. 6. The State board of health through its duly authorized officers, inspectors, agents or other assistants, shall be permitted, at all reasonable times, to inspect any establishment, or part thereof, subject to the provisions of this act, together with its operation.

Approved February 24, 1917.

## WASHINGTON.

### ACTS OF 1915.

#### CHAPTER 181.—*Picketing.*

[This act, making picketing illegal, was never operative, referendum having been filed against it, and the act rejected at the election in November, 1916.] Act inoperative.

### ACTS OF 1917.

#### CHAPTER 29.—*Children and women—Employment in telegraph and telephone offices.*

[This act amends section 1 of chapter 68, Acts of 1915, by making it apply to telegraph as well as to telephone employments in the localities affected by the original act.] Law extended.

#### CHAPTER 36.—*Mine regulations.*

[This act is a codification of the various enactments relating to coal mines in the State. It is very full and detailed in its provisions, providing for an inspection department consisting of a mine inspector and a deputy, who are to be appointed by the governor after passing practical examinations before a State board of examiners. Practical experience and general fitness are of equal weight with the written examination (40 points each), while an oral examination counts for 20 points. The salary of the mine inspector is fixed at \$3,000 per annum, and of the deputy \$2,400. It is the duty of these officials to carefully examine each mine in operation in the State at least every 4 months and oftener if necessary, with special regard to the safety of the employees in the mines. Inspectors.

The examining board is also to conduct examinations for applicants for certificates who desire to serve as mine foremen, assistant mine foremen, or fire bosses, the examination to be both practical and technical. Candidates must be experienced, and applicants for a first-class certificate must be at least 25 years of age, and those for second class at least 23 years. Rescue work and work in first-aid are subjects to be included in the examination. Foremen, etc.

The act prescribes the ventilation to be afforded, directs the making and maintenance of maps and plans, requires a signal system for the hoisting apparatus and safety devices therefor, prescribes the duties of operators with regard to reports of accidents, the development of the workings, the employment of certified foremen, etc., the inspection of boilers, the maintenance of washhouses for the use of the workmen, protection against fire, the location and construction of stables, the screening of coal, etc. The duties of the various officials are also indicated in detail, covering the matter of dangerous workings, inspections, blasting, etc. Ventilation, safety provisions, etc.

A mine-rescue equipment is required in every mine employing as many as 20 men underground, with devices of an approved type.

Other regulations relate to the storage and use of powder and explosives, safety lamps, the sinking of shafts, and the installation of electrical equipment. The hours of labor are fixed at eight per day for underground work, exclusive of one-half hour for lunch, and employers and employees are alike made responsible for the observance of this law. Engineers, rope riders, motormen, cagers, and other persons necessarily employed in transporting men in and out of the mine may work not to exceed ten hours per day. Hours of labor.

- General rules.** The general rules contain a number of provisions as to safety, covering the subject of oils for lubrication and lighting, the checking in and out of employees, use of intoxicants, travel in the mines, care of safety lamps, the firing of shots, having matches or pipes in the mines, etc. No boy under 16 years of age, and no girl or woman of any age, may be employed underground; nor may any boy under 14 or any woman or girl be employed at surface workings, though this is not to affect the employment of boys or girls or women for clerical or messenger duty above ground, as permitted under the provisions of the school laws. The employment of checkweighmen is provided for, and the duties of miners, drivers, trip riders, engineers, firemen, etc., are separately laid down.
- Women and children.**
- Scope of law.** The act applies only to mines in which five or more men are employed underground on one shift, nor are mines employing less than 10 men subject to the provisions of the act except as to inspection, and the power of the inspector to require dangerous places to be made safe or put in charge of a certified mine foreman; but all operators of prospects and small workings are required to make annual reports to the inspector.]

CHAPTER 107.—*Protection of members of the organized State Militia.*

- Change of terms.** [This act amends sections 7234 to 7236, Rem. & Ball. Codes and Statutes, by substituting the words "Organized Militia" for the words "National Guard" where they occur.]

INDUSTRIAL WELFARE COMMISSION.

- Wages in mercantile establishments.** [This commission issues orders under authority vested in it by chapter 174, Acts of 1913. The orders issued by it relating to employment in mercantile establishments, fix a minimum wage of \$10 per week for females over 18 years of age. Apprentices' licenses may be secured authorizing the employment of inexperienced persons at a minimum wage of \$6 per week for the first six months of employment and of not less than \$7.50 per week during the second six months' period. Not more than 17 per cent of the total number of adult females employed in any establishment may be apprentices, nor may more than 50 per cent of such apprentices receive less than \$7.50 per week. One hour must be allowed for a midday luncheon. Separate toilets must be provided for females, and mercantile establishments must be properly heated and ventilated, and be supplied with a suitable rest room for cases of fatigue or illness.
- Lunch hour.**
- Sanitation.**
- Manufacturing establishments.** Rest rooms must also be provided for women employed in manufacturing establishments. The minimum wage in such establishments is \$8.90 per week for females over 18.
- Laundry and dyeing establishments.** Wages in laundry and dyeing establishments for females over 18 are fixed at a minimum of \$9 per week. Separate wash and dressing rooms are also required.
- Telephone and telegraph offices.** A minimum weekly wage of \$9 for females over 18 is fixed for employment by telephone and telegraph companies. A luncheon period of one hour is required, and suitable toilet and rest rooms must be provided. Separate orders regulate the wages and hours of labor of women and minors in the telephone industry in rural communities and in cities of less than 3,000 population. Establishments are classified by the commission as class B, C, D, and E. The basis of this classification is not given, but for class B a minimum wage of \$35 per month is fixed for females over the age of 18 years employed as operators, with a maximum work period of nine hours per day. If the employment is relief duty for less than six hours per day, the rate is fixed at 16 cents per hour. Not less than \$25 per month must be paid for night operators, who may be employed not more than 10 hours in the 24, and must be furnished with suitable sleeping accommodations in the exchange. Employment of minors at a lower rate is permissible only on the issue

of a special permit. The wages are the same for class C, but the hours of labor may be 10 per day, and unless provision is made for the preparation of warm meals at the exchange the operator must be relieved of duty for a suitable length of time during meal hours and on Sundays. Work for less than 10 hours per day is to be paid for at the rate of 13 cents per hour. Night operators must be employed not longer than 14 hours in the 24. Employees in the establishments designated as class D are to be paid not less than \$30 per month for daywork and \$22.50 as night operators, with the same provisions as to time for meals, rates per hour, and sleeping accommodations as already noted.

For exchanges falling within class E, where the continual attention of an operator is not required, affording either time for leisure or other profitable pursuits, the conditions of employment may be determined by the contract of the parties subject to the approval of the commission.

Women over 18 employed as stenographers, bookkeepers, office clerks, comptometer operators, or other classes of clerical work must be paid not less than \$10 per week and allowed one hour for noontime luncheon. Office employees.

Females over 18 employed in hotels, restaurants, or lunch rooms, other than waitresses in hotels and restaurants, must be paid not less than \$9 per week, with a maximum deduction of \$2 per week where lodging is furnished as part of the wages and of \$3.50 per week for meals; if both board and lodging are taken as part payment, the maximum deduction is fixed at \$5. Sanitary toilet provisions must be supplied. Hotels, etc.

The portions of the earlier orders relating to the employment of minors are superseded by an order of September 14, 1917, which reads as follows:]

(1) The word "person" is used in this order to include corporations, copartnerships and associations as well as individuals.

(2) No person shall employ any minor in or in connection with any mercantile, manufacturing, printing, laundering, or dye-works establishment, sign-painting, machine, or repair shop, or parcel-delivery service, at a weekly wage rate of less than \$6 for minors under 16 years of age, or of less than \$7 for minors between 16 and 18 years of age; nor shall such minor be employed or permitted to work in any such industry more than eight hours in any day, or more than six days in any week, or after the hour of 7 p. m. or before the hour of 6 a. m. (See paragraph (5) below.)

(3) No person shall employ any minor in, or in connection with, any telephone or telegraph establishment, at a weekly wage rate of less than \$6 for minors under 16 years of age, or of less than \$7 for minors between 16 and 18 years of age: *Provided*, That this order shall not apply to messengers in rural communities and cities of less than 3,000 population, who are not continuously employed, and who are paid by piece rate for their services; nor shall any minor be employed in such occupation before 6 a. m. or after 9 p. m.: *Provided*, That if, after investigation by the commission of any particular establishment, conditions are found not to be detrimental to the health or morals of minors, permits may be issued by the commission to male minors for night employment. (See paragraph (5) below.)

(4) No person shall employ any minor in the occupation of stenographer, bookkeeper, typist, billing clerk, filing clerk, cashier, checker, invoicer, comptometer operator, or any clerical office work whatsoever, including assistants and helpers in doctors' and dentists' offices, at a weekly wage rate of less than \$6 for minors under 16 years of age, or of less than \$7.50 for minors between 16 and 18 years of age. (See paragraph (5) below.)

(5) No person shall employ any minor between the age of 16 and 18 years in any of the occupations mentioned in paragraph 2, 3, and 4 of this order without increasing the weekly wage of such minor by 50 cents per week after every six months of service, or until the minimum wage of adult females is paid.

(6) No person shall employ any minor in any hotel, lodging house, restaurant, or lunch room occupation, at a weekly wage rate of less than \$7 for minors under 16 years of age or of less than \$8 for minors between 16 and 18 years of age: *Provided*, That where lodging is furnished by the employer to any minor employed in such occupation as part payment of wages, not more than \$2 per week may be deducted therefor from the weekly minimum wage of such employee, and if a room be furnished for such lodging it must be properly heated and ventilated and of size and condition conforming to the general standard of rooms in the locality which are rented for the amount thus deducted from the wages: *And provided*, That where board or meals are furnished by the employer to such minor employee as part payment of wages, not more than \$3.50 per week may be deducted from the weekly minimum wage of such employee for a full week's board of 21 meals, or a proportionate amount for less than a week's board: *And provided*, That where both board and lodging are furnished by the employer to such minor employee as part payment of wages, not more than \$5 per week may be deducted from the weekly minimum wage, and the lodging thus furnished shall comply with the requirements hereinabove set forth.

(7) No person shall employ any female under the age of 18 years as "shaker" in a laundry, such occupation being hereby declared injurious to the health of minor girls, nor as clerk in selling cigars or tobacco, nor as messenger or delivery girl in outdoor messenger or delivery service, such occupations being hereby declared injurious to the morals of minor girls.

## WEST VIRGINIA.

### ACTS OF 1917.

#### CHAPTER 20.—*Mine regulations—Inspector of sand mines.*

SECTION 1. The chief of the department of mines shall by and with the consent of the governor appoint an inspector of sand mines, sand pits, clay mines, clay pits, quarries, and cement works, in addition to the fifteen district mine inspectors now provided for by law. Such inspector shall be a man who has had practical experience in the operation of sand mines, sand pits, clay mines, clay pits, crushers and quarries, and in the use of explosives in sand mining and quarrying operations. Such inspector shall rank as a district mine inspector, receiving the compensation provided for such district mine inspectors by section nine of chapter ten of the acts of nineteen hundred and fifteen, and subject to all the requirements of sections nine, ten, eleven and twelve of said chapter, except that such inspector shall not be required to have the knowledge and experience of coal mining operations required of district mine inspectors.

Appoint-  
ment.

Rank.

SEC. 2. All provisions of the mining laws of this State intended to safeguard life and property shall extend to the operation of sand mines, sand pits, clay mines, clay pits, quarries, and cement works, in so far as such laws are applicable thereto; and the chief of the department of mines shall make and enforce under said laws such rules and regulations as may be necessary to secure safe and sanitary working conditions in such sand mines, sand pits, clay mines, clay pits, quarries, and cement works.

Safety provi-  
sions.

SEC. 3. There is hereby appropriated to pay the salary of the inspector herein provided for and to carry out the purposes of this act the sum of \$1,800 for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and \$1,800 for the year ending June thirtieth, nineteen hundred and nineteen.

Appropriation.

Became a law May 22, 1917.

#### CHAPTER 46.—*Mothers' pensions.*

SECTION 1. The county court in the several counties in the State shall have original jurisdiction in all cases coming within the terms of this act.

Courts to  
act.

SEC. 2. A woman whose husband is dead, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmities, or confined in some West Virginia State institution, or who has been abandoned, or a woman who is the mother of two or more children under the age of thirteen years, may file an application for relief under this act: *Provided*, Such mother is a citizen of the United States of America, and has had a previous residence for five years in this State, and has had a bona fide residence in the county in which such application is made for a period of three years.

Who may re-  
ceive aid.

SEC. 3. Whenever an application for relief is filed, the home of the applicant shall be visited by a member of the court having jurisdiction of the matter, and the fact set forth in such application shall be investigated by such member under the direction of the court, and a report and recommendation of the approval or disapproval of such application shall be made in writing by such member of the court without any unnecessary delay.

Investiga-  
tion.

SEC. 4. After the investigation of such application for relief by a member of the court, and filing of a report and recommendation thereon, such member of the court, or any reputable person of said county, may file with the clerk of said court a petition in writing,

Petition.

duly verified, setting forth such facts as are necessary under this act to give said court jurisdiction of the parties and of the subject matter, and such other facts, which are found by the court to be true, shall be the basis upon which the order of relief is entered; which application shall make the mother of such children and the county court parties respondent to such application.

**Order.**

SEC. 9. Upon the hearing in court of an application under this act, the court, being advised in the premises, finding the facts alleged in the application to be true, may make an order to pay the mother of said children, in whose behalf the application is filed, an amount of money necessary to enable the mother to properly care for such children, such sum, however, shall not exceed the amount hereinafter fixed, and it shall be the duty of the county court to provide for the payment thereof, to such mother, at such times as said order may designate, the amount so specified in said order for the care of such children until further order of the court. Such payments shall be made by order drawn by the court on the sheriff of said county, payable out of the county fund.

**Amount.**

SEC. 10. The allowance made to such mother shall not exceed \$15 per month, when such mother has but two children under the age of thirteen years; and if she has more than two children under such age, the relief granted shall not exceed \$5 per month for each additional child: *Provided*, That in no event shall the relief granted upon each application exceed the sum of \$25 per month.

**Conditions.**

SEC. 11. Such relief shall be granted by said court upon the following conditions only: (1) The children for whose benefit the relief is granted must be living with such mother; (2) the court must find that it is for the welfare of such children to remain at home with the mother; (3) 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, except she may be absent at work a definite number of days each week, to be specified in the court's order when such work can be done without the sacrifice of health or the neglect of home and children; (4) such mother must, in the judgment of the court, be a proper person physically, mentally and morally to bring up her children; (5) the relief granted shall, in the judgment of the court, be necessary to save the children from neglect; (6) a mother shall not receive such relief who is the owner of real estate, or personal property other than the household goods, or receives benefits from the workmen's compensation fund; (7) a mother shall not receive such relief who is not a citizen of the United States, and who has not resided in the State of West Virginia at least five years next preceding the filing of such application, and who has not been a bona fide resident of the county in which such application is made, for a period of two years next preceding the filing of such application; (8) a mother shall not receive such relief if her children have relatives who contribute to their support an amount equal to what might be allowed under this act; (9) a mother shall not receive such relief if she harbors, or permits to remain at her home any adult person, not a member of her family; (10) satisfactory reports must be given by the teacher in the district school stating that the children of the recipient of this fund are attending school: *Provided*, They are of proper age and physically able to do so.

**Aid when ceases.**

SEC. 12. Whenever any child shall arrive at the age of thirteen years, any relief granted to the mother for such child shall cease: *Provided*, If a child of thirteen years of age be ill or incapacitated for work, the mother shall receive funds for his or her care during such illness or incapacity for work until such child is sixteen years of age, not to exceed, however, the amount hereinbefore provided, and the court may in its discretion, at any time before such child reaches the age of sixteen years, modify or vacate the order granting relief to any mother for any child.

Became a law May 24, 1917.

CHAPTER 47.—*Mine regulations—Rescue car.*

SECTION 1. The chief of the department of mines is hereby authorized, with the approval of the State board of control, to purchase, equip and operate for the use of said department a mine rescue car. Such car shall be fully equipped with life saving apparatus and appliances suitable for use in cases of mine disaster. It shall be stationed at Charleston when not in active use, and the chief of the department of mines shall make all necessary arrangements for haulage and operation of such car, so that the same may be hauled over the lines of any railroad and may reach the scene of any mine disaster with the utmost promptitude.

Purchase authorized.

SEC. 2. Such mine rescue car may also be equipped and used, under such rules and regulations as may be prescribed by the chief of the department of mines, for educational purposes and for training in rescue work among the mine workers in this State, such as shall tend to conserve human life and property, in the mining industry of West Virginia.

Use for educational purposes.

SEC. 3. The chief of the department of mines shall appoint, subject to the approval of the governor of the State, a director of rescue work to have charge of the operation of said mine rescue car. Such director shall be a man possessed of the same qualifications as those required for the office of chief of the department of mines, as prescribed in section four of chapter ten of the Acts of One thousand nine hundred and fifteen; and, in addition thereto, he shall have had thorough training in mine rescue work and extended experience in the rescue work of mine disasters in this State. The term of office of said director shall be the same as the district mine inspectors as provided for in section seven of chapter ten of the Acts of One thousand nine hundred and fifteen. The salary of said director shall be two thousand four hundred dollars per annum and actual traveling expenses. Such salary and expenses shall be paid monthly out of the State treasury, upon the approval of the chief of the department of mines, and provision for such salary and expenses shall be made in the annual budget of the department of mines.

Director.

SEC. 4. There is hereby appropriated to carry out the provisions of this act, for the year ending June thirty, one thousand nine hundred and eighteen, the sum of \$30,000, and for the year ending June thirty, one thousand nine hundred and nineteen, the sum of \$5,000. The sums thus appropriated shall be paid out of the State treasury upon requisitions on the State auditor, properly certified by the chief of the department of mines.

Appropriation.

Approved February 24, 1917.

CHAPTER 50.—*Payment of wages—Semimonthly pay day—Railroads.*

SECTION 1. Every railroad company authorized to do business by the laws of the State of West Virginia, shall, on or before the first day of each month, pay the employees thereof the wages earned by them during the first half of the preceding month, ending with the fifteenth day thereof; and on or before the fifteenth day of each month, pay the employees thereof the wages earned by them during the last half of the preceding calendar month: *Provided, however,* That if at any time of payment any employee shall be absent from his or her regular place of labor, and shall not receive his or her wages through a duly authorized representative, he or she shall be entitled to said payment at any time thereafter upon demand upon the proper paymaster at the place where such wages are usually paid and at the place when the next pay is due and the proper mailing in the United States post office of such payment in time to reach the usual post office of the employee by the time aforesaid in the usual course of the mails, shall be a compliance with this act. Any such railroad company which shall violate any of the provisions of this act shall forfeit and pay the sum of \$25 for each violation of this act, which shall be proved

Pay days established.

Violations.

to be recoverable in any court having jurisdiction, by suit, in the name of the State, to be instituted by the prosecuting attorney, upon complaint of the party injured by such violation, and in the county of his residence, and all penalties so recovered shall be paid into the general school fund of the State: *And provided*, That suit must be commenced within sixty days from the date such wages became payable according to the tenor of this act.

Agreements  
forbidden.

Sec. 2. It shall not be lawful for any railroad company to enter into or make any agreement with any employee for the payment of wages of any such employee otherwise than as provided in section one of this act; except it be to pay such wages at shorter intervals than herein provided. Every agreement made in violation of this act shall be deemed to be null and void, and it shall not be a defense to the suit for the penalty provided for in section one of this act; and each and every employee with whom any agreement in violation of this act shall be made by such railroad company shall have his or her action and right of action against such railroad company for the full amount of his or her wages in any court of competent jurisdiction of this State: *Provided*, That nothing in this act shall be so construed as to interfere with the right to withhold from the wages of the employees all assessments becoming due to any relief department, hospital association, savings department, or any other department or association maintained by any such railroad company or its employees.

Approved February 23, 1917.

#### ACTS OF 1917—SECOND EXTRA SESSION.

##### CHAPTER 4.—*Industrial adjustment—State councils of defense.*

**Who to act.** SECTION 1. The board of public works shall be and is hereby constituted an executive State council of defense, hereinafter called the executive council.

**Advisory council.** SEC. 2. There is also hereby created an advisory State council of defense, consisting of citizens appointed by the governor from time to time, not exceeding a total of fifteen members, all of whom shall serve during the pleasure of the executive council.

**Term.** SEC. 3. Said councils of defense are created for the duration of the war in which the United States is now engaged, and for the period of six months thereafter and no longer.

**Members.** SEC. 4. The members of the advisory council shall be appointed with reference to their special knowledge of agriculture, labor, industries, public utilities, natural resources, sanitation, finance, transportation, or other subjects relating to National or State defense.

**Duties.** SEC. 5. It shall be the duty of the said executive council—  
First. To adopt, publish and enforce all reasonable rules and regulations governing the operation of railroads, mills, mines, manufacturing plants and other industrial works in this State and for the conservation of the resources of this State, in so far as such rules and regulations are not in conflict with the rules and regulations adopted by the council of national defense; to employ assistants; to create and appoint bureaus and committees from the advisory council and perform such other acts as may be necessary to carry out the purposes of this act.

Second. To cooperate with and assist the council of national defense in the execution of the duties prescribed by an act of Congress of the United States approved August twenty-ninth, nineteen hundred and sixteen, entitled "An act making appropriations for the support of the Army for the fiscal year ending June thirty, nineteen hundred and seventeen, and for other purposes," or any acts amendatory thereof or supplemental or additional thereto, and the orders, rules and regulations issued thereunder by the national council of defense.

Third. To cooperate with councils of defense and similar agencies in other States in so far as cooperation is in harmony with the council of national defense.

Fourth. To suppress insurrections or rebellions and to carry out within the State of West Virginia such plans of national defense as are mutually agreed upon between it and the council of national defense.

Fifth. To cause to be taken a census and inventory of the resources of the State in men and materials, to make investigation and report to the governor the location and availability of military supplies, and the location and capacity of railroads, automobiles and all other means of transportation and convenience within the State so as to determine their availability for military purposes of the State, and to render possible the expeditious mobilization and concentration of State troops and supplies at points of defense and military advantage.

Sixth. To give information to producers of materials as to supplies needed by such military forces.

Seventh. And in general to take such steps as may be, in the opinion of said councils, necessary or advisable for the public defense and security; for the protection of routes of communication; for the public care and assistance of individuals and classes upon whom the hardships of war would fall most heavily; for the development of the resources of the State, particularly those from which will be derived the supplies of food and other commodities upon which the conduct of war makes a special drain; to regulate food and fuel prices; to encourage the military training of the citizens of the State, and such other measures as may be necessary to meet the exigencies of all situations occasioned by war, if not in conflict with any rule promulgated by the national council of defense.

Expenses.

Sec. 8. The members of the advisory council shall serve without compensation, but the actual and necessary expenses of the members of each the executive and advisory council incurred under the discharge of duties of this act shall be a proper and legitimate charge against any appropriation made therefor.

Approved May 23, 1917.

[Chapter 6 provides for an annual tax on all real and personal property not exempt from taxation, not to exceed 2 cents on each \$100 valuation; also for a special excise tax of one-fourth of 1 per cent on the annual net income of corporations, etc., for profit, the proceeds to form a fund to be known as the State council of defense war fund, to be disbursed on requisition of the executive council of defense.]

Fund.

CHAPTER 12.—*Compulsory labor, etc., service—Emergencies.*

SECTION 1. It is hereby declared to be the duty of every able-bodied male resident of this State, between the ages of sixteen and sixty years, to habitually and regularly engage in some lawful, useful and recognized business, profession, occupation or employment whereby he may produce or earn sufficient to support himself and those legally dependent upon him.

Duty to work.

Sec. 2. From the time this act becomes effective, and thenceforward until six months after the termination of the present war between the United States and the Imperial German Government, any able-bodied male resident of this State between the ages of sixteen and sixty, except bona fide students during school term, who shall fail or refuse to regularly and steadily engage for at least thirty-six hours per week in some lawful and recognized business, profession, occupation or employment, whereby he may contribute to the support of himself and those legally dependent upon him, shall be held to be a vagrant within the meaning and effect of this act, and shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$100 for each offense, and as a part of such sentence and punishment such offender shall be by the trial court ordered to work not exceeding sixty days upon the public roads or streets, or upon some other public work being done by and in the county in which such person shall be convicted, or by any municipality therein.

Failure to work.

Penalty.

One-half of the fair value of any such labor so performed under such sentence, shall be paid by the county or municipality receiving the same toward the support of any persons legally dependent upon such vagrant, but if there shall be no such legal dependents, then no payment shall be made on account of any labor performed under such judgment. Any labor so required by a judgment of conviction hereunder shall be rendered in all respects as is now provided by law in the case of other prisoners in jail.

Prose-  
cutions.

Prosecutions for vagrancy hereunder shall be instituted and conducted as other criminal prosecutions, and in no case shall the possession by the accused of money, property or income sufficient to support himself and those legally dependent upon him be a defense to any prosecution under this act. In no case shall the claim by the accused of inability to obtain work or employment be a defense to a prosecution hereunder, unless it shall be proved that the accused promptly notified the proper representative of the State council of defense of his inability to obtain employment, and requested that work or employment be found for him, and that such employment was not furnished him.

Jurisdiction.

Sec. 3. All justices of the peace, mayors and police judges within the State are hereby given jurisdiction to try and punish all offenders under this act, or such prosecution may be by indictment. Each week or portion thereof that such resident shall continue a vagrant hereunder shall constitute a separate offense, and no appeal shall be allowed from any judgment of conviction for vagrancy, unless the accused shall give bond, with penalty and security to be fixed and approved by the court granting the appeal, conditioned not to violate this act during the pendency of such appeal. Any judgment for the performance of labor hereunder may be suspended by the court pronouncing the same, upon the execution by the person convicted of a bond, with the penalty and security approved by the court, conditioned to comply with the provisions of this act for one year from the date of such bond. A violation of the condition of such last mentioned bond shall entitle the State to recover the amount of the penalty thereof, and in addition thereto the convicted person shall be rearrested and required to serve the sentence formerly pronounced against him.

Residents.

Sec. 4. For the purposes of this act any male person found in this State shall be deemed a resident, and in any prosecution hereunder, proof that the accused habitually loiters in idleness in streets, roads, depots, pool rooms, hotels, stores or other public place, or that he is habitually intoxicated, or is addicted to the use of narcotic drugs, or is a professional gambler, or, being able bodied is supported in whole or in part by the labor of any woman or child, shall be prima facie evidence of vagrancy.

**Approved May 21, 1917.**

**WISCONSIN.**

**ACTS OF 1917.**

**CHAPTER 279.—*Payment of wages—Semimonthly pay day.***

[This act amends subsection 1 of section 1729a of the Statutes by exempting "corporations owning or operating hospitals and sanitariums for the care of sick or insane persons." The following sentence is also added:] Amendments.

Any corporation owning or operating any hospital or sanitarium for the care of sick or insane persons shall give the same number of days' notice of its intention to discharge any employee as it requires such employee to give before being permitted to quit its service, unless such employee is discharged because of a serious infraction of a rule. Notice of discharge.

Approved May 24, 1917.

**CHAPTER 375.—*Railroads—Footboards on switch engines.***

SECTION 1. A new section is added to the statutes to read: Footboards to be provided.

Sec. 1809x. 1. No railroad corporation operating fifty miles or more of track as a common carrier shall operate, or cause or permit to be run or operated, within this State, any engine assigned to yard switching service and not in exclusive transfer service which is not equipped with footboards on the front and rear ends. Road engines without footboards in yard service may be used for a period not to exceed twelve consecutive hours.

2. Any such common carrier violating any of the provisions of this section shall forfeit \$100 for each and every such violation, to be recovered in a suit or suits brought in the name of the State by the attorney-general. Violations.

Approved June 8, 1917.

**CHAPTER 513.—*Free public employment offices.***

[This act amends subsection 9 of section 2394-52 of the Statutes, by adding to the duties of the State industrial commission that of aiding in procuring employment for the blind adults of the State.] Employment for the blind.

**CHAPTER 589.—*Mothers', etc., pensions.***

SECTION 1. Subsections one, two, five, and six of section five hundred and seventy-three f of the Statutes are amended to read:

Sec. 573f. 1. If any person shall have knowledge that any child is dependent upon the public for proper support \* \* \* act. Who may act.  
or that the interest of the public requires that such child be granted aid, such person may bring any such fact to the notice of a judge of a juvenile court or of a county court of the county in which such child resides.

2. The said judge may make or cause to be made such investigation and examination before the granting of aid for such child as he may deem necessary. To assist in making investigations and examinations the judge of the juvenile court or of the county court may on July first, nineteen hundred and seventeen, appoint a board of child welfare for his county to consist of three members, who shall hold office at the pleasure of the judge making the appointment. No salary or wages shall be paid to the members of said committee, but they shall be reimbursed their actual and necessary expenses incurred in the Investigation.  
Board.

performance of their duties, such expenses to be approved by the appointing judge and to be audited and paid by the county as other claims against such county are audited and paid. Such board shall advise and consult with the judge regarding the best method of investigating cases under the provisions of this section; establish a basis of household expenses to compute the amount of aid to be extended to needy families; help needy mothers to expend aid granted economically, and advise them how to keep accounts of expenses; recommend discontinuance and reductions in aid and generally to act, consult and confer with each other and the court relative to any and all problems relating to families to be aided and as to the best methods of carrying out the provisions of this section economically and efficiently.

**Conditions.**

5. Aid for dependent children shall only be granted upon the following conditions: There must be one or more children living with or dependent upon the mother or grandparents or person having the care and custody of such children, one or more of whom shall be under the age of fourteen or between the ages of fourteen and sixteen and unable to secure a permit to work; the mother or grandparent or such other person must have \* \* \* resided in this State one year and in the county in which application is made for aid six months prior to the date of such application except in any county containing a population of three hundred thousand or over where the residence must have been for a year prior to the date of such application; the mother must be a widow or the wife of a husband who is incapacitated for gainful work by permanent mental or physical disability, or of a husband who has been sentenced to a penal institution for one year or more, or of a husband who has continuously deserted her for \* \* \* six months or more during which time all provisions of law have been used to enforce support and none has been obtained, or such mother must be divorced from her husband and must show that she has used all provisions of law to compel her former husband to support her and has not been able to do so. Such deserted or divorced woman need not show that she has used all provisions of law to enforce support, if the court shall be of the opinion that such procedure on her part would be of no avail; the mother or grandparents or person having the care and custody of such children must be \* \* \* a fit and \* \* \* proper person to have the custody and care of the dependent children and the period of aid must be likely to continue longer than one year. \* \* \* The ownership by a mother of a homestead shall not prevent the granting of aid under the provisions of this section if the rental thereof would not exceed the rental which a family of the same size as the family of such parent, receiving aid, would be obliged to pay for living quarters.

**Amount.**

6. The aid granted shall be sufficient to enable the mother, grandparents or person having \* \* \* the custody of such children to properly care for the children and shall not exceed \$15 per month for the first child excepting in emergency cases where the aid to such first child shall be left to the discretion of the court and \$10 per month for each additional child and in no case shall any one family receive more than \$40 per month excepting in counties containing a population of three hundred thousand or over where the maximum for any one family shall not exceed \$50. Such aid shall be the only form of public assistance granted to the family and no aid shall continue longer than one year without reinvestigation. \* \* \*

**Statements.**

Sec. 2. A new subsection is added to section five hundred and seventy-three f of the Statutes to read:

(Sec. 573f.) 6a. The parent or other person receiving aid under the provisions of this section shall file monthly with the judge of the juvenile or county court of the proper county a statement showing the expenditures of all moneys received as aid under the provisions of this section together with the original receipts or vouchers therefor. The judge may require the mother to do such remunerative work as in his judgment she can do with-

out detriment to her health or the neglect of her children or her home, and may prescribe the hours during which the mother may work outside of her home.

Approved July 6, 1917.

CHAPTER 604.—*Committee on social insurance.*

SECTION 1. The committee of the legislature appointed under the provisions of such joint resolution [relating to social insurance] is hereby authorized and empowered to do all things and perform all acts necessary and convenient to carry out the provisions of such resolution and of this act, and such authorization and power on the part of said committee shall continue after the adjournment of this legislature and until such time as the said committee shall have fully discharged the duties imposed upon it by said resolution. The said committee shall and is hereby directed and authorized to thoroughly investigate the subject of "social insurance," with the end in view of determining the necessity therefor, the wisdom thereof, and the most feasible and practical method of accomplishing the sought for ends, if the committee shall determine that legislation is justified—it being the intent and the purpose of the legislature in the creation of said committee to investigate the subject and determine the policy of the State from the standpoint of conditions in Wisconsin. The said committee is further directed to report its findings to the governor and the members of the next regular session of the legislature as specified in said resolution. The mention of any line of inquiry herein or in said resolution shall not in any way limit the field of investigation which the said committee is empowered to enter upon and which it shall deem necessary or expedient in connection with a thorough investigation of the subject matter assigned to it.

Power of committee.

Report.

SEC. 2. The said committee is hereby vested with plenary power to perform and discharge the duties imposed upon it by said resolution and by the provisions of this act. Each member of said committee shall have power to administer oaths to persons appearing before such committee.

Plenary powers.

SEC. 3. The said committee shall have power to employ such stenographers, clerks, assistants, and experts as it may deem necessary and expedient for the proper discharge of the duties hereby assigned to it, and to fix the compensation of such persons as it may employ.

Employees.

SEC. 4. The committee is hereby authorized to hold such meetings at such places and at such times as it may deem most expedient, and said committee may by subpoena issued over the signature of the chairman or acting chairman of said committee and served in the manner in which circuit court subpoenas are served, examine and compel the attendance of witnesses and the production of books, papers, documents, and records deemed necessary or convenient to be examined or used by it in the course of its investigation.

Meetings.

SEC. 5. If any witness subpoenaed to appear before said committee shall refuse to appear or to answer inquiries propounded, or shall fail or refuse to produce books, documents, papers, and records within his possession or control when the same are demanded by the committee, such committee shall report the facts to the circuit court of the county in which such examination is being conducted, and it shall be the duty of such court to compel obedience to such subpoena by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Witnesses.

SEC. 6. The said committee is authorized to print and send to each member or member-elect of the next regular session of the legislature, at least thirty days before the convening of such session, a copy of the findings and recommendations of such committee, together with any bill or bills that may be framed by it.

Printing.

SEC. 7. Each member of the said committee shall be reimbursed by the State for his actual and necessary expenses, but shall re-

Expenses.

ceive no compensation for time devoted to the work of such committee.

Appropriation.

Sec. 8. There is appropriated from the general fund not to exceed \$5,000 to carry out the provisions of this act and the said joint resolution. All bills for the expenses of such committee, including witness fees, the compensation of stenographers, clerks, assistants, and experts employed by such committee, shall be approved by the committee and certified by the chairman thereof to the governor and the secretary of state, who shall audit the same, and such secretary shall issue his warrant therefor upon the State treasurer.

CHAPTER 633.—*Employment of children—General provisions.*

[See under chapter 674, below.]

CHAPTER 648.—*Inspection and regulation of bakeries, etc.*

Amendments.

[This act changes the numbers of sections 1636-61, 1636-62, 1636-63, and 1636-64 to 1410d-1, 1410d-2, 1410d-3, and 1410d-4, respectively. The enforcement of the law, the issue of licenses, etc., are transferred to the office of the dairy and food commissioner, from that of the industrial commission.]

CHAPTER 666.—*Accidents to be reported.*

Application of act

[This act amends section 2394-35 of the statutes by requiring reports from employers of three or more persons, instead of four or more as formerly.]

CHAPTER 674.—*Employment of children—General provisions.*

School attendance required.

SECTION 1. Section four hundred and thirty-nine a-one \* \* \* etc., of the Statutes are amended to read:

Sec. 439a. 1. Until September 1st, nineteen hundred and eighteen, any person between the ages of fourteen and sixteen, unless indentured as an apprentice, as provided in section twenty-three hundred and seventy-seven, and after that date any person between the ages of fourteen and seventeen, living within two miles of the school of any town, or within the corporate limits of any city or village and not physically incapacitated, who is not required by section four hundred and thirty-nine a to attend some public, private or parochial school, and who is not attending a free high school or equivalent of a high school, must either attend some public, private, or parochial school, or attend for at least eight hours a week for at least eight months and for such additional months or parts thereof as the other public schools in such city, town or village are in session in excess of eight during the regular school year, or the equivalent as may be determined by the local board of industrial education, an industrial, continuation, or commercial school, provided such school or schools are maintained according to the provisions of sections five hundred and fifty-three p-one to five hundred and fifty-three p-nine, inclusive, in the town, village or city in which his parents or guardians reside. This section shall apply only to persons between the ages herein specified, living in towns, villages and cities maintaining schools as provided in sections five hundred and fifty-three p-one to five hundred and fifty-three p-nine, inclusive, of the Statutes.

Employment certificates.

(Sec. 1728a) 1. No child between the ages of fourteen and seventeen years unless indentured as an apprentice as provided in section twenty-three hundred and seventy-seven of the Statutes, shall be employed, required, suffered or permitted to work at any time in any factory, or workshop, store, hotel, restaurant, bakery, mercantile establishment, laundry, telegraph, telephone or public

messenger service, or the delivery of any merchandise, or at any gainful occupation, or employment, directly or indirectly, or, in cities wherein a vocational school is maintained, in domestic service other than casual employment in such service, unless there is first obtained from the industrial commission or from a judge of a county, municipal, or juvenile court designated by the industrial commission where such child resides, or from some other person designated by said commission, a written permit authorizing the employment of such child in such employment within such time or times as the said industrial commission or a judge or other person designated by said commission may fix: *Providing*, That such times shall not conflict with those designated in subsection one of section seventeen hundred and twenty-eight c.

(Sec. 1728a-3) 1. The permit required by section seventeen hundred and twenty-eight a of the statutes shall contain the signature of the director of the continuation school where the child is to attend and state the name, the date and place of birth of the child, and describe the color of hair and eyes, the height and weight, and any distinguishing facial marks of such child, and that the papers required in subsection two hereof have been duly examined, approved and filed. Contents of permits.

2 (As amended by chapter 633, Acts of 1917). (1) Such evidence as is required by the industrial commission showing that such child is at least fourteen years of age. The industrial commission shall formulate and publish rules and regulations governing the proof of age of minors who apply for labor permits, and such rules and regulations shall be binding upon all persons authorized by law to issue such permits. Evidence of age.

Sec. 1728b. 1. Every person, firm or corporation, agent or manager of any firm or corporation employing minors in domestic service coming within the provisions of subsection one of section seventeen hundred and twenty-eight a or in any factory or workshop, store, office, hotel, restaurant, bakery, mercantile establishment, laundry, telegraph, telephone or public messenger service within this State shall keep a register in the place where such minor is employed, and subject at all times to the inspection of any factory inspector, or assistant factory inspector, or truant officer, in which register shall be recorded the name, age, date of birth and place of residence of every child employed, permitted or suffered to work therein, under the age of seventeen years, except as provided by section twenty-three hundred and seventy-seven, for indentured apprentices. Registers.

2. No person, firm or corporation, agent or manager of any firm or corporation shall hire or employ, permit or suffer to work in any domestic service, coming within the provisions of subsection one of section seventeen hundred and twenty-eight a, mercantile establishment, factory or workshop, store, office, hotel, restaurant, bakery, laundry, telegraph, telephone or public messenger service, any child not indentured as an apprentice as provided in section twenty-three hundred and seventy-seven, under seventeen years of age, unless there is first provided and placed on file in such mercantile establishment, factory, workshop, store, office, hotel, restaurant, bakery, laundry, telegraph, telephone or public messenger service office, or other place of employment included herein a permit granted by the industrial commission or by any judge or person designated by said commission as provided in section seventeen hundred and twenty-eight a. Permits required.

(Sec. 1728c) 1. No child under the age of sixteen years shall be employed, required, permitted or suffered to work at any gainful occupation, other than domestic service or farm labor, for more than forty-eight hours in any one week, nor more than eight hours in any one day, or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening, nor more than six days in any one week. A dinner period of not less than thirty minutes shall be allowed during each day. During such dinner period the power shall be shut off from machinery operated by children, and no work shall be permitted: *Provided*, Hours of labor.  
Night work.  
Time for meals.

That nothing in sections seventeen hundred and twenty-eight a to seventeen hundred and twenty-eight j, inclusive, shall be construed to interfere with the employment of children as provided in sections seventeen hundred and twenty-eight a-one and seventeen hundred and twenty-eight u of the Statutes.

Evening  
schools.

(Sec. 1728c-1) 1. Whenever any day continuation classes, industrial school or commercial school shall be established in any town, village or city in this State for minors between the ages of fourteen and sixteen, working under permit as now provided by law, every such child residing or employed within any town, village or city in which any such school is established, shall attend such school in the daytime not less than eight hours per week for at least eight months in each year and for such additional months or parts thereof as the other public schools in such city, town or village are in session in excess of eight during the regular school year, or the equivalent as may be determined by the local board of industrial education, subject to the provisions of section four hundred and thirty-nine a-one, until such child becomes sixteen years of age, and every employer shall allow all minor employees over fourteen and under sixteen years of age a reduction in hours of work of not less than the number of hours the minor is by this section required to attend school.

Physical un-  
fitness.

(Sec. 1728e) 1. The industrial commission or judge or other person designated by the commission under section seventeen hundred and twenty-eight a, may refuse to grant permits in the case of children who may seem physically unable to perform the labor at which they may be employed. They may also refuse to grant a permit if, in their judgment, the best interests of the child would be served by such refusal.

Industrial,  
etc., schools.

(Sec. 1728o-2) 1. Until September first, nineteen hundred and eighteen, whenever an industrial, continuation or commercial school shall be established according to the provisions of sections five hundred and fifty-three p-one to five hundred and fifty-three p-nine, inclusive, of the Statutes, in any town, village or city, any minor not indentured as an apprentice as provided in section twenty-three hundred and seventy-seven of the statutes, or not regularly attending any other recognized school between the ages of sixteen and seventeen, residing or working in such town, village or city, shall attend such school in the daytime not less than four hours per week for at least eight months in each year and for such additional months or parts thereof as the other public schools of such city, town or village are in session in excess of eight during the regular school year or the equivalent as may be determined by the local board of industrial education. Every employer shall allow all such minor employees a reduction in hours of work of not less than the number of hours the minor is by this section required to attend school. Whenever the working time and the class time coincide, such reduction in hours of work shall be allowed at the time when the classes which the minor is by law required to attend are held.

Sec. 2. There is added to section seventeen hundred and twenty-eight o-two a new subsection to read:

Same.

(Sec. 1728o-2) 2. From and after September first, nineteen hundred and eighteen, whenever an industrial, continuation or commercial school shall be established according to the provisions of sections five hundred and fifty-three p-one to five hundred and fifty-three p-nine, inclusive, of the Statutes, in any town, village or city, any minor not indentured as an apprentice as provided in section twenty-three hundred and seventy-seven of the Statutes, or not regularly attending any other recognized school, between the ages of sixteen and seventeen, residing or working in such town, village or city, shall attend such school in the daytime not less than eight hours per week for at least eight months, and for such additional months or parts thereof as the other public schools of such city, town or village are in session in excess of eight during the regular school year, or the equivalent, as may be determined by the local board of industrial education. Every employer shall

allow all such minor employees a reduction in hours of work of not less than the number of hours the minor is by this section required to attend school. The total hours of schooling and employment for boys over sixteen and under seventeen years of age shall not exceed fifty-five hours per week. Whenever the working time and the class time coincide, such reduction in hours shall be allowed at the time when the classes which the minor is by law required to attend are held.

Sec. 3. Subsection 2 of section seventeen hundred and twenty-eight o-two is amended to read:

(Sec. 1728o-2) 3. Any violation of this section in a case involving a minor in employment shall be punished as is provided in the case of violation of the provisions of section seventeen hundred and twenty-eight a of the statutes and any violation in a case involving a minor not in employment shall be punished as is provided in the case of violating the provisions of section four hundred and thirty-nine a of the statutes.

Approved July 14, 1917.

JOINT RESOLUTION.

No. 24.—*Committee on social insurance.*

A committee consisting of three assemblymen and two senators be appointed in the manner that standing joint committees are appointed, to thoroughly investigate the subject of "social insurance" as to the necessity as well as the wisdom of legislation upon this subject, and, in the event of such committee determining that legislation upon this subject is justified, that it prepare a bill or bills covering the said subject.

The mention of any line of inquiry herein shall not in any way limit the field of investigation which said committee is empowered to make and which it may deem expedient in connection with the subject matter assigned to it for consideration; that the said committee by a majority vote of the members thereof is hereby vested with plenary power to perform and discharge the duties by this resolution enjoined; that any member of said committee shall have power to administer oaths to persons appearing before such committee; that the said committee shall have power to employ such stenographers, clerks, assistants, and experts as it may deem necessary and expedient for the proper discharge of the duties hereby assigned to it, and to fix the compensation for such persons as it shall employ.

Each member of the said committee shall be reimbursed by the State for his actual necessary expenses, but shall receive no compensation for time devoted to the work of such committee.

A copy of the report of such committee, together with any bill or bills framed by it, shall be sent to each member of the next legislature at least thirty days before the convening of the next regular session of the legislature.

The said committee shall hold such meetings at such times and places as it shall deem most expedient in the discharge of the duties hereby imposed.

INDUSTRIAL COMMISSION—ORDERS.

*Inspection of steam boilers.*

[Orders on this subject appeared in Bulletin No. 166, pages 216-221. Extensive revisions and additions have been made, and a code of boiler rules is now issued, covering many additional details as to installation, operation, and inspection, with a suggested code of rules to be followed in the boiler room. Tables of relative pressure and proper percentages and proportions to be observed in boiler construction are given, the major part of the material being too technical to be of general interest.]

Violations.

Committee provided for.

Subjects.

Powers.

Expenses.

Report.

Meetings.

Revision.

*Elevators.*

Revisal of 1917. [Amended orders on the subject of the installation, operation and equipment of elevators appeared in Bulletin No. 166, pages 215, 216, showing the changes made from the original orders printed in Bulletin No. 148, pages 2313-2320. A complete revisal of the elevator code was made in 1917, to be effective January 10, 1918. The entire body of orders is rewritten, and considerably extended. Tables of safe loads, relative dimensions, etc., are given. Other orders are reproduced in this connection, extracted from the general safety orders and electrical code orders, these being offered as in effect a supplement to the elevator code. The detail of this material, and its availability in separate pamphlets to those who are interested in the specific subject, justifies its omission in this place.]

*Employment of women—Hours of labor.*

- Night work. ORDER No. 1. Night work for women in and about manufactories and laundries in this State is hereby forbidden. Night work is declared to be work performed between the hours of six postmeridian of one day and six antemeridian of the following day. Pea canneries are not manufactories within the meaning of this order.
- Day work defined. ORDER No. 2. Day work for the purposes of this order shall be construed as work performed within the hours of six antemeridian and six thirty postmeridian of the same day except it may be permissible in all places of employment other than manufactories and laundries, to work one night per week after six thirty postmeridian without such time being classified as night work. If work is done after six thirty postmeridian more than one night per week, then all work performed within the week shall be considered night work.
- Hours of labor at night. ORDER No. 3. The employment of women at night work in any place of employment for more than eight hours per night or more than forty-eight hours per week, is prohibited as being prejudicial to the life, health, safety and welfare of such women.

June 29, 1917.

*Standard requirements for bricklayers.*

- Summary. [The industrial commission entered a new field in establishing requirements for bricklayers who are applicants for the certificate of apprenticeship issued to graduate apprentices complying with the standards laid down. The subjects on which the applicant is to be tested are the varieties, properties and manufacture of material, meaning of trade terms, bonds, joints, and arches, some knowledge of concrete, the making of simple drawings and reading of plans, and elementary knowledge of the chemistry of material, measuring and surveying, general trade information, scaffolding, the use and care of tools, and seven prescribed practical tests.]

WYOMING.

ACTS OF 1917.

CHAPTER 18.—Factory, etc., regulations—Fire escapes.

SECTION 1. \* \* \* Every \* \* \* factory or workshop, three or more stories in height, shall be provided with safe and suitable metallic, tunnel[,] iron or fireproof ladders or stair fire escapes with guard rail of sufficient strength, attached to the outside walls thereof and extending from or suitably near the ground to the uppermost story thereof, with platforms not less than six by three feet and of such shape and size and in such proximity to the windows of each story above the first, as to render access to such ladders or stairs from each such story easy and safe to the occupants of such buildings in case of fire; and it shall be the duty of every proprietor, custodian, superintendent or person or persons having charge and control of such public buildings mentioned and described herein, to post notices in every hall, and in a public and conspicuous place in such building, designating the places on each and every floor of such building where such fire escapes are located and may be found.

What buildings to have fire escapes.

SEC. 3. Every building now or hereafter used, in whole or in part, as a factory, mill, workshop, garage, office, bakery, laundry, store, and any other building or buildings in which people are employed at manual or other labor, shall be provided with proper and sufficient means of escape in case of fire, by two or more ways of egress, and all doors leading into or to such factory, mill, workshop, garage, office, bakery, laundry, store, and any other building or buildings in which people are employed at manual or other labor, shall not be locked, bolted or fastened during working hours [so] as to prevent free and easy access therefrom.

Exits.

Doors not to be locked.

SEC. 4. All such metallic iron or fireproof ladders or stair fire escapes, stairways, hallways, or means of egress, mentioned or described in this act, shall at all times be kept free from any obstruction; in good repair and ready for use; and at night, or where lights are necessary in the daytime, a red light shall be provided with the words inscribed thereon "FIRE ESCAPE": *Provided*, That on all hotel, theater, school and hospital buildings, two or more stories in height, said stairways shall extend from each floor of said building to the ground and shall not be less than three feet wide, the risers of said stairs shall not be greater than eight inches, and the treads not less than ten inches wide, and the platform not less than three feet wide, and in all cases the full width of the stairs. All such stairs shall have proper guardrails not less than twenty-eight inches high. Where tubing is used for guardrails they shall be not more than ten inches apart; and where balusters are used they shall be not more than six inches apart.

Ways to be unobstructed.

Lights.

Stairways.

SEC. 6. Every person, firm or corporation, or his or its agents, officers, directors or trustees, owning or having the management or control of any such buildings or structures herein mentioned or described, who shall fail, neglect or refuse to comply with the provisions of this act not later than October first, nineteen hundred and seventeen, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punishable by imprisonment in the county jail for not less than three, nor more than six months, or by fine of not less than \$100 nor more than \$500 or by both such fine and imprisonment. Each month or fraction thereof in which any building designated in this act shall remain in violation thereof shall constitute a separate offense.

Violations.

Cities and  
towns.

SEC. 7. Any incorporated city or town may, by ordinance make additional requirements relative to fire escapes or exits.

Approved February 10, 1917.

CHAPTER 74.—*Accidents—Report and investigation.*

Reports.

SEC. 9. Section forty-four of chapter one hundred and forty-six of the Session Laws of Wyoming, nineteen hundred and fifteen, is hereby amended and reenacted to read as follows:

Sec. 44. \* \* \* Subsection C. Every public utility shall report to the [public service] commission, under rules and regulations prescribed by the commission and harmonizing in so far as practicable with those of the Interstate Commerce Commission, and of any other department of this State, every accident occurring upon the property of any public utility or directly or indirectly arising from or connected with the maintenance or operation of the plant, equipment, appliances, apparatus, property or facilities of such public utility resulting in loss of life or injury to person or property: *Provided*, That whenever any accident occasions the loss of life or limb to any person, such public utility shall straightway advise the commission of the fact by the speediest available means of communication.

Investigation.

Subsection D. The commission shall investigate the cause of all such accidents resulting in loss of life or injury to persons or property, as in the judgment of the commission requires investigation by it, and the commission shall have power to make such order with respect thereto, as it may deem just and reasonable.

Approved February 19, 1917.

CHAPTER 106.—*Hours of labor of female employees.*

SECTION 1. Section one of chapter forty-five of the Session Laws of Wyoming of nineteen hundred and fifteen is hereby amended and reenacted to read as follows:

Hours per  
day and week.

Section 1. No female shall be employed or suffered or permitted to work in any manufacturing, mechanical, mercantile, printing, baking, laundering, canning establishment, hotel, restaurant, theater or place of public amusement, more than sixty hours in any one week, and those working seven days a week shall not be permitted to work more than ten hours in any one day, and those working not more than six days a week shall not be permitted to work more than fifty-two hours in any one week, nor more than ten hours in any one day. The hours of work may be so arranged as to permit the employment of females at any time: *Provided*, That any such female shall not work more than the hours provided herein during the twenty-four hours of any calendar day.

SEC. 2. Section three of chapter forty-five of the Session Laws of Wyoming of nineteen hundred and fifteen, is hereby amended and reenacted to read as follows:

Violations.

Sec. 3. The employment or sufferance or the permitting of any female to work for a longer time in any day or in any week than as so provided in section one of this act, shall be deemed a violation of this act, and any person, firm or corporation so violating the provisions hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment: *Provided*, Each and every day's violation of this act shall constitute a separate offense.

Repeal.

SEC. 3. Section two of chapter forty-five of the Session Laws of Wyoming of nineteen hundred and fifteen and all other acts in conflict herewith are hereby repealed.

Approved February 20, 1917.

CHAPTER 113.—*Commissioner of labor and statistics—Factory, etc., regulations.*

SECTION 1. There is hereby created the office of commissioner of labor and statistics, whose powers and duties shall be as hereinafter provided. Office created.

SEC. 2. The governor shall within thirty days after the passage of this act appoint a commissioner of labor and statistics whose term shall be four years and until his successor is appointed and qualified: *Provided*, That no person shall be appointed as State commissioner of labor, who shall have been an official in any labor organization at any time during a period of six months prior to such appointment. In case of a vacancy in the office caused by death, resignation or incapacity to act the governor shall fill such vacancy by an appointment for the unexpired term. Appointment.

SEC. 3. The commissioner of labor and statistics shall be furnished with office room in the capitol building in the State capitol [capital] in which he shall maintain his office and records. Office.

SEC. 4. It shall be the duty of the commissioner of labor and statistics to enforce all laws enacted by the Legislature of Wyoming, relating to labor and to the health, welfare, life and limb of the workers of this State; to make an inspection of the industrial establishments and buildings hereinafter provided for, and to report biennially to the governor his findings, together with any recommendations thereon that he may consider as being helpful. Duties.

SEC. 5. The commissioner of labor shall collect, classify, have printed and submit to the governor in the biennial report of the commissioner of labor and statistics, as hereinafter provided, the following statistics touching the industrial life of the State, to wit: The hours of labor and number of [each] sex engaged in manual labor, the aggregate and average daily wages classified by sex and occupation; the number and character of accidents, the working conditions of all industrial establishments (including manufacturing establishments, hotels, stores, workshops, theaters, halls and other places where labor is employed), and such other information relating to industrial, economic, social, educational, moral and sanitary conditions of the working class, as the commissioner may deem needful to protect the work of his office; and such [commissioner] shall also gather all available statistics from similar departments in other States as may by him be deemed advisable. Statistics.

SEC. 6. All doors leading into or to any manufacturing establishments, mills, workshops, offices, bakeries, laundries, stores, hotels, theaters, halls, or other buildings in which people are employed, shall be so constructed as to open outward, when practicable, and shall not be locked, bolted or fastened so as to prevent free egress during working hours. Proper and substantial handrails shall be provided on all stairways in manufacturing establishments, mills, workshops, offices, bakeries, laundries, stores, hotels, theaters, halls, and other buildings where people are employed or rooms are rented to the public. And he shall have authority to enforce by due process of law, the provisions of this section, and other laws relating to fire escapes. Doors in work places.

SEC. 7. The openings of all hoistways, hatchways, elevators, well holes and stairways in manufacturing establishments, mills, workshops, bakeries, laundries, stores, hotels, theaters, halls, or any other kind of establishment where labor is employed, or machinery used, shall be protected by trap doors, hatches, fences, automatic gates or other safeguards, and all due diligence shall be used to keep all such means of protection closed, except when it is necessary to have the same open for use when practicable. Hoistways, etc.

All machinery, in use in any mercantile, manufacturing, or any other establishment whatsoever where labor is employed, shall be equipped with proper shifters for throwing on and off pulleys, loose pulleys and other such safeguards as may be deemed necessary by the commissioner of labor for the proper safeguard of life and limb. Safety provisions.

- Terms construed.**      **SEC. 8.** Manufacturing establishments, as those words are used in this act, shall mean and include all smelters, oil refineries, cement works, mills of every kind, machine and repair shops, and in addition to the foregoing, any other kind or character of manufacturing establishment, of any nature or description whatsoever, wherein any natural product or other articles or materials of any kind, in a raw or unfinished or incomplete state or condition, are converted into a new or improved or different form. Where ever [wherever] the expression occurs in this act in substantially the following words: "Every person owning or operating any manufacturing establishment["], or where language similar to that is used, the word "person" in that connection shall be held and construed to mean any person or persons, partnership, corporation, receiver, trust, trustee, or any other person or combination of persons, either natural or artificial, by whatever name he or they may be called.
- Access to work places.**      **SEC. 9.** The commissioner of labor shall have power to enter any manufacturing establishment, mill, workshop, office, bakery, laundry, store, hotel, theater, hall, or any public or private works where labor is employed, rooms are rented to the public, or machinery is used, for the purpose of enforcing the provisions of this act.
- Witnesses.**            **SEC. 10.** The commissioner of labor shall have the power to administer oaths, to examine witnesses under oath, to compel the attendance of witnesses, and the giving of testimony in any part of this State. Witnesses may be summoned by the commissioner in [by] process issued in same manner as in district court: *Provided*, That no witness shall be compelled to go outside of the county in which he or she resides to testify.
- Prosecutions.**        **SEC. 11.** The county and prosecuting attorney of any county in this State shall, upon complaint on oath, of the commissioner of labor, prosecute to termination before any court of competent jurisdiction, in the name of the State of Wyoming, actions or proceedings against any person or persons charged with violation of any of the provisions of this act, or any of the laws of this State enacted for the protection of employees.
- Reports.**             **SEC. 12.** On or before the first day of December, 1918, and biennially thereafter, the commissioner of labor shall make a complete report to the governor in writing, which report shall cover statistics gathered in this State, the conditions discovered by his inspections of industrial establishments in this State, relating particularly to industrial or working conditions, and the economic, social, educational, moral, and sanitary conditions of the workers therein; the efforts made to enforce the laws as comprehended by this act; together with such recommendations as he shall deem advisable as relating to the welfare of the working people of the State and to the efficiency of his office.
- Oath.**                **SEC. 13.** The commissioner of labor, before entering upon the duties of his office, shall take the oath of office prescribed by law, and shall enter into a bond, with sufficient sureties to the State of Wyoming, in the sum of \$2,000 conditioned for the faithful performance and discharge of the duties of his office.
- Bond.**                **SEC. 14.** The salary of the commissioner of labor shall be \$2,000 per annum, such compensation to be audited and paid in the same manner as the salaries of other State officers. The commissioner may employ a clerical assistant when necessary who shall be paid at the rate of \$1,200 per annum, such compensation to be audited and paid monthly as other State salaries are paid.
- Salaries.**            **SEC. 15.** In addition to the salary provided for in the preceding section, the commissioner of labor shall be allowed for other expenses of his office the sum of \$1,800 per annum; all such compensation for expenses shall be audited and paid in the same manner as the expenses of other State officers: *Provided*, Said commissioner shall have printed not more than one thousand five hundred copies of his biennial report for the use of his office and general distribution; also such printed matter and supplies as may be necessary for the conduct of his office, and the expenses thereof

shall be audited in the same manner as other State printing and supplies.

SEC. 16. Any person who violates or omits to comply with any of the provisions of this act, or any of the lawful orders of the commissioner of labor shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100, or by imprisonment in the county jail not to exceed ninety days or by both such fine and imprisonment, in the discretion of the court.

Violations.

SEC. 17. Provided nothing herein contained shall be construed to be applicable to coal and metalliferous mines and workshops connected therewith as such mines and workshops are by law placed under the jurisdiction of State coal mine inspectors or of the State geologist, nor shall anything herein be construed to apply to railroads engaged in interstate commerce or workshops connected therewith, the same being under Federal jurisdiction.

Exemptions.

Approved February 21, 1917.



## UNITED STATES.

### ACTS OF 1916-17—SIXTY-FOURTH CONGRESS—SECOND SESSION.

#### CHAPTER 29.—*Immigration of aliens.*

SECTION 3. The following classes of aliens shall be excluded from the United States: \* \* \* Persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country. \* \* \* The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, artists, merchants, and travelers for curiosity or pleasure, nor to their legal wives or their children under sixteen years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section nineteen of this act.

Contract laborers, etc.

After three months from the passage of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

All aliens over sixteen years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided*, That any admissible alien, or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over fifty-five years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to enter. \* \* \*

Literacy.

The following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious persecution in the country of their last permanent residence, whether such persecution be evidenced by overt acts or by laws or governmental regulations that discriminate against the alien or the race to which he belongs because of his religious faith; all aliens who have been lawfully admitted to the United States and who have resided therein continuously for five years and who return to the United States within six months from the date of their departure therefrom \* \* \*: *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Labor upon the application of any person interested, such application to be made before such importation, and such determination

Skilled labor.

- by the Secretary of Labor to be reached after a full hearing and an investigation into the facts of the case: *Provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed as domestic servants: *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign Government to its citizens or subjects to go to any country other than the United States, or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possession or from the Canal Zone: *Provided further*, That aliens returning after a temporary absence to an unrelinquished United States domicile of seven consecutive years may be admitted in the discretion of the Secretary of Labor, and under such conditions as he may prescribe: *Provided further*, That nothing in the contract-labor or reading-test provisions of this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such otherwise admissible alien mechanics, artisans, agents, or other employees, natives of his country as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith, under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Labor, may prescribe both as to the admission and return of such persons: *Provided further*, That the Commissioner General of Immigration with the approval of the Secretary of Labor shall issue rules and prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission: *Provided further*, That nothing in this act shall be construed to apply to accredited officials of foreign Governments, nor to their suites, families, or guests.
- Professions.**
- Passports.**
- Returning aliens.**
- Exhibitors.**
- Temporary admission.**
- Officials.**
- Inducing, assisting, etc.**
- SEC. 5. It shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit, or attempt to induce, assist, encourage, or solicit the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the fifth proviso of section three of this act, or have been imported with the permission of the Secretary of Labor in accordance with the fourth proviso of said section, and for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of \$1,000, which may be sued for and recovered by the United States, as debts of like amount are now recovered in the courts of the United States. For every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of \$1,000, or by imprisonment for a term of not less than six months nor more than two years; and under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid. The Department of Justice, with the approval of the Department of Labor, may from any fines or penalties received pay rewards to persons other than Government employees

who may furnish information leading to the recovery of any such penalties, or to the arrest and punishment of any person, as in this section provided.

Sec. 6. It shall be unlawful and be deemed a violation of section five of this act to induce, assist, encourage, or solicit or attempt to induce, assist, encourage, or solicit any alien to come into the United States by promise of employment through advertisements printed, published, or distributed in any foreign country, whether such promise is true or false, and either the civil or criminal penalty or both imposed by said section shall be applicable to such a case.

Advertising.

Sec. 7. It shall be unlawful for any person; association, society, company, partnership, corporation, or others engaged in the business of transporting aliens to or within the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, oral representation, payment of any commissions to an alien coming into the United States, allowance of any rebates to an alien coming into the United States, or otherwise to solicit, invite, or encourage or attempt to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prosecution, or both, prescribed by section five of this act; or if it shall appear to the satisfaction of the Secretary of Labor that any owner, master, officer, or agent of a vessel has brought or caused to be brought to a port of the United States any alien so solicited, invited, or encouraged to come by such owner, master, officer, or agent, such owner, master, officer, or agent shall pay to the collector of customs of the customs district in which the port of arrival is located, or in which any vessel of the line may be found, the sum of \$400 for each and every such violation; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit with the collector of customs of a sum sufficient to cover such fine: *Provided further*, That whenever it shall be shown to the satisfaction of the Secretary of Labor that the provisions of this section are persistently violated by or on behalf of any transportation company, it shall be the duty of said Secretary to deny to such company the privilege of landing alien immigrant passengers of any or all classes at United States ports for such a period as in his judgment may be necessary to insure an observance of such provisions: *Provided further*, That this section shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, confined strictly to stating the sailing of their vessels and terms and facilities of transportation therein: *Provided further*, That under sections five, six, and seven hereof it shall be presumed from the fact that any person, company, partnership, corporation, association, or society induces, assists, encourages, solicits or invites, or attempts to induce, assist, encourage, solicit or invite the importation, migration or coming of an alien from a country foreign to the United States, that the offender had knowledge of such person's alienage.

Soliciting or encouraging.

Persistent violations.

Sec. 8. Any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not

Offenses.

Duty of mas-  
ters, etc., of  
vessels.

exceeding five years, for each and every alien so landed or brought in or attempted to be landed or brought in.

Sec. 12. Upon the arrival of any alien by water at any port within the United States on the North American Continent from a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel having said alien on board to deliver to the immigration officers at the port of arrival typewritten or printed lists or manifests made at the timé and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, contain full and accurate information as to each alien as follows: Full name, age, and sex; whether married or single; calling or occupation; personal description (including height, complexion, color of hair and eyes, and marks of identification); whether able to read or write; nationality; country of birth; race; country of last permanent residence; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States; the alien's condition of health, mental and physical; whether deformed or crippled, and if so, for how long and from what cause; whether coming with the intent to return to the country whence such alien comes after temporarily engaging in laboring pursuits in the United States; and such other items of information as will aid in determining whether any such alien belongs to any of the excluded classes enumerated in section three hereof.

Distribution  
of aliens.

Sec. 30. There shall be maintained a Division of Information in the Bureau of Immigration; and the Secretary of Labor shall provide such clerical and other assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner General of Immigration, subject to the approval of the Secretary of Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner General of Immigration, who, with the approval of the Secretary of Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Fraud as to  
crews.

Sec. 31. Any person, including the owner, agent, consignee, or master of any vessel arriving in the United States from any foreign port or place, who shall knowingly sign on the ship's articles, or bring to the United States as one of the crew of such vessel, any alien, with intent to permit such alien to land in the United States in violation of the laws and treaties of the United States regulating the immigration of aliens, or who shall falsely and knowingly represent to the immigration authorities at the port of arrival that any such alien is a bona fide member of the crew, shall be liable to a penalty not exceeding \$5,000, for which

sum the said vessel shall be liable and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

SEC. 32. No alien excluded from admission into the United States by any law, convention, or treaty of the United States regulating the immigration of aliens, and employed on board any vessel arriving in the United States from any foreign port or place, shall be permitted to land in the United States, except temporarily for medical treatment, or pursuant to regulations prescribed by the Secretary of Labor providing for the ultimate removal or deportation of such alien from the United States, and the negligent failure of the owner, agent, consignee, or master of such vessel to detain on board any such alien after notice in writing by the immigration officer in charge at the port of arrival, and to deport such alien, if required by such immigration officer or by the Secretary of Labor, shall render such owner, agent, consignee, or master liable to a penalty not exceeding \$1,000, for which sum the said vessel shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

SEC. 33. It shall be unlawful and be deemed a violation of the preceding section to pay off or discharge any alien employed on board any vessel arriving in the United States from any foreign port or place, unless duly admitted pursuant to the laws and treaties of the United States regulating the immigration of aliens: *Provided*, That in case any such alien intends to reship on board any other vessel bound to any foreign port or place, he shall be allowed to land for the purpose of so reshipping, under such regulations as the Secretary of Labor may prescribe to prevent aliens not admissible under any law, convention, or treaty from remaining permanently in the United States, and may be paid off, discharged, and permitted to remove his effects, anything in such laws or treaties or in this act to the contrary notwithstanding, provided due notice of such proposed action be given by the master or the seamen himself to the principal immigration officer in charge at the port of arrival.

SEC. 34. Any alien seaman who shall land in a port of the United States contrary to the provisions of this act shall be deemed to be unlawfully in the United States, and shall, at any time within three years thereafter, upon the warrant of the Secretary of Labor, be taken into custody and brought before a board of special inquiry for examination as to his qualifications for admission to the United States, and if not admitted said alien seaman shall be deported at the expense of the appropriation for this act as provided in section twenty of this act.

SEC. 36. Upon arrival of any vessel in the United States from any foreign port or place it shall be the duty of the owner, agent, consignee, or master thereof to deliver to the principal immigration officer in charge of the port of arrival lists containing the names of all aliens employed on such vessel, stating the positions they respectively hold in the ship's company, when and where they were respectively shipped or engaged, and specifying those to be paid off and discharged in the port of arrival; or lists containing so much of such information as the Secretary of Labor shall by regulation prescribe; and after the arrival of any such vessel it shall be the duty of such owner, agent, consignee, or master to report to such immigration officer, in writing, as soon as discovered, all cases in which any such alien has illegally landed from the vessel, giving a description of such alien, together with any information likely to lead to his apprehension; and before the departure of any such vessel it shall be the duty of such owner, agent, consignee, or master to deliver to such immigration officer a further list containing the names of all alien employees who were not employed thereon at the time of the arrival but who will leave port thereon at the time of her departure, and also the names of those, if any, who have been paid off and discharged, and of those, if any, who have deserted or landed; and in case

of the failure of such owner, agent, consignee, or master so to deliver either of the said lists of such aliens arriving and departing, respectively, or so to report such cases of desertion or landing, such owner, agent, consignee, or master shall, if required by the Secretary of Labor, pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$10 for each alien concerning whom correct lists are not delivered or a true report is not made as above required; and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, and, in the event such fine is imposed, while it remains unpaid; nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine.

Passed over the President's veto.—In the House of Representatives, February first, nineteen hundred and seventeen; in the Senate, February fifth, nineteen hundred and seventeen.

CHAPTER 162.—*Sunday and holiday labor—Compensatory time—Postal service.*

Time to be given.

Hereafter when the needs of the service require the employment on holidays of "special clerks" in first and second class post offices, they shall be allowed compensatory time on one of the thirty days next following the holiday on which they perform such service.

Approved March 3, 1917.

CHAPTER 180.—*Eight-hour day on emergency work—Construction of ships and war material—Efficiency tests and bonuses in navy yards—Combinations and trusts.*

Suspension authorized.

Overtime.

In case of national emergency the President is authorized to suspend provisions of law prohibiting more than eight hours labor in any one day of persons engaged upon work covered by contracts with the United States: *Provided further*, That the wages of persons employed upon such contracts shall be computed on a basic day rate of eight hours work, with overtime rates to be paid for at not less than time and one-half for all hours work in excess of eight hours.

Precedence of orders.

(b) In time of war, or of national emergency arising prior to March first, nineteen hundred and eighteen, to be determined by the President by proclamation, the President is hereby authorized and empowered, in addition to all other existing provisions of law:

First. Within the limits of the amounts appropriated therefor, to place an order with any person for such ships or war material as the necessities of the Government, to be determined by the President, may require and which are of the nature, kind, and quantity usually produced or capable of being produced by such person. Compliance with all such orders shall be obligatory on any person to whom such order is given, and such order shall take precedence over all other orders and contracts theretofore placed with such person. If any person owning, leasing, or operating any factory equipped for the building or production of ships or war material for the Navy shall refuse or fail to give to the United States such preference in the execution of such an order, or shall refuse to build, supply, furnish, or manufacture the kind, quantity, or quality of ships or war material so ordered at such reasonable price as shall be determined by the President, the President may take immediate possession of any factory of such person, or of any part thereof without taking possession of the entire factory, and may use the same at such times and in such manner as he may consider necessary or expedient.

Commandeer-  
ing.

Second. Within the limit of the amounts appropriated therefor, to modify or cancel any existing contract for the building, pro-

duction, or purchase of ships or war material; and if any contractor shall refuse or fail to comply with the contract as so modified the President may take immediate possession of any factory of such contractor, or any part thereof without taking possession of the entire factory, and may use the same at such times and in such manner as he may consider necessary or expedient.

Third. To require the owner or occupier of any factory in which ships or war material are built or produced to place at the disposal of the United States the whole or any part of the output of such factory, and, within the limit of the amounts appropriated therefor, to deliver such output or parts thereof in such quantities and at such times as may be specified in the order at such reasonable price as shall be determined by the President.

Fourth. To requisition and take over for use or operation by the Government any factory, or any part thereof without taking possession of the entire factory, whether the United States has or has not any contract or agreement with the owner or occupier of such factory.

That all authority granted to the President in this paragraph, to be exercised in time of national emergency, shall cease on March first, nineteen hundred and eighteen.

Term.

(d) Whenever the United States shall cancel or modify any contract, make use of, assume, occupy, requisition, or take over any factory or part thereof, or any ships or war material, in accordance with the provisions of paragraph (b), it shall make just compensation therefor, to be determined by the President, and if the amount thereof so determined by the President is unsatisfactory to the person entitled to receive the same, such person shall be paid fifty per centum of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as added to said fifty per centum shall make up such amount as will be just compensation therefor, in the manner provided for by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.

Compensation.

The Secretary of the Navy shall build any of the vessels herein appropriated for in such navy yards as he may designate should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels: *Provided*, That the Secretary of the Navy is hereby authorized to build any of the vessels herein authorized in such navy yards as he may designate.

Combinations.

In the event the Secretary of the Navy is unable to secure from the private shipbuilders contracts for the expeditious construction of the ships heretofore authorized at a fair and reasonable price, the sum of \$12,000,000, or so much thereof as may be necessary, is hereby appropriated to enable the Secretary of the Navy to equip the navy yards with suitable and necessary machinery, implements, building ways, and equipment for the construction of such of said vessels as may be assigned to navy yards for construction.

If, in the judgment of the Secretary of the Navy, the most rapid and economical construction of the battle cruiser herein appropriated for can be obtained thereby, he may contract for the construction of said battle cruiser upon the basis of actual cost, plus a reasonable profit to be determined by him.

Contracts.

Section forty-four of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, be, and the same is hereby, amended to read as follows:

SEC. 44. \* \* \*

- Limitation on contracts.** Of each of the sums appropriated by this act, except such amounts as may be required to meet obligations authorized in previous acts and for which contracts have been made, no part shall be used to procure through purchase or contract any vessels, armament, articles, or materials which the navy yards, gun factories, or other industrial plants operated by the Navy Department are equipped to supply, unless such Government plants are operated approximately at their full capacity for not less than one regular shift each working-day, except when contract costs are less than costs in said Government plants, and except when said Government plants are unable to complete the work within the time required, and except in cases of emergency: *Provided*, That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.
- Efficiency tests.** No part of any sum herein appropriated shall be expended for the purchase of structural steel, ship plates, armor, armament, or machinery from any persons, firms, or corporations who are parties to any existing combination or conspiracy to monopolize the interstate or foreign commerce or trade of the United States, or the commerce or trade between the States and any Territory or the District of Columbia, in any of the articles aforesaid, and no purchase of structural steel, ship plates, or machinery shall be made at a price in excess of a reasonable profit above the actual cost of manufacture. But this limitation shall in no case apply to any existing contract.
- Bonuses.**
- Combinations.**

Approved March 4, 1917.

#### EMERGENCY WAIVERS.

[An act of August 18, 1914 (38 Stat., 698), authorizes the President, "whenever in his discretion the needs of foreign commerce may require, to suspend by order, so far and for such length of time as he may deem desirable, the provisions of law prescribing that all the watch officers of vessels of United States registered for foreign trade shall be citizens of the United States."

**Citizen watch officers on vessels.**

In accordance with this authority the President, on September 4, 1914, issued an order permitting foreign-built vessels admitted to United States registry under section 4132, Revised Statutes, to "retain the watch officers employed thereon, without regard to citizenship, for seven years from this date, and such watch officers shall be eligible for promotion." Vacancies occurring within two years might also be filled without regard to citizenship, but only citizens were to be appointed thereafter. On September 1, 1916, a further suspension of the requirement of citizen watch officers was made, permitting those now employed on foreign-built vessels admitted to United States registry to continue to serve if they had declared their intention to become citizens, or should so declare within six months of the date of the order, the time of such extension being limited to the period necessary for their complete naturalization.

**Eight-hour law.**

In accordance with the power granted the President to suspend the eight-hour law in cases of emergency (chapter 180, above) an order was issued on March 24, 1917, suspending the eight-hour law of June 19, 1912, limiting the hours of daily service of mechanics and laborers on work under contracts to which the United States is a party, "with respect to all con-

tracts for ordnance and ordnance stores and other military supplies and materials, contracts for buildings under construction or to be constructed at the arsenals, and contracts for fortification work during the pending emergency, and until further orders."

On the 28th of April a further suspension of the same law was directed with regard to "work covered by contracts with the United States, made under the War Department, for the construction of any military building or for any public work which, in the judgment of the Secretary of War, is important for purposes of national defense, in addition to the classes of contracts enumerated in Executive order of March 24, 1917." It was further declared in the same order "that the current status of war constitutes an 'extraordinary emergency' within the meaning of that term as used in the eight-hour act of March 3, 1913 (37 Stat., 726), and that laborers and mechanics employed on work of the character set forth above, whether employed by Government contractors or by agents of the Government, may, when regarded by the Secretary of War as necessary for purposes of national defense, be required to work in excess of eight hours per day, and wages to be computed in accordance with the proviso in the said act of March 4, 1917"—i. e., at the rate of time and one-half for work in excess of eight hours.

Like the above order, this order took effect on the date of its promulgation, and continues "during the pending emergency or until further orders."

The foregoing orders are apparently of primary application to the War Department and persons contracting with it. A separate order of March 22 was directed to the Navy Department to enable it to secure the expeditious construction of ships and an adequate supply of munitions, similarly authorizing a waiver of the eight-hour law under the conditions of the act of March 4, 1917. In connection with this order an order was issued on June 23, 1917, by the Secretary of the Navy, with reference specifically to the construction of torpedo-boat destroyers, limiting the overtime work so that in no case might any individual man work more than 60 hours in any one week. Details may be arranged to suit local conditions and practices as they arise. Like the orders by the President, this order is to apply only during the present emergency.]



## CUMULATIVE INDEX.

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>A.</b>				<b>Accidents in mines, re- ports and investigation of:</b>			
Abandonment of em- ployment. (See Con- tracts of employment.)				Alabama.....	166, 168		
Abandonment of locomo- tives, etc. (See Strikes of railroad employees.)				Alaska.....	193		
Absence, leave of. (See Leave of absence.)				Arizona.....	219, 220		
Absent voters. (See Rail- road employees, etc., voting by.)				Arkansas.....	236		
Accident insurance. (See Insurance, acci- dent.)				Colorado.....	336, 340 341, 387		
Accident, old age, etc., relief:				Idaho.....	510		
Alaska.....	186			Illinois.....	614	244	143
Arizona.....		186	74, 75	Indiana.....	658		
<b>Accident prevention:</b>				Iowa.....	730, 753 758, 759 780, 781		
California.....		244	84	Kansas.....		166	58
Illinois.....	587, 588			Kentucky.....			
Nebraska.....	1285			Maryland.....	927		
New Jersey.....	1430			Michigan.....	1077		
Ohio.....	1674			Minnesota.....	111		
Virginia.....		166	209	Missouri.....	1190, 1191		
Wisconsin.....	2256			Montana.....	1268		
<b>Accidents, industrial, commission on, digest of as to.....</b>	146			Nevada.....	1330, 1331		
<b>Accidents, industrial, reports and investiga- tion of:</b>				New Mexico.....	1448		
California.....		244	82, 84, 85	New York.....	1525, 1526		
Connecticut.....	416, 417			North Carolina.....	1569, 1571		
Illinois.....	561, 571			Ohio.....	1618, 1619 1621, 1627		
Indiana.....	646			Oklahoma.....	1735		
Iowa.....	757			Pennsylvania.....	1812		
Kansas.....	776, 777			1813, 1876 1904, 1915			
Louisiana.....	861, 862			South Dakota.....	2010		
Maine.....	878, 889			Tennessee.....	2030, 2050	244	325
Massachusetts.....	1033-1035	166	141	Utah.....	2117, 2118		
Minnesota.....	1097			Virginia.....	2174		
Missouri.....	1132, 1133			Washington.....	2203, 2204	244	351
Montana.....	1179	186	212-215	West Virginia.....	2253	186	409, 415
Nebraska.....	1300			Wyoming.....	2339, 2344		
New Jersey.....	1391			United States.....	2410		
New York.....	1415, 1421 1481, 1482 1489, 1510			(See also Mine regula- tions.)			
Ohio.....	1647, 1648			<b>Accidents on railroads, etc., reports and inves- tigation of:</b>			
Oklahoma.....	1717, 1718			Alabama.....	157		
Oregon.....	1769	186	311, 312	Arizona.....	230		
Pennsylvania.....	1787			California.....	403, 422	186	87
Rhode Island.....	1849, 1927			Colorado.....	351		
Tennessee.....	1971			Connecticut.....	464		
Utah.....	2030			District of Columbia.....	467, 478		
Vermont.....	2064, 2065			Florida.....	506		
Wisconsin.....		244	345	Hawaii.....	627		
Wyoming.....		244	370	Illinois.....	664		
(See also Inspection of factories, etc.)				Iowa.....	675, 705		
				Kansas.....	724		
				Kentucky.....	776, 777		
				Maine.....	813		
				Maryland.....	890, 891		
				Massachusetts.....	897		
				Michigan.....	949, 950		
				Minnesota.....	1073		
				Mississippi.....	1109		
				Missouri.....	1149		
				Montana.....	1216		
				Nebraska.....	1231, 1271 1315	244	217

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Accidents on railroads, etc.; reports and investigation of— <b>Concluded.</b>					Age not ground for discharge:				
Nevada.....	1335, 1336				Colorado.....	334			
New Hampshire.....	1366				Age of employment of children. (See Children, etc.)				
New Jersey.....	1409				Age of employment of telegraph operators on railroads. (See Telegraph operators, etc.)				
New York.....	1554				Agents, emigrant. (See Emigrant agents.)				
North Dakota.....	1593, 1594				Aid societies. (See Benefit societies.)				
Ohio.....	1604				Air, compressed, work in. (See Compressed air.)				
Oregon.....	1764, 1773	186	311, 312		Air space required in workrooms:				
Pennsylvania.....	1937, 1938				Arizona.....	211			
Porto Rico.....		244	312, 313		Delaware.....		244	116	
Rhode Island.....	1989				Illinois.....	568, 569			
South Carolina.....	1995-1997				Indiana.....				
South Dakota.....	2020				Maryland.....	918	106	103, 104	
Utah.....		244	336		Michigan.....	1069			
Vermont.....	2138, 2139				Minnesota.....	1120			
Virginia.....	2154				New Jersey.....	1141, 1142	244	237	
Washington.....	2210, 2213				New York.....	1509, 1518			
Wisconsin.....	2284, 2285				Pennsylvania.....	1839, 1847	186	339	
Wyoming.....		244	370		Porto Rico.....	1963			
United States.....	2425, 2426				Tennessee.....		186	382	
	2429, 2430				Wisconsin.....	2264	186	433	
Accidents on vessels, etc.:					2266, 2321				
Michigan.....	1059				(See also Factories and workrooms.)				
New York.....	1542				Alien contract labor:				
United States.....		186	449		Delaware.....	434			
Accidents, provisions for:					Hawaii.....	495			
Alabama.....	180				Indiana.....	642			
Alaska.....		186	71		Virginia.....	2152			
Arizona.....	220				Wyoming.....	2331			
Arkansas.....	244				United States.....	2414-2416	244	372-377	
California.....	307, 308	244	84, 94		(See also Coolie labor.)				
Colorado.....	378				Alien laborers, employment of, in fisheries:				
Connecticut.....		186	119		Alaska.....	185, 186			
Illinois.....	580-582	186	149		Washington.....		186	307	
Indiana.....	614				Alien laborers, protection of:				
Iowa.....	659, 677				Connecticut.....	405			
Kansas.....		244	169-171		Hawaii.....	505			
Kentucky.....	831	166	67		New York.....	1531, 1532			
Maryland.....	932				Pennsylvania.....		186	337	
Massachusetts.....	982	166	132		Wyoming.....	2347			
Michigan.....	1070, 1091				Aliens, employers of, to deduct taxes from wages:				
Montana.....	1243				Pennsylvania.....	1944, 1845			
Nevada.....	1335				Aliens, employment of:				
New Hampshire.....	1362				Arizona.....		186	75	
New Jersey.....	1409	244	242		Aliens, employment of, on public works:				
New Mexico.....	1447				Arizona.....	196, 197			
New York.....	1515	186	283, 284		California.....	261, 277	186	89, 90	
North Carolina.....	1575, 1576				Hawaii.....	496, 502			
Ohio.....	1620, 1625	166	193		Idaho.....	507, 519			
Oklahoma.....	1738				Massachusetts.....	967			
Pennsylvania.....	1803, 1836				New Jersey.....	1386			
Porto Rico.....	1837, 1897				New York.....	1479, 1480	186	251	
Tennessee.....	1955	244	311, 312		Pennsylvania.....	1838, 1839			
Utah.....	2063				Wyoming.....	2328			
Virginia.....	2065-2067				(See also Chinese employment of. Public works, preference of resident laborers on.)				
Washington.....	2113, 2120								
West Virginia.....	2172, 2173	244	351						
Wisconsin.....	2205, 2206	186	404						
Wyoming.....	2251	244	357						
Wisconsin.....	2284								
Wyoming.....	2341								
Actions for injuries. (See Injuries.)									
Actions for wages. (See Suits for wages.)									
Advances made by employers. (See Employers' advances, etc.)									
Aeronauts, examination, etc., of, digest of law relating to.....		143							

	Bulletin.			Bulletin.	
	Bulletin No. 148.	Page.		Bulletin No. 148.	Page.
American Museum of Safety:			Armed guards, hiring—		
New York .....	1561	166	Concluded.		
Antitrust act:			Tennessee .....	2056, 2057	
New Hampshire .....		244	Washington .....	2184	
Texas .....	2094, 2095		Wisconsin .....	2308	
United States .....	2402-2404		(See also Industrial police.)		
Antitrust act, exclusions from:			Assignment of wages:		
California .....	290		Alabama .....	165	
Louisiana .....	840		Arkansas .....	250	
Massachusetts .....		166	California .....	265	
Michigan .....	1051	244	Colorado .....	350, 351	244
Montana .....	1237		Connecticut .....	411	
	1238, 1244		Delaware .....	434	
New Hampshire .....		244	Georgia .....	485	
Wisconsin .....	2284		Illinois .....	621, 622	244
United States .....		166	Indiana .....	639	
		186		640, 663	
Appliances, safety, in factories. (See Guards for dangerous machinery.)				676, 677	
Appliances, safety, on railroads. (See Railroads, safety appliances on.)				738	
Apprentice laws, digest of Arbitration and mediation:	9-27		Iowa .....	738	
Alabama .....	163-165		Kentucky .....	834, 835	
Alaska .....	190-192		Louisiana .....	851, 862	213
Arkansas .....	259		Maine .....	874, 875	244
California .....	277, 278		Maryland .....	894, 895	
Colorado .....	333	186	Massachusetts .....	984, 986	213
Connecticut .....	408, 409			987, 1010	
Georgia .....	493	244	Michigan .....		186
Idaho .....	507		Minnesota .....	1112, 1121	244
Illinois .....	513-517			1133, 1134	
Indiana .....	535-538	244	Mississippi .....		166
Iowa .....	761-763		Missouri .....	1202	
Kansas .....	765, 766		Montana .....	1246, 1247	
Louisiana .....	837-839	186	Nebraska .....	1287-1290	186
Maine .....	879-881				
Maryland .....	893, 894	213	Nevada .....		244
	903-905		New Hampshire .....	1356	
Massachusetts .....	963-966	166	New Jersey .....	1374-1376	166
Michigan .....		186		1398, 1399	
Minnesota .....	1099, 1100		New York .....	1479, 1552	166
Missouri .....	1173-1175				
Montana .....	1223-1225		Ohio .....	1672, 1673	186
Nebraska .....	1308-1310		Pennsylvania .....	1825	
Nevada .....	1322-1324			1864, 1926	
New Hampshire .....	1367, 1368	244	Rhode Island .....	1985, 1986	
New Jersey .....	1373		Tennessee .....	2034	244
New York .....	1529, 1530		Texas .....		186
Ohio .....	1605-1609		Utah .....		244
	1658-1661		Vermont .....	2135-2137	
Oklahoma .....	1703, 1704		Washington .....	2190	
	1709, 1710		Wisconsin .....	2292	186
Pennsylvania .....	1925, 1926		Wyoming .....	2332	
Philippine Islands .....	1946	166	(See also Payment of wages; Wage brokers.)		
		244	Assignments of claims to avoid exemption laws. (See Exemption of wages.)		
South Carolina .....		213	Associations, cooperative, list of laws relating to.	87-92	
Texas .....	2071-2073		Associations of employees. (See Benefit societies.)		
Utah .....	2105-2108	244	Attachment of wages:		
Vermont .....	2147-2150	186	Connecticut .....		
Washington .....	2196, 2197		Pennsylvania .....	397	
Wisconsin .....	2297			1824	
Wyoming .....	2328		Attorneys' fees in suits for wages. (See Suits for wages.)		
United States .....	2440-2445				
Armed guards, hiring:			<b>B.</b>		
Alaska .....	188, 189		Badges, etc., of labor organizations. (See Labor organizations, etc.)		
Arkansas .....	231, 232		Bakeries, hours of labor in. (See Hours of labor.)		
Colorado .....	364, 395		Bakeries, inspection, etc., of. (See Inspection, etc.)		
Illinois .....	51				
Massachusetts .....	969, 970				
Missouri .....	1164				
Oklahoma .....	1720				

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Bankruptcy:</b>				<b>Boilers, steam, inspection of.</b> ( <i>See Inspection, etc.</i> )			
United States.....	2406, 2407			<b>Bonds, contractors', list of laws relating to.....</b>	76-79		
<b>Barber shops, inspection of.</b> ( <i>See Inspection, etc., of barber shops.</i> )				<b>Bonds of employees:</b>			
<b>Barbers, examination, etc., of, digest of laws relating to.....</b>	127-132	166	8	Arizona.....	213, 214		
		186	9, 10	Arkansas.....	251, 252		
		244	9, 145	California.....	244	74	
<b>Barrooms, payment of wages in.</b> ( <i>See Payment of wages in barrooms.</i> )				Florida.....	476, 477		
<b>Basements.</b> ( <i>See Cellars, etc.</i> )				Georgia.....	494		
<b>Benefit societies:</b>				Idaho.....	533		
Michigan.....	1060			Louisiana.....	865, 866		
Ohio.....	1603			Massachusetts.....	968		
Philippine Islands.....	1941, 1942			Mississippi.....	166	146, 147	
( <i>See also Relief departments.</i> )				Missouri.....	1205, 1206		
<b>Benefit societies, forced contributions for.</b> ( <i>See Forced contributions.</i> )				New Mexico.....	1435		
<b>Black-listing:</b>				North Carolina.....	1577, 1578		
Alabama.....	154, 155			Oklahoma.....	1704, 1705		
Arizona.....	196	186	73, 74	Virginia.....	166	209, 210	
Arkansas.....	228, 229			West Virginia.....	186	417, 418	
California.....	243			<b>Bonuses.</b> ( <i>See Efficiency tests and bonuses.</i> )			
Colorado.....	275			<b>Boycotting:</b>			
Connecticut.....	324			Alabama.....	154, 155		
Florida.....	422, 423			Colorado.....	324		
Illinois.....	466			Illinois.....	539		
Indiana.....	539			Indiana.....	632, 633		
Iowa.....	641, 642			Texas.....	2095, 2099		
Kansas.....	743			United States.....	166	235, 236	
Minnesota.....	773			( <i>See also Interference with employment, and cross references.</i> )			
Mississippi.....	1097			<b>Brakemen, sufficient number of.</b> ( <i>See Railroad trains, sufficient crew required on.</i> )			
Missouri.....	1107, 1108			<b>Brakes on railroad trains.</b> ( <i>See Railroads, safety appliances on.</i> )			
Montana.....	1149, 1150			<b>Bribery, etc., of employees:</b>			
Nevada.....	1165			California.....	186	87, 88	
New Mexico.....	1230, 1239	186	230, 231	Connecticut.....	411, 412	110	
North Carolina.....	1341			Indiana.....	668, 669		
North Dakota.....	1441, 1442			Iowa.....	743, 744		
Oklahoma.....	1575			Maine.....	876		
Oregon.....	1583, 1591			Massachusetts.....	968, 969		
Texas.....	1721			Michigan.....	1054, 1055		
Utah.....	1750			Montana.....	244	211	
Virginia.....	2073-2075			Nebraska.....	1318, 1319		
Washington.....	2092, 2093			Nevada.....	1342, 1343		
Wisconsin.....	2105, 2109			New Jersey.....	1377		
( <i>See also Discharge, statement of cause of; Interference with employment, and cross references.</i> )	2158			New York.....	1543		
<b>Blasting in mines.</b> ( <i>See Mine regulations.</i> )	2190, 2191			North Carolina.....	1581, 1582		
<b>Boarding houses.</b> ( <i>See Lodging houses.</i> )	2308			Rhode Island.....	1987, 1988		
<b>Boarding or commissary cars, taxation of:</b>				South Carolina.....	2000, 2001		
Mississippi.....		213	81	Virginia.....	2162		
<b>Boards of arbitration, etc.</b> ( <i>See Arbitration of labor disputes.</i> )				Washington.....	2184		
<b>Boatmen.</b> ( <i>See Seamen.</i> )				Wisconsin.....	2308, 2309		
<b>Boilers, creating an unsafe amount of steam in.</b> ( <i>See Negligence of operators, etc.</i> )				<b>Bribery of representatives of labor organizations:</b>			
<b>Boilers, entering under pressure:</b>				Nevada.....	1343		
Oklahoma.....	1723			New Jersey.....	1406		
				New York.....	1542, 1543		
				<b>Bricklayers' certificates:</b>			
				Wisconsin.....	244	338	
				<b>Brickyards, hours of labor of employees in:</b>			
				New York.....	1476		
					1477, 1548		
				<b>Bridges over railroad tracks.</b> ( <i>See Railroad tracks, etc.</i> )			
				<b>Buildings, protection of employees on.</b> ( <i>See Protection of employees, etc.</i> )			



	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Childbearing women, employment of. ( <i>See</i> Women, childbearing.)				Children, employed, certificates, registers, etc., of—Concluded.			
Children and women, commission on employment of, digest of laws as to.	149			Michigan.....	1063-1066	186	196-198
Children and women, employment of, in base-ments:				Minnesota.....	1115		
New York.....	1535, 1536			Mississippi.....	1116, 1118		
Children and women, em- ployment of, in mines:				Missouri.....	1150, 1151	166	148, 149
Alabama.....	183			Montana.....	1156-1158		
Arkansas.....	236				1219, 1229		
Colorado.....	381			Nebraska.....	1275, 1276		
Illinois.....	615			New Hampshire.....	1293-1297	186	235
Indiana.....	653				1355		
Maryland.....	932, 933			New Jersey.....	1363-1365		
Missouri.....	1189				1387	166	162-166
New York.....	1526				1388, 1407		168-170
Oklahoma.....	1704				1428, 1429	213	85, 86
Pennsylvania.....	1791, 1805			New York.....	1457, 1458	213	93-96
Utah.....	1899, 1900				1490-1494	244	248, 249
Vermont.....	2105, 2108				1533-1535		
Virginia.....	2173	244	349	North Carolina.....	1578, 1579	186	295
Washington.....	2303	244	352	North Dakota.....	1596-1598		
West Virginia.....	2252	186	406, 407	Ohio.....	1667, 1668	166	191-193
Wyoming.....	2327, 2330				1674-1677		195
( <i>See also</i> Children, etc.; Women, etc.)					1695-1698		
Children and women, wages of:				Oklahoma.....	1713-1715	244	269, 270
Massachusetts.....	986			Oregon.....	1753, 1754		
( <i>See also</i> Earnings of married women; Earnings of minors; Minimum wages; Women, wages of.)				Pennsylvania.....	1791	186	320
Children, corporal pun- ishment of, by employ- ers, etc.:					1805, 1846		322-326
Georgia.....	484			Porto Rico.....	1859-1862		
Porto Rico.....	1955			Rhode Island.....	1962		
Children, earnings of. ( <i>See</i> Earnings of minors.)					1968-1970	186	368-370
Children, employed, cer- tificates, registers, etc., of:					213		133-136
Alabama.....	161	186	60-62	South Carolina.....	1994, 2002	244	317
Arizona.....	199-202			South Dakota.....	2026		
Arkansas.....	248	186	82, 83	Tennessee.....	2060	244	323
California.....	279-283	186	94-99	Texas.....	2060	244	328
Colorado.....	353-358			Utah.....	2131, 2132		
Connecticut.....	419	244	107	Vermont.....	2141, 2142	244	349, 350
Delaware.....	420, 425	186	125	Virginia.....	2163	166	213
District of Columbia.....	453-455	244	119-124	Washington.....	2185, 2191		
Florida.....	472, 473			West Virginia.....	2231, 2232		
Georgia.....	484, 485	166	31, 32	Wisconsin.....	2269	244	364-366
Idaho.....	531				2272-2276		
Illinois.....	542-549	244	148-152		2278-2280		
Indiana.....	645			Children, employed, schools for:			
Iowa.....	707, 708	186	161, 162	Alabama.....	163		
Kansas.....	727	244	164-166	Massachusetts.....	1018, 1019		
Kentucky.....	827	166	33-35	Pennsylvania.....	186		321
Louisiana.....	828, 832	213	51	Wisconsin.....	2275	186	423
Maine.....	857-860	186	178-180		244		366, 367
Maryland.....	870-872	244	177, 178	Children, employed, seats for. ( <i>See</i> Seats for em- ployed children.)			
Massachusetts.....	901, 902	166	123, 124	Children, employment of, age limit for:			
	907-910	213	56-61	Alabama.....	160	186	59
	953	166	126, 133	Arizona.....	195		
	973-979	186	64, 69		197-202		
		213	71-73	Arkansas.....	247, 248	186	81
			75, 76	California.....	279, 281	186	94, 96
				Colorado.....	325, 352		
				Connecticut.....	401		
					419-421		
				Delaware.....	440	244	118, 124
					441, 445		
				District of Columbia.....	452		
				Florida.....	472		
				Georgia.....	484	166	31, 32
				Idaho.....	530		
				Illinois.....	542, 546	244	148
				Indiana.....	645		
					692, 693		
				Iowa.....	727	186	160
				Kansas.....	790, 791	244	164
				Kentucky.....	827	166	33
				Louisiana.....	857	166	88
				Maine.....	870, 877	186	178
				Maryland.....	906	213	55, 56
				Massachusetts.....	973	166	133
				Michigan.....	1063	186	196, 198

	Bulletin.			Bulletin.	
	Bulletin No. 148.	No. Page.		Bulletin No. 148.	No. Page.
<b>Children, employment of, age limit for—Concl'd.</b>			<b>Children, employment of, general provisions for—Concluded.</b>		
Minnesota.....	1115-1118		Illinois.....	542-547	244 148-151
Mississippi.....	1150	166 148	Indiana.....	580	
Missouri.....	1155		Iowa.....	644-646	
Montana.....	1228		Kansas.....	692, 693	
Nebraska.....	1293		Kentucky.....	707, 708	
Nevada.....	1344		Louisiana.....	727, 728	186 160-162
New Hampshire.....	1345, 1348		Maine.....	737, 738	
New Jersey.....	1363	166 155	Maryland.....	790, 791	186 171-175
New York.....	1386	166-168	Massachusetts.....	795, 796	244 164-166
North Carolina.....	1406, 1407	170	Michigan.....	809	166 33-38
North Dakota.....	1457		Minnesota.....	827-832	213 47
Ohio.....	1490, 1533		Mississippi.....	857-860	166 87, 88
Oklahoma.....	1572, 1578	186 295	Montana.....	213	51, 53
Oregon.....	1583, 1596		Maryland.....	867	186 178-180
Pennsylvania.....	1674		Massachusetts.....	869-872	244 177, 178
Porto Rico.....	1696-1700		Michigan.....	900-903	166 123, 124
Rhode Island.....	1704, 1712		Minnesota.....	906-915	213 55-61
South Carolina.....	1761, 1769		New Hampshire.....	941, 942	166 65, 69
South Dakota.....	1791, 1845	186 321	New Jersey.....	971-979	186 133
Tennessee.....	1853, 1860		New York.....	1018, 1019	213 184
Texas.....	1962-1964	213 133	North Carolina.....	1030, 1031	244 71-73
Utah.....	1967		Ohio.....	1035-1039	
Vermont.....	1968, 1980		Pennsylvania.....	1054	186 196-198
Virginia.....	2001, 2007	213 137	Porto Rico.....	1063-1066	244 196, 199
Washington.....	2019, 2026		Rhode Island.....	1105	
West Virginia.....	2060	186 383	South Carolina.....	1115-1118	
Wisconsin.....	2067, 2098	244 323	Texas.....	1121, 1122	
United States.....	2131, 2132	186 327	Vermont.....	1144	166 148, 149
(See also Children and women, employment of, in mines; Children employed, certificates, registers, etc.; Children of widows, dependent parents, etc.)	2135	244 348	Virginia.....	1150, 1151	
<b>Children, employment of, as messengers. (See Children, employment of, in street trades.)</b>	2158, 2163	166 212	Washington.....	1155-1158	
<b>Children, employment of, fraud in:</b>	2191	244 354	West Virginia.....	1200, 1201	
North Carolina.....	2231		Wisconsin.....	1218, 1219	
<b>Children, employment of, general provisions for:</b>	2270-2272		United States.....	1222, 1223	
Alabama.....	2278	213 151	(See also Children and women, employment of, in mines; Children employed, certificates, registers, etc.; Children of widows, dependent parents, etc.)	1228, 1229	
Arizona.....			California.....	1275, 1276	
Arkansas.....			Colorado.....	1293-1298	
California.....			Connecticut.....	1316, 1317	
Colorado.....			Delaware.....	1328, 1327	
Connecticut.....			District of Columbia.....	1348-1350	
Delaware.....			Florida.....	1363-1365	186 235
District of Columbia.....			Georgia.....		244 237, 238
Florida.....			Hawaii.....		244 229, 230
Georgia.....			Idaho.....		166 162-171
Hawaii.....			Illinois.....		186 242
Idaho.....			Indiana.....		186 258
Illinois.....			Iowa.....		213 93-96
Indiana.....			Kansas.....		244 248-251
Iowa.....			Kentucky.....		186 295
Kansas.....			Louisiana.....		244 255
Kentucky.....			Maine.....		244 248, 259
Louisiana.....			Maryland.....		166 191-193
Maine.....			Massachusetts.....		186 195
Maryland.....			Michigan.....		166 1695-1701
Massachusetts.....			Minnesota.....		244 1712-1716
Michigan.....			Mississippi.....		213 1752-1755
Minnesota.....			Montana.....		186 118, 121
Mississippi.....			Nebraska.....		186 126, 127
Montana.....			Nevada.....		186 320-323
Nebraska.....			New Hampshire.....		244 313
Nevada.....			New Jersey.....		186 367-370
New Hampshire.....			New York.....		213 133-136
New Jersey.....			North Carolina.....		186 372, 373
New York.....			North Dakota.....		244 317
North Carolina.....			Ohio.....		2025, 2026
North Dakota.....			Oklahoma.....		186 382, 383
Ohio.....			Oregon.....		186 324
Oklahoma.....			Pennsylvania.....		2097, 2098
Oregon.....			Porto Rico.....		2100, 2101
Pennsylvania.....			Rhode Island.....		2131, 2132
Porto Rico.....			South Carolina.....		2135
Rhode Island.....			South Dakota.....		186 395
South Carolina.....			Tennessee.....		2141, 2142
South Dakota.....			Texas.....		166 348-350
Tennessee.....			Utah.....		244 212-214
Texas.....			Vermont.....		
Utah.....			Virginia.....		
Vermont.....					
Virginia.....					

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Children, employment of, general provisions for— Concluded.</b>				<b>Children, employment of, in dangerous occupa- tions—Continued.</b>			
Washington.....	2185	186	397, 398	New Jersey.....	1390	166	168
West Virginia.....	2231, 2232	.....	.....	New York.....	1512, 1513	185	169, 171
Wisconsin.....	2255, 2256	186	422-424	North Dakota.....	1598	213	212
Wyoming.....	244	186	364-367	Ohio.....	1698-1700	.....	93
United States.....	186	.....	437, 438	Oklahoma.....	1713	.....	.....
(See also Children and women, etc.)	213	151-153	.....	Pennsylvania.....	1787, 1802	186	321, 322
<b>Children, employment of, in barrooms, etc.:</b>				Porto Rico.....	1845, 1858	244	298
Alaska.....	187	.....	.....	Rhode Island.....	1971	244	313
Arizona.....	198, 211	.....	.....	South Carolina.....	1994, 2002	.....	.....
Colorado.....	352	.....	.....	South Dakota.....	2026	.....	.....
Connecticut.....	423, 424	.....	.....	Tennessee.....	2060	.....	.....
Delaware.....	445	244	119	Texas.....	2097, 2098	244	328
Florida.....	474	186	129	Utah.....	2131	186	393
Hawaii.....	501, 502	.....	.....	Vermont.....	2141	244	338
Idaho.....	532	.....	.....	Washington.....	2191	.....	354
Indiana.....	630, 693	.....	.....	West Virginia.....	2238	.....	.....
Kentucky.....	.....	166	36	Wisconsin.....	2269-2271	.....	.....
Louisiana.....	.....	213	54	Wyoming.....	.....	186	437
Maryland.....	900	.....	.....	<b>Children, employment of, in mendicant, acro- batic, immoral, etc., oc- cupations:</b>			
Massachusetts.....	911, 919	.....	.....	Arizona.....	198, 200	.....	.....
Michigan.....	944	186	196	California.....	271, 272	.....	.....
Minnesota.....	945, 1036	.....	.....	Colorado.....	352, 353	186	119
Missouri.....	1117	.....	.....	Connecticut.....	398	244	119
Nevada.....	1158	.....	.....	Delaware.....	431	.....	.....
New Hampshire.....	1338	.....	.....	District of Columbia.....	451	.....	.....
New Jersey.....	1360	.....	.....	Florida.....	469	.....	.....
New York.....	1384	.....	.....	Georgia.....	491, 492	.....	.....
Ohio.....	1540	.....	.....	Idaho.....	531, 532	.....	.....
Ontario.....	1700	.....	.....	Illinois.....	540	244	153
Pennsylvania.....	1790	.....	.....	Indiana.....	630	.....	.....
Porto Rico.....	1963	.....	.....	Iowa.....	692, 693	.....	.....
Rhode Island.....	1977	.....	.....	Kansas.....	727	.....	.....
South Dakota.....	2011	.....	.....	Kentucky.....	791, 792	.....	.....
Texas.....	2091, 2092	244	327, 328	Louisiana.....	812, 813	.....	.....
Utah.....	2129	186	393	Maine.....	863-865	.....	.....
Vermont.....	2139	244	338	Maryland.....	877	.....	.....
Virginia.....	.....	166	210	Massachusetts.....	919, 920	.....	.....
West Virginia.....	2238	.....	.....	Michigan.....	978, 979	.....	.....
Wisconsin.....	2271	.....	.....	Minnesota.....	1046, 1065	.....	.....
Wyoming.....	.....	186	437	Missouri.....	1105, 1117	.....	.....
<b>Children, employment of, in dangerous occupa- tions:</b>				Montana.....	1165, 1166	.....	.....
Alabama.....	.....	186	60	Nevada.....	1238	.....	.....
Arizona.....	195, 198	.....	.....	Nebraska.....	1298	.....	.....
Arkansas.....	200, 201	.....	.....	Nevada.....	1344	.....	.....
California.....	.....	186	81, 82	New Hampshire.....	1356, 1357	.....	.....
Colorado.....	.....	186	95, 96	New Jersey.....	1383, 1384	186	242
Connecticut.....	352, 353	.....	.....	New York.....	1543, 1544	213	93, 94
Delaware.....	420, 421	186	120	North Dakota.....	1598	.....	.....
Florida.....	441	244	118, 119	Ohio.....	1695	.....	.....
Illinois.....	442, 445	.....	.....	Oklahoma.....	1712, 1713	.....	.....
Indiana.....	474, 475	.....	.....	Pennsylvania.....	1790, 1791	.....	.....
Iowa.....	546	244	152, 153	Porto Rico.....	1857, 1858	.....	.....
Kansas.....	647	.....	.....	Rhode Island.....	1955	244	313
Kentucky.....	692, 693	.....	.....	Texas.....	1957, 1963	.....	.....
Louisiana.....	727, 740	186	161	Utah.....	1982, 1983	.....	.....
Maryland.....	727, 740	.....	.....	Virginia.....	2097, 2098	244	327, 328
Massachusetts.....	791	244	164	Washington.....	2131	244	338
Michigan.....	809	166	35, 36	West Virginia.....	2159, 2160	.....	.....
Minnesota.....	829, 830	.....	.....	Wisconsin.....	2181	244	354
Missouri.....	859, 861	.....	.....	Wyoming.....	2237, 2238	.....	.....
Montana.....	906	.....	.....	(See also Children, employment of, in dangerous occupa- tions.)	2271	.....	.....
Nebraska.....	907, 911	.....	.....	<b>Children, employment of, in mines:</b>	2272, 2309	.....	.....
Nevada.....	978	.....	.....	Alaska.....	2330	186	70
	1035, 1036	.....	.....	Arizona.....	198, 226	.....	.....
	1065	.....	.....				
	1117	.....	.....				
	1129, 1130	.....	.....				
	1158, 1179	.....	.....				
	1228	.....	.....				
	1298	.....	.....				
	1348, 1349	.....	.....				

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Children, employment of, in mines—Concluded.</b>				<b>Children, hiring out, to support parents in idleness—Concluded.</b>			
California.....		186	95	North Carolina.....	1566		
Colorado.....	323, 353			Tennessee.....	2057		
Delaware.....	441			Texas.....	2092		
Idaho.....	507			Virginia.....	2152, 2153		
Illinois.....		244	153	<b>Children, hours of labor of:</b>			
Indiana.....	630			Alabama.....	160	186	59
Iowa.....	727	186	160-162	Arizona.....	195, 201		
Kansas.....	781, 790	244	164	Arkansas.....	248	186	82
Kentucky.....	827	166	35, 36	California.....	279	186	96
Louisiana.....	857			Colorado.....	356	213	30
Maryland.....	907			Connecticut.....	417, 418	244	109
Michigan.....	1063			Delaware.....	445	244	122
Minnesota.....	1115			District of Columbia.....	454		
Montana.....	1217, 1229			Florida.....	473, 474		
Nevada.....	1344			Georgia.....	483, 484		
New Jersey.....	1384	166	166	Idaho.....	531		
New Mexico.....	1433			Illinois.....	542, 545	244	148, 152
North Carolina.....	1568			Indiana.....	644, 645		
North Dakota.....	1583, 1596				664, 692		
Ohio.....	1629			Iowa.....	727	186	161
	1698, 1700			Kansas.....	791	186	171-175
Oklahoma.....	1704, 1715			Kentucky.....	829	166	35
Pennsylvania.....	1860-1862			Louisiana.....	859	213	57
South Dakota.....	2010, 2026			Maine.....	869	186	181, 182
Tennessee.....	2060			Maryland.....	905	213	61, 65
Texas.....	2098	244	327, 328		906, 916		
Utah.....		244	338	Massachusetts.....	971, 972	186	183
Vermont.....		244	348, 349		1000, 1036	213	75
Virginia.....	2163	166	212	Michigan.....	1011, 1063	186	196
Wisconsin.....	2270			Minnesota.....	1116		
United States.....	2410			Mississippi.....	1150	166	148
(See also Children and women, etc.)				Missouri.....	1155		
<b>Children, employment of, in street trades:</b>				Nebraska.....	1236		
Alabama.....		186	59, 60	Nevada.....	1349		
			62, 63	New Hampshire.....	1355, 1363	186	237, 238
Arizona.....	201				1370, 1371	244	223, 230
California.....		186	96, 99, 100	New Jersey.....	1388, 1407	166	169, 170
Connecticut.....		244	109	New York.....	1494	166	181, 182
Delaware.....	446, 447	244	119		1495, 1533		
District of Columbia.....	455			North Carolina.....	1572	186	245
Florida.....	472, 474			North Dakota.....	1593, 1598		
Georgia.....	492			Ohio.....	1637		
Iowa.....		186	160, 161	Oklahoma.....	1713		
Kentucky.....		166	36, 37	Oregon.....	1752	186	311
Louisiana.....	859				213		118
Maryland.....	897	166	93	Pennsylvania.....	1827	186	321
	911-914	213	59, 60		1858-1861		
	942	213	75, 76	Porto Rico.....	1955, 1962		
Massachusetts.....				Rhode Island.....	1984, 1985	186	367
	843, 1009			South Carolina.....	2001		
	1036-1039			South Dakota.....	2023, 2026		
Minnesota.....	1118			Tennessee.....	2057, 2058	186	379
Missouri.....	1158				2062, 2063		380, 383
New Hampshire.....	1363				244		323
New Jersey.....	1416			Texas.....	244		327
New York.....	1538-1540	166	173, 174	Utah.....	2132	244	333
	1544			Vermont.....	2135, 2145	244	348, 349
Ohio.....	1697			Virginia.....	2157, 2158	166	210, 213
Oklahoma.....	1713	186	322	Washington.....		186	397, 398
Oregon.....	1755	186	368-370		244		351, 353
Pennsylvania.....				Wisconsin.....	2266, 2275	244	365
Rhode Island.....	1975	186	368-370	Wyoming.....		186	437
South Carolina.....	2007, 2008	244	323	United States.....		213	151
South Dakota.....		244	327	(See also Hours of labor in general employments.)			
Tennessee.....		244	323	<b>Children, illiterate, employment of:</b>			
Texas.....		244	327	Arkansas.....	248		
Utah.....	2131, 2132			Colorado.....			
Virginia.....		166	213	Connecticut.....	399, 400		
Washington.....		244	354	Delaware.....	444		
Wisconsin.....	2270			District of Columbia.....	453		
	2278-2280			Georgia.....	484		
Wyoming.....		186	437				
<b>Children, hiring out, to support parents in idleness:</b>							
Alabama.....	160						
Georgia.....	491						
Louisiana.....	850						
Mississippi.....	1149						

	Bulletin.			Bulletin.		
	No. 148.	Page.		No.	Page.	No. 148.
Children, illiterate, employment of—Concd.						
Idaho.....	531					
Illinois.....	645					
Indiana.....	645					
Kansas.....	781					
Maryland.....	902, 909					
Massachusetts.....	932, 933					
Michigan.....	974, 975					
Minnesota.....	1018, 1019					
Missouri.....	1065					
Montana.....	1116					
Nebraska.....	1156					
New Hampshire.....	1218					
New York.....	1219, 1276					
North Dakota.....	1234					
Ohio.....	1363					
Oklahoma.....	1492					
Oregon.....	1597					
Pennsylvania.....	1695					
Rhode Island.....	1713					
Vermont.....	1753					
Wisconsin.....	1860, 1862					
Children, medical, etc., certificates for. (See Children, employed, certificates, etc., for.)						
Children, night work by:						
Alabama.....	160, 161	186	59			
Arizona.....	201					
Arkansas.....	248	186	82			
California.....	279, 299	186	96			
Colorado.....	352, 356					
Connecticut.....	418	244	109			
Delaware.....	445	244	122			
District of Columbia.....	452, 454					
Florida.....	474					
Georgia.....	484, 492	166	31, 32			
Hawaii.....	506					
Idaho.....	530					
Illinois.....	542, 545	244	148, 152			
Indiana.....	645, 692					
Iowa.....	727	186	161			
Kansas.....	791	244	164			
Kentucky.....	829	166	35-37			
Louisiana.....	859	213	53			
Maine.....		186	181			
Maryland.....	897	213	61			
Massachusetts.....	972, 1069	244	188			
Michigan.....	1036, 1037					
Minnesota.....	1063					
Mississippi.....	1116					
Missouri.....	1150	166	148			
Nebraska.....	1155					
Nevada.....	1296					
New Hampshire.....	1349					
New Jersey.....	1363, 1370	186	237			
New York.....	1388, 1407	244	230			
North Carolina.....	1416, 1419	166	169, 170			
North Dakota.....	1494, 1533	166	182			
Ohio.....	1572, 1578	186	205			
Oklahoma.....	1598					
Oregon.....	1697					
Pennsylvania.....	1713					
Rhode Island.....	1753, 1755	213	118, 127			
South Carolina.....	1850, 1861	186	321			
Tennessee.....	1968, 1975	186	369			
Texas.....		213	133			
Virginia.....	2001, 2007					
Washington.....	2060	244	323			
West Virginia.....	2131, 2132					
Wisconsin.....	2135	244	348			
United States.....	2158	166	212, 213			
	2186	244	353			
	2270	244	365			
	2275, 2279		151			
		213				
Children of widows, dependent parents, etc.:						
Arkansas.....	248					
California.....	279					
Colorado.....	324					
Delaware.....	448	244	122			
District of Columbia.....	453					
Georgia.....	484	166	31, 32			
Michigan.....	1064	244	196			
Montana.....	1078, 1079					
Nebraska.....	1276					
New Jersey.....	1316, 1317					
North Carolina.....		166	165			
North Dakota.....	1581					
Ohio.....	1596					
South Dakota.....	1677					
Texas.....	2026					
Virginia.....		244	327, 328			
Washington.....	2163					
(See also Mothers' pensions.)	2191					
Children, school attendance by. (See Children, employment of, general provisions.)						
Children, seats for. (See Seats for employed children.)						
Children, vocational training for. (See Vocational training.)						
Children, wages of. (See Earnings of minors.)						
Children. (See also Children and women.)						
Children's Bureau:						
United States.....	2431					
Chinese, employment of:						
California.....	261					
Montana.....	1230					
Nevada.....	1327					
Oregon.....	1764					
United States.....	2356, 2412					
Chinese, exclusion, registration, etc., of:						
Hawaii.....	495, 496					
Philippine Islands.....	1939					
United States.....	1942-1944					
	2355-2360					
	2411, 2412					
Chinese labor, products of, not to be bought by State officials:						
California.....	263					
Cigar factories, regulation of:						
Maryland.....		166	93, 94			
Wisconsin.....	2266					
Citizens to be employed. (See Aliens, employment of; Public works, preference of resident laborers on.)						
Civil service:						
Colorado.....	326					
Louisiana.....	849					
Massachusetts.....	941	166	131			
Missouri.....	1215					
New Jersey.....	1376, 1402					
New York.....	1417, 1418					
Ohio.....	1453, 1454					
Pennsylvania.....	1604					
Wisconsin.....	1850, 1851					
United States.....	1856, 1857					
Clearance cards. (See Service letters.)						
Coal mined within State, use of, in public buildings. (See Public supplies.)						

	Bulletin No. 146.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Coal mines. (See Mines.)					Commission, industrial, etc., orders of:				
Coercion of employees in trading, etc.:					California.....	213		29-40	
Alaska.....	187				Colorado.....	244		92-95	
California.....		244	75		Kansas.....	186		109, 110	
Colorado.....	346, 347				Massachusetts.....	244		173, 174	
Florida.....	468, 469				Montana.....	213		78, 79	
Idaho.....	529				New Jersey.....	244		191-193	
Indiana.....	640, 641				New York.....	186		213, 215	
Iowa.....	735					213		86-90	
Kentucky.....	821					244		240-243	
Louisiana.....		213	53			186	1561, 1562	263-266	
Maryland.....	920							268-293	
Massachusetts.....	967					213		98-106	
Michigan.....	1050					244		254	
Montana.....	1239				Ohio.....	213		107-115	
Nevada.....	1342, 1343				Oregon.....	213		117-127	
New Jersey.....	1398				Pennsylvania.....	186		343-361	
New Mexico.....	1438					244		286-299	
Ohio.....	1693				Washington.....	244		352-354	
Oregon.....	1749, 1750				Wisconsin.....	2311-2325		186	425-433
Philippine Islands.....	1950					244		367, 368	
Porto Rico.....	1954				Commission, labor. (See Labor commission.)				
Texas.....	2093				Commission on convict labor, digest of laws as to.....		145		
Utah.....	2125, 2129				Commission on cost of living, digest of laws as to.....		145		
Washington.....	2190				Commission on employers' liability and workmen's compensation, digest of laws as to.....	149, 150			
West Virginia.....	2214, 2215				Commission on employment offices, digest of laws as to.....		145		
(See also Company stores.)	2235				Commission on employment of women: Illinois.....		244	154, 155	
Coercion. (See Intimidation; Protection of employees, etc.)					Commission on employment of women and children: North Dakota.....		244	258	
Collection of statistics. (See Bureau of labor.)					Commission on employment of women and children, digest of laws as to.....		149		
Color blindness of railroad employees. (See Examination, etc., of railroad employees.)					Commission on factory inspection, digest of laws as to.....	145, 146			
Combination, right of. (See Conspiracy, labor agreements not; Protection of employees as members of labor organizations.)					Commission on health insurance: Connecticut.....	244		108	
Combinations to fix wages, etc.: Louisiana.....	850, 851				Illinois.....	244		147, 148	
Commerce and Labor, Department of: United States.....		2412, 2413			Massachusetts.....	244		191	
Commission, employers' liability: New Jersey.....		1414, 1415			Ohio.....	244		262, 263	
Commission, industrial, etc.: California.....		304	244	76, 77	Pennsylvania.....	214		285, 286	
Colorado.....		316-321	186	81-85	Commission on homes for working men. (See Homes, etc.)				
Idaho.....			244	105-118	Commission on immigration, etc. (See Immigration, etc.)				
Illinois.....			244	100-105	Commission on immigration, digest of laws as to.....		146		
Indiana.....			244	137	Commission on industrial accidents, digest of law as to.....		146		
Kansas.....			186	139-143	Commission on industrial relations, digest of law as to.....	146, 147			
Massachusetts.....			186	151, 152	Commission on labor on public works, digest of law as to.....		147		
Montana.....			186	171-175	Commission on mine regulations: Illinois.....		244	156, 157	
New York.....			186	135	Maryland.....		166	94	
Ohio.....			186	210-215					
Oregon.....			244	213					
Pennsylvania.....			244	260-266					
Utah.....			244						
Wisconsin.....			244						
	1484-1486		186						
	1496, 1500		186						
	1506, 1516		186						
	1524		186						
	1604-1615		186	301, 305					
			244	261					
	1775-1780		186						
	1923, 1924		186	319, 320					
			244	277, 278					
			244	338-346					
	2255, 2268		186	425					
	2293-2302								

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Commission on mine regulations, etc., digest of laws as to.....	147			Conciliation. ( <i>See</i> Arbitration.)			
Commission on minimum wages, digest of laws as to.....	147, 148			Conspiracy against workmen:			
Commission on minimum wages:				Alabama.....	154		
Connecticut.....	244	108		Florida.....	469, 470		
Commission on mothers' pensions, digest of laws as to.....	148			Georgia.....	488, 489		
Commission on occupational diseases, digest of laws as to.....	148			Hawaii.....	498, 499		
Commission on old-age insurance and pensions:				Kansas.....	767		
New Jersey.....	244	240		Minnesota.....	1104		
Ohio.....	244	262, 263		Mississippi.....	1144		
Pennsylvania.....	244	285		Nevada.....	1338		
Commission on old-age pensions, digest of laws as to.....	148, 149			New York.....	1545		
Commission, public welfare:				North Dakota.....	1591		
Connecticut.....	244	108		Washington.....	2180		
North Dakota.....	244	258		( <i>See also</i> Interference with employment, and cross references.)			
Commission on rates of insurance for workmen's compensation:				Conspiracy, labor agreements not:			
Massachusetts.....	166	143		California.....	276		
Commission on social insurance:				Colorado.....	334		
Connecticut.....	244	108		Maryland.....	916		
Massachusetts.....	213	77		Massachusetts.....	186	142	
Wisconsin.....	244	363, 364, 367		Minnesota.....	1104, 244	205, 206	
Commission on unemployment, resolution as to.....	149			Nevada.....	1344		
Commission on woman labor:				New Hampshire.....	244	226	
Illinois.....	244	154, 155		New Jersey.....	1400		
Commissioner of labor. ( <i>See</i> Bureau of labor.)				New York.....	1545		
Company doctors. ( <i>See</i> Physicians, employment of.)				North Dakota.....	1591		
Company stores:				Oklahoma.....	1720		
California.....	244	75		Pennsylvania.....	1787, 1818		
Colorado.....	346, 347			Porto Rico.....	1953		
Connecticut.....	408			Texas.....	2079		
Indiana.....	640			Utah.....	244	337	
Louisiana.....	641, 687			West Virginia.....	2232		
Maryland.....	853			Conspiracy. ( <i>See also</i> Interference; Intimidation.)			
New Jersey.....	895, 896			Contract labor, alien. ( <i>See</i> Alien contract labor.)			
New York.....	920, 940			Contract work on public buildings and works:			
Ohio.....	1397, 1398			California.....	263	186	102
Pennsylvania.....	1479			Contractors' bonds for the protection of wages, summary of laws requiring.....	77-79		
Virginia.....	1693			Contractors' debts, liability of stockholders for, list of laws determining.....	79		
West Virginia.....	1791			Contracts of employees waiving right to damages:			
( <i>See also</i> Coercion of employees in trading; Payment of wages in scrip.)	1792, 1817			Alabama.....	153		
Complaints by railroad employees:	2159			Arizona.....	213		
Massachusetts.....	949			Arkansas.....	241		
Compressed-air-tanks:				California.....	266		
California.....	213	39		Colorado.....	323		
Massachusetts.....	1022	135		Florida.....	477		
Compressed air, work in:				Georgia.....	481, 483		
New Jersey.....	166	155-158		Indiana.....	643		
New York.....	1528-1529			Iowa.....	644, 665		
Pennsylvania.....	244	281-283		Maine.....	666, 689		
Compulsory work laws. ( <i>See</i> Labor, requirement of.)				Massachusetts.....	720		
				Michigan.....	878		
				Mississippi.....	990		
				Missouri.....	1057		
				Montana.....	1143		
				Nebraska.....	1168		
				Nevada.....	1217, 1232		
				New Mexico.....	1242, 1246		
				New York.....	1312		
				North Carolina.....	1367		
				North Dakota.....	1387		
				Ohio.....	1433		
				Oklahoma.....	1555		
					1577		
					1593		
					1667, 1685		
					1704		

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Contracts of employees waiving right to damages—Concluded.					Corporations, restriction of powers of:				
Philippine Islands....	1949				Pennsylvania.....	1791, 1792			
South Carolina.....	1991				Corporations, special stock for employees of:				
Texas.....	2087, 2088				Massachusetts.....	946	166		141
Virginia.....	2152, 2154				Cost of living, commission, etc., on.....	145			
Wisconsin.....	2289, 2290				Cost of living, investigation of:				
Wyoming.....	2327, 2328				District of Columbia.....	244			127
United States.....	2332, 2352				New Hampshire.....	244			226
(See also Compensation; Liability of employers for injuries, etc.)	2420				New Jersey.....	244			240
Contracts of employment, regulation, etc., of. (See Employment of labor.)					Costs in suits for wages. (See Suits for wages.)				
Contracts of employment, violation of, endangering life:					Cotton bales, bands, ties, etc., of:				
Nevada.....	1340				Texas.....	2075, 2076			
New York.....	1550				Councils of defense, etc., industrial adjustments by:				
Washington.....	2182				Louisiana.....	244			175
Contracts of employment with intent to defraud. (See Employers' advances, repayment of.)					Maryland.....	244			183
Contributions, forced. (See Forced contributions.)					New Mexico.....	244			246
Convict labor, commissions, etc., on.....	145				West Virginia.....	244			358, 359
Convict labor, digest of laws relating to.....	99-127	166	28		Couplers, safety. (See Railroads, safety appliances on.)				
		186	55-58		Crime, advocacy of. (See Sabotage.)				
		213	26, 27		<b>D.</b>				
		244	53-57		Damages for injuries. (See Injuries; Liability of employers.)				
Convict labor, employment of, in mines:					Damages, waiver of right to. (See Contracts of employees waiving right to damages.)				
Oklahoma.....	1737				Dangerous, injurious, etc., employments:				
Coolie labor:					Arizona.....	198			
California.....	261				Colorado.....	203, 204			
Nevada.....	1345				Illinois.....	389			110
United States.....	2355, 2356				Massachusetts.....	973			145, 146
Cooperative associations, list of laws relating to..	87-92	166	26		Missouri.....	1211-1214			
		186	45		New York.....	1516	186		263
		244	49, 50		Ohio.....	1668, 1669			
Cooperative, retirement, etc., funds:					Oklahoma.....	1698-1700			
Massachusetts.....	993				Pennsylvania.....	1712, 1713			
Copyrights:					Washington.....	1934			
United States.....	2405, 2406				Wisconsin.....	2179			
Core rooms, employment of women in:					Wisconsin.....	2269-2271			
Massachusetts.....	1011, 1012				Days of rest for railroad employees:				
New York.....	1513				Maryland.....	166			93
Ohio.....	213		214		Massachusetts.....	166			140, 141
Corn huskers, guards on, (See Guards for dangerous machinery.)					(See also Weekly day of rest.)				
Corporal punishment of minor employees. (See Children, corporal punishment of, by employers.)					Deaf, division for, in bureau of labor:				
Corporations, liability of stockholders in, for wage debts, list of laws determining.....	79				Minnesota.....	1126			
Corporations, pensions for employees of:					Death. (See Injuries causing death; Negligence, etc.)				
Pennsylvania.....	1783				Deceased employees, payment of wages due. (See Payment of wages due deceased employees.)				
Corporations, profit sharing by. (See Profit sharing.)					Deception in employment of labor. (See Employment of labor, deception in.)				
					Department of Commerce and Labor:				
					United States.....	2412, 2413			

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Department of Labor. (See Bureau of Labor.)				Earnings of minors—con.			
Department of Mines. (See Bureau of Mines.)				South Carolina.....	1997		
Discharge, etc., of employ- ees of public service corporations:				South Dakota.....	2012		
Massachusetts.....	968			Utah.....	2120		
Discharge, notice of in- tention to. (See Em- ployment, termination of, notice of.)				Virginia.....	2157		
Discharge of employees on account of age:				Washington.....	2185		
Colorado.....	334			Eating in workrooms, (See Food, taking into certain workrooms.)			
Discharge, statement of cause of; hearings:				Education, industrial. (See Vocational train- ing.)			
California.....		186	86	Efficiency tests and bonuses:			
Florida.....	466, 467			United States.....	186	439, 440	
Indiana.....	642, 690	186	151		244		382
Michigan.....		244	195	Eight-hour day:			
Missouri.....	1160, 1161			Alaska.....	187, 188	186	65, 66
Montana.....	1230			Arizona.....	195-197	244	59, 60
Nebraska.....	1292, 1293			205, 206			
Nevada.....	1341	186	227	209, 215			
Ohio.....	1685	244	264	216			
Oklahoma.....	1721			Arkansas.....	247		
Oregon.....	1771, 1772			California.....	261, 263	244	73
Wisconsin.....	2308			264, 274			
(See also Blacklist- ing; Employment of labor; Service letters.)				275, 305			
Discharged employees, payment of wages due. (See Payment of wages due, etc.)				Colorado.....	334, 389		
Discounting of wages, (See Payment of wages, modes and times of.)				Connecticut.....	407		
Diseased persons, em- ployment of:				District of Columbia..	415, 423		
Pennsylvania.....		186	328, 329	Hawaii.....	451, 463		
(See also Inspection and regulation of bakeries, etc.)				Idaho.....	496		
Diseases, occupational. (See Occupational dis- eases.)				519, 520			
Docks, safety appliances at:				529, 530			
New Jersey.....	1423			Illinois.....	541		
Domestic products, pref- erence of, for public use. (See Public supplies.)				Indiana.....	639		
Drinking water. (See Water for drinking, etc.)				Kansas.....	770	244	172
Drug clerks, hours of la- bor of. (See Hours of labor of drug clerks.)				Kentucky.....	832, 833		
Dust, fumes, etc., pro- vision for. (See Fac- tories and workrooms, ventilation of.)				Maryland.....	934		
<b>E.</b>				Massachusetts.....	970, 1001	213	75
Earnings of married wo- men, list of laws secur- ing the.....	79, 80			244		244	191
Earnings of minors:				Minnesota.....	1095, 1096		
California.....	265			Missouri.....	1175		
Idaho.....	521			Montana.....	1185, 1216	244	211, 216
Iowa.....	738			1217, 1226			
Kansas.....	790			1227, 1230			
Minnesota.....	1096, 1104			Nevada.....	1325, 1326		
Montana.....	1230			1338-1340			
New York.....	1454			New Jersey.....	1415		
North Dakota.....	1536			New Mexico.....	1429, 1430		
Oklahoma.....	1738			New York.....	1433		
Porto Rico.....	1955			Ohio.....	1476		
				Oklahoma.....	1603, 1666		
				1704			
				Oregon.....	1718, 1737		
				1760, 1761		186	317
				1773, 1774		244	271
				Pennsylvania.....	1791, 1845		
				Porto Rico.....	1953, 1954	244	313
				1964, 1965			
				Texas.....	2101		
				Utah.....	2105, 2108		
				Washington.....	2191-2193	244	351
				West Virginia.....	2236, 2237		
				Wisconsin.....	2290		
				Wyoming.....	2327, 2334		
				2335, 2350			
				United States.....	2361-2363	244	380, 382
				2412, 2414			383
				2430, 2432			
				2433, 2436			
				(See also Hours of la- bor on public roads.)			
				Electric installations, subways, etc.:			
				California.....	297, 298	213	38, 39
				244		244	80
				Indiana.....	697		
				Massachusetts.....	946		

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Electric installations; subways, etc.—Concl'd.							
Montana.....	244		214-216				
Nevada.....	1350-1353						
New Jersey.....	244		242	Employees, enticement of. (See Enticing employees.)			
Oregon.....	1759, 1760			Employees, examination of. (See Examination, etc.)			
Pennsylvania.....	244		292, 298	Employees, false charges against. (See Railroad employees, false charges against.)			
Washington.....	2221-2224			Employees, forced contributions from. (See Forced contributions.)			
Electricians, examination, etc., of, digest of laws relating to.....	143	196	10	Employees, intimidation of. (See Intimidation.)			
		244	10	Employees, intoxication of. (See Intoxication, etc.)			
Electricity, use of, in mines. (See Mines, electric wiring, etc., in.)				Employees' inventions: United States.....	2433, 2435		
Elevator operators, examination, etc., of, digest of laws relating to.....	143			Employees, loans to:			
Elevators, inspection and regulation of:				Louisiana.....	866		
California.....		213	37	Employees not to be discharged on account of age:			
Connecticut.....		244	73, 74	Colorado.....	334		
Massachusetts.....	1031-1033	244	108	Employees, protection of. (See Protection of employees, etc.)			
New Jersey.....	213		86	Employees, railroad. (See Railroad employees.)			
New York.....	1423-1426	186	182, 183	Employees, safety and health laws authorized for:			
		186	272-277	New York.....	1453		
		213	100-106	Ohio.....	1603		
		244	247, 248	Porto Rico.....	244	313	
			254	Employees, sale of liquor to. (See Intoxicants, sale of, to employees.)			
Pennsylvania.....	244		287	Employees, soliciting money from. (See Employment, foremen, etc., accepting fees for furnishing.)			
Rhode Island.....	213		133	Employees, taxes of. (See Liability of employers for taxes, etc.)			
Wisconsin.....	2313-2320	166	215, 216	Employees, time for, to vote. (See Time to vote, etc.)			
		244	368	Employees, transportation of. (See Transportation of employees.)			
(See also Inspection of factories, etc.)				Employees, vaccination of. (See Vaccination.)			
Emergency suspension, etc., of labor laws:				Employer and employee, obligations of. (See Employment of labor.)			
Alaska.....	244		60	Employers' advances, interest on:			
California.....	244		75, 76	Louisiana.....	866		
Connecticut.....	244		110	Employers' advances, repayment of:			
Georgia.....	244		133	Alabama.....	155, 156		
Massachusetts.....	244	187, 189	190	Arkansas.....	162, 163		
New Hampshire.....	244	229, 230		Florida.....	246, 247		
New York.....	244	250, 251		Georgia.....	469, 478		
Pennsylvania.....	244	277, 278		Louisiana.....	491		
Vermont.....	244	348		Louisiana.....	851, 852		
United States.....	244	380-383		Maine.....	244	180	
Emigrant agents:				Minnesota.....	1108, 1109		
Alabama.....	155			Mississippi.....	1144, 1145		
Florida.....	465, 469	244	129	New Hampshire.....	244	225	
Georgia.....	479, 491	244	132	New Mexico.....	1439, 1440		
Hawaii.....	502-504						
Mississippi.....	1152						
North Carolina.....	1571						
Philippine Islands.....		186	363, 364				
South Carolina.....	2007						
Tennessee.....	244		322				
Texas.....	244	332, 333					
Virginia.....	213		149				
(See also Employment offices.)							
Employees' bonds. (See Bonds of employees.)							
Employees, bribery, etc., of. (See Bribery of employees.)							
Employees, deceased, payment of wages due. (See Payment of wages, etc.)							
Employees' deposits, interest to be paid on:							
Louisiana.....	852						
Maine.....		196	177				
Employees, discharge of. (See Discharge, statement of cause of; Employment of labor.)							

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Employers' advances, repayment of—Concid.				Employment of aliens. (See Aliens.)			
North Dakota.....	1594, 1595			Employment of children. (See Children, employment of.)			
Philippine Islands.....	1949			Employment of children and women. (See Children and women, etc.)			
South Carolina.....	2004, 2005	244	317	Employment of Chinese. (See Chinese, employment of.)			
Employers' certificates, forgery of:				Employment of enlisted men in civil pursuits: United States.....	213	151	
Georgia.....	489			Employment of intemperate drivers, etc. (See intemperate employees, etc.)			
Minnesota.....	1107			Employment of labor by public-service corporations:			
Nevada.....	1342			Massachusetts.....	968		
Pennsylvania.....	1828, 1829			Employment of labor, deception, etc., in:			
Washington.....	2183			Alaska.....	188, 189		
Wisconsin.....	2307			California.....	276	186	85
Employers' liability. (See Liability of employers for injuries, etc.)				Colorado.....	364, 365	244	99
Employers' liability commission. (See Commission.)				Illinois.....	550, 551		
Employers to furnish names of employees to officials of county, etc.:				Massachusetts.....	968	186	185
Arkansas.....	238			Minnesota.....	1138		
California.....	274			Montana.....	1239		
Colorado.....	343			Nevada.....	1325, 1353		
Hawaii.....	497			New York.....	1546		
Idaho.....	523, 524	244	216	Oklahoma.....	1720		
Montana.....				Oregon.....	1761, 1762		
New Mexico.....	1440, 1441			Porto Rico.....		213	131
North Carolina.....	1571, 1572			Tennessee.....	2056, 2057	244	321, 323
South Carolina.....	2006			Virginia.....		213	145
Washington.....	2180, 2187			Wisconsin.....	2282	186	434
Wyoming.....	2329			(See also Strikes, notice of, in advertisements for laborers.)			
Employment, abandonment of. (See Contracts of employment.)				Employment of labor, general provisions:			
Employment agents. (See Employment offices.)				Arkansas.....	233, 234		
Employment, contracts of. (See Contracts of employment; Employment of labor.)				California.....	265-269	186	85, 90
Employment, discrimination in, forbidden:				Colorado.....		186	109, 110
Indiana.....	648			Connecticut.....	407, 408		
Employment, foremen, etc., accepting fees for furnishing:				Georgia.....	483		
Alabama.....	182, 183			Hawaii.....	497		
Arizona.....	202, 203			Idaho.....	498		
California.....		186	86	Indiana.....	623, 648		
Connecticut.....	407	244	75	Kentucky.....	816		
Florida.....	471			Louisiana.....	846-848	166	87
Montana.....	1242			Massachusetts.....	966-970		
Nevada.....	1341	186	227, 228	Michigan.....	1053, 1054	244	186
New Hampshire.....	1362			Missouri.....	1160, 1161		
New Jersey.....	1406			Montana.....	1232-1235		
Ohio.....		244	265	New York.....	1475-1482		
Pennsylvania.....	1837, 1867			North Carolina.....		186	216
Utah.....	2129			North Dakota.....	1586-1589		
Employment, interference with. (See Interference with employment.)				Ohio.....	1603		
Employment, notice of termination of. (See Employment, termination of, etc.)				Oklahoma.....	1718-1721		
Employment, obtaining, under false pretenses. (See Employers' advances, repayment of; Employers' certificates, forgery of.)				Oregon.....	244	275	
				Pennsylvania.....	186	330, 331	
				Philippine Islands.....	1949		
				Porto Rico.....	1955, 1956	244	307, 313
				South Carolina.....	1997-1999		
				South Dakota.....	2004, 2005		
				Texas.....	2012-2015		
				Utah.....	2075		
				Virginia.....	2105		
				Wisconsin.....	2152		
					2258		
					2280-2282		

	Bulletin.			Bulletin.	
	Bulletin No. 148.	Page.		Bulletin No. 148.	Page.
Employment of labor; general provisions—Concluded.			Employment offices, private—Concluded.		
Wyoming.....	2327		California.....	264	93
United States.....	2354		Colorado.....	308-312	186
	2362, 2363		Connecticut.....	348-350	186
(See also Contracts of employment; Discharge, statements of cause of; Employers' advances; Employment, termination of; Examination, etc.; Inspection of factories; Wages, etc.)			District of Columbia.....	406, 407	186
Employment of labor on public works. (See Public works, labor on.)			Idaho.....	412, 413	
Employment of policemen as laborers:			Illinois.....	459-463	
Maryland.....	938		Georgia.....	244	132
Employment of unemployed and needy persons. (See Unemployed, etc.)			Hawaii.....	497	
Employment of women. (See Women, employment of.)			Idaho.....	517, 518	
Employment offices, commission on.....	145		Illinois.....	574-579	244
Employment offices, free public:			Indiana.....	677-680	
Arizona.....	244	61	Iowa.....	728, 729	
Arkansas.....	244	65	Kansas.....	799, 800	
California.....	186	88	Kentucky.....	821	
Colorado.....	329-331	186	Louisiana.....	843, 844	
	244	109	Maine.....	887-889	186
Connecticut.....	406, 410	244	Maryland.....	945	213
Georgia.....	244	131	Massachusetts.....	945	
Idaho.....	186	138, 139	Michigan.....	1093, 1094	244
Illinois.....	551-553	186	Minnesota.....	1097, 1098	
	244	142-144	Missouri.....	1172, 1173	
Indiana.....	698, 699	244	Montana.....	1230	
Iowa.....	186	139-143	Nebraska.....	186	222-225
Kansas.....	771, 772	154		244	218-220
Louisiana.....	106	162, 163	Nevada.....	1328, 1342	
Maryland.....	904	186	New Hampshire.....	1359, 1360	
	166	92	New Jersey.....	1377-1382	
Massachusetts.....	962, 963	213	New York.....	1461-1469	213
Michigan.....	1072, 1073	244		1532, 1533	
Minnesota.....	1135, 1137	244	Ohio.....	1615-1617	
Missouri.....	1171, 1173	244	Oklahoma.....	1711, 1712	244
Montana.....	1218	186	Oregon.....	186	267-269
Nebraska.....	1291	217	Pennsylvania.....	1852-1856	186
New Hampshire.....	244	230, 231	Rhode Island.....	1967	186
New Jersey.....	186	241, 242	Tennessee.....	2058	186
	213	85		244	324, 325
New York.....	166	174-176	Texas.....	244	391, 392
	213	97, 98	Utah.....	2125-2129	244
	244	253, 254	Virginia.....	2161	213
Ohio.....	1609, 1615	186		2162, 2165	146, 147
Oklahoma.....	1710, 1711	186	Washington.....	2183	186
Pennsylvania.....	186	310	West Virginia.....	2229	
Philippine Islands.....	1946	331-335	Wisconsin.....	2302-2304	166
	1949, 1950	244			186
Rhode Island.....	1976	302, 303	(See also Emigrant agents; Lodging houses, sailors'.)		
South Dakota.....	2023, 2024		Employment, prevention of. (See Interference with employment, and cross references.)		
Utah.....	244	340	Employment, sex no disqualification for. (See Sex no disqualification, etc.)		
West Virginia.....	2238		Employment, termination of, notice of:		
Wisconsin.....	2297	244	Maine.....	870	
United States.....	244	361	Massachusetts.....	986	
Employment offices, private:			New Jersey.....	1391	
Alaska.....	186	72		1393, 1394	
Arkansas.....	244	65, 66	Pennsylvania.....	1821	
			Porto Rico.....	244	307
			Rhode Island.....	1985	
			South Carolina.....	2008	
			Wisconsin.....	2277	244
			(See also Discharge; Employment of labor, general provisions.)		
			Engineers, examination, etc., of, digest of laws relating to.....	140-143	
			Engineers, illiterate, employment of, on railroads. (See Railroad employees, illiterate.)		

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Engineers, unlicensed, employment of:				Examination, etc., of moving-picture ma- chine operators, digest of laws relating to.....	136, 137	166	7
Alabama.....	157	.....	.....			186	11
Enticing employees, etc.:						244	11
Alabama.....	156	.....	.....	Examination of plumb- ers, digest of laws re- lating to.....	137-140	166	8
Arkansas.....	234	.....	.....			186	11, 12
Florida.....	468	.....	.....			244	11
Georgia.....	488	.....	.....	Examination, etc., of rail- road employees:			
Hawaii.....	503, 509	.....	.....	Alabama.....	153	.....	
Kentucky.....	814	.....	.....	Georgia.....	154, 159	.....	
Louisiana.....	851	.....	.....	Massachusetts.....	479	.....	
Mississippi.....	1144, 1145	.....	.....	Ohio.....	952	.....	
North Carolina.....	1565	.....	.....	(See also Railroad employees, qualifi- cations for Tele- graph operators, railroad, etc.)	1689	.....	
South Carolina.....	2006	.....	.....	Examination, etc., of steam engineers, fire- men, etc.:			
Tennessee.....	2033	244	321, 322	New Jersey.....		213	84
United States.....	2422	.....	.....	Examination, etc., of steam engineers, fire- men, etc., digest of laws relating to.....	140-143	186	10, 11
(See also Interference, etc.)					244	244	11
Examination, etc., of aeromats, digest of law relating to.....	143	.....	.....	Examination, etc., of street railway employ- ees:			
Examination, etc., of barbers, digest of laws relating to.....	127-132	166	8	Louisiana.....		166	88
		186	9, 10	New York.....	1555	.....	
		244	9	Washington.....	2215	.....	
Examination, etc., of bricklayers.....		244	368	Execution, exemption from. (See Exemp- tion, etc.)			
Examination, etc., of chauffeurs, digest of laws relating to.....	132-135	166	7, 8	Executions in suits for wages. (See Suits for wages.)			
		186	10	Exemption of mechanics, etc., from license tax, list of laws granting.....	80, 81	.....	
		244	9, 10	Exemption of wages from execution, etc.:			
Examination, etc., of electricians, digest of law relating to.....	143	186	10	Alabama.....	153, 154	.....	
		244	10	Alaska.....	186	.....	
Examination, etc., of ele- vator operators, digest of law relating to.....	143	.....	.....	Arizona.....	206, 211	.....	
Examination, etc., of hoisting-machine oper- ators, digest of law re- lating to.....	144	186	10, 11	Arkansas.....	233, 249	.....	
Examination, etc., of horseshoers, digest of laws relating to.....	135, 136	186	11	California.....	270	.....	
Examination, etc., of miners, mine foremen, etc.:				Colorado.....	331	.....	
Alabama.....	169-171	.....	.....	Connecticut.....	417	186	120, 121
Colorado.....	370, 371	244	97, 98	Delaware.....	428, 429	.....	
Illinois.....	594, 595	186	146	District of Columbia.....	451	.....	
	625-627	244	139-145	Florida.....	465	.....	
			148, 149	Georgia.....	487-489	166	31
Indiana.....	662	.....	.....	Hawaii.....	498	.....	
	699-702	.....	.....	Idaho.....	521	186	135
Iowa.....	733, 734	.....	.....	Illinois.....	554-556	.....	
Kansas.....	.....	244	168, 169	Indiana.....	629, 665	.....	
Kentucky.....	825	166	69-71	Iowa.....	738-740	.....	
	831, 832	.....	.....	Kansas.....	769	.....	
Missouri.....	1196-1198	.....	.....		792, 793	.....	
Montana.....	1253	.....	.....	Kentucky.....	815	.....	
	1254, 1269	.....	.....	Louisiana.....	848	.....	
Ohio.....	1638	.....	.....		850, 852	.....	
	1639, 1691	.....	.....	Maine.....	874	.....	
Oklahoma.....	1803-1805	186	330, 331	Maryland.....	895, 903	.....	
Pennsylvania.....	1833-1836	.....	.....	Massachusetts.....	948	.....	
	1871, 1876	.....	.....	Michigan.....	1041, 1042	186	198, 199
	1905-1908	.....	.....	Minnesota.....	1103, 1104	186	203
Tennessee.....	2044-2046	.....	.....	Mississippi.....	1147	.....	
	2048	.....	.....	Missouri.....	1159, 1160	.....	
Utah.....	2118	.....	.....		1183, 1202	.....	
Virginia.....	2167	.....	.....	Montana.....	1235	.....	
	2171, 2172	.....	.....	Nebraska.....	1317, 1318	.....	
Washington.....	.....	244	351				
West Virginia.....	.....	186	411, 412				
Wyoming.....	2340, 2341	186	436, 437				

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Exemption of wages from execution, etc.—Con.</b>				<b>Factories and work-rooms, ventilation, sanitation, etc., of—Con.</b>			
Nevada.....	1336			Maryland.....	917, 918	166	99-101
New Hampshire.....	1356			Massachusetts.....	939, 940		103, 104
New Jersey.....	1374	186	242, 243	943, 949	166		126
New Mexico.....	1434, 1435	186	249	979, 980			127, 141
		244	245	991-993	186		184
New York.....	1559-1561			1029			
North Carolina.....	1573			Michigan.....	1067		
North Dakota.....	1589			1070-1072			
Ohio.....	1687, 1688			Minnesota.....	1096, 1097		
	1692, 1693			1120, 1142			
Oklahoma.....	1708, 1739	186	309	Missouri.....	1179	186	206
Oregon.....	1747			1180, 1182	244		209
Pennsylvania.....	1786, 1787	186	335	1213, 1214			
Porto Rico.....	1956, 1957			1280, 1281			
Rhode Island.....	1986			1298, 1299			
South Carolina.....	2000			New Hampshire.....	244		227
South Dakota.....	2015			New Jersey.....	1382, 1383	166	159, 160
Tennessee.....	2032, 2055			1389, 1390	244		239-243
Texas.....	2071			1409, 1418			
Utah.....	2073, 2077			1506-1510	166		178, 179
Vermont.....	2123			1521-1523			184, 185
Virginia.....	2135, 2136				186		263
Washington.....	2156, 2157						270-272
West Virginia.....	2179						278-293
Wisconsin.....	2230			Ohio.....	1649-1652	213	111-115
Wyoming.....	2304-2307	186	422, 423	1668-1670			
United States.....	2331, 2346			Oklahoma.....	1741		
		186	445	Oregon.....	1756	213	120
<b>Explosives, storage, manuf-acture, etc., of:</b>							121, 127
Iowa.....	743			Pennsylvania.....	1827	186	349, 350
Maryland.....	934			1839, 1847			352-360
Massachusetts.....	982			1928, 1930	244		287-299
Missouri.....	1179			1934-1937			
Montana.....		244	213	Porto Rico.....	1963		
New Jersey.....	1390	244	239, 240	Rhode Island.....	1973	244	315
Ohio.....	1664	213	113	South Dakota.....	2011, 2026		
	1665, 1689			Tennessee.....	2036, 2058	186	377
Oklahoma.....	1739, 1740						381, 382
Pennsylvania.....		244	287-299	Vermont.....	2150	244	350
<b>Explosives, use of, in mines. (See Mine reg-ulations.)</b>				Virginia.....	2164	166	210-212
<b>Extortion:</b>							213
Minnesota.....	1107			Washington.....	2185	244	352
Montana.....	1242				2186, 2194		
(See also Intimidation.)				West Virginia.....	2239		
				Wisconsin.....	2261	186	432, 433
					2264, 2266		
					2310, 2320		
					2321, 2325		
<b>F.</b>				(See also Air space.)			
<b>Factories, accidents in. (See Accidents, etc.)</b>				Factories, eating, etc., in. (See Food, taking into certain workrooms.)			
<b>Factories and workrooms, ventilation, sanitation, etc., of:</b>				Factories, fire escapes on. (See Fire escapes, etc.)			
Alabama.....	161	186	63	Factories, etc., inspec-tion of. (See Inspec-tion, etc.)			
Arizona.....	211			Factories, plants, etc., es-tablishment by State:			
California.....	278, 279	213	30, 31, 36	Arizona.....		186	75, 76
	300, 301	244	93-95	Factories, etc., registra-tion of:			
Colorado.....	360			California.....	306, 307		
Connecticut.....	405	186	122	Maryland.....		166	102, 104
	424, 425			Mississippi.....		166	148
Delaware.....		186	126, 127	New York.....	1490		
		244	115-117		1518, 1519		
Florida.....	475			Wisconsin.....	2265		
Georgia.....		186	32	Factories, smoking in. (See Smoking, etc.)			
Illinois.....	549, 550		145	Factory inspectors. (See Inspectors, factory.)			
	561, 562			Factory regulations. (See Inspection of factories, etc.)			
	568, 569			False charges against railroad employees. (See Railroad employ-ees, etc.)			
	589, 590						
	616, 617						
Indiana.....	647, 648						
	682, 683						
Iowa.....	741						
Kansas.....		186	171-175				
		244	166, 167				
			173, 174				
Kentucky.....		166	36				
Louisiana.....	861, 866						

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
False credentials, etc., of labor organizations. (See Labor organizations, using false cards of.)				Fire escapes on factories, etc.—Concluded.			
False pretenses. (See Employers' advances, repayment of; Employers' certificates, forgery of; Employment of labor, deception in.)				South Dakota.....	2012		
Fees for furnishing employment. (See Employment, foremen, etc., accepting fees for furnishing.)				Tennessee.....	2067-2069		
Fellow servant, negligent, to be named in verdict: Minnesota.....	1103			Texas.....	186	385, 386	
Fellow servants. (See Liability of employers for injuries to employees.)				Vermont.....	2140	330-332	
Female employees. (See Women, employment of.)				Virginia.....	2153	213	148, 149
Female employees, seats for. (See Seats for female employees.)				West Virginia.....	2241, 2242		
Fines for imperfect work: Massachusetts.....	984			Wisconsin.....	2294-2296	166	222-225
Fire escapes on factories, etc.:	985, 1008			Wyoming.....	186	430-432	
Alabama.....	157			(See also Inspection and regulation of factories and workshops.)	244	369-371	
Arkansas.....	244	69, 70		Fire marshal:			
Colorado.....	362, 363			Arkansas.....	244	69, 70	
Connecticut.....	401			Hawaii.....	244	135	
Delaware.....	415, 423			New York.....	1472-1475	186	251
District of Columbia.....	430			Pennsylvania.....	1866, 1867		
Georgia.....	456-458			Fire, safeguards against, in factories. (See Inspection of factories, etc.)			
Illinois.....	485, 491			Firemen, stationary, examination, etc., of. (See Examination, etc.)			
Idaho.....	520			First-aid provisions. (See Accidents, provisions for.)			
Indiana.....	553			Food products, manufacture of. (See Inspection and regulation of bakeries, etc.)			
Iowa.....	554, 569			Food, taking into certain workrooms:			
Kansas.....	680, 681	186	164-168	Delaware.....	244	116	
Kentucky.....	741, 742	244	166, 167	Illinois.....	568, 589		
Louisiana.....	774	213	43, 44	Missouri.....	1213		
Maine.....	815, 816	166	89, 90	New Jersey.....	166	160	
Maryland.....	844, 845	186	177	New York.....	1512		
Massachusetts.....	868	244	187	Ohio.....	1670		
Michigan.....	935			Pennsylvania.....	1935	244	298
Minnesota.....	960			Forced contributions from employees:			
Missouri.....	1024, 1025			Indiana.....	631		
Nebraska.....	1024, 1025			Louisiana.....	213	54	
New Hampshire.....	1066, 1067			Maryland.....	896		
New Jersey.....	1131			Michigan.....	1051, 1052		
New York.....	1179	244	210	Nevada.....	1326		
	1198-1200			New Jersey.....	1393		
	1305, 1306	244	217, 218	New York.....	166	181	
	1361	186	236	Ohio.....	1685		
	1410-1414			Oregon.....	244	275	
	1474	166	183, 184	Utah.....	244	338	
	1498-1500	186	251	Foremen, etc., accepting fees for furnishing employment. (See Employment, foremen, etc., accepting fees for furnishing.)			
		213	255-258	Forgery of cards, etc., of labor organizations. (See Labor organizations, using false cards, etc., of.)			
		244	266, 267	Forgery of employers' certificates. (See Employers' certificates.)			
			272	Foundation for Promotion of Industrial Peace: United States.....	2417, 2418		
North Carolina.....	1574			Fraudulent contracts of employees. (See Employers' advances, repayment of; Employment of labor, deception in.)			
North Dakota.....	1585						
Ohio.....	1663, 1664						
Oklahoma.....	1717, 1739						
Pennsylvania.....	1788-1790	244	279, 280				
	1838, 1849						
	1863, 1866						
	1867, 1820						
	1921						
Rhode Island.....	1977-1981						

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	No.	Page.		Page.	No.	No.	Page.
Free public employment offices. (See Employment offices, free public.)					Guards for dangerous machinery, etc.—Concl.				
Freedom to trade. (See Coercion, etc.)					Washington.....	2193, 2194			
					West Virginia.....	2238, 2239			
					Wisconsin.....	2267	186		427-429
						2295, 2306			
						2311-2313			
					Wyoming.....		244		371
<b>G.</b>					<b>H.</b>				
Garnishment, exemption of wages from. (See Exemption of wages from execution, etc.)					Hatch tenders:				
Garnishment of wages:					California.....	272, 273			
Arkansas.....	232, 233				Headlights on locomotives. (See Railroads, safety provisions on.)				
Colorado.....	323				Health, effect of employments on, to be investigated:				
Delaware.....	434				California.....	263			
Hawaii.....	498	186	133		Massachusetts.....	1008			
Missouri.....	1159				Highways, hours of labor on, summary of laws fixing.....	85, 86			
	1160, 1201				Hiring. (See Employment of labor.)				
New Mexico.....	1444				Hoisting-machine operators, examination, etc., of, digest of law relating to.....	144	186		10, 11
Ohio.....	1688				Holiday labor:				
Oregon.....	1747				Massachusetts.....	999, 1000			
Utah.....	2122, 2123				New Hampshire.....	1371			
Virginia.....	2157				Holidays for per diem employees of Government:				
Wyoming.....	2345, 2346				United States.....	2355			
Goods, etc., of local production preferred for public use. (See Public supplies, etc.)					Holidays in the different States and Territories, list of.....	97-99	166		12
Government Printing Office. (See Public printing.)						186			20, 21
Groceries, employees in:						213			14, 15
New York.....		186	254, 255			244			18, 19
Guaranty companies:					Home defense guards, not to be used in strikes:				
New Mexico.....	1435				California.....		244		86
Guards, armed. (See Armed guards.)					Homes for workingmen, commission on:				
Guards for dangerous machinery, etc.:					Massachusetts.....	1009, 1019	186		185
Alaska.....		186	67, 71, 72		Porto Rico.....		166		199, 200
California.....		213	32-40		Homes for workingmen, State aid for:				
		241	81, 82		California.....		244		87-91
Colorado.....	359, 360	186	105		Massachusetts.....		166		143
Connecticut.....	404					244			188
Florida.....	475				Porto Rico.....		244		308-311
Idaho.....		244	137		Horseshoers, examination, etc., of, digest of laws relating to.....	135, 136	186		11
Illinois.....	556					244			145
	566-568				Hospital, erection of, for employees:				
Indiana.....	646				Arkansas.....	250			
	647, 697				New Mexico.....	1439			
Iowa.....	740, 743				Hospital fees. (See Forced contributions, etc.)				
Kansas.....	774, 797	244	166, 167		Hospital for miners. (See Miners' hospital.)				
Kentucky.....	830	213	53		Hospital funds, administration of:				
Louisiana.....		166	126		California.....	186			102, 103
Massachusetts.....	981, 982				Oklahoma.....	186			307
Michigan.....	1055, 1067				Oregon.....	186			317
Minnesota.....	1121					244			275
	1128, 1129				(See also Forced contributions.)				
Missouri.....	1179				Hospitals for seamen:				
Montana.....		186	212		United States.....	2405			
		244	215						
Nebraska.....	1299, 1300								
Nevada.....	1343, 1344								
New Hampshire.....		244	226, 227						
New Jersey.....	1388, 1389	213	86-90						
	1409, 1423								
	1492								
New York.....	1505, 1506								
	1607, 1608								
Ohio.....	1651, 1652								
	1716, 1717								
Oklahoma.....									
Oregon.....	1755, 1756								
Pennsylvania.....	1787, 1847	186	343-351						
			355						
			291						
Rhode Island.....	1970, 1971								
Tennessee.....	2036	186	382						
Utah.....		244	339, 340						
Virginia.....		166	207						

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Hours of labor, emergency, suspension of laws relating to. (See Emergency suspension.)					Hours of labor of employees in mines, smelters, etc.—Concluded.				
Hours of labor in general employments:					Colorado.....	323, 389			
Alaska.....		186	66		Idaho.....	519, 520			
Arkansas.....	242, 243	244	60		Kansas.....		244	172	
California.....	263, 264				Maryland.....	921			
Connecticut.....	407, 423				Missouri.....	1175, 1185			
Florida.....	466				Montana.....	1217	244	211	
Georgia.....	483, 484				Nevada.....	1226, 1227			
Illinois.....	541				Oklahoma.....	1325, 1326			
Indiana.....	639				Oregon.....	1338, 1339			
Maine.....	874				Pennsylvania.....	1737			
Maryland.....	905, 906	244	185		Utah.....	1760, 1761			
Michigan.....	1042, 1043				Washington.....	1864			
Minnesota.....	1095	244	204		Wyoming.....	2108			
Mississippi.....	1154	166	150			2193	244	351	
Missouri.....	1175	213	81, 82		Hours of labor of employees in plaster and cement mills:	2327			
Montana.....	1230, 1234				Nevada.....	2334, 2335			
Nebraska.....	1291				Hours of labor of employees on railroads:				
New Hampshire.....	1355				Arizona.....	210			
New York.....	1476, 1477	186	254, 255		Arkansas.....	240			
Ohio.....	1665	213	92		California.....	241, 247			
Oregon.....	1780				Colorado.....	285, 296			
Pennsylvania.....	1791				Connecticut.....	343			
Porto Rico.....	1958, 1959	166	199		District of Columbia.....	415			
Rhode Island.....	1985	244	307, 308		Florida.....	452			
South Carolina.....	2001	213	139, 140		Georgia.....	466			
Utah.....	186	186	393		Indiana.....	479, 480			
Wisconsin.....	2280				Iowa.....	669, 670			
Hours of labor in industries of continuous operation, investigation of:					Kansas.....	722, 723			
Massachusetts.....		213	78		Maryland.....	794			
Hours of labor of children and women. (See Children, etc.)					Michigan.....	896			
Hours of labor of deck officers:					Minnesota.....	1043			
United States.....	2438				Missouri.....	1114			
Hours of labor of drug clerks:					Montana.....	1176, 1210			
California.....	289				Nebraska.....	1227			
New York.....	1553	166	186, 187		Nevada.....	1312, 1313			
Hours of labor of employees in bakeries:					New Mexico.....	1353, 1354			
New Jersey.....	1419, 1420				New York.....	1442			
Pennsylvania.....	1827					1477			
Hours of labor of employees in brickyards:					North Carolina.....	1478, 1548			
New York.....	1476				North Dakota.....	1576, 1577			
	1477, 1548				Ohio.....	1594			
Hours of labor of employees in compressed air:					Oregon.....	1684			
New Jersey.....		166	157		Porto Rico.....	1770			
New York.....	1526, 1527				South Dakota.....	1954			
Hours of labor of employees in electric plants:					Texas.....	2019			
Arizona.....	196					2085			
Hours of labor of employees in Government Printing Office:					Washington.....	2086, 2085			
United States.....	2363				West Virginia.....	2192, 2193			
Hours of labor of employees in groceries:					Wisconsin.....	2252			
New York.....		186	254, 255			2287			
Hours of labor of employees in mines, smelters, etc.:					United States.....	2290, 2291			
Alaska.....	188	186	65			2418, 2419	213	151	153, 154
Arizona.....	197	244	59		Hours of labor of employees on street railways:				
California.....	209, 210				California.....	264			
	215, 216				Louisiana.....	845, 846			
	305				Maryland.....	938			
					Massachusetts.....	1011	186	186	
					New Jersey.....	1403, 1404			
					New York.....	1477, 1547			
					Pennsylvania.....	1817, 1818			
					Rhode Island.....	1984			
					South Carolina.....	2003	213	137	
					Washington.....	2192			
					Hours of labor of letter carriers:				
					United States.....	2362, 2430			
					Hours of labor of telegraph operators. (See Hours of labor of employees on railroads.)				
					Hours of labor of telephone operators:				
					Montana.....	1243			

	Bulletin No. 143.		Bulletin.			Bulletin No. 143.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Hours of labor of women. (See Women, etc.)					Inclosed platforms. (See Protection of employees on steel railways.)				
Hours of labor on public roads, summary of laws fixing.....	85, 86				Incorporation of labor organizations, etc. (See Labor organizations, etc.)				
Hours of labor on public works:					Industrial board. (See Commission, industrial, etc.)				
Alaska.....	187				Industrial commission. (See Commission, industrial, etc.)				
Arizona.....	195, 197				Industrial directory:				
California.....	261, 274, 275	244	73		New Jersey.....	166		158	
Colorado.....	334				New York.....	1489			
District of Columbia.....	451, 463				Industrial diseases. (See Occupational diseases.)				
Hawaii.....	496				Industrial education. (See Vocational training.)				
Idaho.....	507, 529, 530				Industrial Peace, Foundation for the Promotion of:				
Indiana.....	639				United States.....	2417, 2418			
Kansas.....	770				Industrial police, digest of laws as to.....	92-97			
Kentucky.....	832, 833				Industrial relations, commission on, digest of law relating to.....	146, 147			
Maryland.....	934				Industries and immigration, bureau of:				
Massachusetts.....	970	166	134		New York.....	1530-1532			
Minnesota.....	971, 1001	213	75		Injunctions:				
Missouri.....	1095, 1096				Kansas.....	805, 806			
Montana.....	1216				Massachusetts.....	166	142		
Nevada.....	1217, 1227	244	211, 216		Minnesota.....	244	205, 206		
New Jersey.....	1340				Montana.....	1235			
New Mexico.....	1415				Utah.....	244	336, 337	316	
New York.....	1429, 1430				United States.....	166	235, 236		
Ohio.....	1433				Injured persons, special training for, investigation of:				
Oklahoma.....	1476, 1547	213	91-93		Massachusetts.....	213	77		
Oregon.....	1603				Injuries causing death, right of action for, list, etc., of laws granting.....	83-85			
Pennsylvania.....	1704, 1718	186	317		Injuries, personal, actions for:				
Porto Rico.....	1773, 1774	244	271		Arizona.....	195			
Texas.....	1845				Connecticut.....	397, 398			
Utah.....	1964, 1965				Delaware.....	433			
Washington.....	2101				Georgia.....	486, 487			
West Virginia.....	2105, 2108				Hawaii.....	501			
Wisconsin.....	2191, 2192				Idaho.....	521			
Wyoming.....	2236, 2237				Illinois.....	556	186	145, 146	
United States.....	2281				Indiana.....	629			
(See also Eight-hour day.)	2327, 2350				Iowa.....	738	244	161	
Housing. (See Homes for workmen.)	2361-2363				Kentucky.....	816			
Hygiene, industrial:	2432, 2433				Louisiana.....	846, 847			
New York.....	1488, 1489				Michigan.....	1053			
Pennsylvania.....	1923				Minnesota.....	1166-1168	186	202, 203	
<b>I.</b>					Missouri.....	1166-1168	186	202, 203	
Illiterate employees on railroads. (See Railroad employees, illiterate.)					Nebraska.....	186	225		
Immigration:					Nevada.....	1337			
Delaware.....	434				New Hampshire.....	186	237		
New York.....	1530-1532				New Jersey.....	1400			
Rhode Island.....	166	201			North Dakota.....	214	257		
South Carolina.....	1992				Pennsylvania.....	1783, 1829	186	342	
United States.....	2414-2416	244	375-380		Tennessee.....	2032-2034			
Immigration and housing, commission of:	2439				Texas.....	2079, 2080			
California.....	313-316	186	92		Wisconsin.....	2304			
Immigration, bureau of:					Wyoming.....	2327			
Massachusetts.....	244	188, 189			United States.....	186	450		
United States.....	244	376, 378			Injuries to employees. (See Liability of employers.)				
Immigration, bureau of industries and:									
New York.....	1530-1532								
(See also Alien contract labor)									
Immigration, commission on, digest of laws relating to.....	146								
Importing workmen from outside the State:									
Oregon.....	1761, 1762								



	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Inspection and regulation of factories and workshops—Concluded.					Inspection of steam boilers—Concluded.				
Wyoming.....		244	369-373		Pennsylvania.....	1848, 1849	244	286	
(See also Callars and basements, use of; Compressed air; Explosives; Factories and work-rooms, ventilation, etc., of; Fire escapes; Guards for dangerous machinery; Inspection, etc., of bakeries; Inspectors, factory; Laundries; Seats for female employes; Sweating system; Toilet rooms.)					Wisconsin.....		166	218-221	367
Inspection of factories and workshops, commission on, digest of laws relating to.....	145, 146				(See also Inspection of locomotives.)		244		
Inspection of locomotives:					Inspection of steam boilers in mines. (See Mine regulations.)				
District of Columbia.....		463			Inspection of steam vessels:				
Indiana.....		684-686			Indiana.....	652, 653			
Massachusetts.....		952			Maine.....	873			
New York.....	1556-1558				Michigan.....	1057-1060			
Ohio.....	1682, 1683				Minnesota.....	1100-1103			
Vermont.....	2144, 2145				Montana.....	1273, 1274	244	213	
United States.....	2427-2430	186	450		New Hampshire.....	1371	186	235	
Inspection, etc., of mercantile establishments:					New Jersey.....	1400, 1401			
New Jersey.....	1408, 1409				New York.....	1540-1542			
New York.....	1487, 1488	166	178, 179		Pennsylvania.....	1840-1844			
Inspection, etc., of mines. (See Mine regulations.)					Washington.....	2208-2210			
Inspection of railroads, railroad equipment, etc.:					United States.....	2367-2374	186	439, 441	450, 451
Connecticut.....	421, 422				Inspector, cannery:				
Maine.....	186	177			Delaware.....		186	125-128	
Michigan.....	1073, 1074				Inspectors, factory, etc.:				
Mississippi.....	1149				Alabama.....	157, 158	186	63, 64	
Missouri.....	1180, 1181				Arkansas.....	161, 162			
Montana.....	1245				Colorado.....	253			
Nevada.....	1335				Arkansas.....	332, 333			
Ohio.....	1681-1683				Colorado.....	359, 364			
Oregon.....	1761				Connecticut.....	410, 411	186	122	
Texas.....	2098				Delaware.....	414, 415	244	109	
Utah.....	244	335, 336			Delaware.....	432, 433	186	124-128	
Vermont.....	2138				Delaware.....	435-438			
Washington.....	2212, 2213				Delaware.....	440, 449			
United States.....	2219, 2220				District of Columbia.....		166	30	
Inspection of steam boilers:	2421, 2422				Florida.....	476	186	129	
Alaska.....		186	71		Georgia.....	493	213	41	
Arkansas.....		244	71, 72		Illinois.....	548, 549	186	145	
California.....		213	39		Illinois.....		244	142, 143	
California.....		244	77, 78		Indiana.....	648, 650	186	152	
Colorado.....	343-345				Indiana.....	693-695			
Connecticut.....	409, 410	186	119, 120		Iowa.....	725, 726			
Indiana.....	710-717	186	152-154		Kansas.....	797	244	166, 167	
Iowa.....	743				Kentucky.....	803, 804			
Maine.....	867, 868				Kentucky.....	810, 811	166	33	
Maryland.....	935-937				Louisiana.....	837, 852	166	90	
Massachusetts.....	953-959				Louisiana.....	853, 862			
Michigan.....	1072				Maine.....	884-887			
Minnesota.....	1100-1103				Maryland.....	914-916	166	94, 95, 99	
Montana.....	1219-1222	244	213		Maryland.....		213	123, 124	
New Jersey.....	1474, 1475	244	238, 239		Maryland.....		166	61	
New York.....	1474, 1475	186	257		Maryland.....		186	130	
New York.....	1474, 1475	244	254		Maryland.....		1017, 1019	184	
Ohio.....	1605	213	115		Maryland.....		1021		
Ohio.....	1654-1658				Michigan.....	1061-1063			
					Michigan.....	1067-1068			
					Michigan.....	1134-1136			
					Minnesota.....		166	147, 148	
					Mississippi.....				
					Missouri.....	1177-1179			
					Missouri.....	1272			
					Montana.....	1290			
					Nebraska.....	1290			
					New Hampshire.....	1365	244	227, 229	
					New Hampshire.....	1392	213	83	
					New Jersey.....	1393, 1409	244	233, 234	
					New Jersey.....	1410, 1417			
					New York.....	1486-1489			
					Ohio.....	1605, 1608			
					Ohio.....	1644-1647			
					Ohio.....	1668			
					Ohio.....	1716			
					Oklahoma.....	1751, 1752			
					Oregon.....	1921-1923	244	277, 278	
					Oregon.....	1946			
					Pennsylvania.....	1959, 1960			
					Pennsylvania.....	1970-1972	213	136	
					Philippine Islands.....	1977			
					Porto Rico.....				
					Rhode Island.....				

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Inspectors, factory, etc.— Concluded.					Insurance, accident—Con.				
South Carolina.....	1993				Indiana.....	690, 691			
South Dakota.....	1994, 2003				Massachusetts.....		186	185	
Tennessee.....	2026, 2058	186	381		Michigan.....	1050, 1074	244	197-199	
Texas.....	2061, 2082				Nebraska.....			1283	
Utah.....	2077, 2078				New Jersey.....			1384	
Vermont.....	2130				North Carolina.....			1580	
Virginia.....	2146, 2147	186	395		North Dakota.....			1595	
Washington.....		244	347		Oregon.....			1772	
West Virginia.....	2187, 2188	166	212		Pennsylvania.....	1926, 1927			
Wisconsin.....	2234	186	416, 417		South Carolina.....			1995	
Inspectors, mercantile:	2295-2297				Vermont.....			2146	
New York.....	1486-1488	166	182		Washington.....			2216	
Inspectors, mine:					Wisconsin.....	2291, 2292			
Alabama.....	165, 166				Insurance, collective:				
Alaska.....	192	186	66, 67		Maine.....			879	
Arizona.....	196, 217, 218				New Jersey.....			1384	
Arkansas.....	236, 237	244	67-69		Insurance, cooperative:				
Colorado.....	335-337	244	99		Maryland.....	921-926			
Idaho.....	365-370				Michigan.....		186	187-189	
Illinois.....	507-511	186	146, 147			244	197-199		
Indiana.....	594-599	244	139-145		Insurance, employees:				
Iowa.....	660	186	152		California.....	301-304			
Kansas.....	662, 673	186	163		Illinois.....			213	54
Kentucky.....	729-731	166	53-56		Louisiana.....			166	95-98
Louisiana.....	780, 799				Maryland.....			166	130
Maryland.....	816-824	166	69, 71		Massachusetts.....				131, 143
Michigan.....	832								71
Minnesota.....	863				Michigan.....	1079-1882			
Montana.....	926	213	65, 66		Minnesota.....			1094	
New Jersey.....	1074				Nebraska.....	1123-1125			
New York.....	1075, 1084				New Hampshire.....			1142	
North Carolina.....	1109-1111				New Jersey.....			1283-1287	
North Dakota.....	1191-1193				New York.....			1368-1370	
Ohio.....	1248-1253	186	215		Ohio.....	1469-1472			
Oklahoma.....	1276	244	213		South Carolina.....	1689, 1687	186	371, 372	
Oregon.....	1328-1330	186	227		Insurance, health:				
Pennsylvania.....	1433, 1445				California.....			244	92
Texas.....	1446, 1451				Illinois.....			244	147, 148
Utah.....	1524	166	166		Massachusetts.....			244	191
Virginia.....	1524				Ohio.....			244	262, 263
Washington.....	1569, 1570				Pennsylvania.....			244	285, 286
West Virginia.....	1589, 1590				Insurance, social:				
Wyoming.....	1605, 1608				California.....			244	79
United States.....	1617-1621				Ohio.....			244	262, 263
Inspectors, railroad:	1703				Wisconsin.....			244	363, 364
Illinois.....	1724-1726								367
Maine.....	1744				Insurance, unemployment:				
Massachusetts.....	1794-1797	186	329, 331		Michigan.....		186	187-189	
Michigan.....	1831, 1832					244	197-199		
Nebraska.....	1900-1905				Intelligence offices. (See Employment offices.)				
Ohio.....	2009				Intemperate employees:				
Texas.....	2030	186	380		California.....			263	
Utah.....	2037-2042	244	325		Illinois.....			560	
Virginia.....	2080, 2081				Michigan.....	1042, 1047			
Washington.....	2111, 2112	244	341		Montana.....			1275	
West Virginia.....	2166				Nebraska.....			1282	
Wyoming.....	2198	244	351		New Jersey.....			1404	
United States.....	2243-2245	186	400-402		New York.....	1469, 1550			
Inspectors, railroad:	244					1554, 1555			
Illinois.....	2327				North Dakota.....			1585	
Maine.....	2342-2344				Oklahoma.....			1740	
Massachusetts.....	2349				Vermont.....			2138	
Michigan.....	2408, 2409				Wisconsin.....	2259, 2260			
Nebraska.....		244	142		Wyoming.....			2334	
Ohio.....		186	177		(See also Intoxica- tion, etc.)				
Texas.....					Interference with em- ployment:				
Washington.....					Alabama.....			154	
Insurance, accident:					Arkansas.....			234	
California.....		244	85, 86		Delaware.....			429	
Connecticut.....	419				Florida.....	469, 470	186	130	
Idaho.....	532, 533				Georgia.....	488, 499			
					Idaho.....			244	138
					Illinois.....			560	
					Iowa.....		244	164	

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Interference with employment—Concluded.				Intoxicants, sale of, to employees—Concluded.			
Kentucky.....	813, 814			Rhode Island.....	1977		
Louisiana.....	851			South Dakota.....	2011		
Massachusetts.....	1027, 1028			Utah.....	2139, 2140		
Minnesota.....	1104, 1108	244	201, 202	Vermont.....	2187		
Mississippi.....	1144			Washington.....	2141		
Nevada.....	1340			West Virginia.....	2247		
New Hampshire.....	1356, 1357	244	225, 226	Intoxication, drinking, etc., of employees:			
New Jersey.....	1403			Alabama.....	160, 182		
New York.....	1544, 1545			Alaska.....	186	70	
North Dakota.....	1583, 1591			Arizona.....	226		
Pennsylvania.....	1785, 1819			Arkansas.....	239		
Rhode Island.....	1986, 1987			California.....	273		
Tennessee.....		244	321, 322	Connecticut.....	398	244	107
Utah.....	2110			Florida.....	470		
Washington.....	2180, 2183			Idaho.....	528		
West Virginia.....	2252	186	408	Illinois.....	613		
Wisconsin.....	2307, 2308			Indiana.....	675, 702		
United States.....	2422			Iowa.....	754		
(See also Blacklist- ing; Boycotting; Conspiracy against workmen; Enci- ticing employees; Intimidation; Pro- tection of employ- ees; Sabotage; Strikes of railroad employees.)				Maine.....	873		
Interstate commerce in products of child labor. (See Children, employ- ment of, general pro- visions for.)				Maryland.....	932		
Intimidation:				Michigan.....	1092		
Alabama.....	157			Minnesota.....	1106		
Colorado.....	324			Mississippi.....	1145		
Connecticut.....	398			Missouri.....	1164		
Illinois.....	539, 558			Montana.....	1240		
Louisiana.....	842, 843			Nebraska.....	1265, 1275		
Maine.....	876			Nevada.....	1283, 1312		
Massachusetts.....	967			New Jersey.....	1327, 1330		
Michigan.....	1051			New Mexico.....	1402	244	242
Mississippi.....	1146			New York.....	1430		
Missouri.....	1164			North Carolina.....	1489		
New York.....	1544			North Dakota.....	1566		
North Dakota.....	1592, 1593			Ohio.....	1592		
Oklahoma.....	1706			Oklahoma.....	1637, 1706		
Oregon.....	1749			Oregon.....	1770	244	271
Porto Rico.....	1953			Pennsylvania.....	1912	186	338, 339
Rhode Island.....	1986			Porto Rico.....	1958		
South Dakota.....	2017, 2018			South Dakota.....	2017		
Texas.....	2091			Utah.....	2115, 2124		
Utah.....	2092, 2094			Vermont.....	2138		
Vermont.....	2125			Virginia.....	213	147	
Washington.....	2140			Washington.....	2182	186	398
(See also Interference with employment, and cross refer- ences.)	2205			West Virginia.....	2230		
Intoxicants, sale of, to employees:				Wisconsin.....	2260		
Arizona.....	212			Wyoming.....	2347		
California.....	292			(See also Intemperate employees.)			
Colorado.....	326, 327			Inventions, etc., of em- ployees:			
Hawaii.....	501, 502			United States.....	2433, 2435		
Massachusetts.....	945			Isthmian Canal, hours of labor on:			
Michigan.....	186	189, 190		United States.....	2414		
Minnesota.....	1095, 1119			<b>J.</b>			
Montana.....	1241, 1242	186	209	Judgments for wages. (See Suits for wages.)			
Nebraska.....	1310			<b>K.</b>			
Nevada.....	1345			Kidnaping:			
New Hampshire.....	1360			New York.....	1547		
New Jersey.....	1385			Philippine Islands.....	166	197	
North Dakota.....	1592			United States.....	2423		
Ohio.....	1665			<b>L.</b>			
Oregon.....	1768			Labels, (See Trade- marks.)			
				Labor agents. (See Emi- grant agents.)			

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Labor agreements not conspiracy. (See Conspiracy, labor agreements not.)					Labor organizations, using false cards, etc., of—Concluded.				
Labor and industries, State board of:					Minnesota.....	1107			
Massachusetts.....	1015-1017				Montana.....	1243			
Labor, Bureau of. (See Bureau of Labor.)					New York.....	1549			
Labor camps, etc.:					Ohio.....	1701			
California.....	304, 305	186	88, 89		Oregon.....	1769			
Delaware.....		186	126, 127		Pennsylvania.....	1828			
Hawaii.....	305				Texas.....	2091			
Michigan.....		186	187		Virginia.....	2162			
New York.....	1515, 1531	186	268-270		Wisconsin.....	2307			
Pennsylvania.....		186	337		Labor organizations. (See also Antitrust act; Conspiracy, labor agreements not; Protection of employees as members; Trade-marks of trade-unions.)				
(See also Lodging houses.)					Labor organs, public advertising in:				
Labor commission:					New Jersey.....	1402			
Delaware.....		186	123, 124		Labor, refusal to perform:				
Hawaii.....	499-501				Kansas.....		244	164	
Indiana.....	634-638	186	152		West Virginia.....		244	359, 360	
Labor, Commissioner of. (See Bureau of Labor.)					Labor, requirement of, from adult males:				
Labor, compulsory. (See Labor, requirement of.)					Maryland.....		244	183-185	
Labor contracts. (See Contracts of employment.)					West Virginia.....		244	359, 360	
Labor, employment of. (See Employment of labor.)					Labor, Sunday. (See Sunday labor.)				
Labor, etc., local or special laws regulating. (See Local or special laws, etc.)					Laborers, alien. (See Alien laborers.)				
Labor organizations, bribery of representatives of. (See Bribery of representatives, etc.)					Laborers, exemption of, from license tax, list of laws granting.....	80, 81			
Labor organizations, excluding members of National Guard. (See Protection of employees as members of National Guard.)					Laborers' lodging houses. (See Lodging houses.)				
Labor organizations, incorporation, regulation, etc., of:					Laborers. (See Employees.)				
Colorado.....	334				Ladders, standards for:				
Connecticut.....	413				Pennsylvania.....		244	286	
Iowa.....	720				Laundries, regulation of:				
Kansas.....	769, 770				Arizona.....	211			
Louisiana.....	839, 840				California.....		213	36	
Maine.....	879	244	181		Delaware.....		186	123	
Massachusetts.....	946, 947	166	142		Kansas.....		244	173, 174	
Michigan.....	969, 1001	180	183, 184		Montana.....		1230		
Minnesota.....	1060				New York.....		1512		
Montana.....		244	205, 206		Oregon.....			213	117, 124
Nebraska.....	1279, 1318				Virginia.....	2163, 2164			
New Hampshire.....	1357, 1358				Wisconsin.....	2313, 2325			
New Jersey.....	1384				Leave of absence for employees in public service:				
New York.....	1453				California.....	292	186	85	
Ohio.....	1603				District of Columbia..		463		
Pennsylvania.....	1784, 1785				Hawaii.....		186	134	
(See also 1821)	1818-1821				Iowa.....	745, 746			
South Carolina.....		166	204		Massachusetts.....		166	125	
Texas.....	2075, 2079				Nevada.....		186	183	
Utah.....		244	336, 337		North Carolina.....		1328		
Wyoming.....	2345				United States.....	2354, 2355			
United States.....	2404, 2423	166	235, 236		(See also 2364)	2360-2364			
Labor organizations, using false cards, etc., of:					(See also 2435)	2435			
California.....	292	186	91		Letter carriers, hours of labor of:				
Connecticut.....	413				United States.....		2363		
Georgia.....	489, 490				Letters of recommendation. (See Employers' certificates.)				
Massachusetts.....	969				Liability of corporations for debts of contractors for labor, list of laws determining.....	76-79			
					Liability of employees for negligence. (See Negligence.)				

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Liability of employers, and workmen's compensa- tion for injuries, commis- sion on. (See Commission, etc.)				Liability of employers for injuries to employees— Concluded.			
Alabama.....	151-153			Texas.....	2086-2088		
Alaska.....	189			Utah.....	2109		
Arizona.....	190, 194			Vermont.....	2142-2144		
Arkansas.....	241, 245	244	70	Virginia.....	2151	213	147, 148
	250, 251			Wisconsin.....	2152, 2154		
California.....	254, 255				2260, 2287		
Colorado.....	265, 266			Wyoming.....	2239, 2290		
	342, 343	186	105		2327	166	233
	358, 359			United States.....	2328, 2341		
	363, 365			(See also Contracts of employees waiving right to damages; Employment of labor; Injuries, etc.; Insurance, employ- ers' liability.)	2351, 2352		
Connecticut.....	408			Liability of employers for taxes of employees:	2419-2421	186	450
District of Columbia.....	451, 452			California.....	262		
Florida.....	468			Georgia.....	479		
	477, 978			Idaho.....	511, 520		
Georgia.....	480-483			Louisiana.....	849, 850		
Idaho.....	524-526			Montana.....	1274, 1275		
Illinois.....	560	186	145, 146	Nevada.....	1327, 1328		
Indiana.....	629			Pennsylvania.....	1844		
	633, 643				1845, 1864		
	644, 663			(See also Employers to furnish names, etc.)			
	688-690			Liability of railroad com- panies for debts of con- tractors. (See Liability of stockholders; Protec- tion of wages.)			
Iowa.....	695-697	186	163, 164	Liability of railroad com- panies for injuries to employees. (See Liabi- lity of employers.)			
	720-722			Liability of railroad com- panies for wages due from predecessors:			
Kansas.....	740, 741	244	161	Wisconsin.....	2289		
	774			Liability of stockholders of corporations for wage debts, list of laws de- termining.....	79		
	775, 793			License tax, exemption of mechanics, etc., from, list of laws granting.....	80, 81		
Louisiana.....	801, 802			License tax, laborers not to pay:			
	846			Louisiana.....	837		
Maine.....	847, 865			Philippine Islands.....	1944		
Maryland.....	881-883			Licensing, etc. (See Ex- amination, etc.)			
Massachusetts.....	897			Liens, digest of laws re- lating to.....	27-76		
	960	166	132	Lighting code:			
	987-991	186	186	New Jersey.....	244	243	
Michigan.....	1009, 1010			Pennsylvania.....	244	287	
Minnesota.....	1056, 1057			Liquor. (See Intoxi- cants.)			
	1100	186	202, 203	Loans to employees:			
Mississippi.....	1103, 1128			Louisiana.....	866		
	1143, 1146	166	147	Local or special laws reg- ulating labor, etc.:			
Missouri.....	1148, 1151			Kentucky.....	809		
	1166-1169			Louisiana.....	837		
Montana.....	1194			North Carolina.....	186	296	
	1231				244	255	
Nebraska.....	1245, 1246			Pennsylvania.....	1783		
	1300, 1301	186	225	Texas.....	2071		
	1312, 1317			Virginia.....	2151		
Nevada.....	1337			Locomotive boilers, in- spector of. (See In- spection of locomotives.)			
New Hampshire.....	1394-1396	186	237				
New Jersey.....	1433						
New Mexico.....	1434, 1436						
	1438, 1439						
New York.....	1536-1538						
	1555						
North Carolina.....	1564	186	296				
	1570, 1577						
North Dakota.....	1586	186	298, 299				
	1593, 1600	244	257				
Ohio.....	1665-1667						
	1680						
	1684-1687						
Oklahoma.....	1703						
	1704, 1723						
Oregon.....	1780						
	1764, 1765						
Pennsylvania.....	1857	186	342				
Philippine Islands.....	1947-1949	186	363				
Porto Rico.....	1951-1953						
	1991						
South Carolina.....	1994-1997	213	140, 141				
	1999						
South Dakota.....	2012						
	2021, 2022						

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Locomotives, etc., abandoned of. (See Strikes of railroad employees.)					Mine gases, etc., investigation of:				
Locomotives, headlights on. (See Railroad, safety provisions for.)					Kentucky.....	826	827		
Lodging houses, laborers':					United States.....	2426			
Connecticut.....	408				Mine inspectors. (See Inspectors, mine.)				
Hawaii.....	497				Mine operations, commission on. (See Bureau of Mines.)				
(See also Labor camps.)					Mine regulations:				
Lodging houses, sailors':					Alabama.....	158			
Louisiana.....	846				Alaska.....	165-184			
United States.....	2396				Arizona.....	185	186	66-72	
Logging and sawmillsafety orders:					Arkansas.....	192, 193	244	60	
California.....	244		95		California.....	216-228	186	73	
Lunch, time for. (See Time for meals.)					Colorado.....	231	186	77, 78	
M.					Idaho.....	234-239	244	67-69	
Mail cars:					Illinois.....	243-245			
United States.....	2430, 2435				Indiana.....	244	244	79	
Mail, obstructing:					Iowa.....	286-289			
United States.....	2364				Kansas.....	321	186	105	
Mail service, ocean, American vessels and crews for:					Kentucky.....	323	244	97-99	
United States.....	2364				Maryland.....	335-341			
Manufactures, State:					Michigan.....	365-389	186	137, 138	
Arizona.....	186		75, 76		Minnesota.....	526-529	186	244	137
Married women, earnings of. (See Earnings of married women.)					Missouri.....	535, 556	186	146-149	
Master and servant. (See Employment of labor; Liability of employers; and crossreferences under each.)					Montana.....	557, 565	244	139-145	
Matches, use of white phosphorus in making:					Nebraska.....	580-588		156-158	
United States.....	2431, 2432				Nevada.....	591-616			
Meals, time for. (See Time for meals.)					New Mexico.....	624-627			
Mechanics, exemption of, from license tax, list of laws granting.....	80, 81				New York.....	653-663			
Mechanics, exemption of, from manufacturers' taxes:					North Carolina.....	669-673			
Philippine Islands.....	1944				Ohio.....	729-737	186	163	
Mechanics' liens, digest of laws relating to.....	27-76				Oklahoma.....	747-755			
Mediation. (See Arbitration.)					Oregon.....	757-760	186	169, 170	
Medical attendance for employees:					Pennsylvania.....	777-780	244	168-172	
New Mexico.....	1435				Texas.....	801, 804			
Oregon.....	244		275		Virginia.....	805			
Medical inspection:					Washington.....	816-827	166	53-73	
New York.....	1488, 1489				West Virginia.....	831			
Pennsylvania.....	1922, 1923				Wisconsin.....	926-934	213	65, 66	
(See also Physical examination of employees.)					Wyoming.....	1074-1077			
Mercantile establishments, etc., inspection of. (See Inspection, etc., of mercantile establishments.)					Alabama.....	1083-1092			
Messenger service by children. (See Children, employment of, in street trades.)					Arizona.....	1109-1112			
Militia, organized. (See Protection of employees as members of National Guard.)					California.....	1183-1198	186	206-208	
					Colorado.....	1204, 1205	244	209, 210	
					Florida.....	1214, 1215			
					Georgia.....	1240, 1241	186	215	
					Idaho.....	1247-1271	244	213	
					Illinois.....	1328-1335	186	227-229	
					Indiana.....	1344	244	224	
					Iowa.....	1346-1348			
					Kansas.....	1354			
					Kentucky.....	1433, 1434	186	250	
					Louisiana.....	1436, 1437			
					Maine.....	1445-1451			
					Maryland.....	1524-1526			
					Massachusetts.....	1529, 1547			
					Michigan.....	1566-1571			
					Minnesota.....	1617-1644	166	193, 194	
					Mississippi.....		186	304, 305	
					Missouri.....		244	261	
					Montana.....				
					Nebraska.....				
					Nevada.....				
					New Hampshire.....				
					New Jersey.....				
					New Mexico.....				
					New York.....				
					North Carolina.....				
					Ohio.....				
					Oklahoma.....				
					Oregon.....				
					Pennsylvania.....				
					Rhode Island.....				
					South Dakota.....				
					Tennessee.....				
					Texas.....				
					Utah.....				
					Virginia.....				

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Mine regulations—Con.					Minimum wages—Con.				
Washington.....	2198-2208	244	351, 352		Kansas.....	186	171-175		
West Virginia.....	2217				Massachusetts.....	1012-1014	166	128-130	
	2232, 2233	186	399-416				186	184	
	2239-2241	244	355, 357		Minnesota.....	1138-1141	213	76, 78, 79	
	2243-2254				Nebraska.....	1306-1308	244	191-193	
Wisconsin.....		186	425, 426		Ohio.....	1603			
Wyoming.....		186	436, 437		Oregon.....	1775-1780	186	311	
		244	373				213	118-120	
United States.....					Utah.....	2133		122-127	
(See also Accidents					Washington.....	2224-2227	186	397, 398	
in mines; Inspectors,					Wisconsin.....	2282-2284	244	351-354	
mine; Mines,									
etc.)					Minimum wages, com-				
Mine regulations, com-					mission on, digest of				
mission on:					laws as to.....	147, 148			
Illinois.....		244	156, 157		Minors, earnings of. (See				
Maryland.....		166	94		Earnings of minors.)				
Mine regulations, com-					Misdemeanors, penalty				
mission on, digest of					for:				
laws as to.....	147				Georgia.....	492			
Miners, examination, etc.,					New York.....	1547-1549			
of. (See Examination,					Utah.....	2123			
etc.)					Mothers' pensions:				
Miners' home:					Arizona.....	186	74, 75		
Pennsylvania.....	1829-1831					244	62, 63		
Miners' hospital:					Arkansas.....	244	70		
California.....	287				California.....	262			
New Mexico.....	1439				Colorado.....	326			
Ohio.....		213	107-110		Delaware.....	244	113-115		
Pennsylvania.....	1825, 1826				Idaho.....	533, 534	186	138	
Utah.....	2120				Illinois.....	618-620	186	141	
West Virginia.....	2235, 2236						244	146, 147	
Wyoming.....	2328, 2329				Iowa.....	719	244	161	
Miners, qualifications of.					Kansas.....	186	170, 171		
(See Examinations,						244	163, 164		
etc., of miners.)					Maine.....	244	178-180		
Mines, accidents in. (See					Maryland.....	213	66-69		
Accidents in mines.)					Massachusetts.....	1028, 1029			
Mines, bureau of. (See					Michigan.....	1055, 1056			
Bureau of Mines.)					Minnesota.....	1126	244	202-204	
Mines, department of.					Missouri.....	1201	244	207, 208	
(See Bureau of Mines.)					Montana.....	186	209, 210		
Mines, electric wiring,						244	212, 213		
etc., in:					Nebraska.....	1279, 1280	186	217, 218	
Alabama.....	181, 182				Nevada.....	1321, 1322	186	229, 230	
Colorado.....	382						244	223	
Idaho.....	527				New Hampshire.....	1369, 1370	186	236, 237	
Illinois.....	608				New Jersey.....	1430, 1431	186	239	
Kansas.....	789						244	240, 242	
Kentucky.....		166	66		New York.....	186	252-254		
Michigan.....	1087					213	97		
Montana.....	1264				North Dakota.....	186	297, 298		
Ohio.....	1639-1632				Ohio.....	1661, 1662	186	305	
Oklahoma.....	1732				Oklahoma.....	1740, 1745	186	308, 309	
Pennsylvania.....	1887-1895				Oregon.....	1774, 1775	186	312, 313	
Texas.....	2098, 2099						244	272-274	
West Virginia.....		186	410, 411		Pennsylvania.....	1917, 1918	186	340-342	
Mines, fire-fighting and					South Dakota.....	2026-2028	186	375	
rescue stations for. (See							244	319	
Accidents, provisions					Tennessee.....	186	378, 379		
for.)					Texas.....	244	328, 329		
Mines, etc., hours of labor					Utah.....	2133, 2134	186	393	
in. (See Hours of labor,					Washington.....	2227, 2228	186	393	
etc.)					West Virginia.....	186	418, 419		
Mines, inspection of. (See						244	355, 356		
Mine regulations.)					Wisconsin.....	2256, 2257	244	361-363	
Mines, inspectors of. (See					Wyoming.....	186	435, 436		
Inspectors, mine.)					Mothers' pensions, com-				
Minimum wages:					mission on, digest of				
Arizona.....	244		61, 62		laws as to.....	148			
Arkansas.....	186		79, 80		Moving-picture machines,				
California.....	316-320	186	29		examinations, etc., of				
		186	83, 94		operators of, digest of				
		213	29, 30		laws relating to.....	136, 137	186	7	
		244	92, 93				186	11	
Colorado.....	390-392	244	100-105			244	11		

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
<b>N.</b>					Newsboys. ( <i>See</i> Children, employment of, in street trades.)				
Names of employees to be furnished. ( <i>See</i> Employers to furnish names, etc.)					Night work. ( <i>See</i> Children, night work by; Women, night work by.)				
National Guard, members of, not to be excluded from labor organizations. ( <i>See</i> Labor organizations, etc.)					Nonresidents, employment of, as armed guards. ( <i>See</i> Armed guards.)				
National Guard, protection of employees as members of. ( <i>See</i> Protection of employees as members of National Guard.)					Notice of intention to terminate employment. ( <i>See</i> Employment, termination of, notice of.)				
National trade-unions:					Notice of reduction of wages. ( <i>See</i> Wages, reduction of, notice of.)				
United States.....	2404								
Navy yards, employees in:					<b>O.</b>				
United States.....	2354				Obligations of employers, etc. ( <i>See</i> Employment of labor.)				
Negligence of employees of common carriers:					Obstructing mail:				
Alabama.....	159				United States.....	2364			
Arizona.....	209				Occupational diseases, commission, etc., on, resolutions as to.....	148			
Arkansas.....	231				Occupational diseases, reports, prevention, etc., of:				
California.....	272, 273				California.....	263	244	79	
Florida.....	470				Connecticut.....	296, 297			
Georgia.....	488				Illinois.....	568	186	145, 146	
Idaho.....	523				Maine.....	588-591			
Illinois.....	539				Maryland.....	890			
Kansas.....	766, 767				Massachusetts.....	898			
Louisiana.....	840				Michigan.....	1008, 1009			
Maine.....	875				Minnesota.....	1033-1035			
Massachusetts.....	948, 949				Mississippi.....	1074			
Michigan.....	952, 953				Missouri.....	1122			
Minnesota.....	1059				New Hampshire.....	1211-1214			
Mississippi.....	1104-1107				New Jersey.....	1369			
Missouri.....	1145, 1146				New Mexico.....	1423	166	158-162	
Missouri.....	1163				New York.....	1435	166	242	
Montana.....	1239, 1240				Ohio.....	1490		181	
Nevada.....	1338-1340				Pennsylvania.....	1512, 1516			
New Jersey.....	1401, 1402				Rhode Island.....	1526-1529			
New York.....	1542, 1546				Wisconsin.....	1661			
North Dakota.....	1547, 1550				Wisconsin.....	1668-1672			
Oklahoma.....	1591, 1592				Wisconsin.....	1934-1937	244	298, 299	
Oregon.....	1706				Wisconsin.....	2258, 2259	186	367	
Oregon.....	1748				Ocean mail service, American vessels and crews for:				
Pennsylvania.....	1786				United States.....	2364			
Porto Rico.....	1957, 1958	213	131		Offenses. ( <i>See</i> Negligence.)				
South Carolina.....	2000, 2006				Oil and gas wells near mines:				
South Dakota.....	2016, 2017	244	322		Illinois.....	616			
Tennessee.....	2034				Ohio.....	1640, 1641			
Utah.....	2124				Old-age, accident, etc., relief:				
Vermont.....	2138				Alaska.....	186			
Virginia.....	2159				Arizona.....	186		74, 75	
Washington.....	2180-2182				Old-age insurance and pensions, commissions on, digest of laws as to. ( <i>See also</i> Commissions.)	148, 149			
West Virginia.....	2210				Overtime work:				
Wisconsin.....	2230				Arkansas.....	186		79	
United States.....	2306				California.....	213		30	
Negligence of operators of steam boilers, etc.:	2407				California.....	244		92, 93	
Arizona.....	208				Kansas.....	244		174	
California.....	272				Oklahoma.....	186		308	
Idaho.....	523								
Minnesota.....	1106, 1107								
Montana.....	1238-1240								
Nevada.....	1338, 1340								
New York.....	1547								
North Dakota.....	1549, 1555								
Pennsylvania.....	1591, 1592								
Porto Rico.....	1842, 1843								
South Dakota.....	1957								
Negligent fellow servant to be named in verdict:									
Minnesota.....	1103								

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Overtime work—Concl'd.									
Oregon.....	1780	244	271		Payment of wages in scrip—Concluded.				
Philippine Islands.....	244	244	301		Tennessee.....	2033	186	379	
Porto Rico.....	1961	244	305		Texas.....	2035, 2036	244	321	
Texas.....	186	186	390		Vermont.....	2136, 2137			
Washington.....	2192				Virginia.....	2159			
United States.....	2436	213	154		Washington.....	2189, 2190			
		244	380		West Virginia.....	2234			
					Wisconsin.....	2235, 2261			
					(See also Company stores.)				
<b>P.</b>					Payment of wages, modes and times of:				
Payment of wages due at end of employment:					Arizona.....	209			
Arizona.....	209				Arkansas.....	239			
Arkansas.....	239, 240				California.....	240, 249			
California.....	298, 299	186	87, 90		Colorado.....	299	186	101	
Colorado.....	346				Illinois.....	305, 306	244	79, 80	
Idaho.....	532				Iowa.....	345-348			
Indiana.....	690	186	151		Kansas.....	407, 408			
Kansas.....	773, 800				Connecticut.....	498			
Louisiana.....	866	166	87-89		Hawaii.....	542			
Maine.....	884				Indiana.....	561, 623			
Massachusetts.....	984				Mississippi.....	639-641			
Minnesota.....		186	201		Missouri.....	687, 703			
Missouri.....	1206				Nebraska.....	704			
New Jersey.....	1393, 1394				Iowa.....	735	186	159, 160	
Oregon.....	1762				Kansas.....	773	186	169	
South Carolina.....	1998	186	373, 374		Kentucky.....	821	213	46, 47	
Wisconsin.....		186	421		Louisiana.....	864	166	86, 87	
Payment of wages due deceased employees:					Maine.....	872, 873	186	178	
Alabama.....	153				Maryland.....	883, 884			
Arizona.....	211	244	61		Massachusetts.....	895			
Delaware.....	435				Minnesota.....	938, 939	166	125, 126	
Florida.....		244	129		Mississippi.....	984, 986	186	184, 186	
Georgia.....	483	186	131		Missouri.....	1000	213	71	
Mississippi.....	1146, 1147				Nebraska.....	1103	186	201	
New Jersey.....	1399, 1400				North Carolina.....	1153	166	145	
Pennsylvania.....	1856				Ohio.....			146, 150	
Payment of wages in bar-rooms:					Oklahoma.....			82	
California.....	275				Oregon.....	1160, 1176			
Nevada.....	1334				Pennsylvania.....	1177, 1184			
Payment of wages in scrip:					South Carolina.....	1185, 1202			
Arizona.....	209-212				Tennessee.....		244	220, 221	
Arkansas.....	242				Texas.....	1355			
California.....	294, 295	186	100, 101		Vermont.....	1356, 1368			
Colorado.....	346-348				Virginia.....	1396-1400			
Florida.....		186	129		West Virginia.....	1406, 1417			
Georgia.....	479				Wisconsin.....		244	245	
Illinois.....	557	244	147		Wyoming.....	1479, 1548			
Indiana.....	640				United States.....		186	295, 296	
Iowa.....	653, 687				(See also Payment of wages in scrip.)			257, 258	
Kansas.....	735				Alabama.....	1693, 1694			
Kentucky.....	771	244	167, 168		Arkansas.....	1719, 1742			
Louisiana.....	809, 814				California.....	1917, 1933			
Maine.....	841				Colorado.....		244	272	
Massachusetts.....	842, 853				Florida.....				
Minnesota.....	920				Georgia.....				
Mississippi.....	921, 939				Illinois.....				
Montana.....	1044				Indiana.....				
Nevada.....	1082, 1083				Iowa.....				
New Hampshire.....		244	205		Kansas.....				
New Jersey.....		166	145, 146		Kentucky.....				
New Mexico.....	1228				Louisiana.....				
New York.....	1325, 1342				Maine.....				
North Carolina.....	1362, 1363				Maryland.....				
Oklahoma.....	1397, 1398				Massachusetts.....				
Oregon.....	1437				Minnesota.....				
Pennsylvania.....	1438, 1440				Mississippi.....				
Philippine Islands.....	1478, 1479				Missouri.....				
Porto Rico.....	1566				Nebraska.....				
South Carolina.....	1719				New Hampshire.....				
	1762				New Jersey.....				
	1844				New Mexico.....				
		213	129		New York.....				
	1954				North Carolina.....				
	1998	166	203, 204		Oklahoma.....				
	1999, 2005	186	371, 374		Oregon.....				
					Pennsylvania.....				
					Philippine Islands.....				
					Rhode Island.....				
					South Carolina.....				
					Tennessee.....				
					Texas.....				
					Vermont.....				
					Virginia.....				
					West Virginia.....				
					Wisconsin.....				
					Wyoming.....				
					United States.....				
					(See also Payment of wages in scrip.)				
					Payment of wages, refusal of. (See Wages, refusing to pay.)				
					Peddler's license, exemption of mechanics from, list of laws granting.....	80, 81			

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Penalty for misdemeanors. (See Misdemeanors.)					Printing, public. (See Public printing.)				
Pensions for employees:					Profit sharing by corporations:				
Massachusetts.....	993-999	166	128, 130		Connecticut.....	402			
1002-1007			133, 134		Massachusetts.....	946			
1009, 1011		186	183, 186		Protection of alien laborers. (See Alien laborers.)				
1018, 1027		213	73, 74		Protection of employees as candidates for office:				
New Jersey.....		186	243-246		California.....		196		85
Pennsylvania.....	1783	186	240		Wyoming.....	2332			
Philippine Islands.....		244	326-328		Protection of employees as members of labor organizations:				
Philippine Islands.....		213	329		California.....	275			
United States.....		244	277		Colorado.....	351, 352			
United States.....		213	129, 130		Connecticut.....	398, 399			
Pensions, mothers'. (See Mothers' pensions.)					Idaho.....	518, 519			
Peonage:					Indiana.....	631			
Nevada.....	1345				Kansas.....	774			
Philippine Islands.....		166	197		Louisiana.....		166		91, 92
United States.....	2355				Massachusetts.....	967			
United States.....	2408, 2423				Minnesota.....	1107, 1108			
Phosphorus, white, use of, in manufacture of matches:					Mississippi.....	1149, 1150			
United States.....	2431, 2432				Nevada.....	1343			
Physical competence, certificates of. (See Children, employed, etc.)					New Hampshire.....	1371, 1372			
Physical examination of employees:					New Jersey.....	1400			
Illinois.....	588				New York.....	1544, 1545			
New Jersey.....		166	161		Ohio.....	1063			
New York.....	1482	186	271, 272		Oklahoma.....	1719, 1720			
Ohio.....	1671				Oregon.....	1750			
Pennsylvania.....	1936	186	328, 329		Pennsylvania.....	1840	244		312
Pennsylvania.....		244	299		Porto Rico.....	1958			
Physicians, employment of:					South Carolina.....	2003, 2004			
Arkansas.....	255, 256				Utah.....	2129			
New Mexico.....	1435				Wisconsin.....	2308			
Tennessee.....	2035				Protection of employees as members of National Guard:				
Picketing:					Arizona.....	229, 230			
Alabama.....	154				California.....	274			
Colorado.....	324				Illinois.....	580			
Washington.....		186	398		Kansas.....	777			
Washington.....		244	351		Maine.....	879	244		181
West Virginia.....	2252				Massachusetts.....	1010, 1011			
United States.....		166	235		Michigan.....	1061			
(See also Interference with employment.)					Mississippi.....		213		82
Plate printers, wages, etc., of:					New York.....	1549			
United States.....	2434				Ohio.....	244			262
Plumbers, examination, etc., of, digest of laws relating to.....	137-140	166	8		Oklahoma.....	1745			
		186	11, 12		Washington.....	2197, 2198	244		352
		244	11		Wisconsin.....	2306			
Poisons, handling, manufacture, etc., of. (See Occupational diseases.)					Protection of employees as traders. (See Coercion of employees.)				
Police officers. (See Armed guards.)					Protection of employees as voters:				
Police officers, employment of, as laborers:					Alabama.....	155			
Maryland.....	938				Arizona.....	208			
Poll tax of employees, liability of employers for. (See Liability of employers for taxes of employees.)					Arkansas.....	232			
Postal employees, rights of:					California.....	271	186		85
United States.....	2436, 2437	244	380		Colorado.....	327-329			
Powder, use of, in mines. (See Mine regulations.)					Connecticut.....	399			
Preference of wages. (See Wages as preferred claims.)					Delaware.....	427			
					Florida.....	471, 472			
					Idaho.....	523			
					Indiana.....	631			
					Iowa.....	719, 720			
					Kansas.....	768			
					Kentucky.....	815	213		43
					Louisiana.....	840, 841			
					Maryland.....	898			
					Massachusetts.....	1039			
					Michigan.....	1052	244		197
					Minnesota.....	1095			
					Mississippi.....	1108, 1122			
					Missouri.....	1143, 1144			
					Montana.....	1169			
					Nebraska.....	1237			
						1280			



	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Public-service Commissions, duties of—Con.									
New Jersey.....	1409								
New Mexico.....	1433								
Oregon.....	1764								
Pennsylvania.....	1937, 1938								
South Carolina.....	1995								
Vermont.....	2138, 2139								
Washington.....	2213, 2218	186	399						
Wisconsin.....	2219, 2223								
United States.....	2284, 2286								
United States.....	2421-2426								
Public supplies, preference of domestic products for:									
California.....	264								
Michigan.....	1077								
New York.....	1559								
North Dakota.....	1585	186	297						
Oregon.....		186	317						
Pennsylvania.....		186	342						
United States.....	2353, 2355	186	439						
Public works, commission on labor on, resolution as to.....	147								
Public works, employment of aliens on. (See Aliens, employment of, etc.)									
Public works, hours of labor on. (See Hours of labor.)									
Public works, labor on:									
Arizona.....	197								
California.....	263	186	102						
Hawaii.....	466	186	73, 79, 80						
Idaho.....		244	433						
Maryland.....		244	135						
Nevada.....	934	186	135-137						
New Jersey.....	1327								
New York.....	1376								
Oklahoma.....	1453	186	251						
Oregon.....	1479, 1480								
Pennsylvania.....	1718, 1719								
Porto Rico.....	1773, 1774	244	271						
Virginia.....	244	284, 285							
(See also Rates of wages of employees on public works.)	244	313							
Public works, payment of wages of employees on:									
California.....	274, 275								
Public works, etc., preference of citizens or resident laborers, etc., on:									
Arizona.....		186	73						
Indiana.....		244	64						
Louisiana.....	664								
Maine.....	848, 856								
Massachusetts.....	879								
New Hampshire.....	967	166	134						
New Mexico.....		244	188						
New York.....		186	235						
Pennsylvania.....	1440								
Utah.....	1479	186	251						
(See also Aliens, employment of.)	1838, 1845								
Public works, preference of domestic materials for:									
Massachusetts.....	2129								
Minnesota.....		166	132						
Missouri.....		186	203, 204						
New Mexico.....	1155, 1201								
	1440								
Public works, preference of domestic materials for—Concluded.									
Porto Rico.....						186	365		
Washington.....						2221			
United States.....						2361			
Public works, rates of wages of employees on. (See Rates of wages, etc.)									
<b>R.</b>									
Railroad bridges, height of. (See Railroad tracks, etc.)									
Railroad cars, etc., to be repaired within the States:									
Arkansas.....						186	80, 81		
Louisiana.....						856, 857			
Texas.....						2096			
Railroad cars, refusal to move. (See Strikes of railroad employees.)									
Railroad commissions. (See Public service commissions.)									
Railroad companies, liability of, for debts of contractors for labor. (See Liability of stockholders; Protection of wages.)									
Railroad companies, liability of, for injuries to employees. (See Liability of employers.)									
Railroad companies, liability of, for wages due from predecessors:									
Wisconsin.....						2289			
Railroad employees, complaints by:									
Massachusetts.....						949			
Railroad employees, disobedience of. (See Negligence, etc.)									
Railroad employees, examination, etc., of. (See Examination, etc.)									
Railroad employees, false charges against:									
Arkansas.....						241			
Indiana.....						697, 698			
Iowa.....						186	168		
Missouri.....						1164			
South Dakota.....						2028			
Railroad employees, forced contributions from. (See Forced contributions.)									
Railroad employees, hours of labor of. (See Hours of labor, etc.)									
Railroad employees, illiterate:									
Idaho.....						532			
Minnesota.....						1106			
Missouri.....						244	208		
Nevada.....						1339			
New York.....						1550	213	94	
Ohio.....						1689			
Oregon.....						1772			
Washington.....						2182, 2214			
Railroad employees, etc., intoxication of. (See Intoxication.)									
Railroad employees, negligence of. (See Negligence, etc.)									

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Railroad employees, protection of. (See Railroads, safety appliances on.)				Railroad train orders:			
Railroad employees, qualifications of:				California.....	186		91
Arizona.....	203, 204			Railroad trains, number of cars in:			
California.....	212, 213			Arizona.....	228		
Georgia.....	294			Railroad trains, etc., sufficient crew required on:			
Indiana.....	479			Arizona.....	210		
Massachusetts.....	480, 491			Arkansas.....	214, 215		
Michigan.....	695, 704			California.....	246, 249		
Ohio.....	705, 709			Connecticut.....	250, 254	186	91, 92
Oregon.....	952			Indiana.....	293, 294		
(See also Examination, etc., of railroad employees;	1007, 1008			Maine.....	402		
Railroad employees, illiterate; Telegraph operators, railroad, etc.)	1077, 1078			Maryland.....	403, 417		
Railroad employees, rules for. (See Rules, etc.)	1689			Massachusetts.....	675, 676		
Railroad employees, strikes of. (See Strikes, etc.)	1772			Mississippi.....	688, 706		
Railroad employees to be paid when discharged. (See Payment of wages due discharged employees.)				Missouri.....	708-710		
Railroad employees, uniforms of:				Nebraska.....	873		
New York.....	1551			Nevada.....	896, 897		
Washington.....	2214, 2215			New Jersey.....	1029		
Railroad employees, etc., voting by:				New York.....	166		150, 151
Kansas.....	768, 769			North Dakota.....	1208, 1209		
Michigan.....		244	195-197	Ohio.....	1310, 1311		
Missouri.....	1210, 1211	244	208	Oregon.....	1346, 1347	186	229
Nevada.....	1322	186	233	Pennsylvania.....	1426, 1427	244	235
New Mexico.....	1443, 1444			Texas.....	1554		
Railroad inspectors. (See Inspectors, railroad.)				Virginia.....	1586		
Railroad relief societies. (See Benefit societies.)				Washington.....	1690, 1691		
Railroad tracks, bridges, wires, etc., over:				Wisconsin.....	1781		
Arkansas.....	243			Wisconsin.....	1916, 1917		
Connecticut.....	399			Wisconsin.....	1996		
Idaho.....	520, 521			Wisconsin.....	2084		
Indiana.....	667, 668			Wisconsin.....	2220, 2221		
Iowa.....	691, 692			Wisconsin.....	2288		
Kansas.....	723			Railroad trains; switching:			
Kentucky.....	813			Mississippi.....	1147, 1148		
Michigan.....	1044, 1048			Railroads, accidents on. (See Accidents.)			
Minnesota.....		186	201, 202	Railroads, construction of cabooses cars on:			
Mississippi.....	1148			Arkansas.....	253		
Nebraska.....		186	218, 219	Illinois.....	579, 580		
New Hampshire.....	1358			Indiana.....	686, 687		
North Dakota.....	1599			Iowa.....	746		
Ohio.....	1683			Kansas.....		244	173
Oregon.....	1684, 1689			Maine.....	891		
Rhode Island.....	1765, 1766			Michigan.....	1056		
Vermont.....	1983			Minnesota.....	1119		
Railroad tracks, structures near:				Missouri.....	1202, 1203		
Indiana.....	668			Montana.....	1231		
Kansas.....		186	175	Nebraska.....	1313, 1314		
Minnesota.....	1127, 1128	186	201, 202	New Hampshire.....	1369		
North Dakota.....	1599, 1600			New York.....	1558		
Ohio.....	1690			North Dakota.....	1595, 1596		
				Ohio.....	1680	186	305
				South Dakota.....	2022, 2023		
				Virginia.....	2165, 2166	166	208
				Washington.....	2214		
				Wisconsin.....	2285		
				Railroads, construction of engine cars on:			
				Arkansas.....		244	67
				Railroads, construction of post-office cars on. (See Railway mail cars.)			
				Railroads, hours of labor of employees on. (See Hours of labor.)			
				Railroads, inspection of. (See Inspection of railroads, etc.)			
				Railroads, obstructing, hindering operation of, etc. (See Abandonment of locomotives; Strikes of railroad employees.)			

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.	No.		Page.	No.	Page.	No.
Railroads, rules for employees on. ( <i>See Rules, etc.</i> )					Railroads, safety provisions, etc., on—Concl. United States.....	2401, 2402 2413, 2414 2421-2425			
Railroads, safety provisions, etc, on:					( <i>See also</i> Inspection of railroads, etc.; Railroads, construction of cabooses cars on.)				
Arizona.....	215, 216				Railroads, shelters for workmen on:				
Arkansas.....	247	186		78	Arkansas.....	245			
California.....	250, 253	244		67	Kansas.....	794			
Colorado.....	312, 313	186	86, 87, 91		Mississippi.....	1153			
Connecticut.....	342	244	76, 77, 91		Missouri.....		244	209	
Delaware.....	343, 395		107		North Carolina.....	1579			
District of Columbia.....	402, 425	244			Oklahoma.....	1722, 1723			
Florida.....	433, 434				Oregon.....	1768			
Georgia.....	452				South Carolina.....		166	205	
Idaho.....	478				Texas.....	2085			
Illinois.....	480, 491				Railroads, standard work-day and rates of wages of employees on:				
Indiana.....	533		158		United States.....		213	153, 154	
Iowa.....	559	244			Railroads, workingmen's trains on:				
Kansas.....	560, 628				Massachusetts.....	952			
Kentucky.....	666-668				Railway mail cars:				
Louisiana.....	673, 674				United States.....	2430			
Maine.....	677				Rates of wages of employees of public printing offices. ( <i>See</i> Public printing office.)				
Massachusetts.....	680-682				Rates of wages of employees on public works:				
Michigan.....	684				Arizona.....	197			
Minnesota.....	705-707				California.....	289	244	73	
Mississippi.....	709, 710				Hawaii.....	501	186	133	
Missouri.....	721				Indiana.....	244	135		
Montana.....	722, 745				Maryland.....	634			
Nebraska.....	756, 757				Massachusetts.....	1008	166	130, 131	
Nevada.....	793				Montana.....	244	166	216	
New Hampshire.....	802, 803				Nebraska.....	1282			
New Mexico.....	806, 807				Nevada.....	1327			
New York.....	813				New York.....	1476	213	92	
North Carolina.....	845, 864				Oklahoma.....	1718, 1719			
North Dakota.....	873	244	177		United States.....	2437			
Ohio.....	950-952				Rates of wages of laborers at salvage:				
Oklahoma.....	1044, 1045				Virginia.....	2156			
Oregon.....	1047, 1048				Rates of wages of weavers, etc., to be posted:				
Philippine Islands.....	1055, 1083				Massachusetts.....	985			
Porto Rico.....	1100				Recommendation, letters of. ( <i>See</i> Employers' certificates; Service letters.)				
Rhode Island.....	1113-1115				Reduction of wages, notice of. ( <i>See</i> Wages, reduction of, notice of.)				
South Carolina.....	1123				Registration of factories, etc. ( <i>See</i> Factories, etc., registration of.)				
South Dakota.....	1148, 1150	213	81		Releases. ( <i>See</i> Contracts of employees waiving right to damages.)				
Texas.....	1153, 1154				Relief departments:				
Utah.....	1181-1183	186	205, 206		Arizona.....	213			
Virginia.....	1206-1209	244	209		Florida.....	477			
Washington.....	1243				Indiana.....	665, 666			
West Virginia.....	1245, 1277				Massachusetts.....	949			
Wisconsin.....	1311-1315				Ohio.....	1684, 1685			
	1315				Philippine Islands.....	1941, 1942			
	1346	186	229		South Carolina.....	1994, 1995			
	1355				Repayment of employers' advances. ( <i>See</i> Employers' advances.)				
	1433	186	249, 250						
	1551, 1554	244	247						
	1556-1559								
	1572, 1573								
	1600, 1601								
	1678-1684	244	263						
	1691								
	1705, 1706								
	1772								
	1773, 1780								
	1944								
	1983, 1984								
	1995-1997	166	204, 205						
	2008	213	137						
	2020, 2021								
	2083-2085								
	2089, 2090								
		244	335						
	2137, 2138								
	2145, 2146								
	2153, 2154	166	208, 209						
	2210-2214								
	2218-2220								
		186	399						
	2280, 2281	244	361						
	2284-2289								

	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.			Page.	No.	Page.	
Resident laborers, preference of, on public works, etc. (See Public works.)					Seats for employed children:				
Restriction of employes in trading. (See Coercion.)					California.....	244		94, 95	
Retirement funds. (See Pensions.)					Delaware.....	445			
Right of action for injuries. (See Injuries.)					Kentucky.....	166		36	
Rights of labor. (See Employment of labor.)					Massachusetts.....	973			
Rules for railroad, etc., employes:					Oklahoma.....	1713			
Arizona.....	195, 230				South Dakota.....	2026			
Connecticut.....	425				Vermont.....	2141			
Indiana.....	674				Wisconsin.....	2271			
Michigan.....	1047, 1048				Seats for employes in stores, etc.:				
Philippine Islands.....	1944				Florida.....	469			
<b>S.</b>					Seats for employes on street railways. (See Street railways.)				
Sabotage:					Seats for female employes:				
Idaho.....		244	138		Alabama.....	157			
Minnesota.....		244	201, 202	206	Arizona.....	198			
(See also Interference with employment.)					Arkansas.....	199, 202			
Safety, American Museum of:					California.....	258, 257			
New York.....	1561	166	186		Colorado.....	279, 295	213	31	
Safety appliances. (See Fire escapes on factories; Guards for dangerous machinery; Inspection of factories; Railroads, safety provisions on; Street railways, safety provisions on.)					Connecticut.....		244	94, 95	
Safety lamps. (See Mine regulations.)					Delaware.....	335			
Sailors. (See Seamen.)					District of Columbia.....	408			
Sailors' boarding houses. (See Lodging houses, sailors'.)					Florida.....	430-432	244	116	
Salvage laborers, wages of:					Georgia.....	456	166	30	
Virginia.....	2156				Idaho.....	475			
Sawmill safety orders:					Illinois.....	485, 489			
California.....		244	95		Idaho.....	534			
Scaffolding, etc. (See Protection of employes on buildings.)					Illinois.....	546, 568			
Scrip, payment of wages in. (See Payment of wages in scrip.)					Indiana.....	630			
Seaman:					Iowa.....	631, 647			
United States.....	2354, 2355	186	440-450		Kansas.....	727, 740			
	2364-2367	244	378-380		Kentucky.....	772	244	173	
	2374-2401		382		Louisiana.....	830, 833	166	36	
	2405, 2407				Maine.....	848, 860			
	2408, 2414				Maryland.....	883			
	2437, 2438				Massachusetts.....	917, 935	213	59	
Seamen, American, for ocean mail service:					Michigan.....	978			
United States.....	2364				Minnesota.....	1065, 1070			
Seamen, employment of, as laborers, etc.:					Missouri.....	1096			
Louisiana.....	843				Montana.....	1163			
Texas.....	2094				Nebraska.....	1164, 1180	244	211	
United States.....	2433, 2434				Nevada.....	1277	244	223	
Seamen, list of State laws relating to.....	97				New Hampshire.....	1292			
(See also Lodging houses, sailors'; Shipping masters.)					New Jersey.....	1359			
Seamen's hospitals:					New York.....	1393, 1394			
United States.....	2405				North Carolina.....	1430, 1535			
					Ohio.....	1575			
					Oklahoma.....	1648, 1649	186	303	
					Oregon.....	1715, 1716	186	213	121
					Pennsylvania.....	1755	213	121	
					Porto Rico.....	1930	186	354	
					Rhode Island.....	1962			
					South Carolina.....	1971	244	315	
					South Dakota.....	2002			
					Tennessee.....	2026			
					Texas.....	2057			
					Utah.....	2103	186	390	
					Vermont.....	2108			
					Virginia.....		186	396	
					Washington.....	2157			
					West Virginia.....	2216			
					Wisconsin.....	2239			
					Wyoming.....	2277			
					Service letters:	2346	186	437, 438	
					California.....		244	86	
					Indiana.....	690	186	151	
					Missouri.....	1160, 1161			
					Nebraska.....	1292, 1293			
					Nevada.....	1341	186	230, 231	
					Oklahoma.....	1721			
					(See also Employers' certificates, forgery of.)				

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Set-offs not to defeat exemption of wages:				Steam boilers, negligence of operators of. ( <i>See</i> Negligence, etc.)			
Alabama.....	154			Steam boilers, repairing, cleaning, etc.:			
Sex no disqualification for employment:				Oklahoma.....	1723		
California.....	261			Steam engineers, examination, etc., of, digest of laws relating to.....	140-143	186 244	10, 11 11
Illinois.....	541			Steamboats, employees on. ( <i>See</i> Seamen.)			
Washington.....	2191			Steamboats, employment of unlicensed engineers on:			
Shelters over railroad repair tracks. ( <i>See</i> Railroads, shelters for workmen on.)				Alabama.....	157		
Shipping masters:				Steamboats, inspection of. ( <i>See</i> Inspection, etc.)			
Florida.....	465, 471			Steamboats, negligence of employees on. ( <i>See</i> Negligence, etc.)			
Louisiana.....	842, 843			Stevadores:			
United States.....	2374-2379			Florida.....	470, 471		
( <i>See also</i> Lodging houses, sailors'; Seamen.)				Maryland.....	937, 938		
Shuttles:				Texas.....	2101-2103		
Massachusetts.....	982, 1000			Stock, special, for employees of corporations:			
Slave labor:				Massachusetts.....	946	166	141
Nevada.....	1345			Stockholders, liability of, list of laws determining.....	79		
Philippine Islands.....	1939			Street railways, examination, etc., of employees on. ( <i>See</i> Examination, etc.)			
Sleeping rooms for workmen:				Street railways, hours of labor of employees on. ( <i>See</i> Hours of labor, etc.)			
California.....	231			Street railways, newsboys on:			
Colorado.....	394			Massachusetts.....	953		
Connecticut.....	401			Street railways, protection of employees on. ( <i>See</i> Protection of employees.)			
Delaware.....	436			Street railways, rights and remedies of employees on:			
Illinois.....	617			South Carolina.....	1999		
Indiana.....	683			Street railways, safety provisions on:			
Iowa.....	761	166	100	California.....	273		
Maryland.....	943			Connecticut.....	416		
Massachusetts.....	943	186	187	Iowa.....	744-746		
Michigan.....	1204			Massachusetts.....	953		
Missouri.....	1281			Montana.....	1277		
Nebraska.....	1281			New Hampshire.....	1360, 1361		
New Jersey.....	1383, 1419	244	239	Ohio.....	1686		
New York.....	1521	186	255	Vermont.....	2145		
			268, 271	Washington.....	2218		
Ohio.....	1650			Wisconsin.....	2260		
Oklahoma.....	1741			Street railways, seats for employees on:			
Oregon.....	186	318		Connecticut.....	418, 419	186 244	121 107
Pennsylvania.....	1827	196	352	Louisiana.....	863		
Rhode Island.....	1973			Missouri.....	1163		
Tennessee.....	2059			New Jersey.....	1403		
Washington.....	2166			Ohio.....	244	263, 264	
Wisconsin.....	2261			Oregon.....	1766		
Wyoming.....	2351			Vermont.....	2145		
Smelting works, hours of labor in. ( <i>See</i> Hours of labor in mines, smelters, etc.)				Strike, notice of, in advertisements, etc., for laborers:			
Smoking in factories, etc.:				California.....	320, 321	186	85
Minnesota.....	1108			Colorado.....	364		
Nevada.....	1339			Illinois.....	550, 551		
New York.....	1508	186	256, 257	Maine.....	890		
Pennsylvania.....	186	353		Massachusetts.....	991	166 186 213	127 185 72, 73
Vermont.....	2140						
Washington.....	2182						
Social insurance. ( <i>See</i> Insurance, social.)							
Soliciting money from employees. ( <i>See</i> Employment, foremen, etc., accepting fees for furnishing.)							
State, manufactures by:							
Arizona.....		186	75, 76				
Statistics, industrial. ( <i>See</i> Bureau of Labor.)							
Stay of execution in suits for wages. ( <i>See</i> Suits for wages.)							
Steam boilers, inspection of. ( <i>See</i> Inspection, etc.)							

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Strike, notice of, in advertisements, etc., for laborers—Concluded.				Suits for wages—Concl'd. Wyoming.	2345, 2346		
Montana	1239			(See also Payment of wages; Protection of wages; Wages as preferred claims.)			
New Hampshire	1372	244	225	Sunday labor:			
New York		166	175	Alabama	159, 160		
Oklahoma	1720			Alaska	187		
Oregon	1761			Arizona		186	73
Pennsylvania		186	333, 334	Arkansas	232		
Porto Rico		244	305	Colorado	327		
Tennessee	2056			Connecticut	403, 414	244	110, 111
Wisconsin		186	424	Delaware	422, 424		
(See also Employment of labor, deception in.)				Florida	431, 433		
Strikes, factory inspectors not to be concerned in:				Georgia	470		
Kentucky	811			Hawaii	490, 491	244	132, 133
Strikes of railroad employees:				Idaho	499	186	133
Connecticut	398			Illinois	539, 540		
Delaware	429, 430			Indiana	664		
Georgia	480			Iowa	744		
Illinois	557, 558			Kansas	767		
Kansas	767			Kentucky	814		
Kentucky	813			Louisiana	841		
Maine	875, 876			Maine	876		
Mississippi	1145			Maryland	920		
New Jersey	1402, 1403			Massachusetts	943, 944	213	73
Pennsylvania	1785				960, 962	244	187
Texas	2094			Michigan	1046		
Strikes, participation in, not to be bar to employment:				Minnesota	1105, 1106		
Minnesota	1097			Mississippi	1146		
Texas	2074, 2075			Missouri	1166		
Strikes. (See also Arbitration of labor disputes; Conspiracy, labor agreements not; Home defense guards; Interference with employment.)				Montana	1238		
Suits for injuries. (See Injuries, etc.)				Nebraska	1319	244	221
Suits for wages:				Nevada		244	224
California	270			New Hampshire	1357		
Colorado	346			New Jersey	1404-1406	166	169, 170
Georgia	487, 488			New Mexico	1434		
Idaho	522	186	138	New York	1551, 1552		
Illinois	538, 553			North Carolina	1563-1565		
Iowa	738			North Dakota	1590, 1591	244	259
Kansas	773			Ohio	1701	244	271
Louisiana	844			Oklahoma	1706		
Massachusetts	967, 968			Oregon	1749	244	271
Michigan	1051			Pennsylvania	1818		
Minnesota	1095			Porto Rico	1958	166	199
Mississippi	1153					241	307
Missouri	1159	244	208	Rhode Island	1987		
Montana	1236	186	209	South Carolina	1996, 2006		
Nebraska	1317, 1318			South Dakota	2016		
New Jersey	1422			Tennessee	2032		
New York	1559, 1560	186	254	Texas	2090, 2091		
North Carolina	1563			Utah	2123, 2124		
North Dakota	1590	186	297	Vermont	2140		
Ohio	1687-1689	186	305	Virginia	2160, 2161	213	147
Oklahoma	1708			Washington	2181, 2184		
Oregon	1762, 1767	186	311	West Virginia	2230		
Pennsylvania	1821-1824			Wisconsin	2309, 2310	186	422
	1828			Wyoming	2347		
Porto Rico		244	306, 307	United States	2430, 2435	244	380
South Dakota	2015			(See also Weekly day of rest.)			
Texas	2076, 2077	244	330	Surgical, etc., appliances to be furnished. (See Accidents, provisions for.)			
Utah	2110			Suspension of labor laws. (See Emergency suspension, etc.)			
Vermont		186	395	Suspension of work, notice of:			
Virginia	2156			South Carolina	2008		
Washington	2179			Sweating system:			
Wisconsin	2305			Connecticut	405		
				Illinois	547, 548		
				Indiana	647, 648		

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Sweating system—Con.</b>				<b>Time for meals or rest—</b>			
Maryland.....	917-919	166	101-104	Concluded.....	1752	213	118, 119
Massachusetts.....	982, 983			Oregon.....			122-127
Michigan.....	1068, 1069			<b>Pennsylvania.....</b>	1929		
Missouri.....	1181, 1182			Washington.....	244		352
New Jersey.....	1391, 1392	244	237-239	Wisconsin.....	2269	244	365
New York.....	1487	186	259, 260	Wyoming.....		186	436
	1516-1520			<b>Time to vote to be al-</b>			
	1553			lowed employes:			
Ohio.....	1650, 1651			Alabama.....	165		
Pennsylvania.....	1839, 1840	186	339	Alaska.....		186	65, 66
	1847, 1848			Arizona.....	206, 207		
	1927, 1928			Arkansas.....	246		
Tennessee.....		186	377, 378	California.....	262		
Wisconsin.....	2263-2266			Colorado.....	328		
<b>Syndicalism. (See Sa-</b>				Illinois.....	541, 582		
<b>botage.)</b>				Indiana.....	631		
				Iowa.....	719, 720		
<b>T.</b>				Kansas.....	768		
<b>Taxes of employees, lia-</b>				Kentucky.....	809, 815		
<b>bility of employers for.</b>				Maryland.....	897, 898		
<b>(See Liability of emp-</b>				Massachusetts.....	971, 1039		
<b>loyers, etc.)</b>				Minnesota.....	1095		
<b>Telegraph operators,</b>				Missouri.....	1169		
<b>hours of labor of. (See</b>				Nebraska.....	1280		
<b>Hours of labor of emp-</b>				Nevada.....	1345		
<b>loyees on railroads.)</b>				New Mexico.....	1441		
<b>Telegraph operators, rail-</b>				New York.....	1458		
<b>road, age of employ-</b>				Ohio.....	1694		
<b>ment, etc., of:</b>				Oklahoma.....	1707		
Arizona.....	212, 213			South Dakota.....	2010, 2011		
Colorado.....	343			Utah.....	2106	244	338
Georgia.....	479			West Virginia.....	2229		
Nebraska.....	1314			Wyoming.....	2347		
New York.....	1550			<b>(See also Protection</b>			
Wisconsin.....	2287			<b>of employes as</b>			
<b>Telegraph, etc., wires</b>				<b>voters.)</b>			
<b>crossing railroads,</b>				<b>Tips, receiving or giving:</b>			
<b>height of. (See Rail-</b>				Arkansas.....	254		
<b>road tracks, etc.)</b>				Illinois.....	186		141, 142
<b>Temporary laws, etc.,</b>				Iowa.....	196		168
<b>summary of.....</b>	144-150			Mississippi.....	1152, 1153		
<b>Tenant factories:</b>				South Carolina.....	186		374
New York.....	1513-1515				213		143, 144
<b>Tenement manufactures.</b>				<b>Toilet rooms, etc., for em-</b>			
<b>(See Sweating system.)</b>				<b>ployees:</b>			
<b>Tenements, workrooms</b>				Alabama.....	161	186	63
<b>in, fireproofing of:</b>				Alaska.....	186		67
California.....	321			California.....	291	186	88
Pennsylvania.....		186	339		213		30, 31
<b>Termination of employ-</b>					244		93, 94
<b>ment. (See Employ-</b>				Colorado.....	363, 394		
<b>ment of labor; Employ-</b>				Connecticut.....	404, 412		
<b>ment, termination of,</b>				Delaware.....	431		126
<b>notice of.)</b>					432, 436	244	115-117
<b>Threats. (See Intimid-</b>				District of Columbia..	458		
<b>ation.)</b>				Florida.....	475		
<b>Thrashing machines,</b>				Illinois.....	570, 571		
<b>guards for. (See</b>					589, 617		
<b>Guards, etc.)</b>					623, 624		
<b>Time for meals or rest:</b>				Indiana.....	647, 683		
Arizona.....	206			Iowa.....	740, 760	186	159
Arkansas.....		186	78	Kansas.....	804, 805	186	169
California.....	269	213	31			244	170, 175
		244	94	Kentucky.....	830, 833		173, 174
Delaware.....	445	244	115	Louisiana.....	860, 861		
Indiana.....	647			Massachusetts.....	979, 982	166	141
Iowa.....		186	161	Michigan.....	1053		
Louisiana.....	848, 851, 859	213	53		1067, 1088		
Maine.....		186	181	Minnesota.....	1096		
Maryland.....	915	213	55	Missouri.....	1179, 1182	186	207, 208
Massachusetts.....	977	244	187		1211, 1212	244	209
Minnesota.....	1120, 1141			Montana.....	1247		
New Hampshire.....	1370	186	237	Nebraska.....	1281, 1298		
New Jersey.....	1415, 1416			New Hampshire.....		244	227
New York.....	1512, 1533	166	182	New Jersey.....	1382	166	159, 160
		186	255		1390, 1391	244	239-242
Ohio.....	1649, 1697				1408, 1419		



	Bulletin No. 148.		Bulletin.			Bulletin No. 148.		Bulletin.	
	Page.	No.	Page.	No.		Page.	No.	Page.	No.
Wages as preferred claims:					Wages due from municipalities:				
Alabama.....	151				Massachusetts.....	967, 968			
Alaska.....	186, 187				Missouri.....	1163			
Arizona.....	207, 208				Wages due from predecessors, liability of railroad companies for:				
Arkansas.....	231, 233				Wisconsin.....	2280			
California.....	270, 271				Wages, exemption of. (See Exemption of wages.)				
Colorado.....	324, 348				Wages, garnishment of. (See Garnishment of wages.)				
Connecticut.....	397				Wages, liability of stockholders of corporations for, list of laws determining.....	79			
Delaware.....	427				Wages of employees on public works, retention of:				
	428, 433				California.....	274, 275			
Georgia.....	482				Wages, payment of. (See Payment of wages.)				
Idaho.....	522				Wages, preference of. (See Wages as preferred claims.)				
Illinois.....	535, 538				Wages, protection of. (See Protection of wages.)				
	540, 541	244	159		Wages, rates of. (See Rates of wages.)				
Indiana.....	631, 632				Wages, recovery of. (See Suits for wages.)				
	638, 639				Wages, reduction of, notice of:				
Iowa.....	738, 739				Missouri.....	1161			
Kansas.....	769				Texas.....	2086			
	772, 773				Wages, refusing to pay:				
Louisiana.....	848				California.....	275			
Maine.....	874				Connecticut.....	407			
Maryland.....	893, 899				Indiana.....	639			
Massachusetts.....	947, 948				Minnesota.....	186	201		
Michigan.....	1050, 1052	186	108		Montana.....	1242			
Minnesota.....	1104				North Dakota.....		244	257	
Missouri.....	1155				Oregon.....		244	272	
	1159, 1160				Washington.....	2182			
Montana.....	1235-1237				(See also Suits for wages.)				
Nebraska.....	1279				Wages, security for. (See Mechanics' liens; Protection of wages; Wages as preferred claims.)				
Nevada.....	1321, 1322				Wages, suits for. (See Suits for wages.)				
	1336-1338				Wages withheld as security:				
New Hampshire.....	1356				Louisiana.....	852			
New Jersey.....	1373, 1374				Wages, withholding. (See Extortion; Forced contributions; Wages, refusal to pay.)				
	1376, 1396				Waiver of right to damages. (See Contracts of employees waiving right to damages.)				
	1397, 1403				War emergency. (See Emergency.)				
New Mexico.....	1440				Wash rooms, water-closets, etc. (See Toilet rooms.)				
New York.....	1454, 1478	166	182		Water for drinking, etc.:				
North Carolina.....	1563				California.....		186	90	
North Dakota.....	1590						213	31	
Ohio.....	1687, 1688						244	94	
Ohio.....	1747, 1748				Delaware.....		244	117	
Oregon.....	1766-1768	186	311		Iowa.....	740			
	1766-1786				Kansas.....	244		173	
Pennsylvania.....	1822-1824				Massachusetts.....	960, 979	186	185	
	1829				Missouri.....		186	207	
Philippine Islands.....	1943				New Jersey.....		166	160	
Rhode Island.....	1986						244	241	
South Dakota.....	2015								
Texas.....	2076, 2077								
Utah.....	2105, 2109								
	2110, 2123								
Vermont.....	2136, 2144	186	395						
Washington.....	2180								
Wisconsin.....	2267, 2268								
	2304, 2305								
Wyoming.....	2330								
	2331, 2346								
United States.....	2403, 2407								
Wages, assignment of. (See Assignment of wages.)									
Wages, attachment of. (See Attachment of wages.)									
Wages, combinations to fix:									
Louisiana.....	850, 851								
Wages, deducting from, for benefit societies. (See Forced contributions.)									
Wages, discounting. (See Payment of wages, modes and times of.)									
Wages due deceased employees. (See Payment of wages due, etc.)									
Wages due from contractors. (See Liability of stockholders; Protection of wages.)									

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
Water for drinking, etc.— Concluded.				Women, employment of, in barrooms, etc.—Con.			
New York.....	1510	166	178	New York.....	1540		
Ohio.....	1670	186	269, 282	Rhode Island.....	1977		
Pennsylvania.....	1930, 1935	186	355	Texas.....	2092		
Weekly day of rest:				Utah.....	2129, 2131		
California.....	276, 277			Vermont.....	2139		
Connecticut.....	422			Virginia.....	166	210	
Maryland.....		213	61	Washington.....	2187		
Massachusetts.....	972, 973	213	76, 77	Women, employment of, in canneries:			
New York.....	1021, 1022			California.....	213	29-32	
	1478	186	185	New York.....	244	92-95	
		186	254	New York.....	1561		
Oregon.....		213	118, 119	Women, employment of, in dangerous, etc., oc- cupations:			
			122-127	Louisiana.....	861		
Pennsylvania.....		186	329, 330	Minnesota.....	1130		
Porto Rico.....		244	308	Missouri.....	1179		
Texas.....		186	392	New York.....	1513	186	287, 288
United States.....	2436	244	380	Ohio.....	1653		
(See also Days of rest.)				Pennsylvania.....	186	359	
Weight that workman may carry:				West Virginia.....	244	298, 299	
Porto Rico.....		244	305	Wisconsin.....	2268-2271		
Widows, employment of children of. (See Chil- dren of widows.)				Women, employment of, in mines:			
Wife's earnings. (See Earnings of married women.)				Arizona.....	201		
Win low cleaning, safety orders:				Wisconsin.....	2271		
California.....		213	37	(See also Children and women.)			
Wiping cloths or rags:				Women, employment of, in moving heavy weights:			
California.....	300, 301	244	91	California.....	213	32	
Massachusetts.....	1019			Massachusetts.....	1011, 1012	186	183
Women and children. (See Children and women.)				Ohio.....	1018	213	114
Women, childbearing, employment of:				Women, employment of, (See also Children and women: Seats for fe- male employees; sex no disqualification for employment.)			
Connecticut.....	424			Women, hiring out to support husbands in idleness:			
Massachusetts.....	1000			Louisiana.....	850		
New York.....	1513			North Carolina.....	1566		
Vermont.....	2145	244	349	Women, hours of labor of:			
Women, employment of, commission on:				Arizona.....	205, 206		
Illinois.....		244	154, 155	Arkansas.....	186	78-80	
Women, employment of, general provisions:				California.....	295	213	30
California.....	261			Colorado.....	395	244	80, 92, 93
Delaware.....	431-433			Connecticut.....	417, 418	244	109
District of Columbia.....	166		29, 30	Delaware.....	439, 440	244	115
Kansas.....	186		171-175	District of Columbia.....	166		29, 30
Kentucky.....	833, 834		94	Georgia.....	483		
Louisiana.....	848, 849		175	Idaho.....	534		
Massachusetts.....	1018	166	125	Illinois.....	574		
		186	183	Kansas.....	186	171-175	
Nebraska.....	1291, 1292			Kentucky.....	833	244	174
North Dakota.....		244	258	Louisiana.....	859	213	53
Ohio.....	1648, 1649			Maine.....	869	186	181, 182
Oregon.....		213	117-127	Maryland.....	905	213	55
Pennsylvania.....	1928-1983	186	329	Massachusetts.....	906, 915		
			330, 359	Michigan.....	971	186	183
			277, 278	Minnesota.....	972, 1000	213	75
Vermont.....		244	347, 348	Mississippi.....	1041, 1063	186	196
Washington.....		186	397, 398	Missouri.....	1119		
Women, employment of, in barrooms, etc.:				Montana.....	1120, 1141	166	149
Alaska.....	187			Nebraska.....	1175, 1176	244	211
Arizona.....	211			Nevada.....	1277	244	217
Connecticut.....	415			New Hampshire.....	1292	244	223
Delaware.....		186	129	New Hampshire.....	1355	186	237, 230
Iowa.....	724			New Hampshire.....	1370, 1371	244	229, 238
Louisiana.....	841	213	54				
Maryland.....	920						
Michigan.....	1042, 1070						
Missouri.....	1165						
New Hampshire.....	1360						

	Bulletin No. 148.	Bulletin.			Bulletin No. 148.	Bulletin.	
	Page.	No.	Page.		Page.	No.	Page.
<b>Women, hours of labor of—Concluded.</b>				<b>Women, nightwork by—Concluded.</b>			
New Jersey.....	1422	.....	.....	Maryland.....	213	55	
New York.....	1494, 1495 1533, 1561	166 186 244	182 258 248	Massachusetts.....	972	.....	.....
North Carolina.....	.....	186	295	Nebraska.....	1292	186	217
North Dakota.....	1593	.....	.....	New Hampshire.....	1370	186	237
Ohio.....	1649	244	261	New York.....	1513, 1533	166	230
Oklahoma.....	.....	186	307, 308	.....	.....	186	182
Oregon.....	1755	186	311	Pennsylvania.....	1929	.....	.....
.....	.....	213	119, 120	Porto Rico.....	1961	.....	.....
.....	.....	.....	122-127	South Carolina.....	2003	166	203
.....	.....	244	272	Wisconsin.....	2269	244	368
Pennsylvania.....	1827, 1929	.....	.....	<b>Women, wages of:</b>			
Porto Rico.....	1961	.....	.....	California.....	.....	213	29-30
Rhode Island.....	1984, 1985	186	367	Louisiana.....	.....	244	92-93
South Carolina.....	2001, 2003	166	203	Massachusetts.....	986, 1012	244	175
South Dakota.....	2025	.....	.....	Michigan.....	1041	.....	191
Tennessee.....	2057, 2058	186	379	(See also Children and women: Mini- mum wages.)			
Texas.....	2062, 2063	.....	380, 383	<b>Women's exchanges, in- corporation of:</b>			
Utah.....	2103, 2104	186	389, 390	Indiana.....	633	.....	.....
Vermont.....	2130, 2131	.....	.....	<b>Woodworking, safety orders:</b>			
Virginia.....	2145	244	349	California.....	.....	213	37, 38
Washington.....	2157, 2158	166	210	Work, compulsory. (See Labor, requirement of.)			
.....	2216	186	397, 398	Workingmen's homes, commission on:			
Wisconsin.....	2268, 2269	244	351	Massachusetts.....	1009, 1019	.....	.....
Wyoming.....	.....	186	368	Workingmen's trains. (See Transportation of employes.)			
.....	.....	244	436	Workingmen's compensa- tion, commissions on	149, 150	.....	.....
.....	.....	.....	370	Workrooms. (See Fac- tories and workrooms.)			
<b>Women, married, earn- ings of. (See Earnings of married women.)</b>							
<b>Women, nightwork by:</b>							
Arkansas.....	.....	186	78				
Connecticut.....	418	244	109				
Delaware.....	.....	244	115				
District of Columbia.....	.....	166	29				
Indiana.....	645	.....	.....				
Kansas.....	.....	244	174				

