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

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REVIEW OF LABOR LEGISLATION OF 1919.

BY LINDLEY D. CLARK.

INTRODUCTION.

In 1919 there were 48 legislative bodies in session in the United States, of which 47 were in regular session and 1 in special session, besides the meeting of the Federal Congress. There were also 6 extra sessions in States whose legislatures met regularly. In practically every jurisdiction laws were enacted affecting the relations or status of employers and employees. The results of this legislation, supplementing the basic compilation of such material (Bulletin No. 148) are published in the present bulletin. It was the endeavor to present in Bulletin No. 148 all legislation in its field in force at the end of the year 1913, and annual bulletins have been issued since that date covering the succeeding years. These are numbered 166, 186, 213, 244, and 257. Each bulletin carries a cumulative index, so that the entire material on any given subject may be referred to by the use of the index in the latest number issued. One important subject of labor legislation has been omitted from these bulletins—that of workmen's compensation. The bulk and special interest of this legislation have warranted its separate presentation, which appears in Bulletin No. 272.

The effects of the war are noticeable in a number of provisions looking toward employment for demobilized military and naval forces, while the disturbances of economic conditions are reflected in the laws of a number of States penalizing syndicalism and sabotage. The movement for continuation schools or part-time schools has been accelerated, partly due no doubt to the action of Congress in providing for vocational education with State cooperation, but also certainly due to the need of such training, discovered by the workings of the selective draft law, in addition to the ordinary training afforded by the public schools. This idea is further reflected in legislation looking toward evening schools and Americanization classes for adults.

Conditions surrounding the employment of women and children continue to receive a large measure of attention, while it is proposed to amend the Michigan constitution so as to permit legislation regulating the employment conditions for men as well as for women and children.

REGULATION OF CONTRACT OF EMPLOYMENT.

The Federal Congress continued its prohibition on the subject of efficiency systems and the giving of bonuses in workshops, and in the arsenals and navy yards of the United States (Public, Nos. 7, 8).

An unusual departure from the old common-law limitations is made in the California Civil Code (ch. 512) which authorizes contracts for personal service to run for a period of five years, possibly a concession to the moving-picture industry, which is so largely represented in that State.

Local conditions are likewise reflected in a Washington statute regulating contracts for seasonal employment (ch. 191). Such employments are defined, and it is provided that contracts therefor must be in writing; the fraudulent acceptance of advances is penalized, and the commissioner of labor is authorized to settle disputes. A law of Oregon (ch. 313) and one of Florida (ch. 7917) likewise contain provisions punishing the fraudulent acceptance of advances. The converse of such laws is found in a Colorado statute (ch. 79) providing for the punishment of employers for defrauding employees in the matter of wages. In Wisconsin (ch. 643) an attempt to influence by false advertising is an offense the same as if actually influencing workmen to change or accept employment. With this may be noted an amendment of the North Carolina law on this subject which penalizes the enticement of tenants as well as other classes of workers (ch. 274). Laws of Michigan (No. 322) and Utah (ch. 130) provide penalties for fraudulent employment, the former in the matter of foremen or other persons authorized to employ accepting fees for jobs, and the latter forbidding interpreters as well as other persons active in securing the labor contracts to receive fees from workmen.

An amendment to the New York corporation law authorizes the issuing of stock to employees under arrangements approved by the stockholders (ch. 308). In Massachusetts (ch. 70) manufacturing corporations are authorized to arrange for employee representation on their boards of directors, such employee members to have the same rights, duties, and responsibilities as other directors. A statute of Alaska (ch. 29) makes employers liable for the school tax which is levied on all male adults, so far as their employees are concerned; they are required to report the names of all persons in their em-

ploy who are subject to such taxation. Another end is in view in a Montana statute (ch. 134) which requires all employers of more than 50 persons to report names, citizenship, period of residence in the United States, length of employment, knowledge of English, and steps taken, if any, toward naturalization.

The Government of Porto Rico proposes to supervise the emigration of labor from the island, the emigration of native laborers under 16 or over 70 years of age being prohibited unless some member of the family accompanies them; while the commissioner of labor is to be informed as to any contracts or agreements made by other emigrants with the end in view of securing compliance therewith (No. 19).

Mention has already been made of a joint resolution (No. 5) of the Michigan Legislature proposing an amendment to the constitution authorizing the fixing of the hours and conditions of employment of men as well as of women and children. In Washington (ch. 184) an industrial code commission is provided to investigate the evils of industrial life and to suggest remedies for the same; while in Wisconsin (ch. 426) the industrial commission is authorized to compile a labor code for the State. In this State also (ch. 221) it is directed that agreements for apprenticeship must state the number of hours to be spent in work and in instruction during the first two years of apprenticeship.

EXAMINATION AND LICENSING OF WORKMEN.

There was but little extension of the idea of standardizing and licensing industrial employments in 1919. Amending acts relative to barbers were passed in Missouri (p. 169), Utah (ch. 3), and Wisconsin (chs. 314, 649). The Missouri amendment related to the number of apprentices permitted in shops and the number of pupils to each teacher in barber schools.

Most numerous were the laws, chiefly by way of amendment, relative to chauffeurs. The tendency to distinguish more clearly between operators and chauffeurs for hire is apparent. In Arkansas (No. 557) taxicab drivers and chauffeurs for hire must be over 21 years of age before a license can be procured. In Michigan (No. 368) operators not working for wages must be 16 years of age, pass an examination or give demonstrations of skill, and pay a fee of 50 cents for a continuing license; while chauffeurs for hire (No. 383) must be 18 years of age and their licenses must be renewed annually on the payment of a fee of \$2. Quite similar are the provisions of the Pennsylvania act (No. 283) in regard to "paid drivers' licenses." Some of the amendments relate to revocation or suspension of license for cause, or other penalization. In California (ch. 147) intoxicated

persons or habitual users of drugs are forbidden to drive cars. In Maine (ch. 211) a chauffeur found guilty of driving while intoxicated or under the influence of drugs may have his license revoked for a term of three years. Various amendments, chiefly of minor effect, were made to the laws of Colorado (ch. 161), Connecticut (ch. 233), Iowa (ch. 275), Missouri (pp. 520, 535), New Hampshire (ch. 161), New York (ch. 472), Oregon (chs. 353, 399), Vermont (No. 119), Virginia (ch. 35), and Washington (ch. 59). An unusual exemption is made by an Iowa statute (ch. 370), which declares that employees who operate motor trucks in mercantile or agricultural enterprises are not chauffeurs under the laws of the State.

A new field is entered by an Oregon statute (ch. 430), which requires automobile mechanics to demonstrate their qualifications to a State board, by whom they must be licensed. The examination fee is \$5, and the same fee is charged for annual renewals.

The business of electricians is the subject of amendatory acts in Massachusetts (ch. 333), requiring all applicants to take examinations; North Dakota (ch. 123), in which a State board of four members issues licenses, masters' fees being \$5 and journeymen's \$3; Wisconsin (ch. 368), which authorizes the common council of any city or the board of any village to regulate the business of electricians, issuing a license for a fee of not less than \$1 nor more than \$20 per annum. A Washington statute (ch. 204) makes no provision for examinations, but requires an annual fee of \$15 and the giving of a bond to cover damages done to property.

Engaging in the business of plumbing is similarly regulated by laws of Missouri (p. 615), Texas (ch. 134), and Wisconsin (ch. 383). All these laws are amendatory, the Texas law being made applicable now only to cities of 5,000 population or more. The Legislature of Porto Rico (No. 14) requires a sixth grade school education as one of the essentials for a plumber's license and three years' experience as helper of an authorized master; the applicant must be 21 years of age.

Other acts under this head relate to the licensing of horseshoers, Hawaii (No. 75); hoisting engineers, Montana (ch. 31); and steam engineers, Minnesota (ch. 113), and Montana (ch. 54). All these laws are amendatory, the Montana law requiring hoisting engineers to be licensed to run gas or oil motors as well as motors where electricity or air is the motive force, and makes the law apply to operators of engines of as low as 5 horsepower instead of 25 horsepower as formerly. A statute of New Jersey (ch. 233) requires marine engineers to obtain a license.

An Arkansas statute (No. 486) provides for an examining board to examine and license fire bosses, hoisting engineers, foremen, and inspectors and assistant inspectors at mines.

WAGES.

The fixing of the rate of wages by statute affects only public employments, with the exception of the minimum-wage laws for women and children, which will be considered under a separate heading. The United States Congress (66th Cong., No. 23) advanced the pay of printers, pressmen, and bookbinders in the Government printing office to 75 cents per hour. A law of Massachusetts fixed a minimum wage of 40 cents per hour for scrubwomen in public buildings of the State (ch. 243); while that of Hawaii established a general minimum wage for laborers on public works of \$2.25 per day (No. 218). Acts of Arkansas (No. 692), Montana (ch. 15, extra session), and South Carolina (No. 42) relate to wages on public highways. In Arkansas, with many counties excepted, the rate is \$2 for a laborer and \$2.50 for overseers. In Montana the board of county commissioners is authorized to fix the rates in lieu of the established amounts originally enacted; while in South Carolina instead of the rate of \$1 per day, overseers may hire at rates prevailing in the locality for similar labor.

The time of the payment of wages was considered in a number of States; thus, in California (ch. 202), Colorado (ch. 183), Georgia (p. 388), Missouri (p. 450), Montana (ch. 11), Nevada (ch. 71), South Dakota (ch. 297), Utah (ch. 71), and Wyoming (ch. 73) laws requiring the semimonthly payment of wages were either originally enacted or amended. Exceptions are found in some of the laws, as in California, where monthly payment is prescribed for agricultural and domestic labor, or where the employee receives board and lodging; and in New Hampshire (ch. 6), where employees engaged in cutting, harvesting, and driving pulp wood and timber are excepted from the weekly payment law of the State. The Colorado law formerly excepted railroad companies, but they are now required to make semimonthly payments; while the law of South Dakota relates only to railroads.

A number of these laws also contain provisions as to the payment of wages on the termination of employment. Thus, where the employee is discharged immediate payment of wages due is required in California, Nevada, and Utah. In Montana discharged employees must be paid within three days and in Wyoming within a reasonable time. Employees resigning are to be paid within 72 hours, or at once if 72 hours' notice has been given, in California; within 24 hours in Nevada, and on next pay day in Utah. The penalty for nonpayment ranges from 5 per cent of the wages to a continuance of the full wage for the fixed period. Several other States also considered the subject of the payment of wages due at the end of employment, a law of Connecticut (ch. 216) requiring immediate payment, whether on

discharge or resignation. The Kansas statute (ch. 221) provides that wages shall run until paid in full, if not paid within 24 hours of the time of demand by the discharged employee. A Minnesota act (ch. 175) is of much the same tenor for employees either discharged or resigning, if not under contract. The pay may not run for more than 15 days, and striking employees are to be paid on the next succeeding pay day. In Oregon (ch. 24) striking employees are to be paid in full within 30 days and those resigning within three days unless they give three days' notice, when they are to be paid on separation from service. Striking employees in California are to be paid at the next pay day. The South Carolina law is amended (No. 20) by making the penalty for nonpayment within 24 hours after discharge a continuance of pay for not more than 30 days instead of a penalty of \$5 per day without limit. Failure to pay within 72 hours after discharge incurs a like penalty in West Virginia (ch. 30).

Wages due deceased employees may be paid to the next of kin without administration in an amount not exceeding \$150, instead of \$75, as previously provided by a Pennsylvania statute (No. 13).

The medium of payment is considered in some of the laws noted above, that of Missouri prescribing that wages must be paid in lawful money, that of Montana, in lawful money or redeemable checks, that of Nevada, in either lawful money or negotiable checks or drafts, and that of Utah, in lawful money or good negotiable paper. A New Jersey statute (ch. 182) forbids the use of scrip.

Other items that may be noted here are an act of California (ch. 518) declaring it to be embezzlement where a contractor uses money paid on a contract otherwise than in the settlement of unpaid claims for labor or material, and a law of Massachusetts (ch. 193) amending the statute with reference to specifications for weaving by forbidding the use of symbols.

The matter of assignments and the business of wage brokerage are regulated by acts of Arizona (ch. 91), Colorado (ch. 159), and Connecticut (ch. 219). The Arizona statute requires the signature of both parties where the assignor is married and limits the assignable amount to 10 per cent of 40 months' pay. The Colorado and Connecticut statutes follow the uniform small-loans law, each permitting a maximum interest charge of 12 per cent. The license fee in Arizona and Colorado is \$50 and in Connecticut \$100.

Garnishment is regulated by a statute of New Mexico (ch. 153) limiting its effect to 20 per cent of the wages for the last 30 days' service. Only residents of the State having families therein enjoy this protection, and the debt must not be for the necessaries of life. In actions for recovery of wages the Montana statute (ch. 11) authorizes a reasonable attorney's fee to be allowed, while in Oregon

(ch. 54) a suitor may not be granted an attorney's fee where he willfully violates his contract of employment.

The security of wages by the use of mechanics' liens was considered by the legislatures in a number of States. Thus Arkansas (No. 140) has a new act relating to blacksmiths, horseshoers, wheelwrights, and automobile repair men. In Connecticut (ch. 73) jewelers, watchmakers, and silversmiths are protected; while in Indiana (ch. 183) a lien on thrashed grain is given in favor of owners or operators of thrashing machines. The Kansas law is amended (ch. 235) by giving to the drivers or owners of auto trucks doing work on real estate a lien thereon for the work done. Other amending acts were passed in California (ch. 277), Illinois (pp. 640, 642), Iowa (chs. 231, 380), Michigan (No. 140), Oklahoma (ch. 258), Oregon (ch. 22), Rhode Island (ch. 1785), Tennessee (ch. 55), and Wisconsin (ch. 484). The subject of miner's lien was considered in two acts of the Wyoming Legislature, one (ch. 26) relating to coal mines, and the other (ch. 128) to gas and oil wells and mines and quarries generally.

Security by the requirement of bonds from contractors is most usual in the case of public works. Various aspects of this subject are considered by laws of California (chs. 297, 298, 303, 322, and 331), chiefly amendatory; while in Wyoming (ch. 137) a law on this subject was passed for the benefit of laborers and material men where public buildings and improvements are the subject matter.

HOURS OF LABOR.

The hours of labor as well as the wages of women and children will be considered under a separate head. Hours of labor on public works were regulated in a few States, the 8-hour day being specified in each case. The law of Minnesota (ch. 40) applies to laborers and workmen employed by or on behalf of the State, and to prison guards, janitors of public institutions, etc. The Nevada law (ch. 203) fixes the 8-hour day and 56-hour week, and provides that contracts for labor shall contain this limitation. The Wisconsin statute applied only to employees of the State or contracts with the State; and the amendment of 1919 (ch. 217) extends the same law to counties having a population of 250,000 or more. Another act (ch. 535) excepts contracts for the construction or maintenance of public highways and bridges from the necessity of containing the 8-hour stipulation. A Kansas law (ch. 134) limits the hours of labor of employees of cities of the first class to 12 hours per day, and provides that this statute shall not affect the 8-hour law. Exceptions are made in general in these laws for cases of emergency.

An Idaho statute (ch. 162) requires barber shops in cities of the first and second class to close ordinarily at 7 p. m., and at 10 p. m. on Saturday and days preceding legal holidays.

Not affecting the length of the workday, but shifting it generally was the daylight-saving law enacted by Congress in 1918. Its repeal took place in 1919 (66th Cong., No. 40) over the President's veto.

HOLIDAYS AND REST DAYS.

The Nevada statute forbidding barber shops to be open on Sundays was amended (ch. 8) so as to include towns of 500 population and above instead of only those of 10,000 or more. The law of Wisconsin was also amended (ch. 133) by removing stores for the sale of meats or groceries from the list of establishments that might be open on Sundays. Another law of this State (ch. 653) requires a rest period consisting of 24 consecutive hours in every seven days. Excepted from the act are janitors, watchmen, persons employed in the manufacture of butter, cheese, etc., and those employed in bakeries, hotels, and restaurants or in the care of animals or fires.

Saturday afternoon is made a half holiday in June, July, and August in Colorado (ch. 130), and throughout the year in Kent County as well as in Newcastle County, Del. (ch. 193).

An act of Congress (66th Cong., No. 6) authorizes per diem employees and day laborers of the District of Columbia, who have worked 15 days before a holiday and whose work continues thereafter, to be allowed pay for such holiday the same as annual employees. A Massachusetts statute (ch. 152) fixes a minimum vacation for State employees of 12 working days annually with pay.

The conclusion of the armistice on November 11, 1918, led to the recognition of the anniversary of that day as a permanent holiday in Colorado (ch. 153), Hawaii (No. 54), North Carolina (No. 287), and Tennessee (ch. 34). Lincoln's birthday was adopted as a holiday in Ohio (p. 132) and Tennessee (ch. 28); while Columbus Day or Discovery Day was added to the list of holidays in North Dakota (ch. 143), and Utah (ch. 60), the State last named also making April 15 a holiday, to be known as Arbor Day.

HYGIENE AND SAFETY.

FACTORIES.

The industrial development of Alaska has led to the extension of the powers of the State mine inspector to other places where workmen are employed (ch. 59). He is given the title of labor commissioner with power to investigate and report upon labor conditions and enforce sanitary and safety labor regulations. Rules are pre-

sent for the sanitation of factories, canneries, etc., supply of drinking water, the provision of wash rooms, toilets, etc., and for the maintenance of a proper temperature.

There is a general movement to enlarge the inspection force or amount allowed for expenses for inspection and also to increase salaries. Thus in Colorado (ch. 122) inspector's traveling expenses may amount to \$1,200 per annum instead of \$600, as formerly; the office force is also increased. The commissioner of labor and factory inspection of Connecticut is authorized (ch. 334) to appoint nine deputies, two of them to be women, and to prosecute violations of the law. A prosecutor refusing to issue a warrant on demand is himself liable to a fine of \$25. The inspection force of Massachusetts is increased (ch. 224) from 24 to 39, and inspection is to cover building operations; to this end four appointees must have had at least three years' experience as building construction workmen. In Missouri (p. 452) the factory inspector is now called an industrial inspector, and may appoint 10 deputies, 2 of whom may be women; there is an increase in salaries in this State. In New York (ch. 403) the department is authorized to appoint not over 225 inspectors instead of not less than 125, as formerly. The number of inspectors in the various grades is no longer fixed; and provision is made for advances after two years' service in each grade. The expenditures for inspection in Rhode Island are increased from \$2,300 to \$2,900 per annum (ch. 1750).

The industrial commission of California is authorized (ch. 471) to extend the application of the safety provisions of the law to all employments, whether for gain or not; enforcement provisions are also strengthened. The inspection law of Minnesota is likewise broadened (ch. 491) so as to require all places of employment, except such as are used in domestic service or in agriculture, to conform to certain standards as to cleanliness, ventilation, air space, warmth, separate toilets, wash rooms and dressing rooms, seats for females, supply of drinking water, etc. Missouri statutes (pp. 439, 443, 448) extend the application of the State law as to sanitation to establishments employing three persons or more instead of five or more, require reports of accidents to be made within four days instead of two weeks, prescribe additional safety appliances and penalize their removal, and recognize the change of the title of the chief official from factory inspector to industrial inspector throughout. The State of Nevada comes into line with a fairly complete code of safety and construction regulations for factories and like places of employment, the act to be administered and enforced by the industrial commission of the State (ch. 225). The New Hampshire inspection law formerly applied only where as many as 10 persons were employed; an amendment of 1919 (ch. 66) makes it applicable where three or more em-

ployees are found. The inspection law of West Virginia is extensively changed (ch. 30). Provision is made for four factory inspectors and an office force for the bureau of labor. Safeguards are prescribed for dangerous machinery, power connections must be under control in the various work places, hoistways must be guarded, seats provided for female employees, toilet and wash rooms supplied, no food may be taken into rooms where there is poisonous dust or gas, suitable fire escapes and stairways must be provided, smoking is forbidden in places where warnings are posted. The New York law as to mercantile establishments applies "where one or more persons are employed" (ch. 402).

Fire escapes and fire-alarm systems were the subjects of legislation in Minnesota (No. 108), Montana (ch. 213), New Jersey (ch. 251), Pennsylvania (ch. 202), and Wyoming (ch. 74). These are in the main amendatory, but that of Montana is new, prescribing fire escapes in factories and other work places three or more stories in height, specifying place, type, and mode of construction. The New Jersey statute prescribes fire-alarm systems with regular tests and fire drills, the law applying where 25 persons or more are employed above the first floor. Another law of Minnesota (ch. 107) strengthens the provision of the law relative to communication between work places and the power room; and a third statute (ch. 483) requires the owners of factories jointly occupied to provide a competent elevator operator to serve tenants, the elevator being capable of being locked at landings so as to prevent its unauthorized use.

An Indiana statute acts upon recent experience in another field and prescribes a supply of gas masks for workmen employed in closed places where dangerous gases exist (ch. 39). The use of suction shuttles is forbidden in the State of Connecticut (ch. 27).

The preparation of food involves special sanitary provisions which appear in a law of Indiana (ch. 56), authorizing the State board of health to enforce regulations as to bakeries and employees therein. Michigan (No. 25), Missouri (p. 441), Nebraska (ch. 190), Ohio (p. 330), and Pennsylvania (No. 325) forbid the employment of persons suffering from infectious or contagious diseases in bakeries, canneries, etc. The laws of Nebraska, Ohio, and Pennsylvania also prescribe sanitation and the provision of separate toilets and wash rooms for employees of the two sexes. Another Michigan law (No. 353) makes the same provision as to infectious or communicable diseases with regard to employees in cigar factories.

Lighting is the subject of a separate act of the Oregon Legislature (ch. 181). This provision applies both to stairs and exits and to work places. The commissioner of labor and inspector of factories is to establish standards and enforce conformity thereto.

Wash rooms, toilets, and lunch rooms are required in a number of laws, that of Arizona (ch. 165) relating to refineries, foundries, cement and reduction works. The Arkansas statute (No. 265) is general and directs that if lunch rooms can not be provided one hour shall be allowed for lunch. The Connecticut statute as to toilets is to be applicable in factories where five or more persons are employed (ch. 273); while the Pennsylvania law as to toilet rooms is extended (No. 164) to rolling mills and boiling, heating, and finishing mills. A more general application of the Missouri statute is secured (p. 451) by requiring wash rooms in foundries employing 4 or more persons instead of 10 as formerly. The Minnesota law on the subject of foundries is of wider scope, and relates to the protection of entrances against drafts during the winter months, regulates the clearance and conditions of gangways, prescribes adequate ventilation, heat, and light, and drying rooms for clothing, water closets, etc. (ch. 84). No female may be employed in core rooms or may customarily lift a weight in excess of 25 pounds. The manufacture of explosives is regulated by an Ohio statute which forbids the carrying or use of matches, narcotics, or intoxicants in such factories, and forbids smoking therein (p. 334).

Coming under the general head of hygiene is a California law (ch. 164) amending the statute relative to sanitation, etc., of labor camps. Substantial, dry bunk houses are required, with a separate bunk for each employee. Bathing facilities must be furnished and kitchen sinks drained.

The inspection of steam boilers is sometimes done by a separate force and sometimes by inspectors under the general inspection laws. The acts under this head are chiefly amendatory, and like those noted above recognize the need of increased working forces and also of enlarged salaries. The Colorado law (ch. 91) relates only to this phase of the question. The Minnesota statute is considerably revised, provision being made for a chief boiler inspector and a deputy paid by State salaries and district inspectors paid by fees. The act also establishes a system of examination and licensing for engineers and recognizes boiler inspection by insurance companies (ch. 240).

The former exception as to boilers not used more than 60 days per year is stricken out by a Montana statute (ch. 32), which also requires certificates of inspection to be displayed and excepts railroad locomotives unless used exclusively on private or establishment lines. Boilers of less than 15 pounds' pressure need not be examined in New York, instead of those of 10 pounds or less as heretofore (ch. 228). Annual inspections are required, but the fees may not exceed \$5 for an internal inspection and \$2 for an external inspection, nor a total of \$7 per year for each boiler. In Pennsylvania (No. 366) steam.

boilers used in the operation of oil wells are exempted from inspection. New laws of Oklahoma (ch. 146) and Rhode Island (ch. 1770) provide for inspection of steam boilers in their respective States, in the first by the State factory inspector and in the second by a newly created inspection office with an inspector and a deputy. Power to formulate rules is given in each case, to make inspections, and to enforce compliance therewith. Special boards of boiler rules are provided for by acts of Delaware (ch. 68) and New Jersey (ch. 151). These boards are to formulate rules for the safe equipment of boilers, rules of inspection, etc.

MINES.

As under the above heading, note may be made of increases in inspection forces and salary allowances. Such provision is made by acts of Arizona (ch. 54), Colorado (ch. 95), Michigan (No. 34), New Mexico (ch. 84), Pennsylvania (No. 437), South Dakota (ch. 260), Tennessee (ch. 177), Washington (ch. 201), West Virginia (ch. 32), and Wyoming (ch. 126). The Colorado law carries regulations as to blasting, and requires foremen at all mines. The Legislature of New Jersey (ch. 187) and that of North Dakota (ch. 168) enacted complete codes for mining operators in their respective States. The customary provisions are found as to maps, exits, blasting, installation of signal systems, inspection, etc. In South Dakota (ch. 259) the inspector of mines is also to inspect quarries. In Wyoming (chs. 16, 126) additional provisions are made as to manways, ventilation, safety lamps, and the installation of electric lines. The law of Arkansas is amended (No. 686) so as to require ventilating machines to be capable of reversing their currents in case of emergency. Amendments of the Illinois statute relate to exits, the use of safety lamps, instructions as to gas upon entering work places, the length of fuse to be used in firing shots, etc. (p. 656).

Detailed regulations as to the employment of shot firers are found in an Indiana law (ch. 30). Another act in the same State (ch. 169) provides that employees in mines on the State boundary line are under the provisions of the laws of the State in which the entrance shaft lies. Wash rooms are directed to be installed at coal mines in Arkansas (No. 134) and Ohio (p. 60). Detailed provisions are set forth as to lighting, heating, supply of hot and cold water, etc.

An act of the Colorado Legislature (ch. 158) relates to the bureau of mines of that State, which has to do with mines other than coal mines. The scope of the act is considerably extended, inspection of all places authorized, and a detailed statistical report of operations prescribed.

RAILROADS.

Divergent courses are apparent in laws relating to train crews on railroads, the Missouri statute on this subject being repealed (p. 247), while in North Dakota companies operating four trains in 24 hours are required to man their trains according to the provisions of the law (ch. 169). The Missouri law had been repealed by a referendum vote in 1914. In Ohio the existing law is made applicable to all roads and not merely to those operating four trains in 24 hours (p. 687). The prescribed crew must be placed on trains running as much as 3 miles instead of 25 as formerly.

The protection of workmen on repair tracks is considered in the laws of Minnesota (ch. 514) and North Dakota (ch. 172). Shelters must be constructed where as many as six men are employed in repair work as long as 30 days, in the first case, and where five or more employees are regularly engaged, in the second.

A Missouri statute (p. 256) amends a law relative to offenses of railroad employees, prescribing a fine for running an engine out of repair and if a fatal accident occurs there may be prosecution for manslaughter. In Michigan (No. 342) railway trains are required to be supplied with first-aid kits equipped as prescribed by the act.

The protection of employees on street railways by inclosed platforms is the subject of amendatory acts in Michigan (No. 320) and Ohio (p. 161). Another Michigan statute (No. 401) authorizes the State railroad commissioners to require all cars on interurban roads to have couplers of a uniform height.

EMPLOYEES ON BUILDINGS.

The safety of carpenters and other building workmen was considered in acts of Connecticut (ch. 93) and Texas (ch. 152). The first-named act is amendatory, considerably enlarging the scope of the existing law, especially as regards safe scaffolding, extension ladders, temporary flooring, and guards about elevator shafts. The Texas statute is new and requires the contractor to comply with its provisions, but places also a measure of responsibility upon the owner. The act applies to buildings three or more stories in height and prescribes the laying of flooring as the building progresses, the construction of scaffolds, the guarding of hoistways, etc. The enforcement of the Indiana law on this subject is placed in the hands of a building inspector, where there is such an official, and of the mayors of towns and of township trustees, elsewhere (ch. 167). The New York law is made applicable (ch. 545) to building work in towns and villages as well as in cities. The penalty for violation of the law

is increased in Oklahoma (ch. 149), and the labor commissioner is authorized to prohibit the use of scaffolding or hoisting apparatus not complying with the law.

An Ohio statute (p. 419) prescribes adequate ventilation of buildings under construction and other buildings in which salamanders or similar methods of heating or drying are used.

WOMEN AND CHILDREN.

WAGES.

The law of California establishing an industrial welfare commission to regulate employment conditions of women and children was amended (ch. 204) by an enlargement of its powers, and it is also charged with the enforcement of the act. A difficulty that had hampered the working of the Minimum Wage Commission of Massachusetts is remedied by a grant of power to make appointments to fill vacancies occurring in regular wage boards (ch. 72). Other amendments in this State authorize the requirement of special records of working hours for limited periods (ch. 76); and provide that employers may be compelled to post in their establishments the decrees of the commission (ch. 77). Minimum-wage laws were enacted in North Dakota (ch. 174), Porto Rico (No. 45), and Texas (ch. 160). The act of Porto Rico fixes the wage rate arbitrarily, while those of North Dakota and Texas place the determination of the rates, etc., in the hands of a commission. The minimum-wage law of Nebraska was repealed (ch. 190).

The laws of Michigan (No. 239) and Montana (ch. 147) direct the payment of equal wages to women as to men for equal services. The Michigan law directs that no injurious work shall be assigned to women, nor any task disproportionate to women's strength; while the Montana statute is made applicable to both public and private employment.

HOURS OF LABOR.

The matter of hours of labor of women was considered in several States. The Arkansas statute was amended (No. 275) by striking out telephone operating from those employments in which but nine hours per day may be worked, and exempting also cotton factories and the gathering of fruit and farm products from this limitation. This backward step is approximated by an act of the Vermont Legislature (No. 160) authorizing the commissioner of industries, with the approval of the governor, to suspend for not over two months in the year any State law governing the hours of labor of women and children, where the preservation of perishable products is involved.

The California law which fixes an 8-hour day and 48-hour week for women was amended by extending its application, including among other employments that of operating elevators in buildings (ch. 248). This reflection of recent developments is paralleled in Ohio (p. 540), where employment in interurban street-railway cars and in operating elevators is brought under the 9-hour day and the 50-hour week. This act forbids the employment of females as crossing watchmen, express drivers, molders, bell hops, taxi drivers, meter readers, etc., or where there is a frequent lifting of weights over 25 pounds. In Oklahoma (ch. 163) the 54-hour week is prescribed in addition to the 9-hour day already fixed by law, and work in telegraph offices is included. Eight hours per day and 48 hours per week are prescribed in Utah (ch. 70) in lieu of the 9-hour day and 54-hour week of the earlier law.

The New York statute prescribing the weekly day of rest for women was amended (ch. 544) by granting such rest period to female elevator operators. Special regulations are also prescribed for such operators, who must be 18 years of age or over and may work not over 9 hours per day and 54 hours per week. The regulations include the prohibition of night work and require seats to be provided, time for meals, suitable wash rooms, etc., as in mercantile establishments. Exceptions as to night work are made in the case of women over 21 years of age employed in hotels. Another act of the New York legislature (ch. 583) treats of the employment of women on street railways. They must be 21 years of age and may work not more than 9 hours per day on 6 days of the week, nor before 6 a. m. nor after 10 p. m. Dressing rooms and sanitary conveniences must be provided at terminals, with time for meals.

The Oregon enforcement law directs that where women are relieved from the limitations of minority by the fact of their marriage and are employed in industrial establishments they shall be subject to the laws as to hours of labor according to their actual age (ch. 47).

GENERAL PROVISIONS.

A Missouri statute (p. 442) prescribes a vacation of six weeks for employed women at childbirth, three weeks before and three weeks after the event.

Laws relating to employment of both women and children include the suspension act of Vermont already noted, and one of Connecticut (ch. 195) enlarging somewhat the scope of the prohibition against night work and authorizing the suspension of the law in cases of emergency; one of Massachusetts (ch. 113) reducing the 10-hour day to 9 hours and the 54-hour week to 48 hours; the maximum for sea-

sonal labor is reduced from 58 to 52 hours, and the yearly average from 54 to 48 hours. In Michigan it is made an offense to permit or suffer overtime work of women and children; and employment in theaters, concert halls, and hotels, as elevator operators, or on street or electric railways is added to the list to which the law applies (No. 341). An amendment to the New York law fixes the maximum of 48 hours per week for the work of children under 16 years of age, and exempts female writers and reporters on newspapers from the prohibition as to night work (ch. 582). A new law in North Dakota (ch. 170) fixes an 8½-hour day and a week of 6 days and 48 hours for women and children in towns of 500 population or more. A law of general application was enacted by the Legislature of Porto Rico (No. 73) forbidding the employment of women and children between 10 p. m. and 6 a. m., and prescribing the 8-hour day and 48-hour week. Those exempted are women over 16 years of age employed as telephone and telegraph operators, artists, nurses and domestic servants; time for meals must be allowed and seats furnished for women. Children under 14 may not work in injurious or dangerous occupations and must have certificates of school work accomplished unless their labor is necessary. Children under 16 may not work more than 7 hours per day and 42 hours per week nor between 6 p. m. and 8 a. m. The act also requires work permits for children under 16, and prescribes air space, sanitation, etc.

Of the laws applying only to the employment of children the most far-reaching is the act of Congress (65th Cong., No. 254) levying a tax on the products of the labor of children under 14 years of age in mills, canneries, work shops, etc., and under 16 years of age in mines and quarries. The tax is also levied if children under 16 work more than 8 hours per day or 6 days per week or after 7 p. m. or before 6 a. m.

The Alabama statute on the employment of children is largely amended, establishing the 8-hour day and 48-hour week in place of the day of 11 hours and the week of 60 hours (No. 629). Night work is also prohibited between the hours fixed by the Federal law. The list of prohibited occupations is enlarged, and the age for school attendance advanced from 14 to 16 years. The conditions of procuring work certificates are modified, and physical examination is now required. Restrictions on street trades are extended to all cities. In California also there is a very general revision of the law as to the employment of children (ch. 259), advancing the minimum age for employment from 15 to 16 years. Employment in street trades and dangerous occupations is regulated, and the bureau of labor statistics is directed to enforce the act, an inspection force being provided for. Another law of this State (ch. 267) requires the main-

tenance of a registry of minors gainfully employed, with their ages, the names of their employers, etc. The issue of work certificates is further regulated in Connecticut by a law (ch. 264) which, among other things, requires the child to be physically examined, and authorizes the issue of a certificate for a limited period subject to re-examination after the time fixed has elapsed. In Maine (ch. 190) the age limit for manufacturing and mechanical employment is made 15 years instead of 14, and the completion of the sixth grade of school work is made the educational basis for the issue of a certificate. The Massachusetts law requiring employers to pledge employment to children seeking permits is amended (ch. 62) by requiring a statement of the specific employment in which the child is to be engaged.

The Missouri law is amended by acts (pp. 248, 250) which permit children to work when the schools are not in session, require those under 16 years of age to have work permits, remove the limit as to hours where children are employed by their parents or guardians, and enumerate dangerous occupations in which minors under 16 may not work; girls under 18 years of age may not act as messengers. In Montana (ch. 43) permits for work must be procured for all children under 16 instead of 14, as formerly, and the child must have completed the eighth grade of school work; an exception is made where the child is 14 years of age and his labor is found to be necessary for the family support. The law of New Jersey now requires temporarily unemployed children to go to school (ch. 35). In North Carolina (ch. 100) the employment of children under 14 years of age is forbidden in any mill, factory, mercantile establishment, office, place of amusement, messenger or delivery service, etc., nor may any child under 16 years of age work in the places named between the hours of 9 p. m. and 6 a. m., nor in or about any quarry or mine. A child-welfare commission is provided for to enforce this law.

A number of amendments were made to the West Virginia law, the employment of children under 16 years of age in dangerous occupations being forbidden (ch. 17). Some occupations were named, while the commissioner of labor, the health commissioner, and the State school authorities may decide as to others. The details for the issue of work permits are revised and the hours of labor restricted to 8 per day and 48 per week. Work between 7 p. m. and 6 a. m. is forbidden. These limitations apply to children under 16 years of age. The educational standard for procuring a work permit in Wisconsin is fixed (ch. 432) at the completion of the seventh grade or a school attendance of eight years.

The hours of labor of children are considered in amendatory acts of Iowa (ch. 139), fixing at 40 per week the maximum hours for minors where part-time schools are established; and of Maine (ch.

191), adding bowling alleys and pool rooms to the list of establishments where children under 16 years of age can not be employed at night. A New Jersey law (ch. 36) prescribes the 8-hour day and 48-hour week for children under 16 years of age, reducing the same to 42 hours per week while continuation schools are in session. A similar reduction for children employed in mercantile establishments is contained in chapter 37. In Ohio a distinction is made between males under 18 and females under 21 (p. 532), the law as to males not being changed, while for females a 9-hour day is fixed, with a 50-hour week maximum, although females may work 10 hours on Saturdays in mercantile establishments. Boys under 12 years of age and girls under 18 are forbidden by a Wisconsin statute (ch. 354) to engage in street trades.

A child-welfare department is established by an act of the Alabama Legislature (No. 457) and is given a general oversight over minor children. It is to enforce the laws relating to their employment and to cooperate with the department of education and the State board of health. Members of the commission are partly *ex officio* and partly appointed and serve without compensation, but may appoint a salaried director. An investigative commission is provided for in South Dakota to study and report upon the employment conditions of children (ch. 134); while in Indiana a commission of more general scope is created (ch. 197) under the title of "Commission on Child Welfare and Social Insurance." None of these commissions is salaried, the first having an appropriation of \$12,400 for its director and expenses, the second of \$500 for expenses, and the last of \$5,000.

SCHOOL ATTENDANCE OF CHILDREN.

Compulsory school attendance is related quite generally to the subject of the employment of children. In California (ch. 258) the age for such attendance is advanced from 15 years to 16 years, and added provision is made regulating the issue of work permits; vacation permits for minors over 12 and under 15 years of age may be issued in accordance with the terms and conditions prescribed by the act. In Delaware children must attend school between the ages of 14 and 16 years if they have not completed the eighth grade (ch. 157); the issue of work permits is vested in the county superintendent of schools, or in superintendents in special school districts or persons designated by them. Exemption is granted in Florida to a child whose labor is necessary to the support of dependents, while otherwise he must attend school between the ages of 7 and 16 (ch. 7808). In Massachusetts (ch. 281) the completion of the sixth grade instead of the fourth grade is required to escape compulsory school attendance. Work outside the school hours is permitted in Michi-

gan (No. 132) after a child has reached the age of 14. If school is held the entire year and is divided into quarters, attendance for three quarters is a sufficient compliance with the law. Instead of issuing a work permit to a child under 14 whose labor is necessary for its support, a North Carolina statute authorizes a grant of aid not in excess of \$10 per month to such child to enable it to attend school (ch. 150). The Oklahoma law requires the attendance of children for two-thirds of the school term until the age of 18, unless, having attained the age of 16 years, the child has completed the eighth grade of school work and is properly employed (ch. 59). The South Carolina law (No. 135) requires four consecutive months' attendance each year to the age of 14, although children over 12 years of age may get work permits if their labor is necessary for parental support; the employment of a child under 14 without a work permit is forbidden. In Tennessee (ch. 143) the age of compulsory attendance is made from 7 to 16 instead of from 8 to 14. The general school law of West Virginia requires attendance at school until 14 unless destitute, and to 16 if not regularly employed at least six hours per day (ch. 2). Employed children are to attend evening, part-time, or continuation schools for five hours per week for 20 weeks if one is located within 2 miles of the home, and employers must release them for this purpose.

CONTINUATION SCHOOLS.

The foregoing proposition as to the attendance of employed children resembles that found in a considerable number of laws enacted last year. The growth of the idea of the part-time or continuation school has been very rapid and has undoubtedly received an impetus from the enactment of the vocational education law by Congress and the discovery of needs as disclosed by the draft for soldiers in the late war. Thus the Arizona law (ch. 113) prescribing school attendance directs attendance for the full school year until the age of 16 has been attained. Work permits may be issued at the age of 14; and when 15 such permits have been issued in a district, a part-time school must be established giving 150 hours of work per year at the rate of 5 hours per week between 8 a. m. and 6 p. m. Attendance is to be counted as part of the work day or week when the hours of labor are limited by State or Federal law. Penalties lie against both parents and employers for failure to comply. In Colorado (ch. 506) the law applies to children between the ages of 14 and 18, and schools are to be established where there are 50 persons eligible within 3 miles thereof. High schools and grammar schools may be provided and the attendance is compulsory, the hours being between 8 a. m. and 5 p. m. In Connecticut employed children between 14 and 16 years of age must attend evening

schools (ch. 198); in Iowa (ch. 94) schools between 8 a. m. and 6 p. m. are required for 8 hours per week for children between the ages of 14 and 16. Children between 14 and 18 who have not finished an elementary course must attend school during work hours for 144 hours per year, according to a law of Maine (ch. 205), which requires that such school shall meet the standard set by the Vocational Board.

Other States providing by law for continuation or part-time schools are Massachusetts (ch. 311), Michigan (No. 421), Missouri (pp. 681, 693), Montana (ch. 133), Nebraska (ch. 267), Nevada (ch. 85), New Hampshire (ch. 106), New Jersey (ch. 152), New York (ch. 531), Oklahoma (ch. 235), Oregon (ch. 324), Porto Rico (No. 15), Utah (ch. 92), and Washington (ch. 151). The conditions and requirements vary in the different jurisdictions, but the provisions generally require attendance during the ordinary working time and permit the hours of school to be computed as working time where there is a statutory limitation. In some cases special provision is made for adults who are illiterate or who desire to increase their civic or vocational fitness, while special provision for Americanization is contemplated in some cases. An act of the Alaska Legislature (ch. 25) provides for night schools to teach citizenship if 12 students desire it; while in New Mexico (ch. 142) local authorities are required to furnish instruction if as many as 10 illiterate persons desire instruction.

The Americanization of aliens is one of the concerns of the department of public safety created by a law of West Virginia (extra session, ch. 12).

What has been said suggests the very general acceptance and application of the provisions of the Federal statute of February 23, 1917, as to vocational education. As noted in previous years, its acceptance has generally followed the meeting of the legislature subsequent to the Federal enactment. However, new and amendatory acts, or acts making specific provisions for the working of the law, were passed in more than half the jurisdictions whose legislatures met last year. Only the State and the number of the chapter or act need be given, as the laws relate only indirectly to the matter of employment. They are Alabama (No. 92), Arizona (ch. 134), Arkansas (No. 80), Colorado (ch. 78), Connecticut (ch. 324), Florida (ch. 7952), Georgia (p. 361), Idaho (ch. 53), Indiana (ch. 132), Iowa (chs. 81, 337), Michigan (No. 149), Missouri (p. 703), Montana (ch. 192), Nevada (ch. 86), North Carolina (chs. 119, 230), North Dakota (ch. 203), Ohio (p. 356), Oregon (ch. 348), South Carolina (No. 34), South Dakota (ch. 184), Tennessee (chs. 179, 181), Texas (ch. 114), Utah (ch. 86), and Washington (ch. 160).

EMPLOYMENT OFFICES.

FREE PUBLIC OFFICES.

The action of the United States in establishing a public employment service throughout the country during the war was followed by an abrupt termination of these activities during the period of readjustment. An attempt to meet the situation was made in a few States by appropriating sums to carry on the work to meet the emergency created by the curtailment of the Federal service. In New York (ch. 155) \$50,000 was appropriated; in Ohio (p. 45) \$18,000; in Wisconsin (ch. 144) \$22,000; while in Tennessee (ch. 84) the State appropriated \$7,500, asking that the United States reimburse it, and also that the localities in which the offices are located make contributions to their support. In New York also (ch. 404) municipal corporations were authorized to establish industrial aid bureaus during the period of war readjustment.

Permanent establishments were contemplated by an Indiana statute (ch. 192) which created an employment commission of seven members, representative of employers, employees, and the public, one to be a woman, whose duties are to establish free employment offices in cooperation with the Federal service and neighboring States. Five sections are contemplated, one for men, one for women, one for farm labor, one for soldiers and sailors, which shall cooperate in matters of vocational education and rehabilitation, and a junior section. The amount of \$38,000 annually is appropriated to carry out the provisions of this act. The Wisconsin statute on the subject is amended (ch. 631) by forbidding the industrial commission to establish any office in a county unless it contributes at least to the extent of providing satisfactory quarters. Another act (ch. 160) relates to the distribution of farm labor and directs county clerks to act where there is no free employment office; a fee of 25 cents will be charged the employer in such a case.

PRIVATE OFFICES.

Schools that provide employment service are made subject to the law regulating private employment offices in California (ch. 421), the public schools being excepted. The license tax required in Georgia by the act of 1918 is to be paid for each county in which the agency does business (p. 45). A Montana law (ch. 225) requires an agency fee of \$5 per annum, and a bond of \$3,000. A register must be kept and receipts given. The fee for service may not exceed \$3 and must be returned if no place is secured. If workmen are sent out of the county, a statement of particulars of the offer and agreement must be filed with the county treasurer. The Nebraska law on

the subject is revised (ch. 207), the license fee being fixed at \$50 annually and the bond at \$2,000. A registration fee of \$2 may be charged, and the fee for service must be stated and agreed upon. Dividing fees with employers or foremen is a misdemeanor. In Nevada also (ch. 167) there is a law of the same nature with the customary provision as to registers, receipts, license fee, the giving of bond, etc. The law directs that agencies shall observe the child-labor laws and that notice of strikes or other labor disputes must be given applicants for positions, and forbids the dividing of fees.

Similar provisions are found in a new law in Ohio (p. 349), which also authorizes the industrial commission of the State to fix a schedule of fees both for registry and for services. If workmen are sent out of the city and find that there is no job or that there is misrepresentation otherwise, fees and expenses are to be refunded. Quite a similar law was passed in South Dakota (ch. 190), though registration fees are not allowed. A Wyoming statute also (ch. 59) regulates private agencies, requiring a license with a fee of \$25 in cities of 5,000 population or more, and of \$10 in smaller places. The registration fee may not exceed \$1. In Wisconsin (ch. 178), the industrial commission is to determine the reasonableness of fees and make the issuance of a license contingent thereon. The public need will also be considered, and licenses will not be granted in localities adequately provided for, and the existence of State and Federal agencies is to be taken into consideration.

OTHER PROVISIONS AS TO PLACEMENT.

The industrial upheaval caused by the war and the demobilization of the armed forces of the country led to the enactment of a number of laws to meet the resulting conditions. Thus in Arizona (ch. 2) the issue of bonds for the construction or improvement of public works was authorized, the act to be immediately effective in order to reduce unemployment. A senate resolution of the Montana Legislature (No. 3, p. 636) asked the counties and cities of the State to adopt a liberal construction program in order to furnish employment for returned soldiers. An act (ch. 6) and a resolution (Assembly Con. Res. 12) of the California Legislature provide, respectively, for a committee of nine to supersede the council of national defense, which is furnished with a \$50,000 appropriation for providing aid and employment to returned soldiers, and a legislative commission to study the subject of unemployment. A reconstruction commission was created in Delaware (ch. 66) to have charge of the work of child welfare, community organization, reconstruction, etc.; \$25,000 was appropriated. Similar ends were in con-

templation in a Georgia law (p. 228) providing for community service commissions in each congressional district of the State to aid in reconstruction, find employment for returned soldiers, etc. However, no appropriation was made in this State.

A State employment bureau is created in New Jersey (ch. 5) independent of its public employment service, charged especially with the placement of discharged soldiers and sailors. Cooperation with the Federal Government is authorized. The same authority is granted to the reconstruction committee of North Carolina (ch. 261), consisting of the governor and 25 assistants, who are to study the industrial, commercial, economic, sociological, and military needs of the State and attempt to secure their coordination and cooperation; \$500 per year is appropriated for 1919 and 1920. In Wyoming (ch. 77) designated State officials are to form a reconstruction board to investigate local needs and opportunities, and cooperate with the United States in any work Congress may provide for. The Oregon Legislature proposed an extensive public building program with provisions based on a bond issue of \$5,000,000 (ch. 427). The law was to become operative on its approval at a special election on June 3, 1919, at which time the measure was by a narrow margin rejected.

A number of States passed laws directing that preference in public employment be given to veterans or ex-service men. Many of these laws were amendatory, the change made consisting in extending existing laws so as to include soldiers and sailors of the European war. The California act (ch. 654) relates to the labor class in the civil service; that of Massachusetts (ch. 89) to labor on highways; another act (ch. 150) gives veterans a preference in municipal civil service, while a third (ch. 253) relates to employment on public works generally. Other States directing a preference for veterans in the employment of labor on public works are Michigan (No. 224), Minnesota (chs. 14, 192), New Jersey (ch. 125), and Washington (ch. 26). An act of the Sixty-fifth Congress (No. 299) providing for the joint construction of post roads directs the preference of honorably discharged soldiers in the employment of labor, other conditions being equal.

Falling under this head by some extension of the idea, may be noted an act of the Arizona Legislature (ch. 174) directing the preference of citizens for employment on public works; one of Nevada (ch. 168) prohibiting the employment of aliens on such work; and one of Washington (ch. 111) which forbids the employment on public work of aliens who claimed alienage as ground of exemption in the draft and secured such exemption thereby. A Colorado law (ch. 98) seeks to encourage home industry by directing State institutions and official boards to use State material and products where available.

Legislative desire to secure the return to profitable employment of discharged service men found expression in other laws, as one of Illinois (p. 533) asking employers to furnish data with regard to the reemployment of discharged soldiers and sailors, the director of labor being authorized to investigate unemployment and aid in the reemployment of returned soldiers and sailors. A veterans' welfare commission is provided for in Washington (ch. 9), with an appropriation of \$500,000 to furnish employment for veterans, make loans, etc.

The furnishing of homes and farms was contemplated by a number of acts, usually in cooperation with anticipated Federal action in the same field. Laws looking to this end were passed in Arizona (ch. 141), Missouri (p. 704), Montana (chs. 105, 201), Nevada (ch. 191), Oregon (ch. 303), Utah (ch. 106), Washington (ch. 188), Wisconsin (ch. 596), and Wyoming (ch. 143).

More general consideration to the subject of home ownership has been given by the Legislature of California, which State has had for some years a State land settlement board. An amendment of 1919 (ch. 450) looks especially to the needs of ex-service men and authorizes cooperation with the Federal Government. In North Dakota also (ch. 150), the industrial commission of the State is to provide for a home building association with extensive powers looking toward the provision of homes for residents of the State.

BUREAUS OF LABOR.

Numerous amendments were made to the existing laws relative to bureaus of labor, though but few of them were of prime importance. Many consist of provisions for increases of salaries and expense allowances, to offset the general advance in costs. Taking the States in order, the California bureau is authorized (ch. 228) to take assignments of wage claims and prosecute derelict employers for collection in behalf of their employees. In Connecticut (ch. 296) and Georgia (p. 278) there were salary increases. The State of Idaho comes into line with a newly created department of immigration, labor, and statistics (ch. 8), whose duties are to promote the general welfare of workers, inspect establishments, and enforce laws, make safety rules, establish standards of construction of buildings, etc., and in general to enforce all laws and rules looking toward the protection of the life, health, and safety of employed persons. An immigrants' commission is created by an Illinois statute (p. 7), this commission to be a part of the department of registration and education in the department of labor. Its duties are to make a survey of alien-born and foreign-speaking residents of the State with regard to their distribution, employment, social and economic condition, etc., and to cooperate with State and local officials and the Federal Government for their benefit.

Increases of salary or of expense allowance are made in Iowa (ch. 272), Kansas (ch. 284), and Maine (ch. 231). The number of mine inspectors was increased in Kansas. The labor office of Massachusetts is reorganized (ch. 350) under the provisions of a general reorganization act covering the executive and administrative departments of the State. Newly created departments are given the names of the department of industrial accidents and the department of labor and industries, the first superseding the industrial accident board, and the second being made up of the existing board of labor and industry, the board of conciliation and arbitration, the minimum wage commission, and other agencies less directly connected with labor. The term of office of the commissioner of labor in Michigan is extended from two years to four years (No. 35); while laws of Minnesota (chs. 109, 394) provide for the internal organization of the department of labor and industries and for a general advance in salaries, respectively. Another act (ch. 110) extends the power of officials as inspection and enforcement officers.

As in Massachusetts, so in Nebraska there was a general law covering the organization of the executive departments of the State, including the department of labor, whose constitution and functions are set forth in the act (ch. 190). The same chapter contains a codification of existing labor laws, with amendments, the enforcement of which is placed in the hands of the department. In Nevada (ch. 56) there is an increase in the salary and expense allowance, and the scope of law-enforcement duties is extended. A bureau of women in industry is created in the Department of Labor of New York (ch. 85), while another act (ch. 546) adopts the title "industrial commission" for those of commission of labor and industrial board and extends mercantile inspection to all cities instead of those of the first and second class only.

The mode of appointment of the Industrial Commission of Ohio was changed (p. 58) by requiring appointment to be made by and with the advice and consent of the Senate, instead of by the governor alone as formerly. A transfer of the bureau of statistics from the department of labor and industry to the department of internal affairs was effected by a Pennsylvania statute (No. 63). Another act of the same legislature (No. 430) makes the salary of the commissioner of labor and industry \$10,000 per annum. A State board of labor is created in Rhode Island (ch. 1741), at the head of which is a commissioner of labor and a deputy, who is to be representative of labor and is to act as secretary to the board. The board is to comprise, further, four members—two employers and two employees—and to hold monthly conferences, and among its duties are the promotion of mediation and arbitration. This office supersedes an earlier organization. Likewise in Tennessee a bureau of workshop

and factory inspection is created (ch. 110), though the incumbent officials of the superseded organization are to fill out their terms. A chief inspector and four deputies are to be appointed by the chief mine inspector of the State, with the approval and consent of the governor. The State is to be divided into inspection districts and the powers of the bureau extended to manufacturing, mechanical and mercantile establishments, and telephone and telegraph offices. The act contains provisions for safety and sanitation, directs wage investigation, etc.

A women's division is created in the department of labor of Texas (ch. 106) and salaries are raised and expense allowances increased. The method of procedure in law enforcement is affected by a law of Vermont (No. 158), the commissioner of industries being authorized to proceed without strict regard to the rules of evidence established by common or State law or by technical rules of procedure. Salaries of the commissioner of labor and his assistants are increased by a Washington statute (ch. 62), while the law of Wyoming (ch. 31) not only provides for such increases, but also enlarges the duties of the commissioner of labor and repeals the provisions of the act of 1917, which barred the appointment as commissioner of any labor official for six months after acting as such.

Bearing the title used in a number of States, but with different functions, is the industrial commission created by an act of North Dakota, which may, however, be noted here (ch. 151). This commission consists of the governor and certain other State officials, whose duties are to manage, control, and supervise such enterprises as may be undertaken by the State, to employ and discharge employees, appoint managers, make rules, fix prices for the purchase and sale of materials and products, etc. An appropriation of \$200,000 is made for the initial use of this commission.

MOTHERS' PENSIONS.

As expressed in other bulletins, laws noted under this head are not strictly labor laws, and are referred to only by reason of the fact that they have to do with the maintenance of children who would otherwise be compelled to go to work at an early age. The Arkansas statute which formerly covered but 40 out of the 75 counties of the State is now made applicable to 47 counties (No. 489). The monthly allowance in Delaware (ch. 198) is increased \$1 per month, and the appropriations made and authorized are also enlarged. The legislature of Florida (ch. 7920) and of Hawaii (No. 129) enacted original laws in this field, that of Florida being applicable to children up to 16 years of age; for one an allowance of \$25 per month may be made, additional children to receive \$8 per month. The law of Hawaii places both the period and the amount of benefits in the discretion of

the board of child welfare created by the act. In Maine also the provision fixing amounts is stricken out, leaving the sums to be paid to the discretion of the authorities and advancing the age period from 14 to 16 years (ch. 17). Minor amendments were made in Iowa (ch. 107), Minnesota (chs. 328, 333), and Ohio (p. 624). A tendency to require citizenship on the part of the beneficiaries of the deceased husband or of widows receiving aid is shown by the amendments in Montana (ch. 198) and New York (ch. 373). A new law was enacted in Nebraska (ch. 221) requiring residence in the county for two years and making an allowance of \$10 per month for each child, but not more than \$50 in all.

Existing laws of Pennsylvania are superseded by an act (No. 354) providing for county boards of from five to seven women who are to be trustees of the mothers' assistance fund. Benefits may be paid for children up to 16 years of age at the rate of \$20 for the first child and \$10 for additional children. A South Dakota law (ch. 263) is amended by allowing benefits for children up to 16 years of age instead of 14, as formerly. The Tennessee law (ch. 119) cares for widows, or wives whose husbands are in the penitentiary or asylums, with children under 15 years of age. The allowance is \$10 per month for the first child and \$5 per month for others. Benefits in Utah (ch. 77) are increased to a maximum of \$40 per month and the age of the child on account of whom aid may be given is advanced from 15 to 16 years. Only widows made so by the death of the husband are included in the act. This contrasts with the action in Washington which strikes out provisions as to widowhood or the condition of insanity or disability of the husband, leaving payments to be made according to the economic need (ch. 103). In Wisconsin (chs. 251, 308) amendments require the mother to be "without a husband" and have a residence in the county for one year.

RETIREMENT FUNDS.

The retirement of public employees after certain periods of service is a practice of growing acceptance as indicated by laws of several States. Thus, in California (ch. 373) a contributory system may be adopted for county employees by a four-fifths vote of the county supervisors. Employees may be retired after 35 years of service regardless of age if for the good of the service, or at 60 years of age after 10 years' service. Separation from the service is automatic at the age of 70 years unless an extension is secured. Contributions are \$4 monthly from employees for not more than 25 years. In Connecticut (ch. 210) State employees may be retired after 30 years of service on reaching the age of 65, and it is compulsory at the age of 70 if they have been 25 years in service. The pension

equals one-half the average pay for the five years preceding retirement, all money to come from the State funds. In Maine also (ch. 38) the heads of State institutions or departments may recommend the retirement of employees after 25 years of service on one-half the average pay for the last five years. The Massachusetts law as to municipal employees is amended (ch. 21) by making the basis for the retirement allowance one-half the wages at the time of retirement instead of one-half the average wage for the last two years of service.

A rather elaborate system is provided for by a law of Minnesota (ch. 522) applicable to cities of 50,000 population or above not under a home-rule charter. The system is contributory, and the age of retirement is from 60 to 65 years for men and 58 to 63 years for women. The maximum is paid after 30 years' service, and 20 years' service is necessary to secure retirement. Provision is made for disability retirement, and individual accounts are to be kept. Deductions range from 3 to 8 per cent of the salary, according to the age at entrance upon the service. The Pennsylvania law (No. 100), applicable only to counties of from 1,000,000 to 1,500,000 population, proposes retirement at the age of 50 after 20 years of service on 50 per cent of the salary, but not over \$100 per month. Employees are to make contributions of 1 per cent monthly.

A resolution of the New Jersey Legislature (J. Res. No. 9) provides for a legislative commission to report upon a retirement system for the employees of the State.

Under this head may be mentioned also the old-age pension system of Alaska, providing pensions for pioneers (ch. 17). An allowance of \$12.50 monthly for men reaching the age of 65 and \$25 monthly for women reaching the age of 60 may be made after a residence of 15 years (formerly 10 years).

EMPLOYERS' LIABILITY.

So completely has the principle of workmen's compensation superseded that of liability that but a single statute comes up to be noted under this head. As stated in the introduction, workmen's compensation legislation is treated in a separate bulletin (No. 272). The liability statute noted here is one of Arizona (ch. 15) which limits attorney's fees in cases of recovery of damages by an injured employee to 25 per cent of the recovery.

ACCIDENTS.

Reports of accidents are required by an act of Minnesota passed in 1913. This was amended last year (ch. 359) by a provision requiring reports to be made only of those accidents of which the employer or his foreman has knowledge and which incapacitate the

injured man for more than the day or shift on which the accident occurred. In fatal cases the report is to name the dependent or nearest relative, if any.

Accident insurance is regulated by a law of Connecticut (ch. 331) making the company directly liable for the loss covered by the policy whether or not a suit therefor is prosecuted to judgment. In Minnesota (ch. 388) employers desiring to make deductions from the wages of their employees to pay the cost of insurance must secure a license, renewable yearly, and make annual reports of the operation of the funds.

VOCATIONAL REHABILITATION.

The movement for the retraining of injured men so as to render them capable of self-support received great impetus from the conditions produced by the war. The Federal statute on the subject was supplemented by an act of the Sixty-fifth Congress (No. 279) extending the purposes for which rehabilitation funds may be used to include the traveling and other expenses of disabled men under investigation, and also to furnish them supplies, equipment and clothing, and transportation to their places of employment. An act of the Sixty-sixth Congress (No. 11) extensively amends the original law on this subject, and provides vocational training for all disabled soldiers, sailors, etc., incurring disability in war service. Pay during the time of rehabilitation is provided for, and \$6,000,000 is appropriated to carry on the work.

The Massachusetts Legislature provided (ch. 56) that a commission of investigation should study and report on the subject of the rehabilitation of disabled soldiers and sailors in the State.

The return to industry of disabled workmen was the subject of a number of laws passed in 1919. The State of Massachusetts had made provisions therefor by an act of 1918, and the subject is further considered in a resolve of 1919 (ch. 43). In California (ch. 183) a rehabilitation fund is to be built up by contributions of \$350 made by employers of workmen killed by accident, leaving no dependents. This fund is to be administered by the industrial accident commission of the State, which is furnished an initial revolving fund of \$5,000. This act is of industrial application, while another law of the same State (ch. 418) made an appropriation for the rehabilitation of persons rejected for military or naval service.

Other States passing laws for the retraining of injured workers are Minnesota (ch. 365), Oregon (ch. 435), Pennsylvania (No. 418), and Rhode Island (ch. 1737). In Illinois (p. 534), Nevada (ch. 182), and New Jersey (ch. 74) the laws are of wider scope, and re-

late to the rehabilitation of physically handicapped persons even though not injured in industrial employment. Cooperation with the Federal Government is contemplated in some of the acts, that of Nevada being entirely dependent upon initial action by the United States. This provision, in fact, anticipated Federal action, since no law providing for industrial or general rehabilitation was enacted by Congress until May, 1920. The laws under consideration vary considerably in detail but provide for a wide range of discretion in the administering bodies, whether especially created for the work or already existing as industrial commissions, etc. Cooperation with existing institutions and the creation of such as may be found needed are provided for, and appropriations ranging from \$5,000 to \$500,000 are made.

LABOR ORGANIZATIONS AND LABOR DISPUTES.

The Connecticut law as to boycotting and intimidation is the subject of an act (ch. 255) directing the attorney general to submit a bill for amending the law on this subject.

Labor organizations are exempt from the operations of a State anti-trust law by an act of the Iowa Legislature (ch. 213), also by a Virginia statute (ch. 54), and one of Wisconsin (ch. 211). The issue of injunctions was restricted in cases of labor disputes by laws of North Dakota (ch. 171), Oregon (ch. 346), Washington (ch. 185), and Wisconsin (ch. 211). Strikes and picketing are legalized, and the laws of Oregon, Washington, and Wisconsin also contain a declaration that human labor is not a commodity. In contrast with the foregoing is an act of the special session of the Utah Legislature (ch. 19) making picketing a misdemeanor, whether peaceable or not.

The Legislature of South Dakota (ch. 348) amended the State law protecting trade-marks of trade-unions; while an act of North Dakota (ch. 173) requires the placing of the union label on State printing.

Under this head may be mentioned an act of the special session of the North Dakota Legislature (ch. 43) giving to the governor extraordinary powers in regard to the operation of coal mines in the State in case of emergency due to strikes.

Mediation and conciliation are provided for by State boards in Oregon (ch. 178) and Wisconsin (ch. 530), and by an insular commission in Porto Rico (No. 36). The law of Nebraska on this subject is amended (ch. 161), as is the law of South Carolina (No. 87). In West Virginia (extra session, ch. 12) a department of public safety is provided for, whose duties are in part to seek to promote harmony between employers and employees.

SYNDICALISM AND SABOTAGE.

Laws under this head are of recent origin, the first having been enacted in 1917. Five States and the Federal Government took action on this line in 1918, while in 1919 the subject was considered in 16 jurisdictions, amending laws being passed in one of these, the others being new. There is quite a general similarity in the acts, syndicalism being defined as a doctrine advocating the commission of acts of violence, terrorism, and crime to effect political and industrial changes; and sabotage is the doing of physical damage or injury to physical property for like purposes. Not only is assemblage for the teaching of the doctrine penalized, but the opening of halls and the permitting of assemblages is likewise punished in many of the laws.

Acts of this nature were passed in Alaska (ch. 6), California (ch. 188), Hawaii (No. 186), Indiana (ch. 125), Iowa (ch. 382), Michigan (No. 255), Nebraska (ch. 261), Nevada (ch. 22), Ohio (p. 189), Oklahoma (ch. 70), Oregon (ch. 12), Utah (ch. 127), Washington (chs. 173, 174), West Virginia (ch. 24), and Wyoming (ch. 76). An amendment to the existing law was also passed in Idaho (ch. 136). In New Mexico (ch. 140) employers hiring anarchists are guilty of a misdemeanor.

STATE POLICE.

The subject of the creation of a State constabulary or police force is so closely associated in the thought of certain writers on labor questions with the matter of strikes that a list of the States creating such a force last year may be of interest. They are Idaho (ch. 103), Michigan (No. 26), and Texas (ch. 144). An amending act was also passed in New Mexico (ch. 94) and a new measure superseding the existing law in Pennsylvania (No. 179).

COOPERATIVE ASSOCIATIONS.

Production and distribution by means of cooperative societies received legislative attention in new and amendatory acts in several States. New laws on this subject were passed in Nebraska (ch. 197) and Oklahoma (ch. 147); while amendments were adopted in Connecticut (ch. 96), Minnesota (chs. 82, 382), Oregon (ch. 325), South Dakota (ch. 140), and Wisconsin (ch. 371). The acts fix the number of persons necessary to incorporate, limit the amount of stock that may be held by one person, and usually permit but one vote to each stockholder, without reference to the amount of stock held.

CIVIL RIGHTS OF EMPLOYEES.

The only acts to be noted under this head are those that permit voters necessarily absent from home to vote by mail on compliance with certain prescribed formalities. Such laws were passed in 1919 in Alabama (No. 75), Tennessee (registration only, ch. 71), Utah (ch. 42), and Vermont (No. 7). The Arkansas law on the subject was amended (No. 403), as were those of Indiana (Nos. 156, 170), and North Dakota (ch. 32). The Kansas law (ch. 189) is limited to persons in the employ of the United States or in military or naval service.

CONVICT LABOR.

Employment of convicts received attention in Connecticut (ch. 341), the law providing for work on highways and bridges; in Florida (ch. 7809), a State convict road force being created; in Indiana, (ch. 53) for work on highways, and (ch. 60) for planting of trees, the development of lands, etc., by the department of conservation; in Massachusetts (ch. 45), in which the purchase of the products of convict labor, by cities, etc., is authorized; in Montana (extra session, ch. 2), employment by the State highway commission; in Nevada (ch. 160), directing a new prison to be built by convicts with stone quarried by them; in New York (ch. 635), appropriating \$25,000 for tools and equipment for road work to be done under the direction of the superintendent of State prisons; in Tennessee (chs. 53, 60, 64, 102), authorizing the employment of convicts in logging State land, in mining coal thereon, for labor on highways, and to clean and keep in order the capitol grounds; in Virginia (extra session, ch. 73), employment on highways; and in Wisconsin (chs. 348, 350) relating to the payment of convicts for work and to their employment on penitentiary buildings.

More general laws were passed in Florida (ch. 7833), relating to the care, maintenance, and employment of convicts, and limiting the hours of labor to 11 per day and 60 per week; in Kansas (chs. 63, 64), where work for private citizens outside of the penitentiary is forbidden except on public highways, and the continuation of manufacturing binding twine is provided for; in North Carolina (ch. 80), where general provision is made for the work of convicts, providing for their hiring out, the management of camps, etc.; and in Tennessee (ch. 40), in which provision is made for manufacturing articles to be sold, the purpose being to provide employment for convicts who can be worked only in the penitentiary. Competition with free labor is to be avoided as far as possible, and discipline and control are to be in the hands of the prison officials.

INVESTIGATIVE COMMISSIONS.

Besides the commissions noted above under a few headings may be noted one in Massachusetts (ch. 341), whose duty it is to study the conditions that influence the production of the necessities of life, with a view to the reduction of cost; and one in Michigan (No. 281), entitled "commission on industrial relations," and made up of representatives of employers and workers, two of each, and a representative of the public. These are appointed by the governor and are to study the subjects of unemployment, housing, health and safety of workers, stabilizing of employment, the labor of women and children, vocational education, hours of labor, old-age pensions, and industrial welfare generally. No salaries are to be paid this commission, but \$10,000 is appropriated for their expenses. A Michigan law (extra session, ch. 47) authorizes the commissioner of agriculture to investigate costs of living, attention to be directed to food, clothing, shoes, building materials, tools and implements, automobile repairs, fuel, farm machinery, etc. Mention may be made under this head of an act of the Maine Legislature (special session, ch. 256) penalizing profiteering in rents and the necessities of life, and authorizing the attorney general of the State to make investigations and prosecute or inform officials of the United States.

LAWS OF VARIOUS STATES RELATING TO LABOR ENACTED SINCE JANUARY 1, 1919.

ALABAMA.

ACTS OF 1919.

ACT No. 457.—*Child welfare department.*

SECTION 1. There is hereby established for the State of Alabama a child welfare department, to be located in the State capitol, with the several powers, functions, and duties hereinafter proscribed. Department es-
tablished.

SEC. 2. The said department shall have the power and it shall be its duty (1) to devise the plans and means for and have general oversight over the welfare work for minor children in the State. Duties.

* * * (7) To enforce all laws regulating the employment of minor children, with full power of visitation and inspection of all factories, industries, and other establishments in which children may be employed, permitted or suffered to work, the duties, power and authority, with reference to the child labor law, heretofore or hereafter imposed upon the State prison inspector, being hereby transferred to and imposed upon the child welfare department herein created. * * * (10) To cooperate with the State department of education, the State board of health, all State, county, and municipal, benevolent and religious, educational and correctional institutions, and to solicit the aid and to coordinate the activities of all private and volunteer social, labor, and welfare organizations on all subjects affecting the health, education, morals and general welfare of minor children. * * *

SEC. 3. (1) The child welfare department shall be under the control of a commission consisting of the governor, the State superintendent of education, the State health officer, ex-officio, and six persons to be appointed by the governor whose terms of office beginning from the date of their appointment shall be respectively, two for two years, two for four years, and two for six years, the said terms of office to be designated to each appointee by the governor in making the appointment. All succeeding appointees shall be appointed by the governor and shall hold office for a term of six years and until their successors are appointed and qualified. (2) The said commission shall within sixty days after the approval of this act, and at the call of the governor, meet at the State capitol and proceed to organize the said department. It shall hold at the State capitol at least one regular meeting during each year, and as many special meetings as may be necessary. At such meetings five members shall constitute a quorum. The governor shall be the presiding officer, but in case of his absence, the commission shall have authority to elect a temporary presiding officer. If there be no director as hereinafter provided for the commission may elect a secretary pro tempore. (3) The director hereinafter provided for shall be the secretary of the commission. (4) The members of the commission shall receive no compensation for their services other than the amount of their traveling and other expenses, actually paid out while in attendance on the meetings of the commission, or on the business of the department. (5) The commission is empowered to adopt rules for its own government, and for the government of the department; to elect a director and to provide for the selection or appointment of other officials or employees as may be necessary and to fix their compensation; to have general control of the performance of every duty and the execution of the several powers herein conferred Organization.

upon the department; to control and direct the expenditure of all appropriations which may be made for the maintenance of the department; and to do and perform such other acts and things as may be necessary to carry out the true intent and purposes of this act.

Director. SEC. 4. (1) The department shall be under the immediate management and control of a director, to be elected by the commission, whose term of office shall be six years and until his successor is elected and qualified. The commission shall have authority to discharge at any time the director at its pleasure. (2) The director shall take oath of office, as other public officials, shall be commissioned in like manner, shall devote his entire time to the work of the department, and shall receive for his services the sum of three thousand dollars per annum, payable monthly as other State officials are paid. (3) The director shall have full control and direction of the work and operations of the department, and he shall use his best endeavors to develop and carry forward the various activities herein provided.

Court reports. SEC. 5. It is hereby made the duty of the probate and juvenile court judges to make, on or before the tenth day of each month, a report to the child welfare department on the work of juvenile courts administered by them, and all apprenticeships and adoptions in their several counties.

Office. SEC. 8. The child welfare department shall occupy rooms or apartments in the State capitol to be set aside for its use by the governor; its furnishings and equipment shall be supplied from the capitol repair and improvement fund as other State offices, its stationery, office supplies and materials and postage shall be supplied from the stationery and office supplies and postage funds, and the printing and binding of its reports, bulletins, circulars, blank forms, and other printing as may be required shall be paid from the State printing fund.

Appropriation. SEC. 9. For the maintenance of the department, including the payment of salaries and all expenses not provided for under the special provisions herein provided, the sum of twelve thousand four hundred (\$12,400) dollars is hereby appropriated, and a continuing annual appropriation of said sum is hereby made.

Approved September 25, 1919.

ACT No. 629.—*Employment of children—General provisions.*

Age limit. SECTION 1. No child under fourteen years of age shall be employed, permitted, or suffered to work in any gainful occupation, except agriculture or domestic service: *Provided, however,* That boys twelve years of age or over may be employed in business offices and mercantile establishments, except soft drink and ice cream establishments, restaurants or cafes, during the summer vacation when the public schools in the city or town in which the child resides are not in session, if the child secures and files with employer a special permit or certificate as hereinafter prescribed: *And provided further,* That boys twelve years of age or over may be employed in the distribution and sale of newspapers and other printed matter as provided for in section 13 of this act.

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

Hours to be posted. SEC. 3. It shall be the duty of every employer to post and keep posted in a conspicuous place in every room where any child under the age of sixteen years is employed, permitted, or suffered to work, a printed notice stating the maximum number

of hours such persons may be required or be permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or other meals. The printed form of such notice shall be furnished by the inspector hereinafter named, and the employment of any minor for a longer time in any day so stated, or at any time other than as stated in such printed form of notice, shall be deemed a violation of the provisions of this act.

SEC. 4. No person under the age of eighteen years shall be employed, permitted, or suffered to work as a messenger for any person, firm, or corporation engaged in the business of telegraph, telephone, or messenger service, in the distribution, transmission, or delivery of goods or messages after the hour of ten o'clock in the evening, or before the hour of six o'clock in the morning of any day; and no person under twenty-one years of age shall be employed in any establishment where intoxicating liquors are manufactured or sold nor to work in any pool or billiard room or place.

Messenger service.

Pool rooms, etc.

SEC. 5. No child under the age of sixteen years shall be employed, permitted, or suffered to work at any of the following occupations or in any of the following positions: (1) Operating or assisting in operating any of the following machines: (a) circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sand paper or wood polishing machinery; (f) wood turning or boring machinery; (g) machines used in picking wool, cotton, hair, or any other material; (h) job or cylinder printing presses; (i) boring or drilling presses; (j) stamping machines used in sheet metal or tinware, or in paper or leather manufacturing, or in washer or nut factories; (k) metal or paper-cutting machines; (l) corner-staying machines; (m) steam boilers; (n) dough brakes or cracker machinery of any description; (o) wire or iron straightening or drawing machinery; (p) rolling mill machinery; (q) power punches or shears; (r) washing, grinding, or mixing machinery; (s) laundry machinery; (t) nor engage in any work in or about a rolling mill, machine shop or manufacturing establishment which is hazardous, or dangerous to health, limb, or life, (2) or in proximity to any hazardous or unguarded gearing; (3) or upon any railroad, whether steam, electric, or hydraulic; (4) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State.

Dangerous occupations.

SEC. 6. No child under the age of sixteen years shall be employed, permitted, or suffered to work in any capacity: (1) In, about, or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity there is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about, or in connection with any mine, coke breaker, coke oven, or quarry; (12) nor in assorting, manufacturing, or packing tobacco; (13) nor to operate any automobile, motor car or truck; (14) nor to work in any bowling alley; (15) nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall, or in connection with any theatrical performance or other exhibition or show, except that children fourteen years of age may be employed as ushers in theaters or concert halls in accordance with the provisions of sections 2 and 7 of this act; (16) nor in any place or occupation which the State board of health may declare dangerous to life or limb or injurious to the health or morals of children under sixteen years of age. The State board of health shall have authority to declare any place or occu-

Same.

pation dangerous to life or limb or injurious to health or morals of children under sixteen years of age.

Employment
certificates.

Sec. 7. It shall be unlawful for any firm, person, or corporation to employ, permit, or suffer any child under sixteen years of age to work in any gainful occupation, except agriculture or domestic service, unless such person, firm, or corporation keeps on file for the inspection of the officials charged with the enforcement of this act an employment certificate, as hereinafter provided, for every such child, and unless such person, firm, or corporation keeps on file for the inspection of the officials charged with the enforcement of this act, a complete list of all such children employed therein. The inspector charged with the enforcement of this act may make demand on any employer in whose establishment a child, apparently under sixteen years of age, is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish such official evidence satisfactory to him that such child is in fact sixteen years of age or over, or shall cease to employ or permit or suffer such child to work therein. Such official may require from such employer the same evidence of age of such child as is required for the issuance of any employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of age of the child. In any case [where] such employer shall fail to produce and deliver to such official such evidence of age thereby required of him, and thereafter continue to employ such child or permit or suffer such child to work in such establishment, proof of the failure to produce and file such evidence shall [be] prima facie evidence in prosecution that such child is under sixteen years of age, and unlawfully employed. Any official charged with the enforcement of this act may cancel any employment certificate found to be illegally or improperly issued. When any such employment certificate is canceled, the employer of the child for whom the employment certificate is issued shall be notified. It shall be unlawful to employ any such child after notice that the certificate for such child has been canceled: *Provided*, That such child may be employed after a new employment certificate, regularly issued as provided for by law, shall have been granted to him.

Work during
school hours.

Sec. 8. No child under fourteen years of age shall be employed, permitted, or suffered to work in any employment or service during the hours when the public schools of the district in which the child resides is in session.

Who to issue
certificates.

Sec. 9. It shall be the duty of the superintendent or principal of schools in cities or towns to issue employment certificates or to authorize a person in writing to issue such certificate acting in his name. When there is no superintendent or principal of schools, said certificates shall be issued by the county superintendent of education or by a person authorized by him in writing. Such certificates shall be issued in duplicate, and a copy of each certificate issued during the month preceding, shall be transmitted to the State inspector, together with the report as hereinafter provided for.

Evidence.

Sec. 10. The person authorized to issue employment certificates shall not issue such certificates unless the child accompanied by his parent or guardian, or person standing in parental relation thereto, has personally made application to him therefor, and until he has received, examined, approved, and filed the following papers duly executed: (1) A written statement of the person, firm, or corporation into whose service the child is about to enter that he intends to employ the child, which statement shall give the nature of the occupation for which the child is to be employed; (2) a school record signed by the principal or the teacher of the school last attended by said child stating that such child has completed the elementary course of study of the fourth grade of the public school or its equivalent, or has attended school at least 120 days of the year immediately preceding the date on which the certificate is issued. On and after September 1, 1921, a school

record showing the completion of the 4th grade or its equivalent, only shall be accepted; said certificate shall state the age and date of birth of said child, as shown on the records of the school, and the name and address of the parent, guardian, or custodian: *Provided*, That such evidence of school attendance outside of the State of Alabama may be accepted at the discretion of the officer issuing the certificate; in case such school record can not be obtained, then the officer issuing the employment certificate shall examine such child to determine whether he can meet the educational standard specified and shall file in his office a statement setting forth the result of such examination; (3) one of the following evidences of age, showing the child to be fourteen years of age or over, to be required in the order herein designated: (a) Duly attested transcript of the birth record of said child, filed according to law, with any officer charged with the duty of recording births; (b) or a duly attested transcript of certificate of baptism showing the date of birth and a place of baptism of such child; (c) or a life insurance policy which must have been in force for at least one year; (d) or a bona fide contemporary Bible record of birth; (e) or a passport or certificate of arrival in the United States showing the age of the child; (f) or in case the officer authorized to issue such certificate is satisfied that none of the above proofs of age can be produced, other evidence of the age, as an affidavit of age sworn to by the parent, guardian, or custodian of such child, accompanied by a certificate of physical age of such child, signed by a public health or public school physician: *Provided*, That a school record or parent's, guardian's or custodian's affidavit, certificate, or other written statement of age alone shall not be accepted; (4) a statement duly dated and signed by a public school physician, or by a regularly licensed physician in good standing in the community where he resides, showing that he has personally examined such child, and that in his opinion the child is fourteen years of age or over, is of good physical development for a child of his age, is of sound health, and is physically qualified to perform the work at which he is to be employed: *Provided*, That the officer issuing employment certificates shall have authority and is hereby empowered to issue a vacation employment certificate to children fourteen years of age and over without requiring a statement that the child has completed the fourth grade of the elementary course of study, or its equivalent, as hereinbefore provided: *Provided further*, That the officer issuing employment certificates shall have authority and is hereby empowered to issue a special employment certificate to any boy twelve years of age or over to work in business offices and mercantile establishments, except soft drink and ice cream establishments, restaurants or cafés, during the summer vacation when the public schools in the city or town in which the child resides are not in session, without requiring that the child has completed any grade. Such vacation and special employment certificates shall be different in form and color from the regular employment certificate and shall be valid only during the time when the public school in the city or town in which the child resides is not in session. Every vacation and special employment certificate shall become null and void on the date the public schools open for the regular session. The superintendent of schools in any city, town, or district, wherever there is one, and where there is none, the county superintendent of education, shall between the first and tenth day of each month transmit to the office of the State prison inspector hereinafter mentioned, or the director of the child welfare department when the same shall have been established a report, which report shall give the name of each child to whom certificate has been granted or denied during the preceding month, together with the ground for such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting the same to such State official shall constitute a misdemeanor punishable by a fine of not less than five dollars nor more than twenty-five dollars.

Physical exam-
ination.Vacation per-
mits.Monthly re-
ports.

- Certificate. SEC. 11. The employment certificate shall state the full name, place, and date of birth of such child with the name and address of the parent, guardian, or person sustaining the parental relationship to such child, and shall contain a statement signed by the issuing officer that the child has personally appeared before him and that satisfactory evidence has been submitted that such child is fourteen years of age or over. The printed form of the certificate and the other papers required in the issuing of the employment certificate shall be drafted by the State inspector hereinafter mentioned and furnished by him to the local and county superintendents of education.
- Return. SEC. 12. On the termination of the employment of a child under the age of sixteen years, the employment certificate shall be returned by the employer holding the same to the school authority by whom it was issued within ten days after the termination of the employment. Every employment certificate so returned shall be canceled by the officer who issued the certificate and transmitted to the State inspector with the next succeeding monthly report as hereinbefore provided for.
- Street trades. SEC. 13. No boy under twelve years of age and no girl under eighteen years of age shall distribute, sell, expose, or offer for sale, newspapers, magazines, periodicals, handbills, or circulars, or be employed or permitted or suffered to work in any other trade or occupation performed in any street or public place: *Provided, however,* That boys ten years of age or over may engage in the distribution of newspapers and periodicals on fixed routes in the resident districts of towns or cities: *And provided further,* That boys twelve years of age or over may engage in the occupation of bootblacks. No boy under sixteen years of age shall engage in any such street occupation above mentioned after eight o'clock at night or before five o'clock in the morning of any day; and unless he has secured and wears in plain sight a badge as herein provided. Such badges shall be issued by the superintendent of schools, or some person designated by him in writing, and shall be granted only after the child has applied to him personally accompanied by his parent, guardian, or custodian, and has submitted satisfactory proof that he is twelve years of age or over, or if engaged only in distributing papers or periodicals on fixed routes in the resident districts, ten years of age or over, and is a regular attendant of a school. Such badge shall be renewed annually on the first day of January and shall not be transferable, and the form, design, or color shall be changed annually. A deposit of not more than fifty cents may be required by the person issuing the badge to be returned upon the surrender of the same, and if lost the badge may be replaced upon the payment of twenty-five cents. Such badges shall be provided by the State inspector and paid for out of any moneys in the State treasury not otherwise appropriated and shall be distributed by said inspector to the superintendent of schools on or before January the first of each year. Any child who shall engage in any such street occupations in violation of the provisions of this section shall be deemed delinquent and brought before any court or magistrate having jurisdiction over juvenile delinquents and shall be dealt with according to law. The official charged with the enforcement of this act shall have authority and is hereby empowered to investigate each case where he believes that the child holding a badge is not entitled to its possession, and if he is satisfied from the evidence obtained that the child has secured the badge through misrepresentation or fraud, such official shall have authority to revoke the badge and return it to the official who issued it. Use of a badge shall be revoked or suspended in case the child's school record is not satisfactory to the principal of the school which he attends, by either the officer who issued the badge or by any official charged with the enforcement of this act. Any person who sells or offers for sale, any article of any description to a boy under sixteen years of age to be used for the purpose of sale or barter upon the streets or in any public place, shall first ascer-

tain that such boy wears his own badge in plain sight as herein provided, and if said boy has no badge, no article shall be sold to him. Any person violating this provision shall be fined not less than one and not more than fifty dollars. Police officers, and other peace officer, and truant officers shall enforce the provisions of this section.

SEC. 14. It shall be the duty of the State prison inspector or the director of the child welfare department when the same shall have been established and his authorized assistants to inspect as frequently as possible all establishments wherein minors subject to the provisions of this act, are, or may be employed or permitted to work and to enforce the provisions of this act. For the purpose of administering this act, and any other laws relating to the employment of minors, the State prison inspector or the director of the child welfare department when the same shall have been established may be designated the State child labor inspector and his deputies inspectors may, in the performance of their duties in enforcing the provisions of this act, be known as deputy child labor inspectors. It shall be the duty of the inspector to institute prosecution for the violation of any of the provisions of this act. It shall be the duty of every school attendance officer and probation officer to report to the State child labor inspector any and all violations of this act coming to his knowledge. Such school attendance officer and probation officers shall have the same right of access to establishments where minors are or may be employed or detained and of inspection of such establishments as is given by law to child labor inspectors: *Provided*, That a report of every such entry and inspection of said establishments shall be made to the State child labor inspector. Such school attendance officers and probation officers, when authorized by the State child inspector, shall have the same authority to institute prosecutions as is given by law to the State child labor inspector or deputy child labor inspector.

Enforcement.

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

Sanitary provisions.

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

Inspection.

What children removed. to remove from any establishment any child found employed, working, or detained therein contrary to the law, and to remove therefrom any child who is afflicted with any infectious, contagious, or communicable disease, or whose physical condition is such that it makes it hazardous to a child to prosecute such work.

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

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

Expenses. SEC. 19. The State prison inspector or the director of the child welfare department when the same shall have been established, and his deputies, when traveling in the performance of their duties herein prescribed, shall be reimbursed [for] their actual traveling expenses, when approved by the State child labor inspector and by the governor, to be paid on the warrant of the State auditor.

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

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

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

Approved September 30, 1919.

ALASKA.

ACTS OF 1919.

CHAPTER 6.—*Sabotage—Criminal syndicalism.*

SECTION 1. Criminal syndicalism is the doctrine which advocates crime, sabotage, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political reform or which advocates the overthrow, by force or violence, the Government of the United States or of the Territory of Alaska. 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:

(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 Offenses.

(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) Knowingly and willfully 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 is guilty of a felony and punishable by imprisonment in the penitentiary for not more than ten years (10) or by fine of not more than five thousand dollars (\$5,000), or both.

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 willfully, knowingly, and voluntarily participating therein by his presence, aid or instigation is guilty of a felony and punishable by imprisonment in the Federal penitentiary for not more than ten years (10) or by fine of not more than five thousand dollars (\$5,000), or both. Penalty.

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 3 of this act, or who, after notification by the United States marshal or his deputy or the police authorities that the premises are so used, permits such use to be continued, is guilty of a misdemeanor and punishable by imprisonment in the Federal jail for not more than one year or by a fine of not more than five hundred dollars (\$500), or both. Permitting assemblage.

Approved April 18, 1919.

CHAPTER 29.—*Liability of employers for taxes.*

SECTION 8. It shall be the duty of the school tax collector to demand, and it shall be the duty of every person, firm, or corporation, employing labor in the Territory of Alaska, to furnish to such collector upon demand a list of the employees of such person, firm, or corporation subject to the tax imposed herein [for each male person over 21 years of age], and for this purpose To furnish names.

the Territorial treasurer shall furnish to each school tax collector suitable blank forms for the making of such lists, which blank forms shall be delivered by the school tax collector to the employers of labor aforesaid. Every such person, firm, or corporation having in his or its employ persons subject to said tax who neglect to pay the same within the time within which the same is due and payable, as provided in section four (4) hereof, shall be liable for the payment of the same and it shall be the duty of every such person, firm, or corporation to deduct from the wages of each of its said employees, who are subject to said tax, the amount thereof unless such employee furnishes proof of the payment of the same, and to pay upon the first day of each month, during the period within which the tax herein imposed is due and payable, all amounts so deducted and collected to the school tax collector, together with a list of the persons from whom the same are collected, taking a receipt from the school tax collector for the amount of each tax so paid, and to deliver such receipt to the employee from whom the same was collected.

Liability for payment. If any person, firm, or corporation fails, neglects, or refuses to comply with the provisions of this section, such person, firm, or corporation shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (50) nor more than five hundred dollars (\$500).

Penalty. Any person, firm, or corporation becoming liable for the tax of another, as provided in this section, may be proceeded against in a civil action prosecuted in the name of the Territory for the payment of the same, and there shall be added to the judgment in all such cases the sum of twenty-five dollars (\$25) penalty for each tax said person, firm, or corporation has failed to collect and pay, as in this section provided.

Liability. Approved May 1, 1919.

CHAPTER 33.—*Private employment offices—License fee.*

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

* * * * *

Amount. 5th. Employment agencies operating for hire and collecting a fee for services five hundred dollars per annum.

Approved May 1, 1919.

CHAPTER 59.—*Labor commissioner—Creation of office—Factory inspection.*

Office created. SECTION 1. The office of labor commissioner of the Territory of Alaska is hereby created.

Who to act. SEC. 2. The mining inspector of the Territory of Alaska shall be ex-officio labor commissioner, but shall receive no additional compensation for acting as such labor commissioner. The mining inspector is hereby empowered and authorized to perform the duties of such labor commissioner as provided in this act.

Duties. SEC. 3. The duties of the labor commissioner of the Territory of Alaska shall be:

(a) To assort, systematize, and present in biennial report to the governor of Alaska statistical details relating to all departments of labor in the Territory, especially in its relation to the industrial, social, and sanitary conditions of the laboring classes, and to the permanent prosperity of the industries of the Territory.

(b) He shall have the power to enforce all sanitary and safety regulations, as are hereinafter set forth.

(c) He may inspect any factory, cannery, or other establishment where labor is employed, and is hereby empowered and authorized so to do.

Sanitary provisions. SEC. 4. In every factory, cannery, or other establishment where labor is employed, all refuse, waste, and sweepings shall be re-

moved or disposed of at least once a day and in such a manner as not to become a nuisance. In every factory, cannery, or other establishment in which any process is carried on which makes the floors wet, the floors shall be constructed and maintained with due regard to the health of employees and grating or dry standing rooms shall be provided, if practicable, at points where employees are regularly stationed, and adequate means shall be provided for drainage and for preventing seepage or leakage to the floors below.

Sec. 5. In every factory, cannery, or other establishment where labor is employed, there shall be provided a sufficient supply of clean and pure drinking water; if such drinking water is placed in receptacles, such receptacles shall be properly covered to prevent contamination, and shall be thoroughly cleaned at frequent intervals. There shall be provided and maintained suitable and convenient wash rooms, separate for each sex, adequately equipped with washing facilities, consisting of sinks or stationary basins provided with running water, or with tanks holding an adequate supply of clean water. And there shall be provided in every factory, cannery, or other establishment employing ten (10) or more persons, shower baths with a sufficient supply of hot and cold water. All wash rooms, washing facilities, and sleeping quarters (when furnished by employer) shall be constructed, lighted, heated, ventilated, arranged, and maintained according to rules and regulations drawn up by the labor commissioner.

Drinking wa-
ter.

Washrooms.

Sec. 6. Every factory, cannery, or other establishment, where labor is employed, shall be provided with a sufficient number of water-closets, earth closets, or privies, within reasonable access of the persons employed therein, and such water-closets, earth closets, or privies shall be supplied in the proportion of at least one (1) to every twenty-five (25) female persons, and one (1) to every thirty (30) male persons; and whenever both male and female persons are employed, said water-closets and privies shall be provided separate and apart for the use of each sex, and plainly marked by which sex they are to be used; and no person or persons shall be allowed to use the closets or privies assigned to the opposite sex; and such closets or privies shall be constructed in an approved manner and properly inclosed and at all times kept in a clean and sanitary condition.

Water-closets.

Sec. 7. In every factory, cannery, or other establishment, when labor is employed, adequate measures shall be taken for securing and maintaining a reasonable, and as far as possible, equable temperature, consistent with the reasonable requirements of the manufacturing process.

Temperature.

Sec. 8. It shall be the duty of every employer of labor, his superintendent, manager, or agent, in this Territory to afford to the labor commissioner every facility for the inspection of his factory, cannery, or other establishment where labor is employed, and for procuring statistics of the wages and conditions of his employees.

Inspection.

Sec. 9. Any person, firm, or corporation, or any agent, manager, or superintendent of any person, firm, or corporation, who shall, for himself or such person, firm, or corporation violate any of the provisions of this act, or omits or fails to comply with any of the requirements of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished, for the first offense, by a fine of not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars, or by 10 days' imprisonment in the Federal jail, or by both such fine and imprisonment; and upon conviction of a second or subsequent offense he shall be fined not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars, or by imprisonment for one (1) month in the Federal jail, or by both such fine and imprisonment.

Violations.

Approved May 5, 1919.

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ARIZONA.

ACTS OF 1919.

CHAPTER 15.—*Employers' liability—Attorneys' fees.*

SECTION 1. Chapter VI, Title XIV, Revised Statutes of Arizona, 1913, Civil Code, is hereby amended by adding thereto another section to be known as Section 3162a.

SECTION 3162a. In any action brought under this chapter, or in any action brought to recover damages for the death or injury of any employee under any other law of the State of Arizona, when such death or injury was sustained by such employee in the course of one of the occupations by this chapter declared hazardous, it shall be unlawful for any attorney or attorneys at law to receive or contract or agree to receive a fee or compensation for his or their services as such attorney, or attorneys at law, a fee to exceed twenty-five (25) per cent of the amount recovered and collected, exclusive of costs. And any contract or agreement or device whatsoever in violation hereof shall be null and void, and any attorney or attorneys at law violating this section shall forfeit all right to any fee or compensation whatsoever in said action and shall be deemed guilty of a misdemeanor and shall be subject to disbarment.

Fee limited.

Approved February 24, 1919.

CHAPTER 91.—*Wage brokers—Assignment of wages.*

[This act follows the standard requirements as to the business of making small loans. A license is required for each place of business, for which the annual fee is \$50; a bond for \$1,000 is also required. The rate of interest may not exceed $3\frac{1}{2}$ per cent per month, inclusive of all charges for making the loan. All obligations are to state amounts and terms, and receipts are to be given for each payment.

The following sections relate specifically to wage loans:]

SECTION 31. Any assignment of, or order for the payment of any salary, wages, commissions, or other compensation for services, earned or to be earned, given to a licensed money lender as security or collateral for small loan made under this act shall be valid if such loan is contracted, or renewed, simultaneously with its execution, and if in writing signed in person by the assignor and not by attorney. Every such assignment when made by a married person shall require the written assent of his or her spouse indorsed or attached thereto: *Provided*, That written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to such assignment. Any law of the State of Arizona concerning assignments of wages shall not apply to assignments made under this act.

What assignments valid.

Spouse to assent.

SEC. 32. Every such assignment of, or order for, the payment of salary, wages, commissions, or other compensation for services, earned or to be earned in the future, given as security or collateral for a loan under this act, shall be valid if for ten (10%) per centum or less, of the assignor's salary, wages, or other compensation for services, under any existing or future employment, during forty months from date such assignment becomes effective, which proportion shall be collectible by the licensed money-lender from the employer of such assigning borrower, at the time each such payment for services shall become due, from the time that a copy thereof, verified by the oath of the licensed money lender, or his agent,

Amount covered.

together with a verified statement of the amount unpaid upon such loan is served upon the employer, who may demand to have the original of such assignment exhibited to him at the time such copy is served. Any borrower, as assignor may agree, as attorney in fact, to collect his whole salary, wages, commissions or other compensation for services, as same shall become due and be collected by him, and to pay over to the licensed assignee ten (10) per centum thereof, or less, if previously agreed, until the loan or debt shall have been repaid.

Future employ- (a) Any borrower may also give an equitable lien upon ten
ers. per centum of this after-acquired earnings from salary, wages, or other gainful employment, as same shall become due from any future employer, during not exceeding forth [sic] months, next thereafter and may agree to execute a formal assignment therefor, if demanded by a licensed lender, after such new contract for employment becomes effective: *Provided*, Such loan with interest shall not then have been repaid.

Approved March 17, 1919.

CHAPTER 113.—*Employment of children—School attendance.*

Who to attend. SECTION 1. All children over eight years of age shall attend school for as many weeks as the schools in the district in which they reside shall be in session until they have reached the age of sixteen, except children of such physical disability as to unfit them for school duties, which disability shall be certified to by a regular physician, and except that children who have reached the age of fourteen years may be excused from such school attendance to enter regular employment.

Certificate. SEC. 2. The probation board, as provided by law, or any school officials designated by them, may issue a certificate permitting a child over fourteen years of age and less than sixteen years of age to enter regular employment.

Part-time school. SEC. 3. Whenever in any school district there shall have been issued fifteen such employment certificates there shall be established a part-time school or class giving instruction for not less than one hundred and fifty hours per year and for not less than five hours per week between the hours of 8 a. m. and 6 p. m.

Hours to be counted as work. SEC. 4. Whenever the number of hours for which a child over fourteen years and less than sixteen years of age shall be employed shall be fixed by Federal or State law, the hours of attendance upon a part-time school or class shall be counted as a part of the number of hours so fixed by Federal or State laws.

Use of funds. SEC. 5. The State board of education shall adopt rules and regulations concerning the establishment of part-time schools and [when] classes shall have been established in accordance with such rules and regulations the districts maintaining them shall be entitled to reimbursement from Federal and State funds available for the promotion of vocational education, for the expenditures for the salaries of teachers of such part-time schools or classes to not less than seventy-five per cent (75%) of the money so expended.

No school held. SEC. 6. Whenever any school district shall deem it inexpedient to establish part-time schools or classes it shall present to the State superintendent of public instruction the reasons for such inexpediency, and the State superintendent may excuse the district from the establishment of such part-time schools or classes if he deems such reasons sufficient.

Violations by parents. SEC. 7. Any parent, guardian, or other person responsible for the custody of a child over fourteen years of age and less than sixteen years of age shall be held responsible for the attendance of such child, when regularly employed, upon a part-time school or class whenever there shall have been established such part-time school or class in the district where the said child resides or may be employed, and any such parent, guardian, or person responsible for the custody of such child shall be subject to the same

penalties as have been established by law to compel the attendance of children over eight and under fourteen years of age upon any school instruction.

SEC. 8. Any person, firm, or corporation employing a child between the ages of fourteen and sixteen years shall permit the attendance of such child upon a part-time school or class whenever any such part-time school or class shall have been established in the district where the child resides or may be employed, and any employer, firm, or corporation employing any child over fourteen and less than sixteen years of age contrary to the provisions of this act shall be subject to a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50) for each separate offense.

By employers.

SEC. 9. The school officials charged with the responsibility of enforcing the compulsory attendance laws of this State shall also be responsible for the enforcement of the attendance upon part-time schools and classes in accordance with the terms of this act.

Enforcement.

Approved March 20, 1919.

CHAPTER 165.—*Regulation of factories, etc.—Wash rooms in smelters and foundries.*

SECTION 1. Suitable and proper bathrooms, wash rooms, and water-closets shall be provided by the owner or operator of any smelter, refinery, or foundry engaged in the treatment or reduction of ores or metals, and all cement works and ore reduction works using oils, cyanide, acids, quicksilver, and such water-closets shall be properly screened and ventilated, and shall be kept at all times in a clean, sanitary condition, with not less than one seat for each twenty-five persons, and one seat for each fraction thereof above ten, employed in such establishment. One shower bath shall be provided for every twenty-five men employed in such establishment with adequate additional wash-room facilities, and at all times they shall be kept in a clean and sanitary condition.

Where required.

SEC. 2. Every such establishment enumerated above shall provide, maintain, and suitably equip a heated change room immediately contiguous to such establishment, which shall at all times be open to employees and shall at all times be kept in a clean and sanitary condition.

Dressing room.

SEC. 3. The enforcement of the provisions of this act are declared necessary for the maintenance of the public health, and the superintendent of the State board of health is charged with the enforcement of the provisions herein contained.

Enforcement.

SEC. 4. Any person, persons, firm, company, corporation, or association violating any of the provisions of this act, and any person who shall mark, print, or write any obscene picture, writing, or marking in or about the premises herein mentioned, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50) nor more than three hundred dollars (\$300), or by imprisonment in the county jail for not less than ten (10) days, nor more than sixty (60) days, or by both such fine and imprisonment.

Violations.

Became law March 26, 1919.

CHAPTER 174.—*Employment on public work—Citizens to be preferred.*

SECTION 46. In all cases where money appropriated under the provisions of this act 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,

Preference.

If labor not 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.

Approved March 25, 1919.

ARKANSAS.

ACTS OF 1919.

Act No. 134.—*Mine regulations—Wash houses.*

SECTION 1. It shall be the duty of every owner or lessee, its officers and agents, or other person or persons having jurisdiction or direction of any coal mine or coal mines employing ten or more persons, within the State of Arkansas, to provide within ninety days after the passage and approval of this act, a suitable building which shall be convenient to the principal entrance of such mine or mines, and equip with individual lockers or hangers, benches or seats, proper light, heat, hot and cold water and shower baths, and maintain same in good order, for the use and benefit of all persons employed in or about said mine or mines. Said building shall be so constructed as to give sufficient floor space for the accommodation of miners or others using the same. The flooring in the wash room of said building to be made of concrete or cement, but the material used in flooring the changing room shall be optional with the owner, lessee, or person operating or directing the operation of the mine or mines. All lockers required by this act, when made of steel, shall be not less than twelve inches in width, twelve inches in depth and sixty inches in height. When made of lumber, they shall not be less than twelve inches in depth, twelve inches in width, and sixty inches in height, with partitions in center of wood lockers.

Who to furnish.

Equipment, etc.

Individual hangers shall consist of not less than three suitable hooks upon which to hang clothing and a receptacle of suitable size for use in connection therewith, attached to a proper chain or wire rope, and so suspended as to admit of hanger being raised to such height that the wearing apparel, when hung thereon, will not be less than seven feet above the floor of said building and of being locked in that position. The lockers or hangers in each washhouse shall be sufficient in number to accommodate all employees of said mine or mines and there shall be one shower bath for each fifteen employees. Said employees shall furnish their own towels, soap, and lock for their lockers or hangers, exercising control over and be responsible for the property by them left therein; and it shall be the duty of all persons using said washhouses to remove therefrom all cast-off wearing apparel.

Baths.

SEC. 2. Every corporation, company, partnership, person, or persons, who shall construct any building or buildings required by section 1 of this act, and shall install such washhouse and washhouse facilities as required therein, shall at all times during the operation of any mine or mines, keep same in a clean and sanitary condition, but shall not be liable for the loss or destruction of any property of employees left in any such building or buildings.

Cleanliness.

SEC. 3. Any owner, or lessee, its officers, or agents, or other person or persons failing or refusing to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined not less than \$50 nor more than \$100; each day's violation shall constitute a separate offense and shall be punished as such.

Violations.

SEC. 4. It shall be unlawful for any person to break, injure or destroy any part or appurtenance to any washhouse, or commit any nuisance therein; and any person adjudged guilty of a violation of this section shall be fined in any sum not less than \$25 nor more than \$50.

Injury.

SEC. 5. All coal mines operating in this State shall by partition, or other means, in the discretion of the State mine inspector, maintain separate washhouses for whites and blacks.

Races separate.

Existing houses. SEC. 6. It shall be the duty of the State mine inspector and he is by this act authorized to require washhouses already in existence to be so changed, remodeled, and improved as to comply with the provisions of this act. He shall have general supervision of this law and its enforcement.

Approved February 27, 1919.

ACT No. 265.—*Regulation of factories—Toilet and lunch rooms.*

Separate provisions. SECTION 1. There shall be provided in every factory, manufacturing establishment, workshop, or other place where six or more men and women are employed, separate toilet and wash rooms for men and women; also suitable lunch room for the women employees separate and apart from the workrooms and toilet rooms: *Provided*, That in establishments where it is impracticable to provide lunch rooms, women workers shall be allowed not less than one hour for mealtime, during which hour they shall be permitted to leave the establishment.

Enforcement. SEC. 2. The commissioner of labor shall enforce the provisions of this act, and shall give notice in writing to employers violating same, and upon failure to comply with the provisions of this act, after thirty (30) days from such notice, such employers shall be liable to penalties provided by this act.

Violations. SEC. 3. Any firm, person, or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than one hundred dollars, each day to constitute a separate offense.

Act cumulative. SEC. 4. This act shall not repeal any laws now in force, but shall be cumulative thereto and shall be in force from and after passage.

Approved March 13, 1919.

ACT No. 275.—*Hours of labor of women—Minimum wage.*

[Section 11 of act No. 191, Acts of 1915, is amended by striking out telephone establishments from its provisions.]

Provisions severable. Section 13 is amended so as to read as follows:]

Exemptions. SEC. 13. Should any section or sections of this act be held invalid by the court, it shall not thereby be understood as affecting, and shall not affect the other provisions of this act: *Provided*, This act shall not apply to cotton factories or to the gathering of fruits or farm products in Arkansas.

Approved March 15, 1919.

ACT No. 486.—*Regulation of coal mines—Examining board.*

Appointment. 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 1st, 1921, and thereafter such board of examiners shall be appointed for a term of four years. Two of said board shall be practical miners, who have had at least eight years' experience as miners in mines of Arkansas or elsewhere; two shall be operators of coal mines in the State of Arkansas or representatives thereof; one additional member of said board shall be selected by the four members appointed as hereinbefore provided.

Pay. The members of the examining board shall be paid out of the coal-mine examiners' fund, upon vouchers to be approved by the president of said board, the sum of \$6 per day for each day of actual service and their necessary expenses.

Organization. SEC. 2. Immediately after their appointment, the examiners shall meet and organize by selecting a chairman and secretary. The secretary shall keep on file all examination questions and their answer and all examination records and papers belonging to the board. The examining board shall convene upon call of the chairman; except in case of emergency, notices shall be published in one newspaper of general circulation in each county in

which there are coal mines, at least five days before the day of meeting.

SEC. 3. On and after the passage of this act, no fire bosses, hoisting engineers, or mine foremen shall be employed in any mine in the State of Arkansas, unless they shall have been examined by the State board of examiners, as hereinafter provided: *And provided further*, That no one shall act as mine inspector or assistant mine inspector of the State of Arkansas, unless they have been examined by said board of examiners, as hereinafter provided: *Provided*, That the mine inspector holding office at the time this act goes into effect shall pay a fee of ten dollars and be granted a certificate without examination, and the assistant mine inspector holding office at the time this act goes into effect, shall, on payment of a fee of seven dollars and fifty cents, be granted a certificate without examination: *Provided*, That men holding positions of hoisting engineers or mine foremen at the time this act goes into effect, who have had five years' experience and pay a fee of five dollars, shall be granted certificates without examination.

Who to be examined.

Incumbents.

Fire bosses, holding positions at the time this act goes into effect, who have had five years' experience and pay a fee of three dollars, shall be granted a certificate 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 a citizen of the United States. All applicants shall be thoroughly examined with reference to the duties of the positions for which they have applied for certificate. Applicants for certificates as mine foremen shall be at least twenty-five years old and shall have had at least five years' experience as practical coal miners, mining engineers, or men of general underground experience. Applicants for certificates as fire bosses shall have like qualifications and experience in the mines of Arkansas or elsewhere, and shall also have had experience in mines that generate explosive and noxious gases. Applicants for certificates as mine inspector shall, before examination, pay to the board a fee of four dollars, and, if successful, a further fee of six dollars for a certificate. Applicants for certificate as assistant mine inspector shall, before examination, pay to the board a fee of three dollars, and, if successful, a further fee of four and one-half dollars for a certificate. Applicants for certificates as mine foremen and hoisting engineers shall, before examination, pay to the board a fee of two dollars, and, if successful, a further fee of three dollars for a certificate. Other applicants shall, before examination, pay to the board of examiners a fee of one dollar, and, if successful, a further fee of two dollars for a certificate.

Applicants.

SEC. 4. The board shall grant certificates after examination to all applicants who have shown themselves familiar with the duties of the position for which they desire certificates, and are capable of performing such duties: *Provided*, That certificates of the first grade shall be granted only to applicants who, by oral or 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 and noxious gases, and the certificate shall so state: *Provided*, Certificates for mine inspector and assistant mine inspector shall be granted only to applicants who have shown themselves duly qualified, as provided by the law creating such office, and no appointments shall be made to such offices unless such appointee shall hold a certificate.

Certificates.

SEC. 5. Anyone holding a first grade foreman's certificate may serve as foreman in any mine, and may serve as fire boss; and anyone holding a second grade mine foreman's certificate may serve as any of the above, except as fire boss and foreman in mines which generate explosives 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

Service.

not hold a certificate, for a period of not more than thirty days as mine foreman or fire boss.

Forgery, etc.

SEC. 6. Any person who shall forge, alter or counterfeit a certificate, or shall secure or attempt to secure employment by use of such forged, altered or counterfeited certificate, or shall falsely represent that he is a holder of a certificate regularly issued him, shall be guilty of a misdemeanor.

Duplicates.

SEC. 7. In case of loss or destruction of certificate, the secretary of the examining board, upon satisfactory proof of the said loss or destruction, may issue a duplicate thereof in the payment of the sum of one dollar.

Revocation.

SEC. 8. 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 the holder of a certificate for intoxication, mental disabilities, 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.

Violations.

SEC. 9. Any owner, operator, lessee or agent of any coal mine in the State of Arkansas, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding one year, or both.

Approved March 28, 1919.

ACT No. 686.—*Regulation of coal mines.*

[Section 17 of act No. 225, Acts of 1905 is amended to read as follows:]

Ventilation.

SECTION 17. All slopes, drifts, or shafts used for hoisting or hauling coal shall be made the intake of air into the mines except at the option of the owner or by direction of the State mine inspector, and all air that goes into a mine shall be so split that not more than fifty employees will be working on each split of air, and there shall not be less than 200 cubic feet of air pass each working face per minute, and it shall be the duty of the State mine inspector to measure the air at all working faces in making his inspection. The machinery and appliances used for conducting or driving the air into the mines shall be so installed, arranged and adjusted that said air currents may be easily and speedily reversed in emergencies.

Approved April 5, 1919.

CALIFORNIA.

ACTS OF 1919.

CHAPTER 6.—*Soldiers' employment committee.*

SECTION 1. There is hereby created a State committee on soldiers' employment and readjustment to consist of nine members who shall be appointed by the governor to serve at his pleasure. Committee created.

SEC. 2. The State committee on soldiers' employment and readjustment shall assist in securing employment for soldiers, sailors, marines, and others who have served with the armed forces of the United States during the European war; and shall likewise have power to cooperate with all Federal, State, county, and municipal officials and agencies having a like object in so dealing with such problems and in the securing of said employment for said soldiers, sailors, marines, and others who have served with the armed forces of the United States during the European war, and to stimulate and coordinate public and private assistance and to encourage and develop Federal, State, municipal, and private industrial and constructive enterprises in the meeting of these problems; and said committee shall likewise be authorized and empowered to aid in the expeditious allowance and payment of all allotments and allowances provided for by law for the protection of said soldiers and the maintenance of their dependents. Duties.

SEC. 3. This committee shall succeed to all the activities of the State council of defense, and said State council of defense is hereby authorized and instructed to deliver all of its records, files, and property to said committee. Succession.

SEC. 4. Members of the State committee on soldiers' employment and readjustment shall serve without pay, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duty hereunder. Expenses.

SEC. 5. For the purposes of this act fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated. Claims against such appropriation shall be approved by the chairman of the State committee on soldiers' employment and readjustment, and when so approved shall be audited and paid in the manner provided by law. The term of said State committee on soldiers' employment and readjustment shall expire not later than January 31, 1921, A. D. Appropriation.

Approved January 24, 1919.

CHAPTER 164.—*Labor camps—Sanitation, etc.*

[This act amends chapter 182, Acts of 1913, as amended by chapter 329, Acts of 1915.]

Section 1 is amended by requiring bunk houses, etc., to be in good structural condition and to exclude dampness in inclement weather. Sleeping quarters.

Section 2 adds the requirement that "suitable bunks or beds shall be provided for all employees."

To section 4 is added a provision requiring bathing facilities.

Suitable drainage for the kitchen sink is required by section 5 as amended, while section 6 is amended to require the appointment of a responsible caretaker at each camp.]

CHAPTER 183.—*Vocational rehabilitation of injured workmen.*

SECTION 1. Whenever any fatal compensable injury is suffered by any employee coming under the provisions of said compensation, insurance, and safety act and such deceased employee does Fund created.

not leave surviving him any person entitled to a death benefit, the employer, or his insurance carrier, if he be insured under said compensation act, shall pay into the treasury of the State of California the sum of three hundred fifty dollars for each such fatal injury in addition to any other payments under the provisions of said compensation act: *Provided*, That the total payments shall not exceed three times the average annual earnings of said deceased employee. Said moneys paid into the State treasury under the provisions of this section shall be covered into a special fund to be known as the "industrial rehabilitation fund," which fund is hereby created and appropriated for the purposes set forth in this act.

Use of fund.

SEC. 2. The industrial accident commission may draw upon said fund for the promotion of vocational reeducation and rehabilitation of persons disabled in industry in this State, in addition to any other money appropriated for such purposes. The controller is hereby ordered to draw his warrant on said fund from time to time in accordance with the direction of the commission, and the treasurer is hereby authorized and directed to pay the same.

Surplus.

SEC. 3. The treasurer shall place the remainder, if any, of the fund, after making the payments required by the preceding sections of this act, semiannually, to the credit of the accident-prevention fund, established by said compensation act.

Revolving fund.

SEC. 4. As soon as the sum of five thousand dollars shall have accumulated in said fund, the treasurer shall, upon the order of the industrial accident commission, deposit the same with the State compensation insurance fund as a revolving fund. The State compensation insurance fund shall, upon the order or award of the industrial accident commission, make the payments required by sections two, three, and four from said revolving fund, accounting therefor to the State board of control as in other cases, and the State treasurer shall from time to time, upon the order of the commission, reimburse said State compensation insurance fund from the industrial rehabilitation fund for expenditures made from said revolving fund. The reasonable expense of administration of the said State compensation insurance fund in carrying out the duties imposed by this act shall, upon the auditing and approval thereof by the State board of control, be paid from said industrial rehabilitation fund in the same manner as is provided in this section for other payments. The controller is hereby directed to draw his warrant from time to time in favor of the State compensation insurance fund in accordance with the direction of said commission, and the treasurer is hereby authorized and directed to pay the same.

Collection.

SEC. 5. If any proceedings are necessary to collect from any employer the amount mentioned in the preceding section, or to determine the liability of any employer under said compensation act with respect to said amount, such proceedings shall be instituted before the industrial accident commission of its own motion or by the attorney general on behalf of the people of the State of California and such proceedings shall be tried and determined in the same manner and with the same effect as any other proceeding to collect compensation: *Provided*, That if proceedings be instituted by any other person to collect benefits under the compensation act on account of such fatal injury, the commission may, if it finds said sum of three hundred fifty dollars payable to the State treasurer, award said sum to the State of California without the people of the State of California being a party to said proceedings: *And provided further*. That if said sum of three hundred fifty dollars shall be paid into the treasury and at any time thereafter any person claiming to be a dependent of the deceased employee shall establish such dependency and secure an award therefor, the commission may make an award against the State of California in favor of said dependent for said sum of three hundred fifty dollars, or as much thereof as may be necessary to meet the claim of such dependent, said sum to be applied to said death benefit and to relieve

to that extent the employer or his insurance carrier against liability therefor.

SEC. 6. The industrial accident commission of the State of California is hereby vested with full jurisdiction and authority to hear and determine any and all questions and controversies arising under this act and to make and enter all orders and awards necessary to carry out the purposes herein set forth.

Administration.

Approved May 2, 1919.

CHAPTER 188.—*Criminal syndicalism—Sabotage.*

SECTION 1. The term "criminal syndicalism" as used in this act is hereby defined as any doctrine or precept advocating, teaching, or aiding and abetting the commission of crime, sabotage (which word is hereby defined as meaning willful and malicious physical damage or injury to physical property), or unlawful acts of force and violence or unlawful methods of terrorism as a means of accomplishing a change in industrial ownership or control, or effecting any political change.

Definition.

SEC. 2. Any person who:

1. By spoken or written words or personal conduct advocates, teaches, or aids and abets criminal syndicalism or the duty, necessity, or propriety of committing crime, sabotage, violence, or any unlawful method of terrorism as a means of accomplishing a change in industrial ownership or control, or effecting any political change; or

Offenses.

2. Willfully and deliberately by spoken or written words justifies or attempts to justify criminal syndicalism or the commission or attempt to commit crime, sabotage, violence, or unlawful methods of terrorism with intent to approve, advocate, or further the doctrine of criminal syndicalism; or

3. Prints, publishes, edits, issues or circulates, or publicly displays any book, paper, pamphlet, document, poster, or written or printed matter in any other form, containing or carrying written or printed advocacy, teaching, or aid and abetment of, or advising, criminal syndicalism; or

4. Organizes or assists in organizing, or is or knowingly becomes a member of, any organization, society, group, or assemblage of persons organized or assembled to advocate, teach, or aid and abet criminal syndicalism; or

5. Willfully by personal act or conduct, practices, or commits any act advised, advocated, taught, or aided and abetted by the doctrine or precept of criminal syndicalism, with intent to accomplish a change in industrial ownership or control, or effecting any political change;

Is guilty of a felony and punishable by imprisonment in the State prison not less than one nor more than fourteen years.

Penalty.

SEC. 3. If for any reason any section, clause, or provision of this act shall by any court be held unconstitutional then the legislature hereby declares that, irrespective of the unconstitutionality so determined of such section, clause, or provision, it would have enacted and made the law of this State all other sections, clauses, and provisions of this act.

Provisions severable.

Approved April 30, 1919.

CHAPTER 202.—*Times of payment of wages.*

SECTION 1. Whenever an employer discharges an employee, the wages or compensation for labor or service earned and unpaid at the time of such discharge shall become due and payable immediately. Whenever an employee not having a written contract for a definite period quits or resigns his employment, the wages or compensation shall become due and payable not later than seventy-two hours thereafter, unless such employee shall have given seventy-two hours' previous notice of his intention to quit, in which latter case such employee shall be entitled to his wages or compensation at the time of quitting.

Termination of employment.

- Semimonthly pay day.** SEC. 2. All wages or compensation other than those mentioned in section one of this act earned by any person in any employment not exempt by section eleven of this act, shall become due and payable semimonthly or twice during each calendar month, on days to be designated in advance by the employer as the regular pay days: *Provided, however,* That services rendered between the first and fifteenth days, inclusive, of any calendar month shall be paid for between the sixteenth and the twenty-sixth day of the month during which services were rendered, and for all services rendered between the sixteenth and the last day, inclusive, of any calendar month, said services shall be paid for between the first and tenth day of the following month: *Provided, however,* That in agricultural, viticultural, and horticultural pursuits, in stock or poultry raising, and in household domestic service, and when the employees in the said employments are boarded and lodged by the employer, the wages or compensation due any employee remaining in such employment shall become due and payable monthly or once in each calendar month, on a day designated in advance by the employer as the regular pay day, but no two successive such pay days to be more than thirty-one days apart, and the payment or settlement shall include all amounts due for labor or service up to the regular pay day.
- Monthly payments.** SEC. 3. The wages or compensation subject to the provisions of this act shall include all amounts for labor or service performed by employees of every description, whether the amount is fixed or ascertained by the standard of time, task, piece, or other method of calculating the same, or whether the labor or service is performed under contract, subcontract, partnership, subpartnership, station plan, or other agreement for the performance of labor or service: *Provided,* That the labor or service to be paid for is performed personally by the person demanding payment. Nothing contained in this act shall in any way limit or prohibit the payment of wages or compensation at more frequent intervals, or in greater amounts or in full when or before due.
- Scope.** SEC. 4. Every employer shall post and keep posted conspicuously at the place of work, if practicable, or otherwise where it can be seen as employees come or go to their place of work, or at the office or nearest agency for payment kept by the employer, a notice specifying the regular pay days and the time and place of payment, also any changes in those regards occurring from time to time. Every employee who is discharged shall be paid at the place of discharge, and every employee who quits or resigns shall be paid at the office or agency of the employer in the county or city and county where such employee has been performing the labor or service for the employer. All payments of money or compensation shall be made in the manner provided by law. In the happening of any strike, the unpaid wages or compensation earned by such striking employees shall become due and payable on the employer's next regular pay day, and the payment or settlement shall include all amounts due such striking employees without abatement or reduction, and the employer shall return to each such striking employee any deposit or money or other guaranty required by him from such employee for the faithful performance of the duties of the employment. Any violation of the provisions of this section shall be punishable as for a misdemeanor, and any failure to post any notice as in this section prescribed shall be deemed prima facie evidence of a violation of this act.
- Act to be posted.** SEC. 5. In the event that an employer shall willfully fail to pay, without abatement or reduction, any wages or compensation of any employee who is discharged or who resigns or quits, as in section one of this act provided, then as a penalty for such non-payment the wages or compensation of such employees shall continue from the due date thereof at the same rate until paid, or until an action therefor shall be commenced: *Provided,* That in no case shall such wages continue for more than thirty days: *And provided further,* That no such employee who secretes or absents himself to avoid payment to him, or who refuses to receive
- Wages accrue when.**

the payment when fully tendered to him, including any penalty then accrued under the provisions of this section, shall be entitled to any benefit under this act for such time as he so avoids payment.

SEC. 6. Any person, firm, association, or corporation, or agent, manager, superintendent, or officer thereof, who, having the ability to pay, shall willfully refuse to pay the wages due and payable when demanded, as herein provided, or falsely deny the amount or validity thereof, or that the same is due, with intent to secure for himself, his employer, or other person, any discount upon such indebtedness, or with intent to annoy, harass, or oppress, or hinder, or delay, or defraud the person to whom such indebtedness is due, shall, in addition to any other penalty imposed upon him by this act, be guilty of a misdemeanor.

Violations.

SEC. 7. It shall be the duty of the commissioner of the bureau of labor statistics to inquire diligently for any violations of this act, and to institute actions for penalties herein provided, and to enforce generally the provisions of this act.

Enforcement.

SEC. 8. Nothing herein contained shall be construed to limit the authority of the district attorney of any county or city and county to prosecute actions, both civil and criminal, for such violations of this act as may come to his knowledge, or to enforce the provisions hereof independently and without specific direction of the commissioner of the bureau of labor statistics.

Prosecutions.

SEC. 9. If any section, sentence, clause, or part of this act, is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, sentence, clause, or part thereof, irrespective of the fact that one or more sections, sentences, clauses, or parts be declared unconstitutional.

Provisions severable.

SEC. 10. Nothing in this act shall apply to the payment of wages or compensation of employees directly employed by any county, city and county, incorporated city or town, or other municipal corporation. Nor shall anything herein apply to employees directly employed by the State, any department, bureau, office, board, commission, or institution thereof. All other employments shall for the purposes of this act be deemed private employments and subject to the provisions hereof.

Public employees.

SEC. 11. [Repeals chapter 663, Acts of 1911, as amended by chapter 143, Acts of 1915; also repeals chapter 657, Acts of 1915.]

Repealer.

Approved May 6, 1919.

CHAPTER 204.—*Industrial Welfare Commission.*

[This chapter amends chapter 324, Acts of 1913. A new section is added, as follows:]

SECTION 34. Any member of the commission or deputies duly authorized by it in writing, shall have the power and authority to issue subpoenas to compel the attendance of witnesses or parties and the production of books, papers, pay rolls or records, and to administer oaths and to examine witnesses under oaths and to take the verification or proof of instruments of writing, and to take depositions and affidavits for the purpose of carrying out the provisions of this act, or any of its orders, rules or regulations: *Provided*, That no witnesses shall be compelled to attend on said commission outside of the county in which said witness resides or at a distance greater than fifty miles from his place of residence.

Powers.

Obedience to subpoenas issued by the commission or its duly authorized representatives shall be enforced in the superior courts of the county or city and county in which the subpoenas were issued.

[Section 6 is amended by requiring publication of notice hearings in newspapers in Oakland, Fresno, Eureka, San Diego, Long Beach, Alameda, Berkeley, and Stockton, in addition to those

named in the original act. Notice is also to be sent to associations of at least 15 employers requesting it.

County recorders are to file the orders instead of recording them, and they are to be distributed to employers by the welfare commission directly instead of by the labor commissioner.]

[Section 11b is added to this act and reads as follows:]
 Enforcement. SEC. 11b. It shall be the duty of the industrial welfare commission to enforce the provisions of this act and compliance with its orders, rules, and regulations. Full power and authority is hereby vested in the commission to take such action as may be deemed essential for such purposes.

Approved May 5, 1919.

CHAPTER 228.—*Bureau of labor statistics—Powers.*

Collection of wages. [This chapter amends section 7 of act No. 828, General Laws, 1906, by giving the commissioner and his representatives, in addition to the powers already granted, power to take assignments of wage claims and prosecute actions for the collection of wages of persons financially unable to employ counsel.]

CHAPTER 248.—*Employment of women—Hours of labor.*

[Section 1 of chapter 258, Acts of 1911, is amended to read as follows:]

Limit of eight hours. SEC. 1. No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement, or restaurant, or telegraph or telephone establishment or office, or in the operation of elevators in office buildings, or by any express or transportation company in this State more than eight hours during any one day of twenty-four hours or more than forty-eight hours in one week. It shall be unlawful for any employer of labor to employ, cause to be employed, or permit any female employee to labor any number of hours whatever with knowledge that such female has heretofore been employed within the same date and day of twenty-four hours in any establishment and by any previous employer for a period of time that will, combined with the period of time of employment by a previous employer exceed eight hours: *Provided*, That this shall not prevent the employment of any female in more than one establishment where the total number of hours worked by said employee does not exceed eight hours in any one day of twenty-four hours. If any female shall be employed in more than one such place, the total number of hours of such employment shall not exceed eight hours during any one day of twenty-four hours or forty-eight 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 forty-eight hours during any one week: *Provided further*, That the provisions of this section in relation to hours of employment shall not apply to or affect graduate nurses in hospitals, nor the harvesting, curing, canning, or drying of any variety of perishable fruit, fish, or vegetable during 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.

Approved May 10, 1919.

CHAPTER 258.—*Employment of children—School attendance.*

[Section 1 of act 3574, General Laws, 1906, is amended to read as follows:]

Attendance required. SECTION 1. Each parent, guardian, or other person having control or charge of any child between the ages of eight and sixteen years, not exempted under the provisions of this act, shall be required to send such child to a public full-time day school for the full time for which the public schools of the city, county,

or school district in which the child resides shall be in session: *Provided*, That the following classes of children shall be exempted from the requirements of attendance upon public day school:

Exception.

* * * * *

5. Children who hold a permit to work or an age and schooling certificate granted by the proper judicial or educational officers in accordance with law.

[The following subsections, 3a, 3b, 3c, and 3d, are added to this act:]

Sec. 3a. First. The superintendent of schools of any city, or of any city and county or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue to any employer a permit to employ any minor of the age of fourteen years who holds a diploma of graduation from the prescribed elementary school course: *Provided*, That such permit shall be issued only when the prospective employer, or the parent or guardian of the minor, shall present to the superintendent asked to issue such permit, (1) a physician's certificate, or other evidence acceptable to such authority, that such minor is physically fitted for the labor contemplated; and (2) a sworn statement by the parent, foster parent, or guardian of such minor that such minor is past the age of fourteen years, and that the parent or parents, or foster parent or foster parents, or guardian of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor the family is in need of the earnings of such minor, and that sufficient aid can not be secured in any other manner. The person authorized to issue such permit in granting the same shall make a signed statement that he, or a competent person designated by him for this purpose, has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.

Issue of permits.

Data required.

Need of earnings.

Second. No permit as specified in this section shall be issued except upon a written statement from a prospective employer that work is waiting for such minor and describing the nature of such work. Such permit shall specify the name and address of the employer, the name, address, and age of the minor, the kind of work for which the permit is issued and the date on which the permit shall expire, which in no case shall be longer than six months from the date of issuance of the permit. Such permit shall be kept on file by the employer during the term of such employment and all unexpired permits shall be returned by the employer to the authority issuing the same within five days after the termination of such employment. Such permit shall be issued on forms prepared and provided in accordance with the provisions of this act by the superintendent of public instruction. Such permit shall be subject to cancellation at any time by the superintendent of public instruction, or by the commissioner of the bureau of labor statistics or by the person issuing the same, whenever any such officer or person shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to inspection by attendance and probation officers, by the officers of the State bureau of labor statistics and by officers of the superintendent of public instruction, and of the State board of education.

Assurance of employment.

Contents of permit.

Forms.

Third. A duplicate copy of each permit to employ a minor granted under provisions of this act shall be kept by the person issuing such permit, and a report of all such permits issued during the year shall be included in the annual report of the city superintendent of schools to the county superintendent of schools. The superintendent of schools of each county and of each city and county shall include in his annual report to the superintendent of

Duplicate.

public instruction, a summary of all such reports, which shall include a summary of all such permits to employ minors issued by him during the year.

Vacation per-
mits.

SEC. 3b. Any minor over the age of twelve years and under the age of fifteen years who holds a vacation permit issued as herein-after provided may be employed in any of the establishments or occupations mentioned in section one of [* * * Act 1611, General Laws, 1906], as amended, and in section one of * * * [chapter 259, Acts of 1918], on the regular weekly school holidays and during the regular vacation of the public schools of the school district, city, or city and county, in which the place of employment is situated. Vacation permits shall be signed by the principal of the school, or secretary of the board of school trustees or board of education having control of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permits shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued.

Minors fifteen
years of age.

SEC. 3c. First. No minor of the age of fifteen years shall be employed, permitted, or suffered to work during the hours the public schools are in session, unless such minor is provided with an age and schooling certificate as herein provided.

Second. An age and schooling certificate shall be approved only by the superintendent of schools of the county, city, or city and county, or by a person authorized by him in writing and each application for an age and schooling certificate must be acted upon within three days after such application has been duly filed with the person legally authorized to issue such age and schooling certificate: *Provided*, That any person authorized in writing to issue age and school certificates as herein provided shall on or before the thirtieth day of June of each year file with the superintendent so authorizing him all duplicate copies of such certificates issued by him during the school year. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this act, but no fees shall be charged for administering such oaths or issuing such certificates. The person authorized to issue age and schooling certificates shall not issue such certificates until the minor in question, accompanied by its parent or guardian, has personally made application to him therefor, and until he has received, examined, approved, and filed the following papers duly executed: (1) The school record of such minor, giving age, grade, and attendance for the current term, duly signed by the principal or teacher. (2) Evidence of age, such as the school enrollment record, or a certificate of birth, or a certificate of baptism duly attested, or a passport, or affidavit of the parent, guardian, or custodian of such minor, such as shall convince such officer that the minor is fifteen years of age or upwards. (3) The written statement of the person, firm, or corporation in whose service the minor is about to enter, that he intends to employ the minor, which statement shall give the nature of the occupation for which the child is to be employed. (4) A certificate signed by a physician appointed by the school board or other public medical officer, stating that such minor has been examined by him and, in his opinion, has reached the normal development of a minor of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do: *Provided, however*, That no fee shall be charged the minor for such physician's certificate.

Evidence.

Form.

Third. Age and schooling certificates shall be issued on forms which shall be prepared and provided by the superintendent of public instruction, and shall be substantially in the following form, to wit:

AGE AND SCHOOLING CERTIFICATE.

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

Signature as provided in this act.

Town or city and date.

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

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

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

Town or city and date.

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

The certificate as to the birthplace and age of the minor under sixteen and over fifteen years of age shall be signed by his father, his mother, or his guardian, or other person having control or charge of such minor.

Fourth. Every person authorized to sign the certificate prescribed by this act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than five nor more than fifty dollars, or imprisonment for not more than thirty days, or by both such fine and imprisonment.

Misdemeanor.

Fifth. A duplicate copy of each age and schooling certificate issued under the provisions of this act shall be kept by the county, city, or city and county superintendent issuing or authorizing the issuance of such certificates, and a report of all such certificates issued during the year shall be included in the annual report of each city superintendent of schools to the county superintendent of schools. The superintendent of schools of each county and of each city and county shall include in his annual report to the superintendent of public instruction a summary of all such reports and a statement of the number of all such age and schooling certificates issued by him during the year.

Reports.

Sixth. No minor having an age and schooling certificate, as hereinbefore described, and no other minor under sixteen years of age, who would by law be required to attend school, shall be and remain idle and unemployed for a period longer than two weeks while the public schools are in session, but must enroll and attend school: *Provided*, That within five days after any minor having such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, notify the issuing officer that such minor is no longer employed by such employer, giving the latest correct address of such minor known to such employer; and such issuing officer shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor and stating that such minor is not at work.

School attendance.

Seventh. No minor of the age of fifteen years shall be permitted to cease school attendance without securing an age and schooling certificate as provided in this act.

Eighth. Nothing in this act shall be construed to repeal or in any way modify the provisions of sections fourteen and sixteen of [* * * Act 1611, General Laws, 1906] as amended, or the provisions of sections three and one-half and five of an * * * [chapter 259, Acts of 1919].

Register, etc.

SEC. 3d. First. Every person, firm, corporation, or agent, or officer of a firm or corporation employing minors under the age of sixteen years shall keep a register containing the names and addresses of such minor employees and shall post and keep posted in a conspicuous place in every room where such minors are employed a written or printed notice stating the working hours per day for each day of the week required of such minors, and shall keep on file all permits and certificates required by this act for minors under the age of sixteen years. Such records and files shall be open at all times to the inspection of the school attendance and probation officers and the officers of the State bureau of labor statistics, of the superintendent of public instruction, and of the State board of education.

Return of permits.

Except as otherwise provided in this act, all certificates and permits shall be given up to such minor upon his quitting such employment. Any age or schooling certificate or permit granted under this act shall be subject to cancellation at any time by the commissioner of the bureau of labor statistics, or by the superintendent of public instruction, or by the authority issuing such certificate, whenever such commissioner, superintendent, or the authority issuing such certificate shall find that conditions for the legal issuance of such certificate no longer exist or have never existed.

Violations.

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

[A new section to be numbered section 11a is added to this act, said section to read as follows:]

Right to enter.

SEC. 11a. The attendance officer of any county, city and county, or school district in which any place of employment in this act named is situated, or the probation officer of such county shall have the right and authority at all times to enter into any such place of employment for the purpose of investigating violations of the provisions of this act: *Provided, however,* That if such attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this act are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations.

Approved May 10, 1919.

CHAPTER 259.—*Employment of children—Child labor law.*

Employment restricted.

SECTION 1. No minor under the age of sixteen years shall be employed, permitted, or suffered to work in or in connection with any mercantile establishment, manufacturing establishment, mechanical establishment, workshop, office, laundry, place of

amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor at any time except as may be provided by the provisions of this act or by the provisions of * * * [Act No. 3574, General Laws, 1906], as now in force or as may be hereafter amended, or by the provisions of * * * [chapter 506, Acts of 1919].

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

Manufacturing.

SEC. 2. Except as otherwise provided in sections three, three and one-half and five hereof no minor under the age of eighteen years shall be employed more than eight hours in one day of twenty-four hours or more than forty-eight hours in one week, or before the hour of five o'clock in the morning, or after the hour of ten o'clock in the evening.

Hours of labor.

SEC. 3. No girl under the age of eighteen years and no boy under the age of sixteen years shall be employed, permitted, or suffered to work as a messenger for any telegraph, telephone, or messenger company, or for the United States Government or any of its departments while operating a telegraph, telephone, or messenger service, in the distribution, transmission, or delivery of goods or messages in towns of more than fifteen thousand inhabitants, nor shall any boy under the age of eighteen years be employed, permitted, or suffered to engage in any of the work last mentioned before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening.

Messenger service.

SEC. 3½. No boy under ten years of age, nor girl under eighteen years of age, shall be employed, permitted, or suffered to work at any time in or in connection with the street occupation of peddling, bootblacking, the sale or distribution of newspapers, magazines, periodicals, or circulars nor in any other occupation pursued in any street or public place: *Provided, however,* That nothing in this section shall be construed to apply to cities whose population is less than twenty-three thousand according to the last Federal census.

Street trades.

SEC. 4. No minor under the age of sixteen years shall be employed, permitted or suffered to work in any capacity at any of the following occupations or in any of the following positions, to wit: (1) Adjusting any belt to any machinery, or sewing or lacing machine belts in any workshop or factory, or oiling, wiping or cleaning machinery, or assisting therein, or operating, or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood-turning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines; (k) printing presses of all kinds; (l) boring of drill presses; (m) stamping machines used in sheetmetal and tinware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper-cutting machines; (o) corner-staying machines in paper-box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calender rolls in paper and rubber manufacturing; (x) laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or (2) upon any railroad, whether steam, electric or hydraulic; or (3) upon any vessel or boat engaged in

Dangerous occupations.

navigation or commerce within the jurisdiction of this State; or (4) in, about, or in connection with any processes in which dangerous or poisonous acids are used; or (5) in the manufacture or packing of paints, colors, white or red lead; or (6) in soldering; or (7) in occupations causing dust in injurious quantities; or (8) in the manufacture or use of dangerous or poisonous dyes; or (9) in the manufacture or preparation of compositions with dangerous or poisonous gases; or (10) in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; or (11) on scaffolding; or (12) in heavy work in the building trades; or (13) in any tunnel or excavation; or (14) in, about or in connection with any mine, coal breaker, coke oven, or quarry; or (15) in assorting, manufacturing or packing tobacco; or (16) in operating any automobile, motor car or truck; or (17) in a bowling alley; or (18) in a pool or billiard room; or (19) in any other occupation dangerous to the life or limb, or injurious to the health or morals of such child: *Provided, however,* That the provisions of this section shall not apply to the courses of training in vocational or manual training schools or in State institutions.

Classification.

The bureau of labor statistics may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture, or occupation, in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture, or occupation is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted, or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the superior court from any such determination.

Exceptions.

Sec. 5. Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor for more than eight hours in one day or more than forty-eight hours in one week. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theater or other place of amusement, previous to the hour of ten o'clock p. m. in the presentation of a performance, play, or drama continuing from an earlier hour till after the hour of ten o'clock p. m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p. m.: *Provided,* The written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama, play, performance, concert, or entertainment, with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama, play, performance, concert, or entertainment is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama, play, performance, concert, or entertainment, and the commissioner may require the person charged with the issuance of age and schooling certificates

Theaters.

Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor for more than eight hours in one day or more than forty-eight hours in one week. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theater or other place of amusement, previous to the hour of ten o'clock p. m. in the presentation of a performance, play, or drama continuing from an earlier hour till after the hour of ten o'clock p. m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p. m.: *Provided,* The written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama, play, performance, concert, or entertainment, with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama, play, performance, concert, or entertainment is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama, play, performance, concert, or entertainment, and the commissioner may require the person charged with the issuance of age and schooling certificates

to make the necessary investigation into such conditions; and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the date when, and the theaters or other places of amusement in which such drama, play, performance, concert, or entertainment is to be produced, and shall specify the drama, play, performance, concert, or entertainment in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and plays shall include the production of motion-picture plays.

SEC. 6. Every person, firm, corporation, or agent, or officer of a firm or corporation, employing either directly or indirectly through the instrumentality of one or more contractors or other third persons, minors under the age of eighteen years, shall keep a separate register containing the names, ages, and addresses of such minor employees and shall post and keep posted in a conspicuous place in every room where such minors are employed, a written or printed notice stating the hours per day for each day of the week required of such minors, and shall keep on file all permits and certificates either to work or to employ, issued under the provisions of this act or under the provisions of * * * [Act No. 3574, General Laws, 1906], as amended. Such records and files shall be open at all times to the inspection of the school attendance and probation officers, the State board of education, and the officers of the State bureau of labor statistics.

Register, etc.

All such certificates and permits to work or to employ shall be returned to the authority issuing the same within five days after the minor quits his employment. Such certificate or permit shall be subject to cancellation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing the same, whenever such commissioner or such issuing authority shall find that the conditions for the legal issuance of such certificate or permit no longer exist or have never existed.

Return.

At least once in every six months, to wit, on or before January tenth and on or before July tenth of each year, the authority issuing all such permits and certificates either to work or to employ shall file a full written report of the same stating the names, ages, and addresses of the minors under sixteen years of age affected thereby, with the State bureau of labor statistics and the State board of education.

Report.

SEC. 7. Any person, firm, corporation, agent, or officer of a firm or corporation, employing either directly or indirectly through the instrumentality of one or more contractors or other third persons, or any parent or guardian of a minor affected by this act, who violates or omits to comply with any of the provisions hereof, or who employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars, nor more than two hundred dollars, by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment for each and every offense.

Violations.

A failure to produce any permit or certificate either to work or to employ or to post any notice required by this act shall be prima facie evidence of the illegal employment of any minor whose permit or certificate is not so produced or whose name is not so posted. Any fine collected under the provisions of this act shall be paid into the school funds of the county, or city and county, in which the offense occurred, except such fines as are imposed and collected as the result of prosecutions by the officers of the bureau of labor statistics, in which cases one-half of the resultant fine or fines shall be paid into the State treasury and credited to the contingent fund of the bureau of labor statistics and one-half paid into the school funds of the county, or city, or city and county, in which the offense occurred. All reported violations of the provisions of this act, whether prosecuted or not, must be reported in writing immediately after their occurrence by the State

Evidence.

Fines.

Reports.

bureau of labor statistics to the State board of education. Such report shall state the name and address of the person or corporation charged with such violation, the nature of such charge, and the name, age, and address of the minor or minors affected thereby, and shall be followed, at least once in every six months, to wit, on or before January tenth, and on or before July tenth of each year, by a written summary of all violations of the provisions of this act which have occurred during the preceding period of six months.

Enforcement.

SEC. 8. The bureau of labor statistics shall enforce the provisions of this act. The commissioner, his deputies and agents, shall have all the powers and authority of sheriffs or other peace officers, to make arrests for violations of the provisions of this act, and to serve any process or notice throughout the State.

Probation officer.

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

Repeal.

SEC. 9. All acts and parts of acts inconsistent herewith are hereby expressly repealed.

Provisions severable.

SEC. 10. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Approved May 10, 1919.

CHAPTER 373.—*Retirement system for county employees.*

Establishment of retirement system.

[This act authorizes any county of the State, on a four-fifths vote of its board of supervisors, to establish a retirement system for its employees, including appointive officers. Retirement is optional at 60 after 10 years' service, and is compulsory at the age of 70; but annual extensions are provided for on certification of willingness and ability to serve. Retirement after 35 years of service is provided for, regardless of age; also for disability from any cause.

Contributions.

All regular employees are to become members of the retirement association, and contribute normally, \$4 monthly to the fund. A lower rate (not less than \$2) may be paid by employees receiving less than \$80 per month, if the retirement board so determines. No person shall be called upon to contribute longer than 25 years.

Expenses.

Expenses of administration are to be met by the county. The county also makes contribution to the retirement fund after ten years' contributions by an employee, in a sum equal to his contributions to date, and an amount monthly thereafter for not more than 15 years, equal to the employee's monthly payments to the fund.

Payments.

Benefits may be either a life annuity payable quarterly; or such an annuity with a proviso that, in case of death before the

receipt of benefits equal in amount to the employee's contributions with accrued interest, the balance shall go to his legal representatives. Annuities for permanent disability are based on the employee's deposits and the county's contributions. If disability is due to injury for which compensation or damages are recovered, the injured man will receive only a refund of his deposits, with interest. If the employee's deposits and the contribution by the county do not aggregate more than \$500, such amount shall be paid to the retiring employee in a lump sum, in lieu of an annuity.]

CHAPTER 418.—*Rehabilitation of physically defective men.*

SECTION 1. The sum of eight thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury not otherwise appropriated, to defray the expenses for medical, surgical, dental, and hospital care and treatment incurred, during the seventieth fiscal year, in the removal of physical disqualifications and in the rehabilitation of certain California men examined for Federal military service and rejected by reason of physical defects under the operation of the United States selective service law.

Appropriation.

Uses.

Approved May 23, 1919.

CHAPTER 421.—*Employment agencies—Trade schools.*

SECTION 1. Any person, firm, association, or corporation who conducts for gain any trade school or classes of instruction for the teaching in whole or in part of any trade, art, science, or occupation requiring special skill, and who, for gain or hire furnishes or agrees to furnish in connection therewith facilities or information to pupils and employers of labor whereby the labor or services of any such pupils are engaged to be employed in the trade, art, science, or occupation thus taught at stipulated wages or other valuable consideration, shall be held to conduct a private employment agency and be subject to all the laws and regulations governing such agencies.

Scope of law.

Classification.

SEC. 2. Nothing contained in this act shall apply to trade schools or classes of instruction conducted by or in connection with any public school, public institution, parochial school, charitable school or institution, private business schools teaching shorthand, type-writing, bookkeeping, mechanical, and other usual business subjects or trades schools connected therewith or any school employing teachers having certificates issued by the public school authorities to teach any particular trade, art, science, or occupation.

Exceptions.

Approved May 23, 1919.

CHAPTER 450.—*Homes for workingmen—Land settlement board.*

[This chapter amends chapter 755, Acts of 1917. While retaining its former purpose, it also declares the purpose of the law to be to provide employment and rural homes for service men of the United States Army and repatriated members of the allied armies.

Cooperation with the United States Government and other public corporations or agencies is authorized. The board is given authority to make rules and regulations, without the approval of the governor, which was required by the original act. A new section is added providing for the rescission of contracts where purchasers fail to comply with the terms.

Powers.

Many other sections are amended, but the changes do not affect the general purpose and methods of the act.]

CHAPTER 471.—*Employment of labor—Provisions for safety—Powers of industrial accident commission.*

[This chapter amends various sections of Chapter 586, Acts of 1917. Section 33 is amended by striking out from subsection (1) the words "for direct or indirect gain or profit," and from sub-

section (4) the words "in consideration of direct or indirect gain or profit."

Section 37 is amended so as to make its prohibitions apply to any other person as well as to employees, and to the removal of notices and warnings as well as of safeguards.

A new section, numbered 46½, is added, to read as follows:]

Enjoining un-
safe operations.

SEC. 46½. If the condition of any employment or place of employment, or the operation of any machine, device, or apparatus shall constitute a serious menace to the lives or safety of persons about it, the commission, or commissioner, may apply to the superior court of the county in which such place of employment, machine, device, or apparatus is situated for an injunction restraining the use or operation thereof until such condition shall be corrected. The said application accompanied by affidavit showing that such place of employment, machine, device, or apparatus is being operated in violation of a general or special safety order of the commission, and that such use or operation constitutes a menace to the life or safety of any person or persons employed thereabout, accompanied by a copy of the order or orders applicable thereto, shall constitute a sufficient prima facie showing to warrant, in the discretion of the court, the immediate granting of a temporary restraining order. No bond shall be required from the commission as a prerequisite to the granting of any restraining order. When in the opinion of the industrial accident commission a machine, or any part thereof, is in a dangerous condition or is not properly guarded or is dangerously placed, the use thereof shall be prohibited by the commission, and a notice to that effect shall be attached thereto. Such notice shall not be removed except by an authorized representative of the commission, nor until the machinery is made safe and the required safeguards or safety appliances or devices are provided, and in the meantime such unsafe or dangerous machinery shall not be used.

[Section 53 is amended by inserting after the first sentence, which directs accidents to be reported, the following:]

Death.

Provided, That such report shall not be required unless disability resulting from such injury lasts through the day of the injury or requires medical service other than ordinary first-aid treatment. Where the injury results in death a report shall be made by the employer to the commission by telephone or telegraph forthwith.

[Section 54 is amended by striking out the words "inspector, referee," in paragraph (b), and adding thereto the words "and in the performance of such duties shall have the power to subpoena witnesses, administer oaths, and take testimony."]

CHAPTER 506.—*Vocational, etc., education—Part-time schools—Evening classes.*

Part-time
classes.

SECTION 1. The high-school board of each high-school district wherein there were enrolled in the regular day classes of the high schools of said district during the school year next preceding, fifty or more persons living within a radius of three miles of a high school located in said district, must establish and maintain, under the provisions of section one thousand seven hundred fifty c of the Political Code, special day part-time classes which shall provide at least four sixty-minute hours of instruction per week for all persons within the district who are over fourteen and under eighteen years of age who are not in attendance upon full-time public or private day schools for four or more sixty-minute hours per week, and who are not subject to the provisions of * * * [Act No. 3574, General Laws, 1906], as amended. Said classes must be maintained between the hours of eight a. m. and five p. m. and must provide suitable instruction for the various individuals for whose benefit they are established.

Minors 14 to 18.

Eighteen to 21.

SEC. 2. The high-school board of each high-school district wherein there are living, within a radius of three miles of any

high school located in said district, twenty or more persons over eighteen and under twenty-one years of age who expect to remain in the district for a period of two or more months, who are not in attendance for at least four sixty-minute hours per week upon regular full-time public or private day schools, or suitable part-time day classes such as those specified under section one of this act, and who can not speak, read, or write the English language to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools of this State, must establish and maintain special classes in evening schools or special evening classes under the administration of day schools, as authorized by section one thousand seven hundred fifty c of the Political Code. Said classes shall provide instruction in citizenship for such persons for at least four sixty-minute hours per week for at least thirty-six weeks of the school year.

Evening classes.

SEC. 3. First. All persons under eighteen years of age who are too old to be subject to the provisions of * * * [Act No. 3574, General Laws, 1906] as amended, who have not graduated from a high school maintaining a four-year course above the eighth grade of the elementary school, or who have not had an equal amount of education in a private school or by private tuition, who are not disqualified for attendance upon these classes because of their physical or mental condition, or because of personal service that must be rendered to their dependents, who reside within three miles of a suitable class maintained, either voluntarily or under the provisions of this act by a high-school district, and who are not in attendance upon a public or a private full-time day school or satisfactory part-time classes maintained by other agencies, shall be, and hereby are, required to attend upon a special part-time class maintained by the high-school board of the district wherein they reside, or by the high-school board of an adjoining district, for not less than four sixty-minute hours per week for the regularly established annual school term: *Provided*, That the local school authorities may accept in lieu thereof not less than one hundred forty-four hours of attendance which, beginning with the opening of the high schools of the district for the year, shall be accumulated at the rate of not less than four sixty-minute hours per week: *And provided further*, That the local school authorities may, in their discretion, arrange with the parents, guardian, or other person responsible for any minor for his full-time attendance upon a special class maintained for such minor at a convenient season wherein he may secure the one hundred forty-four hours of attendance required of him under the provisions of this act. When any such parent, guardian, or other person responsible for such minor agrees with the local school authorities that said minor shall attend full-time classes for any given period, such parent, guardian, or other person becomes responsible for said minor's compulsory attendance upon these classes for said period.

Attendance required.

Special high school.

Second. All persons over eighteen and under twenty-one years of age who can not speak, read, or write the English language to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools of this State; who live within a radius of three miles of an evening class maintained by a high-school district, either voluntarily or under the provisions of this act, for the instruction of such persons; who expect to remain in the district for a period of two or more months; who are not disqualified for attendance upon these classes because of their physical or mental condition, or because of personal service that must be rendered to their dependents; and who are not in attendance upon a public or private full-time day school or upon a class established under the provisions of section one of this act for such persons under eighteen years of age shall be, and hereby are, required to attend for at least four sixty-minute hours per week upon a special day or evening class maintained by a high-school district for persons who can not speak, read, or write the English language.

Special grammar school.

Subjects.

SEC. 4. First. It shall be the duty of the local school authorities to provide, in so far as possible, through the classes established under section one of this act, educational opportunities which shall be suitable for the different needs of the various persons attending them. In carrying out the provisions of this act:

(a) They shall establish and maintain short unit courses and give instruction in civic and vocational subjects and subjects supplementing home, farm, commercial, trade, industrial, or other occupations; and they may give instruction in any elementary, secondary, or other school subject.

(b) They shall provide for individual counsel and guidance in social and vocational matters for each pupil enrolled in these classes.

(c) They shall give all persons who are engaged in skilled occupations and who are enrolled in these classes opportunity to better qualify themselves for said occupations.

(d) They shall give all persons who are engaged in unskilled occupations or in occupations that do not offer educational opportunities and who are in attendance upon these classes opportunity to prepare themselves for skilled occupations or for occupations that offer opportunities for promotion or further education.

(e) They shall provide instruction in home economics subjects for those who desire and need work of this character.

Citizenship.

(f) They shall provide instruction in oral and written English and in the duties and responsibilities of citizenship for persons enrolled in these classes who can not speak, read, or write the English language to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools of this State.

Standards.

(g) They shall not require of pupils a minimum uniform standard of proficiency in any subjects maintained in these classes, except in those subjects designed to prepare for other classes or other schools.

Work permits.

(h) They shall require the principal of the school to issue in his name a combined school enrollment certificate and permit to work to each person enrolled in these classes, and a duplicate of said certificate for his parents, guardian, or other person having control or charge of him, and from time to time such duplicates of said certificates as are necessary for filing with his employers, together with such other blanks as may be necessary for the use of employers in reporting to the principal information concerning the employment of said person. Said certificate shall give the name, age, and residence of the pupil, the name and residence of his parents, guardian, or other person having control or charge of him, the time of day during which and the days on which he is in attendance upon the classes, and the character of work that he is pursuing. Said certificate shall also state any physical or other condition that should limit the employment of said pupil and shall state the date of issuance and the date of expiration. Said certificate shall be issued to persons enrolling in these classes within five days after their enrollment. Certificates issued during the first school term shall expire five days after the opening of the next succeeding school term of the year, and certificates issued during the last term of the school year shall remain valid until five days after the opening of the first school term of the succeeding year.

Instruction.

Second. It shall be the duty of local school authorities that maintain classes under the provisions of section two of this act to provide, for persons who can not speak, read, or write the English language, to a degree of proficiency equal to that required for the completion of the sixth grade of the elementary schools of this State, instruction in such subjects and in the duties and responsibilities of citizenship.

Duties of parents.

SEC. 5. Each parent, guardian, or other person having control or charge of any minor required under the provisions of section three of this act to attend special part-time classes, must compel the attendance of such minor upon the same. He must retain a copy

of the certificate of school enrollment and permit to work provided for under section four of this act, and must present the same upon request of any officer of the law or other person authorized to enforce the provisions of this act.

Should any such parent, guardian, or other person having control or charge of any such minor fail to perform any of the above duties, he shall be deemed guilty of a misdemeanor and, upon conviction, shall be liable, for the first offense, to a fine of not more than ten dollars or to imprisonment for not more than five days, and for each subsequent offense he shall be liable to a fine of not less than ten dollars nor more than fifty dollars, or to imprisonment for not less than five days nor more than twenty-five days, or to both such fine and imprisonment.

Penalty.

SEC 7. The employer of any minor under eighteen years of age who is too old to be subject to compulsory full-time school attendance under the provisions of * * * [Act No. 3574, General Laws, 1906], as amended, and who resides in a high school district wherein section three of this act has become operative, shall require of said minor a school enrollment certificate and permit to work issued by a high school or elementary school principal of a school in the district. Such certificate shall be the authorization of the employer to employ said minor for the period between the date of the issuance of the certificate and the date of its expiration. Under no conditions shall any person employ a minor under eighteen years of age who is too old to be subject to compulsory full-time school attendance under the provisions of [the above] act * * * and who does not present such a school enrollment certificate and permit to work. The employer shall file and retain permanently said school enrollment certificate and permit to work. Within five days after the beginning of employment he shall send to the principal of the school issuing said enrollment card and permit to work a written notification of such employment. In said notification he shall briefly describe the character of the work performed by the minor and the time of day during which and the days of the week on which he is employed. Said employer shall retain and file, with the enrollment certificate and permit to work mentioned above, a copy of this notification: *Provided*, That, except in agricultural and home-making occupations, it shall be illegal for any one or more employers to employ a minor under eighteen years of age for a greater number of hours each day than will, if added to the number of hours that he is compelled to attend school under the provisions of this act, equal eight hours. It is hereby made the duty of the principal of the school which any pupil subject to the provisions of this act attends, to add his hours of compulsory daily school attendance and employment, and should the sum of such school attendance and employment exceed eight hours for any day of the week, said principal shall give notification to this effect to any employer who may be employing any such pupil after he has already served eight hours in compulsory school attendance and at employment for any such day. Except in agricultural or home-making occupations, it shall be illegal for any employer knowingly to employ on any day a minor under eighteen years of age who is subject to the provisions of this act, and who has already served during said day eight hours of time in compulsory school attendance and at employment combined.

Duties of employers.

SEC 8. Any person, firm, corporation, agent, or officer of a firm or corporation that violates or omits to comply with any of the provisions of this act, or that employs or suffers any minor under eighteen years of age who is too old to be subject to compulsory full-time school attendance under the provisions of * * * [Act No. 3547, General Laws, 1906], as amended, to be employed in violation thereof, is guilty of misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment for each and every offense. Failure to produce an

Violations.

enrollment certificate and permit to work, such as that provided for in section four of this act, and a duplicate of the written notification of employment sent to the high school board, as provided for in section seven of this act, shall be prima facie evidence of the illegal employment of any minor whose enrollment certificate and permit to work is not produced.

Enforcement.

SEC. 9. It shall be the duty of the clerk of the high school board, a truant officer or other person authorized by said board to bring such actions, to bring an action against any person, firm, or corporation, agent or officer of a firm or corporation that employs a minor in violation of the provisions of this act.

Approved May 27, 1919.

CHAPTER 512.—*Contracts of employment—Limitations.*

[Section one thousand nine hundred eighty of the Civil Code is amended by fixing five years as the maximum term of a contract to render personal service, instead of two years.]

CHAPTER 518.—*Payment of wages, etc., by contractors—Embezzlement.*

SECTION 1. Section five hundred six of the Penal Code is hereby amended so as to read as follows:

Misappropriation of funds.

SECTION 506. * * * and any contractor who appropriates money paid to him for any use or purpose, other than for that which he received it, is guilty of embezzlement, and the payment of laborers and material men for work performed or material furnished in the performance of any contract is hereby declared to be the use and purpose to which the contract price of such contract, or any part thereof, received by the contractor shall be applied.

Approved May 27, 1919.

CHAPTER 654.—*Civil service—Labor class—Preference of discharged soldiers, etc.*

[Sections 15 and 27 of the State civil service act of 1913 are amended to read as follows:]

Priority of application.

SECTION 15. The commission shall provide by rule for the employment of laborers in the labor class in the order of priority of application for employment. There shall be separate lists of applicants for different kinds of labor, and the commission may provide separate labor registration lists for departments, institutions, districts or localities. The commission may require an applicant for registration to pass such examination as they may deem proper with respect to his age, residence, physical condition, ability to labor, skill, capacity and experience. The commission shall establish such time as it may deem expedient for the duration of eligible lists in the labor class.

Preference.

SECTION 27. When proper proof is presented to the State civil service commission that an applicant is a veteran, as defined in this act, and such veteran stands equal in percentage in any civil service examination for original entrance into the public service, with any other applicant or applicants taking the same examination, it shall be the duty of the State civil service commission to show such veteran preference by giving him the higher rank.

[A new section numbered 28 is added to the act reading as follows:]

Purpose.

SEC. 28. It is the purpose of this act to give preference, in the manner set forth in the foregoing section, to all persons who have served the Government and the people in the Army, Navy, Marine Corps, Revenue Marine Service, or as active nurses in the American Red Cross or the Army and Navy Nurse Corps, and particularly to persons who have rendered such service during the Ally-Germanic War, the Spanish-American War, the Philippine insurrection, the Boxer uprising, the Indian wars, or the Civil War.

Approved May 27, 1919.

RESOLUTIONS.

CHAPTER 19.—*Unemployment investigation.*

WHEREAS, There now exists a condition of unemployment which is serious and threatens to become more serious, which condition is caused almost entirely by the change of our industrial and economic life from a war to a peace basis; and **Basis.**

WHEREAS, It appears that many of our young men who abandoned their occupations and relinquished their business in order to serve their country are now returning to find their occupation gone and their business dissipated, and that they are without money; and

WHEREAS, There is a permanent condition of seasonal employment of California—and that this condition will be aggravated by the reconstruction adjustment from a war basis to a peace basis: Now, therefore, be it

Resolved by the assembly, the senate concurring, That the speaker of the assembly shall appoint four members, and the president of the senate shall appoint four members; said committee to serve without compensation, but to have all necessary expenses paid, and who shall act as a committee of the legislature to investigate the matters contained in this resolution, and any others appertaining thereunto and who shall furnish recommendations to the legislature upon reconvening after the constitutional recess as to some appropriate legislative action to be taken which may relieve the conditions set forth in this resolution; and be it further **Legislative committee.**

Resolved, That the committee shall have power to employ a secretary and such other assistants as it may deem necessary, and to secure necessary data from the State labor commissioner, immigration and housing commission, board of control, United States Labor Department, and other State or Federal offices, departments, or bureaus at a cost not exceeding the sum of two thousand dollars, such cost to be paid equally by the senate and the assembly, respectively, out of their respective contingent funds. **Powers.**

Filed with the secretary of state, January 25, 1919.

COLORADO.

ACTS OF 1919.

CHAPTER 79.—*Employment of labor—Fraud.*

[This chapter amends chapter 54, Acts of 1917, by adding a third section, as follows:]

SEC. 3. For the purpose of carrying out the provisions of this act, the deputy State labor commissioner shall recommend, and the secretary of state, as labor commissioner ex officio, shall appoint, one clerk, who shall receive an annual salary of twelve hundred dollars (\$1,200) each [sic], to be paid as other State officers.

Enforcement.

Approved April 16, 1919.

CHAPTER 95.—*Coal mine regulations.*

[This act amends several sections of the coal mining code, chapter 56, Acts of 1913, as amended by chapter 45, Acts of 1917.

Section 3 is amended to increase the number of deputy inspectors from five to six.

Section 6 is amended to require the members of the board of examiners to file their expense vouchers with the auditor of state instead of the secretary of state.

Section 21 is amended by increasing the salary of the chief inspector from \$4,000 to \$4,400.

Section 24 is amended by increasing the salaries of the chief clerk from \$1,500 to \$1,800 and that of the assistant clerk from \$1,200 to \$1,500.

Section 27 is amended by requiring the chief mine inspector to divide the State into 6 districts instead of 5 as heretofore.

Section 28 is amended by changing the number of districts from 5 to 6.

Section 29 is amended to read as follows:]

SECTION 29. The deputy inspectors in office December 31, 1918, shall receive an annual salary of three thousand dollars each; and deputy inspectors appointed after January 1, 1919, shall receive a salary of two thousand five hundred dollars per annum for the first year of service and one hundred dollars additional for each succeeding and continuous year of service thereafter until the maximum salary of three thousand dollars is reached, together with their actual and necessary traveling expenses incurred in the performance of their official duties, payable monthly out of the coal mine-inspection fund hereinafter provided for.

Salary.

All expense accounts shall be itemized and approved by the chief inspector.

[Section 40 is amended by reducing from one year to 6 months the time to be worked in mines in Colorado to give workmen a right to take the examination for certified positions.

Section 44 now directs a mine foreman to be employed in all mines, instead of in those in which ten or more underground workers are employed; but a competent owner "may act in that capacity."]

[Section 159 is amended so as to read as follows:]

Section 159. Only wooden tamping bars shall be used for tamping permissible powder or other explosives where detonators are used.

Blasting.

In all mines generating explosive gas in dangerous quantities blasting shall be done only by electric batteries; and where shot firers are employed blasting shall commence one hour after the

regular quitting time and after all employees except shot firers are out of the mine.

Approved April 9, 1919.

CHAPTER 97.—*Free public employment offices.*

SECTION 1. Section 2466 of the Revised Statutes of 1908 is amended to read as follows:

Superintend-
ents.

Section 2466. Within sixty days after this act shall have been in force, the secretary of state, as commissioner of labor *ex officio*, shall appoint a superintendent and assistant superintendent who shall act as clerk for each of the offices created by section 1 of this act, who shall devote their entire time to the duties of their respective offices. The tenure of such appointment shall be two years, unless sooner removed for cause. The salary of each superintendent shall be twelve hundred dollars (\$1,200) per annum; the salary of each assistant superintendent shall be one thousand two hundred dollars (\$1,200) per annum, together with the proper amounts for defraying the necessary cost of equipping and maintaining the respective offices.

Approved April 16, 1919.

CHAPTER 122.—*Factory, etc., inspection.*

[This act amends section one of chapter 132, Acts of 1911, by increasing the amount allowed for traveling expenses from \$600 to \$1,200 per annum; also by adding the following:]

Office force.

Provided, That the deputy labor commissioner, being chief factory inspector, shall recommend and the secretary of state appoint a clerk with a salary of twelve hundred dollars (\$1,200) per annum: *And be it provided*, That a stenographer shall be recommended by the deputy labor commissioner and the chief factory inspector, and appointed by the secretary of state, with a salary of twelve hundred dollars (\$1,200) per annum; the said appointees shall receive their said salaries upon vouchers issued by the chief factory inspector and paid in the same manner as other State officers of the State of Colorado are paid: *And be it further provided*, That a fund not to exceed five hundred dollars (\$500) per annum shall be appropriated in this bill for the purpose of paying for printing, stationery, postage, and such other supplies and equipment as are necessary in the office of the chief factory inspector; and to provide for any expenses through arbitration as provided in section 7 of this act.

Approved April 16, 1919.

CHAPTER 158.—*Mine regulations—Bureau of mines.*

[This act amends several sections of the Revised Statutes. Section 4263 is amended so as to read as follows:]

Scope of law.

Section 4263. It shall be the duty of the inspector to examine all ore mills, sampling works, smelters, metallurgical plants, rock quarries, clay pits, and mines in this State of whatever kind or character except coal mines; the manner and methods of working and timbering and the system of signals used in the mines and the efficiency of the same; and examine the condition of all buildings, machinery, and other mechanical equipment used in and about said plants, all the open workings and exits in each mine, and how the same are ventilated, the sanitary conditions in, around, and about said plants, and how and where all explosives and inflammable oils and supplies are stored, and make a report to the commissioner of the result of the examination of each property immediately after the inspection.

Inspection.

Such examination shall be made without previous notice to the owner, agent, manager, lessee, or person in charge of the property to be examined.

[Section 4268 is amended by requiring annual statistical reports, of which 1,500 copies shall be printed; biennial reports of the disbursements of the bureau are to be made as heretofore.

Section 4269 is amended so as to conform to the enlarged scope of the law, access to all places named being required. The phrase "whenever the mine is in operation" is stricken out.

Section 4270, as amended by chapter 91, Acts of 1911, is amended so as to conform to the enlarged scope of the law.

Section 4299 is amended so as to read as follows:]

Section 4299. Any owner, person, or persons in charge of or operating any ore mill, sampling works, smelter, metallurgical plant, rock quarry, clay pit, or mine of whatever kind or character, except coal mines, shall report to the bureau of mines and state when work is commenced and when stopped, and shall report annually on or before March 1st of each year for the previous calendar year the names of the owner or owners, managers, lessee or lessees, or person or persons in charge of said work, together with the post-office address of each, and the name of each claim or claims operated, the name of the county and mining district, together with the number of days operated, the number of men employed, directly or indirectly, the same being classed according to place of employment, underground, surface on mines, and in or about other works, giving the total number of hours of employment for which compensation is paid; also any other data which may be required by the commissioner. The necessary blanks to carry out the provisions of this act shall be furnished by the commissioner of mines upon application.

Reports.

[Sections 4300, 4303, 4304, and 4305 are amended so as to conform to the enlarged scope of the law.]

CHAPTER 159.—*Wage brokers—Assignments of wages.*

[This chapter enacts a small loan law of the standard type. It covers loans of not more than \$300, for which interest not in excess of 12 per cent per annum may be charged. A license is required for each place of business, for which an annual fee of \$50 is charged. The standard provisions as to records, receipts, etc., appear. No fee other than an inspection fee of one dollar may be charged, and this not oftener than four times a year.

The section relating specifically to wage assignments is as follows:]

SECTION 16. No assignment of or order for the payment of any salary or wages, earned or to be earned, given to secure any such loan shall be valid unless such loan is contracted simultaneously with its execution; nor, unless in writing signed in person by the borrower; nor, if the borrower is married, unless signed in person by both husband and wife: *Provided*, That written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to such assignment.

What assignments valid.

Spouse to assent.

Under any such assignment or order for the payment of future salary or wages given as security for a loan made under this act, a sum equal to ten (10) per centum of the borrower's salary or wages shall be collectible therefrom by the licensee at the time of each payment of salary or wages from the time that a copy of such assignment, verified by the oath of the licensee, or his agent, together with a verified statement of the amount unpaid upon such loan, is served upon the employer.

Amount bound.

CHAPTER 183.—*Payment of wages—Semimonthly pay day—Discharged employees.*

[This act amends sections 6981, 6982, 6983, 6985, 6986 and 6988 of the Revised Statutes, making the law applicable to "all private and quasi-public corporations." Sections 6981 and 6988 are materially amended otherwise, and read as follows:]

Payments. Section 6981. All private and quasi public corporations doing business within this State shall pay to the employees the wages earned each and every fifteen (15) days in lawful money of the United States, or checks on banks, convertible into cash, on demand at full face value thereof.

Scope of act. Section 6988. It is herein provided that all private or quasi-public corporations heretofore or hereafter organized for pecuniary profit shall be subject to the provisions of this act.

[Changes are made in the other sections named to conform to the scope of the law. Section 6983 is amended so as to exclude persons quitting of their own accord from the right of recovery of penalties under the law.]

CONNECTICUT.

ACTS OF 1919.

CHAPTER 27.—*Factory regulations—Suction shuttles.*

SECTION 1. Any person, firm or corporation engaged in weaving which shall fail to furnish suitable appliances to permit the threading of shuttles without the necessity of the operator putting any thread into his mouth or touching any portion of the shuttle with his lips, shall be fined not more than fifty dollars. The commissioner of labor and factory inspection shall enforce the provisions of this act. Use forbidden.

Approved March 26, 1919.

CHAPTER 93.—*Protection of employes on buildings.*

SECTION 1. Section 5311 of the General Statutes [Sec. 1, chapter 152, Acts of 1907] is amended to read as follows:

Section 5311. Every person employing another to perform labor of any kind in erecting, repairing, altering, or painting any building or other structure who shall provide or furnish, or cause to be provided or furnished, for the performance of such labor, any rigging such as ropes, blocks, ladders, planks, trestles, brackets, or other form of supports, shall use or allow to be used ropes where acid is or may come into contact with the same [sic], any swinging scaffold or stage to be used on the exterior of such building or other structure at a greater height than thirty-five feet from the ground, shall, except as hereinafter provided, equip such scaffold or staging with a guard rail to be secured by some suitable material attached to such scaffold or staging at a height not less than thirty-four inches above the floor thereof, to be secured and braced, and to extend along the entire length of the outside of such scaffold or staging. Scaffolding.

When an extension ladder or several ladders are used for a bed stage there shall be a fall at each intersection and such intersections tied together; there shall be no more than three men on a two-fall stage, and where the falls are more than fifteen feet apart a third fall shall be used. Ladders.

When not in use rigging shall be housed or suitably covered and protected from the weather, and it shall be the duty of the building inspector or other officer in any city, town, or borough charged with the enforcement of the building laws, at any time or upon complaint, to inspect rigging, and when such rigging is found to be unsafe the building inspector or other officer shall give immediate written notice to the employer using the same, drawing his attention to the unsafe condition, and such rigging shall not again be used until it is made safe by the employer in accordance with the directions of the building inspector: *Provided*, Such requirement shall not apply to any scaffolding or staging exclusively used for the purpose of riveting, or to any scaffolding or staging less than four feet in length. Flooring.

Any contractor or owner, when constructing, in any city, a building, the plans and specifications for which 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 such flooring or filling-in, as the building progresses, to within not more than three tiers of beams below that on which the ironwork is being erected, or shall cover with planks not less than two inches in thickness such portion of each alternate tier of floor beams as may be reasonably necessary to give protection to those employed in the erection of such building. If the plans and specifications of such building do

not require filling-in between the beams of floors with brick or other fireproof material, all contractors for carpenter work in the course of construction shall lay the under flooring thereof on each story, as the building progresses, to within not more than two stories below that to which such building has been erected. Except in such buildings as are not to be lathed and plastered a temporary flooring at least eight feet wide and protected on the outer edge by a plank at least eight inches high shall be laid, as the building progresses, around the inner side of the outer walls thereof on the floor below that to which such building has been erected. If the floor beams are of iron or steel, the contractors for the iron and steel work of any building in the course of construction, or the owners of such building, shall cover with planks not less than two inches in thickness that portion of the tier of iron or steel beams on which the structural iron or steel work is being erected. The flooring, planking, or filling-in, as required by this section, shall not include such spaces as may reasonably be required for the proper construction of any such building and for the raising and lowering of material to be used in such construction or such spaces as may be designated by the plans or specifications for stairways and elevator shafts. In buildings more than three stories in height, all such places other than those used for elevating or hoisting purposes shall be protected, on each story, by a guard rail at a height of three and one-half feet and by a board at least eight inches high close to the floor. All spaces in such buildings used for elevating or hoisting purposes shall be protected at the ends thereof, if such ends are more than three feet in width, by some suitable barrier not less than five feet high, and the sides of such spaces on any story upon which the delivery of material has ceased shall be provided with a movable wooden bar at least two inches by four inches in section and of sufficient length to extend across such opening at a height of three and one-half feet above the floor. When such bar has been provided, neither the contractor nor the owner shall be responsible for any injury or damage resulting from the failure on the part of workmen, employees, or others to use said protection. The chief officer of any city charged with the enforcement of the building laws of such city is charged with the enforcement of the provisions of this act. Any person violating any of the provisions of this act shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

Guards.

Violations.

Approved April 3, 1919.

CHAPTER 195.—*Employment of women and children—Hours of labor.*

SECTION 1. Section 5303 of the General Statutes [Sec. 3, ch. 220, Acts of 1909] is amended to read as follows:

Night work.

Section 5303. No person under sixteen years of age shall be employed in any manufacturing or mechanical establishment after six o'clock in the afternoon; and no such minor shall be employed in any mercantile establishment after six o'clock in the afternoon on more than one day in each calendar week, except during the period from the seventeenth to the twenty-fifth day of December of each year; and no female shall be employed in any manufacturing, mechanical, or mercantile establishment between the hours of ten o'clock in the evening and six o'clock in the forenoon: *Provided*, In event of war or other serious emergency the governor may suspend the limitations upon night work contained in this act as to such industries or occupations as he may find demanded by such emergency.

Approved May 2, 1919.

CHAPTER 198.—*Employed children—Evening schools.*

School attendance required.

SECTION 1. Every child between fourteen and sixteen years of age, residing in a city, town, or district in which public evening

schools are maintained, in possession of an employment certificate issued under the provisions of the General Statutes, and who has not completed such course of study as is required for graduation from the elementary public schools of such city, town, or district, shall attend the public evening schools of such city, town, or district, or other evening schools offering an equivalent course of instruction, for not less than eight hours each week, for a period of not less than sixteen weeks in each calendar year, unless released from such requirement by the board of school visitors, town school committee, or board of education. The employer of any such child shall keep on file in the place where such child is employed an evening-school certificate, issued as hereinafter provided, certifying that such child is attending an evening school as required under the provisions of this section, which certificate may at any time be inspected by the school authorities.

SEC. 2. The board of school visitors, town school committee, or board of education, or an authorized representative of such school authority, shall issue to each child attending an evening school, in compliance with the provisions of section one, a certificate at least once each month such evening school is in session and at the close of the term of such school: *Provided*, The number of hours and weeks of such attendance shall constitute at least as large a part of the period during which such school has been in session as eight hours per week for sixteen weeks is of the number of hours and weeks during which such school shall be in session for such calendar year. Such certificate shall state the number of hours per week and the number of weeks such child has attended such school.

SEC. 3. If any child shall violate any provision of section one, his parent or guardian shall be fined for each week such violation shall continue not more than five dollars. Any person, firm, or corporation, or any officer, manager, superintendent, or employee acting in its behalf, who shall fail to comply with the provisions of section one concerning the certificate therein required, shall be fined, for the first offense, not less than twenty dollars nor more than fifty dollars, and for each subsequent offense not less than fifty dollars nor more than two hundred dollars.

Approved May 8, 1919.

CHAPTER 210.—*Retirement of State employees.*

SECTION 1. Any person who shall have been in the service of the State thirty years and shall have reached the age of sixty-five years, or any person who has served in any department of the State twenty-five or more years in the aggregate and has reached the age of seventy, may be retired by the board of control, and thereafter shall receive a salary equal to one-half his average salary for the five years next preceding such retirement. Such salary shall be paid monthly from the civil list funds upon orders of the comptroller.

Approved May 8, 1919.

CHAPTER 216.—*Payment of wages—Weekly pay day.*

SECTION 1. Every person, firm or corporation engaged in operating a factory, workshop, manufacturing, mechanical or mercantile establishment, mine, quarry, railroad, or street railway, or a telephone, telegraph, express, or water company, or in the erection, alteration, repair or removal of any building or structure, or the construction or repair of any railroad, street railway, road bridge, sewer, gas, water or electric light works, pipes, or lines, shall pay weekly each employee engaged in his or its business the wages earned by such employee to within eight days of the date of said payment, but an employee leaving such employment shall be paid in full on the following regular pay day; and any employee discharged from such employment shall be paid in full not later than the business day next succeeding the date of such discharge.

Certificates.

Violations.

Retirement allowed.

Salary.

Scope of law.

Payments.

Violation.

SEC. 2. Any person, firm, or paymaster of any corporation violating any provision of this act shall be fined not more than fifty dollars for each offense.

Repeal.

SEC. 3. Section 5313 of the General Statutes is repealed.
Approved May 12, 1919.

CHAPTER 219.—*Wage brokers—Assignments of wages.*

[This is an act of the standard small loans type, affecting loans for not above \$300, for which interest in excess of 12 per cent per annum is charged. The allowed rate is three and one-half per cent per month and no other fees may be charged. A license fee of \$100 per annum is charged for each place of business. The standard provisions as to bonds, records, receipts, statements, etc., are found.

The following section relates to assignment of wages:]

What assignments valid.

Spouse to assent.

Amount affected.

SECTION 16. No assignment of an order for the payment of any salary or wages, earned or to be earned, given to secure any such loan shall be valid unless such loan is contracted simultaneously with its execution, nor unless in writing signed in person by the borrower, nor, if the borrower is married, unless signed in person by both husband and wife: *Provided*, Written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to such assignment. Under any such assignment or order for the payment of future salary or wages given as security for a loan under the provisions of this act, a sum equal to ten per centum of the borrower's salary or wages shall be collectible therefrom by the licensee at the time of each payment of salary or wages from the time that a copy of such assignment, verified by the oath of the licensee, or his agent, together with a verified statement of the amount unpaid upon such loan, is served upon the employer.

Approved May 12, 1919.

CHAPTER 264.—*Employment of children—Certificates.*

Oath.

Medical certificate.

SECTION 1. The secretary or the agent of the State board of education, the school supervisor, school superintendent, supervising principal, or acting school visitor to whom application shall be made for an employment certificate as provided for in the provisions of section 5323 of the General Statutes, shall have power to require all statements of facts offered in support of such application to be made under oath, which oath may be administered by the official to whom application shall be made, and said secretary, his agent, school supervisor, school superintendent, supervising principal, or acting school visitor shall cause each child for whom such certificate has been applied for, to be physically examined by a physician designated by the State board of education. Such examining physician shall, before any employment certificate is issued to such child, file with the agent of said board, his certificate, on a form provided by the State board of education, setting forth the height and weight of such child, the condition of his eyes and teeth, and such other information regarding the physical condition of such child as shall be needful, shall certify as to whether such child is of sufficiently sound health and physically fit for the employment specified in the statement of the prospective employer, and shall indicate the kind of employment proper for such child in view of his physical condition. When the examining physician considers it advisable, he may issue a certificate of physical fitness for a limited time, at the expiration of which time the child shall again appear and submit to an examination before being permitted to continue at such work. In carrying out the provisions of this act the town in which the child resides shall pay the expense of the examination and such town shall certify to the State board of education, upon forms prescribed by said board, the amount

paid for such examination, and the State board of education shall make application to the comptroller for one-half of the amount certified by the town.

Approved May 21, 1919.

CHAPTER 273.—*Regulation of factories—Toilets.*

Section 2347 of the General Statutes is amended to read as follows:

Section 2347. Every person or corporation managing or operating any factory, or owning or controlling the use of any other building where five or more persons are employed, shall provide and keep in good sanitary condition sufficient and suitable toilet accommodations and approaches thereto for the use of the persons employed. Toilets required.

Approved May 21, 1919.

CHAPTER 334.—*Factory inspectors—Deputies.*

SECTION 1. Section 2343 of the General Statutes is amended to read as follows:

Section 2343. The commissioner of labor and factory inspection shall appoint nine deputies, two of whom shall be women, to assist him in the performance of his duties. Such deputies shall have the same power as the commissioner has in the department of factory inspection, subject to his approval. The commissioner and all deputies appointed under authority of this section are authorized to lodge a complaint with any prosecuting officer for the violation of any provision of this act, and if such prosecuting officer shall refuse to prosecute such offense, the commissioner or his deputy may present such complaint to the judge of the court or the justice of the peace having jurisdiction, and if such judge or justice of the peace shall find that sufficient facts to warrant prosecution have been presented, he shall forthwith order the prosecuting officer to issue a warrant for such offender. Any prosecuting officer refusing to issue such warrant when so ordered shall be fined not more than twenty-five dollars for each offense. Appointment.
Prosecutions.

Approved May 21, 1919.

DELAWARE.

ACTS OF 1919.

CHAPTER 68.—*Inspection of steam boilers—Board of boiler rules.*

SECTION 1. The governor shall appoint five citizens of recognized knowledge of the construction and use of steam boilers, who shall act as members of a board of boiler rules. These five citizens shall preferably be: One, a professor of mechanical engineering; another, a manufacturer who shall have been actively engaged in the manufacture of steam boilers; another, a user of boilers; another a mechanical engineer; and the fifth, a licensed stationary engineer. The terms of such appointees shall be four years each, and they shall be so classified that one shall be appointed each year.

Appointment of board.

This board shall organize by electing a chairman and secretary and shall meet twice yearly at a place to be designated by the board of boiler rules. This board shall formulate rules and regulations for the safe and proper construction and use of steam boilers. The rules and regulations so formulated shall be as nearly as possible in conformity with the boiler code of the American Society of Mechanical Engineers.

Duties.

SEC. 2. The rules formulated by the board of boiler rules shall become effective and binding on manufacturers and users of boilers upon the approval of the governor and the attorney general. Rules requiring a change in methods of construction of boilers or in the character of materials used, shall not be enforced until six months after their approval by the governor or attorney general.

Rules in effect.

SEC. 3. Any person, firm, or corporation violating any of the provisions of this act, or any person, firm, or corporation violating any of the rules or regulations or requirements of the board of boiler rules shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not more than one hundred dollars, or imprisonment for not more than thirty days, or by both such fine and imprisonment in the discretion of the court.

Violations.

SEC. 5. Nothing in this act shall be construed as abolishing any department, office, or officer now existing in any city in this State.

Act construed.

SEC. 6. The provisions of this act shall, in no way, apply to boilers, which are now, or hereafter may be, subject to Federal inspection and control.

Scope.

Approved April 8, 1919.

CHAPTER 157.—*Employment of children—School attendance—Certificates.*

SECTION 188. Every person, guardian, or other person in this State having control of a child fourteen years of age or fifteen years of age or sixteen years of age, who has not completed the work of the eighth grade of the free public schools, is required to and shall send such child to the free public schools of the county or special school district in which the child resides, not less than one hundred (100) days, as nearly consecutive as possible, beginning not later than November first, during the period of each year the free public schools of the respective county or special school district are in session; and such child shall be sent to school the entire period of each year the free public schools of the respective county or special school district are in session if not regularly or legally employed to labor at home or elsewhere, unless it can be

Attendance compulsory.

Employment.

shown to the satisfaction, and witnessed by written endorsement, of the county superintendent of schools or of the respective superintendent of schools of the given special school district that such child is elsewhere receiving regular and thorough instruction during such period in the studies taught in the free public schools of the State to children of the same age and stage of advancement. * * *

Certificates.

SEC. 194. County superintendents of schools and superintendents of schools in special school districts, or persons designated by such superintendents, shall issue employment certificates, permits, and badges, and the principal or the head teacher of the several free public schools, and private teachers and the principal or head teacher of private schools or educational institutions provided for in section 187 of this article shall make out and sign such records as are required by the laws regulating child labor as provided by article 3 of chapter ninety of the Revised Code.

Approved April 14, 1919.

CHAPTER 198.—*Mothers' pensions.*

[This chapter amends section 3071A, section 11A, added by chapter 227, Acts of 1917, by increasing the monthly grant to \$9 for a single child, and \$5 for each additional child. Visits are to be made once in two months instead of monthly, and the traveling and administrative expenses may amount to \$3,000 annually. The amount payable by the State to any one county in a year may be \$5,000 instead of \$2,500, and the annual appropriation of State moneys is advanced from \$7,500 to \$18,000.]

FLORIDA.

ACTS OF 1919.

CHAPTER 7808.—Compulsory school attendance.

SECTION 1. * * * In the following enumerated cases all children between the ages of seven and sixteen years, both inclusive, shall be exempt from the provisions of this act:

Exceptions.

* * * * *

Third. Any child whose services are necessary for the support or assistance of a widowed mother or other person dependent upon said child for support; said dependency to be proved by affidavit of the dependent person and at least two other affidavits as to such dependency by disinterested persons not related to said child or dependent, and such other proof as may be required by and is satisfactory to the attendance officer having authority to grant exemptions.

Dependent mothers, etc.

CHAPTER 7917.—Labor contracts—intent to defraud.

SECTION 1. Any person in this State who shall, with intent to injure and defraud, under and by reason of a contract or promise to perform labor or service, procure or obtain money or other thing of value as a credit, or as advances, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred (500) dollars or by imprisonment not exceeding six months.

Misdemeanor.

SEC. 2. In all prosecutions for a violation of the foregoing section the failure or refusal, without just cause, to perform such labor or service or to pay for the money or other thing of value so obtained or procured shall be prima facie evidence of the intent to injure and defraud.

Evidence.

Approved June 7, 1919.

CHAPTER 7920.—Mothers' pensions.

SECTION 1. The county commissioners of the several counties of the State of Florida are empowered and authorized to provide in the annual budget of the general revenue fund an appropriation sufficient to meet the purposes of this law for the support of women who have dependent upon them for food, raiment, and education an orphan or orphans or half orphan children under sixteen years of age, including any woman whose husband is dead or an inmate of some State institution, or whose husband has been prosecuted for desertion or nonsupport and has been adjudicated by the court where prosecuted to be wholly unable to support his wife and children; whose support and the support of the children depend wholly or partially upon her labor, shall be entitled to the assistance as provided for in this act, for the support of herself and for her children.

Scope of law.

SEC. 2. The allowance for the aid of such women shall not exceed twenty-five dollars a month when she has but one child under sixteen years of age. If she has more than one child under the age of sixteen years it shall not exceed twenty-five dollars for the first child, and eight dollars a month for each of the other children.

Allowance.

SEC. 3. The county commissioners of their respective counties shall levy a tax of not more than one-half of one mill on all taxable property of their respective counties for the purpose of sup-

Levy.

plying funds to carry this bill into effect, and provide means for the same: *Provided*, The condition of allowance of said allotment shall be made by the county commissioners upon the recommendation of the school board in the county in which such mothers reside, and only upon the following conditions:

Conditions.

First. The child or children for whose benefit the allowance is made, must be living with the mother of such child or children.

Second. The mother must in the judgment of the county commissioners of such county, which body shall finally pass upon all applications for aid under this act, be a proper person morally, physically, and mentally for the bringing up of her children.

Third. Said allowance shall, in the judgment of the county commissioners, be necessary to save the child or children from neglect.

Fourth. No person shall receive the benefit of this act who shall not have been a resident of the State for at least four years and a resident of the county in which the allowance is given, for at least one year next before the making of the application for aid in such county.

Payments cease, when.

Sec. 4. Whenever any child shall reach the age of sixteen years, or the mother shall remarry the allowance to the mother of the children shall cease: *Provided, however*, That if it is made to appear to the board of county commissioners, after an investigation and recommendation by the county school board, that there exists some special reason that it is for the best interest of any child, as well as for society, to continue said allowance for a longer period of time such allowance may be continued for such time as the justice of the case may demand. In all cases, however, when the mother remarries all allowances shall cease.

Orphans.

Sec 5. The provisions of this act shall also be extended for the benefit of orphan children who are dependent upon some female relative unable to support them, or to any such child or children under guardianship who are dependents or paupers and have no means of support.

Administration.

Sec. 6. In order to carry the provisions of this act into effect, it shall be the duty of the county school attendance officer, or like officer by whatever name called, to have direct supervision of the investigation of all cases, and he shall have the assistance of the bureau of education and child welfare of the State board of health to cooperate with the board of public instruction or social workers of each county in the State in investigating all persons entitled to the provisions of this act in the gathering of data and the history, and making a report on each case, and to this end the necessary blanks will be provided, and it shall be the duty of the board of child welfare and education of the State board of health to provide uniform blanks to be printed and paid for by the counties to be used in gathering and recording the history of each case.

Records.

Sec. 7. The history of each case when investigated by the board of public instruction, school attendance officer, or the nurse or social worker of the county, or a committee hereinafter provided to be appointed, shall be made up in triplicate, the original to be filed with the board of county commissioners of the county, which shall include the recommendation of the board of public instruction of the county, and one copy shall be retained by the board of public instruction, and one copy forwarded to and filed with the bureau of child welfare and education of the State board of health.

Investigations.

Sec. 8. It shall be the duty of the board of public instruction of each county to require each nurse or social worker employed by said county board of public instruction or school attendance officer to carefully and speedily investigate the condition of any and all poor mothers' children, orphan, and half orphan children, whose needs may be brought to their attention, and after having gathered the history of each case and recorded such history upon the blanks as hereinbefore required to be provided, to immediately place such report of such case before the board of public instruction of such county for its immediate action, and said board of public instruc-

tion shall examine such report and immediately transmit such application, together with its recommendations, to the board of county commissioners of the county for final action. The board of county commissioners shall immediately take up such application and grant or reject such application as that board in its judgment shall find the applicant entitled in this act.

SEC. 9. In absence of a social worker or nurse, as provided for in section 8, in any county of the State, it shall become the duty of the board of public instruction, upon this act becoming a law, to immediately recommend for appointment three capable women, residents of such county, who will be willing to accept such appointment and serve without compensation, to investigate and report the cases of poor mothers, orphans, and half orphan children entitled to the provisions of this act, and who shall serve until a nurse or social worker or school attendance officer is employed, and such persons so appointed shall individually or collectively make their investigation of poor mothers, orphans, and half orphans in the same manner as nurses and social workers as is provided for in section 8 of this act. Special investi-
gators.

SEC. 10. The child or children to whom the allowance is made under this act must be living with the mother, or other female guardian of such child or children unless special privilege of separation is authorized by the board of county commissioners, upon the recommendation of the board of public instruction for the sake of the child's education. Child to live
with mother.

SEC. 11. The provisions of this act shall be construed liberally to the ends that the best interest of all dependent children shall be conserved. Construction of
act.

SEC. 12. All children receiving aid under the provisions of this act shall be required to attend the schools of the county during the whole term or terms of such schools, and upon failure of such children to attend schools for the whole term or terms thereof, the aid herein provided for such mothers and child or children shall cease without notice. School attend-
ance.

SEC. 13. Any person procuring an allowance under the provisions of this act for a person or persons not entitled thereto shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment for a period of not more than six months or by both such fine and imprisonment at the discretion of the trial judge. Fraud.

Approved May 31, 1919.

GEORGIA.

ACTS OF 1919.

ACT No. 1.—*Commissioner of commerce and labor—Salary.*

[Page 278.]

[Section 7 of Act of 1911, page 133, as amended by Act of 1913, page 82, is amended to increase the salary of the commissioner of commerce and labor from \$2,400 to \$3,600 per year.]

ACT No. 43.—*Payment of wages—Semimonthly pay day.*

[Page 388.]

SECTION 1. Commencing after a period of three months from the passage of this act, every person, firm, or corporation, including steam and electric railroads, but not including farming, sawmill, and turpentine industries, employing wageworkers, skilled or unskilled, engaged in manual, mechanical, or clerical labor, including all employees, except officials, superintendents, or other heads or subheads of departments, who may be employed by the month or year at stipulated salaries, shall make payments in lawful money or checks, of the United States to said employees, laborers, and workers or to their authorized representatives; such payments to be made on such dates during the month as may be decided upon by such persons, firm, or corporation: *Provided, however,* That such dates as may be selected shall amount to an equal division of the month in respect to the time of payments, the full net amount of wages or earnings due said employees, laborers, and wageworkers, and in case any such employer shall refuse or willfully fail to make payments when demanded, upon the regular days of payment, to such wage earner, said employer, the members of the firm; the directors, officers, and superintendents or managers of corporations and associations shall, upon conviction, be sentenced to pay a fine not exceeding two hundred dollars: *Provided,* No person, firm, or corporation is not in a financial condition to pay said wages, or salary, but insolvency shall be the only defense to an indictment for such an offense, and an extension of time within which to pay said wages or salary shall operate to make the offense under this act to be committed on date last agreed upon for payment of same.

Approved August 4, 1919.

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Scope of law.

Payments.

97

HAWAII.

ACTS OF 1919.

CHAPTER 129.—*Mothers' pensions—Board of child welfare.*

SECTION 1. In each county or city and county of the Territory of Hawaii there is hereby established and created a board to be known as the board of child welfare. County boards.

SEC. 2. The said board shall be composed of five members, three of whom shall be men and two shall be women, who shall be appointed by the governor in the manner prescribed in section 80 of the Organic Act. The judge or judges of the juvenile court or courts in each county and in the city and county shall be ex officio members of the representative board of each county and of the city and county. Members.

SEC. 3. The members of said board shall hold office for the period of four years: *Provided, however,* That on the first appointment of said board the governor shall appoint two of the members of said board for four years, and the remaining members of the board for two years, and that thereafter all appointments shall be for four years. Term.

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 they shall be entitled to the actual and necessary expenses incurred by them in properly discharging their official duties, either while making investigations or otherwise, which shall be paid out of the funds of the respective counties or cities and counties available therefor. Expenses.

SEC. 5. The said board as herein provided shall as soon as is convenient after this act becomes effective organize and elect a chairman and appoint a clerk of the said board, who shall hold office subject to the pleasure of the said board. The said board may employ such officers and employees as may be provided for by the boards of supervisors of the respective counties or cities and counties. It may establish rules and regulations for the conduct of its business, which shall provide for the careful investigation of all applications for allowances or the adequate supervision of all persons receiving allowances, and may provide for the making of reports by the officers, employees, and representatives of the board with respect to persons receiving allowances granted by the board. The said child welfare board shall report annually in detail to the board of supervisors of the respective counties or cities and counties the transactions of the board for the preceding fiscal year, and if required by the boards of supervisors of the respective counties or cities and counties, more frequent reports must be given covering fractional parts of a year. Organization.

SEC. 7. A board of child welfare may in its discretion grant an allowance to any mother of one or more children who is a widow, or unmarried, or deserted by her husband, or whose husband is an inmate or patient of a Territorial or other institution, providing the said mother is a resident of the county or city and county wherein the application is made and has been a resident of said county or city and county for a period of one year immediately preceding the application. Such allowance shall be made by a majority of votes of the board and may be increased, diminished, or totally withdrawn in the discretion of said board. Before granting an allowance under the provisions hereof the said board shall determine that the mother is a suitable person to bring up her said children, and that the granting of such allowance is necessary to enable her to properly do so. Reports.

Allowances.

Allowances granted by the said boards shall be paid out of any moneys appropriated by the boards of supervisors of the respective counties or cities and counties for such purpose and the boards of supervisors of the respective counties or cities and counties shall appropriate and make available for the said board of child welfare and shall include the semiannual or annual budget or estimate of expenditures such sum or sums as may be necessary to carry out the provisions of this act.

Applications for allowances under the provisions hereof may be made directly to the local board of child welfare by the mother applying for such allowance or by some suitable person acting on her behalf.

Allowances made by the board shall be for a period of not more than six months, but may be renewed from time to time at the same or different amounts for similar periods or less, either successively or intermittently, and may be revoked in the discretion of the said board.

Legal advisers. The county attorney or the city and county attorneys of the respective counties or cities and counties shall act as the legal advisers of the board in the respective counties, and whenever requested so to do by said boards in the case of any wife where husband has deserted her prosecute all legal methods to obtain the return of such husband, and shall also whenever so requested by said boards represent such wife and in her behalf prosecute any and all civil actions or proceedings to compel such husband to support his wife and children, and provided that in any civil action or proceeding so instituted the county or city and county attorney shall file his certificate setting forth that he represents such wife upon request of said board, in which case no costs of court shall be required to be paid by such wife.

Funds. Sec. 8. The boards of supervisors of the respective counties or cities and counties are hereby authorized and empowered to appropriate from time to time such sum or sums as may be necessary to carry out the provisions of this act, including expense for administration and relief, and no board of child welfare shall expend or contract to expend under the provisions of this act or otherwise, any public moneys not specifically appropriated therefor as herein provided.

Fraud. Sec. 9. Any person who shall procure directly or indirectly any allowance for relief under the provisions of this act, for or on account of a person not entitled thereto, or shall knowingly or willfully pay or permit to be paid any allowance to a person not entitled thereto shall be deemed guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not more than \$500 or by imprisonment for a period of not more than six months.

Approved April 25, 1919.

CHAPTER 186.—*Criminal syndicalism—Sabotage.*

Definition. SECTION 1. 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 or political ends.

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 ends; 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 ends 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 is guilty of a felony and punishable by imprisonment for not more than ten (10) years or by a fine of not more than five thousand dollars (\$5,000), or both.

Penalty.

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 for not more than ten (10) years or by a fine of not more than five thousand dollars (\$5,000), or both.

Assemblage.

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 3 of this act, or who, after notification by the police authorities that the premises are so used, permits such use to be continued, is guilty of a misdemeanor and punishable by imprisonment for not more than one (1) year or by a fine of not more than five hundred dollars (\$500), or both.

Permitting assemblages.

Approved April 29, 1919.

CHAPTER 218.— *Wages of laborers on public works.*

SECTION 1. The minimum pay of laborers on public works throughout the Territory of Hawaii shall be not less than two and 25/100 dollars (\$2.25) per day.

Minimum amount.

Approved April 30, 1919.

IDAHO.

ACTS OF 1919.

CHAPTER 8.—Civil administration—Department of immigration, labor, and statistics.

SECTION 2. Civil administrative departments of the State government are created as follows: Department created.

Department of immigration, labor, and statistics.

SEC. 30. The department of immigration, labor, and statistics is the bureau of immigration, labor, and statistics heretofore established by law. It shall have power: Duties.

1. To promote the welfare of workers and to improve their commercial, industrial, social, and sanitary condition.

2. To collect information upon the subject of labor, its relation to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual and moral prosperity.

3. To visit and inspect, during reasonable hours, all shops, factories and mercantile establishments and other places where workmen are employed, as often as practicable, and to cause the provisions of law to be enforced therein.

4. To inspect the sanitary conditions, system of sewerage, system of heating, lighting, and ventilating of rooms where persons are employed at labor and the means of exit in case of fire or other disaster, within or connected with shops and factories. To examine the machinery in and about such shops and factories to see that it is not located so as to be dangerous to employees when engaged in their ordinary duties.

5. To collect and compile reliable data which if disseminated, would tend to the development of the State by inducing population and capital to come within its borders.

6. 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.

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

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

Approved February 19, 1919.

CHAPTER 136.—Sabotage—Criminal syndicalism.

[This chapter amends subsection 4 of section 2, chapter 145, Acts of 1917, by making the attempt to organize or the retention of membership in a prohibited organization an offense under the act.]

CHAPTER 162.—Barber shops—Hour of closing.

SECTION 1. It shall be unlawful for any person or persons in the State to keep open for business or to work at the barber's trade in any city of the first or second class after the hour of seven o'clock p. m. on any working day: Provided, however, That on Saturday and the day preceding each legal holiday said barber shops may be kept open for business until ten o'clock p. m. Closing time.

SEC. 2. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100). Violations.

Approved March 3, 1919.

ILLINOIS.

ACTS OF 1919.

Immigrants' commission.

(Page 7.)

[This act amends the civil administrative code of 1917 providing for an immigrants' commission in the department of registration and education as follows:]

SECTION 6.

* * * * *
 The immigrants' commission composed of five members, one of whom shall be the director of the department of registration and education. Commission created.

The members of each of the above-named boards shall be officers.
Sec. 63.

* * * * *
 The immigrants' commission shall:

- (1) Make a survey of the immigrant, alien born and foreign-speaking people of the State, and of their distribution, conditions of employment, and standards of housing and living. Duties.
- (2) Examine into their economic, financial, and legal customs, their provisions for insurance and other prudential arrangements, their social organization, and their educational needs; keeping in friendly and sympathetic touch with alien groups and cooperating with State and local officials, and with immigrant or related authorities of other States and of the United States.

Approved June 10, 1919.

Reemployment of discharged soldiers and sailors.

(Page 533.)

SECTION 1. Every employer of labor employing five or more employees shall annually, between the 1st day of January and the 15th day thereof, or upon the request of the director of labor in case of an emergency, or where employment is in an occupation seasonal in character, file with the director of labor a statement on a blank to be furnished by the department of labor, which statement shall set forth facts substantially as follows: Employers to furnish data.

1. Name of employer _____
2. Nature of business _____
3. Is ownership individual, corporate, or partnership? _____
4. Name of manager or acting executive officer _____
5. Address _____
6. Furnish the following data:

	Over 16 years.		Under 16 years.		Total.
	Male.	Female.	Male.	Female.	
Usual No. employees.....					
Usual No. hrs. employment per day.....					
Usual No. hrs. employment per week.....					

7. No. of employees who left your employment to enter naval or military service of the U. S. between April 25, 1917, and November 12, 1918.-----

8. No. of such former employees who have been reemployed.-----

Duty of director.

Sec. 2. The director of labor is hereby authorized and directed to investigate the matter of reemployment of soldiers and sailors honorably discharged from the military or naval service of the United States in order to bring about and to promote their speedy restoration to the industrial status formerly occupied by them. To that end he shall make use of all available information disclosed by records and statistics of his office, and he shall wherever and whenever possible and practicable advise with, and mediate between, employers and such discharged soldiers and sailors and he shall cooperate with patriotic organizations in efforts to bring about a prompt rehabilitation in industry of such discharged soldiers and sailors; he shall from time to time make such recommendations to employers as shall be deemed fit and reasonable in order to advance and promote such replacements in industry as shall be most advantageous to soldiers and sailors discharged from naval or military service of the United States.

Enforcement.

Sec. 3. It shall be the duty of the State department of labor to enforce the provisions of this act and to classify the information thereby received, for statistical purposes and for such other purposes as are authorized by this act: *Provided*, That in no case shall the statistics be so arranged or information so used as to reveal the affairs of any single employer.

Violations.

Sec. 4. Any employer failing or refusing to furnish the information as provided herein shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined a sum not less than \$5 nor more than \$25.

Approved June 21, 1919.

Rehabilitation of physically handicapped persons.

(Page 534.)

Rehabilitation directed.

SECTION 1. It shall be the duty of the department of public welfare to direct, as hereinafter provided, the rehabilitation of every physically handicapped person, sixteen (16) years of age or over, residing in the State of Illinois.

Definitions.

"A physically handicapped person" shall mean any person who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is, or may be expected to be, incapacitated for remunerative occupation.

"Rehabilitation" shall mean the rendering of a person physically handicapped, fit to engage in a remunerative occupation.

"Person residing in the State of Illinois" shall mean any person who is and has been domiciled within the State for one year or more.

This act, however, shall not be construed to apply to aged or helpless persons requiring permanent custodial care, or to blind persons under the care of the State, or to deaf persons under the care of the State, or to any epileptic or feeble-minded person or to any person who may, in the judgment of the department of public welfare, not be susceptible of such rehabilitation.

Methods.

Sec. 2. The department of public welfare shall have power and it shall be its duty:

(a) To establish relations with all public and private hospitals to receive prompt and complete reports of any persons under treatment in such hospitals for any injury or disease that may permanently impair their earning capacity. The persons thus reported shall be visited by representatives of the department of public welfare, who shall make records of their condition and report to the department of public welfare. The department of public welfare shall then determine whether the person is susceptible of rehabilitation. Such persons as may be found so sus-

ceptible shall be acquainted by the department of public welfare with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date. Any person who chooses to take advantage of these rehabilitation facilities shall be registered with the department of public welfare, and a record shall be kept of every such person and the measures taken for his or her rehabilitation. The department of public welfare shall offer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training, and shall initiate definite plans for beginning rehabilitation as soon as the physical condition of the person permits.

(b) To arrange with the department of labor to receive reports of all cases of injuries received by employees in the course of employment which may result in permanent disability. The persons thus known to be injured shall be visited, examined, registered, and advised in the same manner and for the same purposes as specified in clause (a) of this section.

Reports of injuries.

(c) To receive applications of any physically handicapped persons residing within the State for advice and assistance regarding their rehabilitation. The persons thus known to be physically handicapped shall be visited, examined, and advised in the same manner and for the same purposes as specified in clause (a) of this section.

Applications and investigations.

(d) To make a survey to ascertain the number and condition of physically handicapped persons within the State. The persons thus known to be physically handicapped shall be visited, examined, registered, and advised in the same manner and for the same purposes as specified in clause (a) of this section.

Survey.

(e) To arrange for such therapeutic treatment as may be necessary for the rehabilitation of any physically handicapped person registered with the department of public welfare.

Treatment.

(f) To procure and furnish at cost to physically handicapped persons registered with the department of public welfare artificial limbs and other orthopedic and prosthetic appliances, to be paid for in easy installments.

Artificial members.

(g) To establish, equip, maintain, and operate in one of the large cities in the State, a school of rehabilitation, and to establish, equip, maintain, and operate branches of the school at such other places as may in the judgment of the department of public welfare be necessary. There shall be provided at the school and its branches courses of training in selected occupation for physically handicapped persons registered with the department of public welfare whose physical condition may, in the judgment of the department of public welfare, require special courses of training to render them fit to engage in remunerative employment and who are assigned by the department of public welfare to the school or to any of its branches for the purpose of such special training.

Instruction.

The department of public welfare shall make the necessary rules for the proper conduct and management of the school and its branches; shall have control and care of the building and grounds used by the State for the school and its branches, and shall prescribe the course and methods of training to be given at the school and its branches.

(h) To arrange with the State and local school authorities for training courses in the public schools of the State in selected occupations for physically handicapped persons registered with the department of public welfare.

(i) To arrange with any educational institution for training courses in selected occupations for physically handicapped persons registered with the department of public welfare.

(j) To arrange with any public or private organization or commercial, industrial, or agricultural establishment for training courses in selected occupations for physically handicapped persons registered with the department of public welfare.

(k) To provide for the maintenance, during the prescribed period of training, of physically handicapped persons registered with the

Maintenance.

- department of public welfare: *Provided*, That the cost of such maintenance shall not exceed ten dollars (\$10) per week for twenty weeks unless an extension of time is granted by the department of public welfare.
- General duties. (l) To arrange for social service to and for the visiting of physically handicapped persons registered with the department of public welfare and their families in their homes during the period of treatment and training and after its completion, and to give advice regarding any matter that may effect rehabilitation.
- Placement. (m) To cooperate with the department of labor in the placement in remunerative employment of physically handicapped persons registered with the department of public welfare.
- (n) To conduct investigations and surveys of the several industries located in the State to ascertain the occupations within each industry in which physically handicapped persons can enter upon remunerative employment under favorable conditions and work with normal effectiveness and to determine what practicable changes and adjustments in industrial operations and practices may facilitate such employment.
- (o) To make such studies and reports as may be helpful for the operation of this act.
- (p) To keep the people of the State informed regarding the operation of this act.
- (q) To cooperate with any department of the Federal or State Government or with any private agency in the operation of this act.
- Acceptance. (r) *Provided, however*, That no person shall be subject to this act or to any of its provisions, and shall not be examined, registered, or advised unless such person first elects to take advantage of the privileges afforded by this act and to come under its terms and conditions.
- Enforcement. SEC. 3. The department of public welfare, subject to the provisions of civil service law, which is now or which hereafter may be in force in this State, shall employ such persons as may be necessary for the enforcement of the provisions of this act, and shall prescribe their duties, compensation, and terms of employment.
- Rules. SEC. 4. The department of public welfare shall promulgate reasonable rules and regulations relating to the enforcement of the provisions of this act.
- Approved June 28, 1919.

Inspection and regulation of factories—Wash rooms.

(Page 537.)

[This act amends section two of an act, page 359, Acts of 1913, by permitting hangers to be installed in washrooms as an alternative to lockers.]

Mine regulations.

(Page 656.)

[This act amends several sections of an act, page 387, Acts of 1911.

- New mines. Section 9 is amended by adding the following proviso to the first sentence in subsection (d) :]
- Provided*, That [in] all coal mines more than two hundred (200) feet in depth, opened on or after July 1, 1919, the escape shaft shall be equipped with both a cage and stairway: *Provided further*, That if this coal mine is equipped with a stairway in the main shaft, no stairway shall be required in the escapement shaft.
- Appeals. [Section 14 is amended by adding the following proviso to subsection (h) :]
- Provided, however*, That if in the opinion of the miners or operators, an injustice has been done by ordering said mine to

use safety lamps only, the miners or operators have a right to appeal to the department of mines and minerals, its decision in the case to be final.

[A new subsection is also added to this section as follows:]

(o) In all mines where closed electric lamps are used exclusively, a sufficient number of practical, experienced miners shall be employed by the company, whose duty it shall be to examine the mine for noxious or inflammable gases while men are working therein: *And, further provided,* That the mine shall be examined by a competent person with a safety gas testing lamp on idle days, holidays and Sundays preceding the time the night shift goes on duty, Inspection for gas.

[Section 19 is amended by adding a new subsection, as follows:]

(o) Where shot firers are employed and fuse is used to fire shots, the length of the fuse shall be not less than three and one-half ($3\frac{1}{2}$) feet outside the powder. Fuses.

[Paragraph 10 of subsection (a), section 20, is amended to read as follows:]

10. He or his assistants shall, at least once a week, examine the escapement shaft and the roadways leading thereto and all other openings for the safe exit of men to the surface; and shall make a record of any obstructions or other unsafe conditions existing therein, and cause the same to be promptly removed. Inspection of roadways, etc.

[Section 21 is amended by adding to paragraph 1, subsection (b), a requirement that where closed electric lamps are used exclusively, the mine shall be examined within four hours of the time the day shift goes on duty.

Section 27 is amended by adding to subsection (a) a requirement that standard weights shall be supplied, of not less than 1,000 pounds.

Weighmen and checkweighmen are required to be citizens of the United States.]

INDIANA.

ACTS OF 1919.

CHAPTER 30.—*Mine regulations—Shot firers.*

SECTION 1. In all mines in this State where coal is blasted, and where more than ten (10) men are employed as miners, and where more than two (2) pounds of powder is used for any one blast; and also, in all mines in this State where gas is generated in dangerous quantities, the person, persons, firm, or corporation operating such mine or mines, shall employ at the expense of such person, persons, firm, or corporation operating such mine or mines, a sufficient number of practical experienced miners, to be designated as shot firers, whose duty it shall be to inspect and do all the firing of all blasts, prepared in the manner required by the laws of the State of Indiana concerning the preparation of shots or blasts in mines where shooting or blasting is done, in said mine or mines: *Provided*, That the employer shall be the judge of the qualifications of the said person employed as shot firer and shall have the right to discharge said shot firer for any reason the said employer shall deem sufficient without recommendation or interference by the miners working in said mine.

When shot
firers employed.

SEC. 2. The shot firers shall, immediately after the completion of their work, daily post a notice in a conspicuous place at the mine, in which shall be indicated the number of shots fired; also the number of shots they did not fire, if any, specifying the number of the room and designation of the entry, and giving reasons for not firing the same.

Notice.

In addition they shall also keep a daily permanent record, in which shall be entered the number of shots or blasts fired, the number of shots or blasts failing to explode, and the number of shots or blasts that in their judgment were not prepared in the manner required by the laws of the State of Indiana concerning the preparation of shots or blasts in mines where shooting or blasting is done and which they refuse to fire, giving reasons for same; the record to be in the custody of the mine managers and to be available for inspection at all times by parties interested, and public officials.

Records.

SEC. 3. The superintendent or mine manager shall not permit the shot firers to do any blasting, exploding of shots, or do any firing whatever until each and every miner and employee is out of the mine except the shot firers, mine superintendent, mine manager and man or men necessarily engaged in charge of the pumps and stables: *Provided, however*, That nothing in this section shall be construed to prohibit the employment in such mine of a reasonably necessary number of men during such time for the purpose of securing the workings in case of fire therein.

Miners to be re-
moved.

SEC. 4. No miner or other person shall alter or change any drill hole, by increasing its depth, diameter, or otherwise, after the same shall have been approved by the shot firer.

Changing holes.

SEC. 5. No shot firer, whether voluntarily or by the command or request of any person, shall fire any unlawful shot, or any shot which in his judgment, exercised as aforesaid, from his inspection thereof, made as aforesaid, shall not be prepared in the manner required by the laws of the State of Indiana concerning the preparation of shots or blasts in mines where shooting or blasting is done.

Unlawful shots.

SEC. 6. No person or persons shall order, command, or induce by threat or otherwise, any shot firer to fire any unlawful shot, or any shot which in his judgment after due inspection, shall not

Same.

be prepared in the manner required by the laws of the State of Indiana concerning the preparation of shots or blasts in mines where shooting or blasting is done.

Violations.

SEC. 7. Any neglect, refusal, or failure to do the things required to be done by any section, clause, or provision of this act on the part of any person or persons, firm, or corporation herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any person or persons, firm, or corporation in the discharge of duties herein imposed upon them, or any refusal to comply with the provisions of this act, shall be deemed a misdemeanor, punishable by a fine of not less than one hundred (\$100) dollars, and not to exceed two hundred (\$200) dollars, or by imprisonment in the county jail for a period not exceeding three (3) months, or both, in the discretion of the court or jury trying the case.

Approved February 2, 1919.

CHAPTER 39.—Factory, etc., regulations—Gas masks.

Masks to be furnished.

SECTION 1. Whenever, in the course of their duties or employment, workmen are required to carry on their work in any enclosed room, apartment, building, basement, or other structure, or other enclosure, not wholly in the open air, in which enclosure there may be accumulations of dangerous, noxious, or deleterious gases, it shall be the duty of the person, firm, or corporation for whom such work is being performed to supply such workmen with serviceable gas masks to be worn while such work is being performed.

Violations.

SEC. 2. Any person, firm, or corporation who shall fail or refuse to comply with the provisions of section 1 of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than fifty dollars (\$50) nor more than five hundred dollars (\$500). It shall be the duty of the industrial board to execute and administer the provisions of this act.

Approved March 1, 1919.

CHAPTER 56.—Inspection and regulation of bakeries—Sanitation, etc.

Provisions required.

SECTION 1. Any building, or portion of any building, occupied or used as a bakery, wherein is carried on the business of the production, preparation, storage, or display of bread, cakes, pies, and other bakery products intended for sale for human consumption, shall be clean, properly lighted, drained, and ventilated. Every such bakery shall be provided with adequate plumbing and drainage facilities, including suitable wash sinks, toilets, and water-closets. All toilets and water-closets shall be separate and apart from the rooms in which the bakery products are produced or handled. All wash sinks, toilets, and water-closets, shall be kept in a clean and sanitary condition and shall be in well lighted and ventilated rooms. The floors, walls, and ceilings of the rooms in which the dough is mixed and handled, or the pastry prepared for baking, or in which the bakery products of ingredients of such products are otherwise handled or stored, shall be kept and maintained in a clean, wholesome, and sanitary condition. All openings into such rooms, including windows and doors, shall be properly screened or otherwise protected to exclude flies. No working rooms shall be used for purposes other than those directly connected with the preparing, baking, storage, and handling of food, and shall not be used as washing, sleeping, or living rooms, and shall, at all times, be separate and closed from any living or sleeping rooms. Rooms shall be provided for the changing and hanging of wearing apparel apart and separate from such workrooms; and such rooms, as so provided for the changing and hanging of wearing apparel, shall be kept clean at all times.

SEC. 2. The Indiana State board of health shall make all necessary rules for carrying into effect the foregoing section and for the enforcement of the provisions thereof. If after inspection such board shall find that any bakery is being operated in violation of the provisions hereof, notice in writing shall be given to the proprietor wherein shall be stated the particulars in which such bakery is not being properly conducted, and fixing a reasonable time, not less than thirty days, in which such conditions shall be remedied. If the requirements of such notice shall not be complied with, said board shall order such bakery closed, and it is hereby empowered to take all necessary steps to enforce such order: *Provided*, That if any person, firm, or corporation shall feel aggrieved by any order of said board, it shall have the right to appeal to the circuit or superior court in the county in which is located said bakery: *Provided further*, That on the taking of said appeal the owner or operator of said bakery shall furnish bond to the approval of the board: *And provided further*, That said appeal shall be taken within a period of thirty (30) days from the order of said board.

Enforcement.

SEC. 3. No employee or other person shall sit or lie upon any of the tables, benches, troughs, shelves, etc., which are intended for the dough or bakery products. * * * Before beginning the work of preparing, mixing, and handling the ingredients used in baking, every person engaged in the preparation or handling of bakery products shall wash the hands and arms thoroughly and then rinse in clean water; and for this purpose sufficient wash basins and soap and clean towels shall be provided. Every person engaged in such work shall wash the hands and arms after using toilet rooms or water-closets. Employees or other persons affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis or consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, whooping cough, chicken pox, or any other cutaneous or infectious disease, shall not work or be permitted to work in any such bakeries or be permitted to handle any of the products therein or delivered therefrom. The freedom of said bakery employees from any such disease shall be evidenced by a certificate of medical examination made at such times, and such certificate shall be in such form and so kept as shall be prescribed by the State board of health. Such medical examinations may be made by any competent physician, including State, city, town, and county health officials or their agents of recognized standing, and whose qualifications for making such examinations are approved by the State board of health. Any such physician or health officer who gives such certificate of freedom from disease without thorough examination, or who gives such certificate knowing or suspecting the employee to have or to be infected with any of the disease specified in this section, and any employee or other person engaged in any of the work above mentioned, without first procuring a certificate as herein prescribed, showing freedom from any such contagious or infectious disease, shall be deemed guilty of a violation of this act and subject to the penalties provided for violation thereof. The State board of health shall prescribe such reasonable time after the taking effect of this act within which the provisions of this section for the physical examination of employees shall become effective.

Cleanliness of employees.

Disease.

Examination.

SEC. 4. The State board of health shall make all necessary rules for carrying into effect the foregoing section including the forms of certificates, and the time and place for examination of such employees and including reasonable and uniform fees for the said examination. The analysis or examination of any specimens necessary in connection with such medical examination of employees shall be made free at the laboratories of the State board of health, or any city or town department of health as the State board of health may designate. The State board of health or any city,

Rules.

town, or county board of health may order any such medical examination through its own qualified officers or agents at any time deemed necessary, which examination shall be free and at the expense of the board making the examination: *Provided, however*, That any employee or employer may have his or her own physician present at any such examination.

Violations.

SEC. 10. Any person, firm, or corporation who shall violate any of the provisions of this act shall be subject to a fine of not less than ten dollars nor more than one hundred dollars, and each day's continuance of any practice, act, or condition prohibited herein shall constitute a separate offense within the meaning of this act.

Conflicting ordinances.

SEC. 11. Except as in this act provided, no city or town or board or officer thereof shall have power to enact or make any ordinance, law, resolution, rule, or order affecting the matters covered by this act.

Provisions severable.

SEC. 12. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment has been rendered.

Approved March 10, 1919.

CHAPTER 125.—*Criminal syndicalism—General strike.*

Offenses.

SECTION 1. The display or exhibition at any meeting, gathering, or parade, public or private, of any flag, banner or emblem symbolizing or intended by the person or persons displaying or exhibiting the same to symbolize a purpose to overthrow, by force or violence, or by physical injury to personal property, or by the general cessation of industry, the Government of the United States or [of] the State of Indiana, or all government, is hereby declared to be unlawful.

Same.

SEC. 2. It shall be unlawful for any person to advocate or incite or to write or with intent to forward such purpose to print, publish, sell, or distribute any document, book, circular, paper, journal or other written or printed communication in or by which there is advocated or incited the overthrow by force or violence, or by physical injury to personal property, or by the general cessation of industry, of the Government of the United States, of the State of Indiana, or all government.

Penalty.

SEC. 3. That any person or persons convicted of violating any section of this act shall be fined not more than \$5,000 or imprisoned for not more than five years, or both.

Approved March 14, 1919.

CHAPTER 167.—*Protection of employees on buildings.*

Enforcement of law.

SECTION 1. From and after the passage of this act, it shall be and is hereby the duty of the building inspector of every city, if there be a building inspector, and if there be no building inspector then of the mayor, and of the township trustee of every township, the board of trustees of every town and the board of commissioners of every county, to inspect or have inspected any building, or anything attached thereto located therein, or connected therewith, which is in the course of erection or repair as defined and set forth in the provisions of this act [chapter 236, Acts of 1911], to ascertain whether or not the provisions of this act have been, or are being complied with. If it appears upon such inspection that the building or anything attached thereto, or located therein, or connected therewith, is being constructed, erected or repaired, contrary to and in violation of the provisions of this act or of the act to which this act is supplemental, such officer, so charged with the duty of inspecting said building, as aforesaid, shall order

the same to be remedied and the provisions of this act complied with, and if such notification be not complied with, within reasonable time, he shall prosecute whoever may be responsible for such delinquency and violation.

Sec. 2. Nothing contained in the provisions of this act shall affect, amend, repeal or alter in any way the present inspection or dangerous occupation laws of this State, except as herein set forth, but this act shall be deemed additional and supplemental thereto.

Effect of act.

Approved March 14, 1919.

CHAPTER 169.—*Mine regulations—Border line mines.*

SECTION 1. Whenever any mine or mines, the shaft or opening of which is located in any State other than the State of Indiana, shall have entries or workings underground extending into and within the State of Indiana, a compliance with the laws of the State in which the shaft or opening of said mine is located governing mines and minings shall be taken, deemed, and considered a full compliance with the laws of the State of Indiana governing mines and minings as to all that part of said entries and workings lying and being within the State of Indiana.

What compliance sufficient.

Sec. 2. In the case of any mine or mines, the shaft or opening of which is located in any State other than the State of Indiana, the employees in the entries or workings of such mines extending into and within the State of Indiana, shall be controlled and governed by the laws of the State in which the shaft or opening of such mine is located in any and all matters pertaining to their employment, including compensation laws and suits for damages for personal injuries.

What law controls.

Approved March 14, 1919.

CHAPTER 192.—*Free public employment offices.*

SECTION 1. There is hereby created a board of seven members which shall be known as the Employment Commission of Indiana. Within thirty days of the taking effect of this act the governor shall appoint two members who shall serve two years each, two members who shall serve three years each, two members who shall serve four years each, and one member who shall be designated as chairman and whose official title shall be State director, Indiana Free Employment Service, and who shall serve four years. Thereafter each succeeding member shall be appointed for terms of four years each. Vacancies shall be filled in the same manner for unexpired terms. In all cases any member shall continue to hold office until his successor is appointed and duly qualified.

Board created.

Upon the filing of written charges affecting the competency or availability of any member of the said commission or of the State director of said free employment service, the governor shall hear such charges and in his discretion cause the resignation or removal of any such member or of the director.

Removals.

Sec. 2. In selecting members of this commission the governor shall appoint two members who are or represent "employees," two members who are or represent "employers," two members, one of whom shall be a woman representing the disinterested public and one member, the chairman, who shall be chosen because of his peculiar fitness, training, and experience without regard to party or other affiliation. A majority of said commission shall constitute a quorum to transact business.

Representation.

The members of the commission, with exception of the chairman, shall serve without pay, but shall be reimbursed for traveling and other expenses incident to the discharge of their duties. The chairman who shall be the executive officer of the commission shall be paid such an annual salary as the other members of the

Expenses.

commission, by and with the advice of the governor, shall agree upon.

Powers.

Sec. 3. The said employment commission shall have the right, power, and authority to purchase and secure equipment and necessary supplies, to prepare and promulgate rules and regulations for the administration of the service, and with the advice and consent of the governor to employ, promote, discharge, and determine the compensation of such assistants, clerks, inspectors, stenographers, and other help as may be deemed necessary to the proper enforcement of this act. All employees, assistants, clerks, inspectors, stenographers, and other necessary assistants, shall be chosen because of their qualifications and fitness to discharge the duties of the position to be filled: *Provided*, That not more than fifty per cent of such employees shall be members of the same political party.

Establish offices.

Sec. 4. It shall be the duty of the employment commission, and it shall have power, jurisdiction, and authority—

Duties.

Sec. 4. (a) To establish and conduct free employment offices in the State where in the opinion of the commission such action may be deemed advisable and expedient to public welfare; to do all in its power within the limitations of this act to bring together employers seeking employees and applicants for employment seeking employers; to make known the opportunities for self-employment in the State; to devise and adopt the most efficient means within its power to avoid unemployment; to provide employment and to prevent distress from involuntary idleness, and to extend vocational guidance to minors seeking employment.

Sec. 4 (b) To establish and maintain such sections of the employment service as will best serve the public welfare and which shall include—

1. Men's section.
2. Woman's section.
3. Farm labor section.

4. Soldiers' and sailors' section, whose duties shall include complete cooperation with the Federal Board for Vocational Education, division for rehabilitation of crippled soldiers and sailors in endeavoring to secure suitable employment and fair treatment of the veterans of the World War.

5. Junior section, whose duties and authority shall include: Jurisdiction over all matters contemplated in this act pertaining to securing employment for all minors who avail themselves of the free employment service; so to conduct its affairs that at all times it shall be in harmony with laws relating to child labor and compulsory education; to aid in inducing minors over sixteen, who can not or do not for various reasons attend day school, to undertake promising skilled employment; to aid in influencing minors who do not come within the purview of compulsory education laws and who do not attend day school to avail themselves of continuation or special courses in existing night schools, vocational schools, part-time schools, trade schools, business schools, vestibule schools, library schools, university extension courses, etc., so as to become more skilled in such occupations or vocations to which they are respectively inclined or adapted; to aid in securing vocational employment on farms for town and city boys who are interested in agricultural work and particularly town and city high school boys who include agriculture as an elective study; to cooperate with various social agencies, schools, etc., in group organization of employed minors, particularly those of foreign parentage, in order to promote the development of real, practical Americanism in a broader knowledge of the duties of citizenship; to investigate methods of vocational rehabilitation of boys and girls who are maimed or crippled, and to provide ways and means, subject to the approval of the commission, for minimizing such handicap.

Advertising.

Sec. 4. (c) To advertise in the columns of the newspapers or other media, for such situations as it has applicants to fill, and

to advertise in a general way for the cooperation of large contractors and employers in such trade journals or special publications as reach such employers, whether such trade or special journals are published within the State of Indiana or not; to collect, collate, and publish statistical and other information relating to the work under its jurisdiction; to investigate economic developments and the extent and causes of unemployment and remedies therefor within and without the State, with the view of preparing for the information of the general assembly such facts as in its opinion may make further legislation desirable.

Sec. 4 (d) To enter an agreement with the governing authorities of any municipality, county, township, or school corporation in the State for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and for the extension of vocational guidance to minors.

Local offices.

Sec. 4. (e) By and with the advice of the governor to enter into any such cooperative agreement as may be deemed desirable by the commission with the U. S. Employment Service or such bureau of U. S. Department of Labor as the Secretary thereof may hereafter designate, or other Federal agency as Congress may hereafter authorize, for the purpose of securing financial aid from the United States Government for the establishment and maintenance of free public employment service and the extension of vocational guidance to minors under and by virtue of any such agreement as aforesaid to pay from any funds appropriated by the State for the purpose of this act, any part or the whole of the salaries, expenses of rent, maintenance and equipment of offices, and other expenses necessary to the maintenance of the joint system provided for by such agreement.

Cooperation.

Section 4. (f) By and with the advice of the governor into reciprocal and cooperative agreements with neighboring States in seeking a solution to such employment problems, which because of their peculiar nature are not local but extend beyond the borders of the State.

Reciprocal agreements.

Section 4. (g) To receive, accept, and use in the name of the people of the State or any community or municipal corporation, as the donor may designate by gift or devise, any moneys, buildings, or real estate for the purpose of extending vocational guidance to the minors of the State, and for the purpose of giving assistance to deserving maimed or crippled boys and girls through vocational rehabilitation.

Gifts.

Sec. 5. It shall be lawful for the governing authorities of any municipality, county, township, or school corporation in the State to enter into cooperative agreement with the employment commission, and to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be mutually agreed upon, and for the extension of vocational guidance to minors.

Local authorities.

Sec. 6. It shall be unlawful for any officer, employee, or agent of the aforesaid employment commission to charge or receive, directly or indirectly, from persons applying for employment or help through said free employment offices, or from any person who becomes the beneficiary of the services of any division of the employment commission, any fee, compensation, or anything of value, and any officer or employee who shall directly or indirectly accept any fee or compensation from any applicant or beneficiary, or from his or her representative, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars and not more than fifty dollars, to which may be added imprisonment in the county jail for not more than thirty days.

Fees forbidden.

Sec. 9. There is hereby appropriated annually, from the general funds of the State of Indiana, the sum of thirty-eight thousand dollars (\$38,000) for the purpose of enforcing and administering the provisions of this act.

Appropriation.

Definitions. SEC. 11. The term "employer" shall mean and include every person, firm, corporation, agent, manager, representative, or other persons having control or custody of any employment, place of employment or any employee.

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 or work or be at any time in any place of employment.

Approved March 15, 1919.

IOWA.

ACTS OF 1919.

CHAPTER 94.—*Employment of children—Part-time schools.*

SECTION 1. The board of directors of any organized school district may establish and maintain part-time schools, departments, or classes in aid of vocational and other education for minors between the ages of fourteen (14) and sixteen (16) years (1) holding work certificates, or (2) who have not completed the eighth grade and are employed in a "store or mercantile establishment," where eight (8) or a less number of persons are employed, or in "establishments or occupations which are owned or operated by their own parents," or (3) who have completed the eighth grade and are not engaged in some useful occupation; and such board of directors shall organize such a part-time school, department, or class whenever there are fifteen (15) minors as defined above resident in the district. The courses of study of such part-time schools, departments, or classes may include, "any subject given to enlarge the civic or vocational intelligence," of the pupils attending.

Schools authorized.

SEC. 3. Such part-time schools, departments, or classes, for the attendance of children over fourteen (14) and under sixteen (16) years of age, shall be organized in accordance with standards established by the State board for vocational education, and shall provide for not less than eight (8) hours of instruction per week during the length of term for which public schools are established in the district. Such part-time schools, departments, or classes shall be held between the hours of eight (8) o'clock a. m. and six (6) o'clock p. m.

Time.

SEC. 7. The enforcement of this act shall rest with the school board in the district in which such part-time school, department, or class shall have been established and the State department of public instruction through its inspectors and the State board for vocational education through its supervisors of vocational education, in conjunction with the county superintendent of schools, are empowered to require enforcement of the same on the part of school boards.

Enforcement.

Approved March 27, 1919.

CHAPTER 139.—*Employment of children—Hours of labor.*

[This act amends section 2477-c of the code, as amended in 1915, by fixing 40 hours as the maximum for a week's work for children under 16 years of age in districts where there is a part-time school or class.]

CHAPTER 213.—*Labor organizations—Monopolies.*

SECTION 1. Section five thousand sixty-seven-a (5067-a) of the Supplement to the Code, 1913 is amended by adding to said section following the period at the close thereof the following:

Provided, however, That the labor of a human being either mental or physical is not a commodity or article of commerce and it shall not be unlawful for men and women to organize themselves into or carry on unions for the purpose, by lawful means of lessening the hours of labor or increasing the wages, or bettering the condition of the members of such organizations; or lawfully carrying out their legitimate purposes.

Status of labor.

Approved April 11, 1919.

CHAPTER 382.—*Criminal syndicalism—Sabotage.*

- Definition.** SECTION 1. Criminal syndicalism is the doctrine which advocates crime, sabotage, violence, or other 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:
- A. 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
- B. 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
- C. 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 doctrine of criminal syndicalism; or
- D. 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, is guilty of a felony and punishable by imprisonment in the State penitentiary or reformatory for not more than ten years (10) or by a fine of not more than five thousand dollars (\$5,000) or both.
- Penalty.**
- 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 aid or instigation is guilty of a felony and punishable by imprisonment in the State penitentiary or reformatory for not more than ten years (10) or by a fine of not more than five thousand dollars (\$5,000) or both.
- Permitting assemblage.** 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 3 of this act, or who, after notification by the sheriff of the county or the police authorities 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 five hundred dollars (\$500) or both.

Approved April 25, 1919.

KANSAS.

ACTS OF 1919.

CHAPTER 221.—*Payment of wages on discharge.*

SECTION 1. Section 5875 of the General Statutes of 1915 is hereby amended so as to read as follows:

Section 5875. Whenever any employee is discharged from the employment of any such corporation, firm, or person, then the wages of such employee shall become due and payable on the day of such discharge, and any corporation, firm, or person failing to pay such wages on written demand, within twenty-four hours of time of demand, shall, as a penalty for such failure, continue to pay to such employee, from day to day, additional wages at the same rate that he had been earning previous to such discharge, until full payment of original wages is made.

Wages to be paid.

Penalty.

Approved March 20, 1919.

CHAPTER 231.—*Mine regulations.*

[This chapter adds a proviso to section 6292, General Statutes, in regard to the method of measuring distances between break throughs.]

CHAPTER 232.—*Mine regulations*

[This chapter extends for a period of four years from March 1, 1919, the time for constructing escape shafts, extended by chapter 243, Acts of 1917.]

CHAPTER 284.—*Department of labor and industry.*

SECTION 13. Section 5, chapter 1, Session Laws of 1917, [shall] be amended to read as follows:

Section 5. The commissioner of labor and industry shall receive an annual salary of three thousand dollars; the assistant commissioner of labor and industry shall receive an annual salary of two thousand dollars; the chief clerk shall receive a salary of fifteen hundred dollars, two factory inspectors (one of whom shall be a woman) shall receive an annual salary of sixteen hundred each, a fire-escape inspector at twelve hundred dollars per annum; five deputy mine inspectors shall receive each an annual salary of fifteen hundred dollars; a statistical clerk and free employment clerk who shall each receive an annual salary of twelve hundred dollars; the clerk in the mine inspection department shall receive an annual salary of twelve hundred dollars; and stenographers who shall receive in the aggregate not more than three thousand dollars, and not more than twelve hundred annually to any one person.

Salaries.

Approved May 10, 1919.

MAINE.

ACTS OF 1919.

CHAPTER 17.—*Mothers' pensions.*

[This act amends several sections of chapter 222, Acts of 1917, the principal changes being the advancement of the age of children who may be considered from fourteen years to sixteen years. Section 3 is amended by striking out the provision regulating the amounts that may be paid.]

CHAPTER 38.—*Pensions for State employees.*

SECTION 1. The superintendent and board of trustees of any State institution and the head of any State department may recommend the retirement from active service and the placing upon a pension roll, any employee who has been employed in any State institution or department of this State, with a good record for the term of twenty-five consecutive years, or more, and such employee, subject to the approval of the governor and council shall be so retired and pensioned. Retirement authorized.

SEC. 2. Any employee who is retired, as provided in this act, shall be allowed such amount as the governor and council shall determine not to exceed one-half of the average wage or salary he was receiving for the five years previous to the time of his retirement. Allowance.

Approved March 8, 1919.

CHAPTER 190.—*Employment of children—General provisions.*

[This chapter amends sections 20, 21, and 23 of chapter 49 of the revised statutes so as to read as follows:]

SECTION 20. No child under fourteen years of age shall be employed, permitted or suffered to work in, about, or in connection with any manufacturing or mechanical establishment. No child under fifteen years of age shall be employed, permitted or suffered to work at any business or service for hire, whatever, during the hours that the public schools of the town or city in which he resides are in session. Age limit.

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 furnished such issuing officer a certificate signed by the principal of the school last attended showing that the child can read and write correctly simple sentences in the English language and that he has satisfactorily completed the studies covered in the first six yearly grades of the elementary public schools or their equivalent; in case such certificate can not be obtained, then the officer issuing the work permit shall examine such child to determine whether he can meet the educational standard specified and shall file in his office a statement setting forth the result of such examination; nor until he has received, exam- Work permits. Evidence.

- ined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upward; 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 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 schools; 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.
- Physician's certificate.** Sec. 23. The blank work permit and other papers required in the two preceding sections shall be formulated by the commissioner of labor and industry, and furnished by him to the persons authorized to issue work permits. The forms of such permits and other papers shall be approved by the attorney general. Every work permit and every vacation permit shall be made out in duplicate.
- Forms.** All duplicates, accompanied by the original papers on which such permits were issued, shall be forwarded to the department of labor and industry, by the officer issuing same, within twenty-four hours of the time that said permit was issued. Said department shall examine said papers and promptly return them to the officer who sent them. Said original papers upon which said permits were issued shall be filed by said officer and preserved for such time as said permits are outstanding, or until the minor arrives at the age of sixteen. They shall be at all times accessible to the commissioner of labor and industry or any authorized agent of his department. Said officer shall return to said child all papers with him filed on proof of age, upon a surrender of the work permit. All permits thus surrendered shall be marked canceled by the officer receiving them. Whenever there is reason to believe that a work permit was improperly issued the commissioner of labor and industry and State factory inspector, his deputy or agent, shall notify the local superintendent of schools of the place in which said certificate was issued. The local superintendent shall cancel such permit when directed so to do by the commissioner of labor and industry.
- Duplicates.**
- Cancellation.**

Approved April 4, 1919.

CHAPTER 191.—Hours of labor of women and children.

[Section 2 of chapter 350, Acts of 1915, is amended to read as follows:]

- Night work.** SEC. 2. No minor under sixteen years of age shall be employed or permitted to work in or in connection with any of the establishments or occupations named in section one of this act, or in any bowling alley or pool room, before the hour of six-thirty o'clock in the morning or after the hour of six o'clock in the evening of any one day.

Approved April 4, 1919.

CHAPTER 205—*Employed children—Continuation schools.*

SECTION 1. In order to improve the industrial and civic efficiency of persons between the ages of fourteen and eighteen now engaged in industrial occupations and who have not reached the proficiency in reading, writing, arithmetic, language, geography, history, and citizenship required for the completion of the elementary school course as recognized in the schools of the State of Maine, the superintending school committee and boards of education of the towns and cities of the State are hereby authorized to establish part-time or part-time continuation schools and classes for the benefit of such persons. For the purpose of this act a part-time continuation school or class shall be understood to mean such schools or classes as are conducted during the regular working hours of the persons employed. Such schools shall cover one hundred and forty-four hours per year and meet the standards set up by the State board for vocational education.

Schools authorized.

SEC. 3. This act shall not be construed to interfere in any manner with the provisions of chapter forty-nine of the Revised Statutes relating to child labor and the amendments thereto.

Act construed.

Approved April 4, 1919.

CHAPTER 231.—*Department of labor and industry.*

[Sections 9 and 22 of chapter 49 of the Revised Statutes are amended to read as follows:]

SECTION 9. A State department of labor and industry shall be maintained under the direction of an officer whose title shall be commissioner of labor and industry, and State factory inspector. He shall be appointed by the governor, with the advice and consent of the council, for a term of three years, and shall hold office until his successor is appointed and qualified. He shall have an office in the State capitol. He shall appoint a deputy who shall be clerk of the department, and deputy State factory inspector, and shall hold office during the pleasure of the commissioner; he shall also appoint a stenographer for the department and a woman factory inspector, and may employ special agents and such other assistants as may be required for the work of the department. The special agents and other assistants shall work under the supervision and direction of the commissioner and shall be paid for their services such compensation as he may deem proper, not exceeding five dollars a day and necessary traveling expenses. All expenses of the department shall be audited by the State auditor and shall be payable upon proper vouchers certified by the commissioner.

Commissioner.

Assistants.

SEC. 22. The commissioner of labor and industry and State factory inspector shall receive an annual salary of two thousand dollars; the commissioner and the deputy State factory inspector shall also receive their actual traveling expenses.

Salary, etc.

Approved April 4, 1919.

MASSACHUSETTS.

ACTS OF 1919.

CHAPTER 70.—*Employees' representation on boards of directors.*

SECTION 1. A manufacturing corporation may provide by by-law for the nomination and election by its employees of one or more of them as members of its board of directors. Representation authorized.

SEC. 2. All elections under the provisions of section one shall be held at the works of the corporation on the day of the annual meeting, and the voting shall be by secret ballot. Elections.

SEC. 3. If less than a majority of those entitled to vote participate in the election there shall be no election, and the vacancy shall be filled as the by-laws may prescribe. If no election.

SEC. 4. A director elected by the employees shall have the same rights and powers and shall be subject to the same duties and responsibilities as a director elected by the stockholders. Powers of director.

Approved April 3, 1919.

CHAPTER 72.—*Minimum wage—Vacancies on boards.*

[This act amends section 4 of chapter 706, Acts of 1912, by adding thereto the following:]

The commission shall have power to fill a vacancy or vacancies arising in a duly constituted wage board by appointing a sufficient number of suitable persons to complete the representation of the employers, employees, or public, as the case may be. How vacancies filled.

CHAPTER 76.—*Minimum wage—Records.*

[This act amends section 11 of chapter 706, Acts of 1912, by authorizing the minimum wage commission to require special records of working hours of women and minors for limited periods, in its discretion.]

CHAPTER 77.—*Minimum wage—Notices to be posted.*

[This chapter adds section 11A to chapter 706, Acts of 1912, as follows:]

SECTION 11A. The commission may require employers in any occupation to post notices of its hearings or of nominations for wage boards, or of decrees that apply to their employees, in such reasonable way and for such length of time as it may direct. Whoever refuses or fails to post such notices or decrees, when so required, shall be punished by a fine of not less than five nor more than fifty dollars for each offense. The commission and the State board of labor and industries shall have power to enforce the provisions of this section. Posting required.

SEC. 2. Chapter sixty-five of the General Acts of nineteen hundred and fifteen is hereby repealed.

Approved April 4, 1919.

CHAPTER 113.—*Employment of women and children—Hours of labor.*

[This act amends section 48 of chapter 514, Acts of 1909, so as to read as follows:]

Nine-hour day. SECTION 48. No child under eighteen years of age and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing, mercantile, mechanical establishment, telegraph office, or telephone exchange, or by any express or transportation company, more than nine hours in any one day; and in no case shall the hours of labor exceed forty-eight in a week except that in manufacturing establishments where the employment is by seasons, and the State board of labor and industries shall determine what employments are seasonal, the number of such hours in any week may exceed forty-eight, but not fifty-two, provided that the total number of such hours in any year shall not exceed an average of forty-eight hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed in more than one such place the total number of hours of such employment shall not exceed forty-eight hours in any one week. Every employer, except those employers hereinafter designated, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating the number of hours' work required 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 or, in the case of mercantile establishments and of establishments exempted from the provisions of section sixty-seven and of section sixty-eight, as amended by chapter one hundred and ten of the General Acts of nineteen hundred and seventeen, the time, if any, allowed for meals. The printed forms of such notices shall be provided by the State board of labor and industries, after approval by the attorney-general. The employment of any such person at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this 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 person was employed or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be authorized until a written report of the day and hour of its occurrence and its duration is sent to the State board of labor and industries, nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday. Every employer engaged in furnishing public service or in any other kind of business in respect to which the State board of labor and industries shall find that public necessity or convenience requires the employment of children under the age of eighteen or women by shifts during different periods or parts of the day, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. Printed forms of such notices shall be provided by the State board of labor and industries, after approval by the attorney-general. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and by officers charged with the enforcement of the law. In cases of extraordinary emergency, as defined by section one of chapter four hundred and ninety-four of the acts of nineteen hundred and eleven, as amended by section one of chapter two hundred and forty of the General Acts of nineteen hundred and sixteen, or extraordinary public requirement, the provisions of this act shall not apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated; but in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the State board of labor and industries.

Forty-eight hour week.

Seasonal industries.

Schedule.

Violations.

Shifts.

Approved April 18, 1919.

CHAPTER 152.—*Vacations for State employees.*

SECTION 1. All laborers, workmen, and mechanics who are within the provisions of chapter four hundred and ninety-four of the Acts of nineteen hundred and eleven, and amendments, and who are permanently in the service or employ of the Commonwealth, of the metropolitan water and sewerage board, or of the metropolitan park commission shall be entitled to an annual vacation of not less than twelve working days with pay.

Who entitled.

Approved May 3, 1919.

CHAPTER 193.—*Specifications for weaving.*

[This act amends section 116 of chapter 514, Acts of 1909, as amended by chapter 263, Acts of 1911, by adding thereto the following:]

The said specifications shall also contain a detailed schedule of the method of computation of the price of cotton or silk or mixed cotton and silk weaving paid by the said occupier or manager, and no particular in the specifications shall be expressed by means of symbols, but every particular shall be sufficiently clear and complete as to enable the operative to determine readily the price payable for the cut or piece.

Price.

CHAPTER 224.—*Factory, etc., inspectors.*

[This chapter amends section 8 of chapter 726, Acts of 1912, as amended, by increasing the inspection force from 24 to 39, and adding inspectors of building operations to the classes already provided for. Four appointees shall be men who have worked at least three years as building construction workmen.]

CHAPTER 281.—*Employment of children—School attendance.*

[This chapter amends section 1 of chapter 44, Revised Laws, by requiring the completion of the sixth grade of school work, instead of the fourth grade, to exempt from the requirement of compulsory school attendance.]

CHAPTER 311.—*Employed children—Continuation schools.*

SECTION. (1) Every city and town in which, during a calendar year ending December thirty-first, two hundred or more minors under sixteen years of age are regularly employed not less than six hours per day by authority of employment certificates or home permits described in section one of chapter forty-four of the Revised Laws, as amended, shall, and any other city or town may, through its school committee, local board of trustees for vocational education, or both, establish at the beginning of the next school year and maintain continuation schools or courses of instruction for the education of such minors under sixteen years of age who are regularly employed not less than six hours per day at home or elsewhere within the city or town, and for such others as may be required to attend as provided in section three. In determining the cities or towns required to establish continuation schools, or courses of instruction, minors who are employed during vacations by authority of employment certificates or home permits shall not be counted. The said schools or courses shall be in session during the same number of weeks in each year as the high schools of the city or town.

Schools to be established.

(2) When a city or town shall have established the said schools or courses, it shall, subject to the provisions of chapter forty-four of the Revised Laws, and amendments thereof not inconsistent herewith, and in accordance with the provisions of paragraphs three and four of this section, require the attendance thereof of

Attendance required.

- every minor under sixteen years of age who is engaged within the limits of the city or town in regular employment or business under the authority of an employment certificate, or in profitable employment at home under the authority of a home permit: *Provided, however,* That upon application of the parent or guardian of the minor involved, instruction in the regular schools shall be accepted as instruction equivalent to that provided for by this act.
- Time.** (3) The required attendance at said schools or courses shall be at the rate of not less than four hours per week for minors regularly employed not less than six hours per day at home or elsewhere, and at the rate of not less than twenty hours a week for minors who have secured employment certificates, and who are temporarily out of regular employment or business, provided the school or course is in session twenty hours a week, and shall be between the hours of eight o'clock in the morning and five o'clock in the afternoon of any working day or days except Saturday.
- Status.** (4) In the establishment and conduct of said continuation schools or courses of instruction, any city or town may take advantage of established educational agencies, and may utilize any suitable quarters which meet with the approval of the board of education; but, when established, the said continuation schools or courses shall be considered a part of the public-school system of the municipality wherein the minors attending the same are employed.
- Time as work.** (5) The time spent by a minor in a continuation school or course of instruction shall be reckoned as a part of the time or number of hours minors are permitted by law to work.
- Place of residence.** SEC. 3. (1) Any minor under sixteen years of age who has been regularly employed in a city or town other than that of his residence, and who is temporarily unemployed, may be required, under conditions approved by the board of education, to attend such a continuation school or such courses of instruction in the city or town of his residence.
- (2) Whenever an employment certificate is issued to a minor under sixteen years of age, authorizing employment in a city or town other than that of his residence, a duplicate thereof shall be sent forthwith to the superintendent of schools of the city or town in which the employment is authorized.
- Duty of employers.** SEC. 4. The employer of any minor between fourteen and sixteen years of age who is required to attend a continuation school or course of instruction as defined in this act, shall cease forthwith to employ such minor when notified in writing by the superintendent of schools, or by his representative duly authorized in writing, having jurisdiction over such minor's attendance, of his nonattendance in accordance with the compulsory attendance regulations as defined in this act. Any employer who fails to comply with the provisions of this section shall be punished by a fine of not less than ten nor more than one hundred dollars for each offence.
- Failure to attend.** SEC. 5. The superintendent of schools having jurisdiction, or a person authorized by him in writing, may revoke the employment certificate or the home permit of any minor who fails to attend the said schools or courses of instruction when so required by the provisions of this act.
- Penalty on cities.** SEC. 6. (1) A city or town which refuses or neglects to raise and appropriate money for the establishment and maintenance of continuation schools or courses of instruction as required by this act, to be instituted not later than September first, nineteen hundred and twenty, shall forfeit from funds due it from the Commonwealth a sum equal to twice that estimated by the board of education as necessary properly to establish and maintain such schools or courses.
- (2) A sum equal to three-fifths of such forfeiture shall be paid by the treasurer and receiver general to the school committee of the delinquent city or town, and the school committee shall expend the same for the establishment and maintenance of continuation schools or courses of instruction therein to the same extent as if

it had been regularly appropriated by the city or town for that purpose.

SEC. 7. This act shall take effect in any city or town upon its acceptance by the qualified voters thereof voting thereon at the annual State election in the current year. ^{Adoption of act.}

Approved, July 15, 1919.

CHAPTER 350.—*Departments of industrial accidents, of labor and industries, and of public safety.*

SECTION 1. The executive and administrative functions of the Commonwealth, except such as pertain to the governor and the council, and such as are exercised and performed by officers serving directly under the governor or the governor and council, shall hereafter be exercised and performed by the departments of the secretary of the Commonwealth, the treasurer and receiver general, the auditor of the Commonwealth, and the attorney general, and by the following new departments hereby established, namely: ^{Departments, etc.}

* * * The department of industrial accidents. The department of labor and industries. * * * The department of public safety. * * *

SEC. 2. Where an existing office, board, commission, or other governmental organizations or agency is abolished by this act, all of its books, papers, maps, charts, plans, records, and all other equipment in the possession of such organizations or agency, or of any member or officer thereof, shall be delivered to the administrative and executive head of the department to which its rights, powers, duties, and obligations are transferred. In case such rights, powers, duties, and obligations are divided between two or more departments, each of said departments shall receive such books, papers, maps, charts, plans, records, and other equipment as pertain to the rights, powers, duties, and obligations transferred to that department. All questions arising under this section shall be determined by the governor and council. ^{Records, etc., of abolished offices.}

SEC. 3. Where an existing office, board, commission, or other governmental organization or agency is abolished by this act, all employees thereof shall, as temporary appointees of the department to which the rights, powers, duties, and obligations of such office, board, commission, or other governmental organization or agency are transferred, continue to perform their usual duties, upon the same terms and conditions as heretofore, until removed, appointed to positions in accordance with the provisions of this act relative to such department, or transferred to other departments. ^{Employees.} * * *

11. *Department of industrial accidents.*

SECTION 68. The department of industrial accidents shall consist of the industrial accident board as now organized and existing under chapter seven hundred and fifty-one of the Acts of nineteen hundred and eleven, and acts in amendment thereof and in addition thereto. All provisions of law relating to the industrial accident board shall continue in full force and effect except as is otherwise provided in this act. ^{Succeeds accident board.}

12. *Department of labor and industries.*

SECTION 69. The board of labor and industries, existing under authority of chapter seven hundred and twenty-six of the Acts of nineteen hundred and twelve and acts in amendment thereof and in addition thereto; the board of conciliation and arbitration, existing under authority of chapter five hundred and fourteen of the Acts of nineteen hundred and nine, as amended by chapter six hundred and eighty-one of the Acts of nineteen hundred and fourteen, and acts in amendment thereof and in addition thereto; ^{Boards, etc., abolished.}

the minimum wage commission, existing under authority of chapter seven hundred and six of the Acts of nineteen hundred and twelve, and acts in amendment thereof and in addition thereto; the office of commissioner of standards, existing under authority of chapter five hundred and thirty-four of the Acts of nineteen hundred and seven and of chapter two hundred and eighteen of the General Acts of nineteen hundred and eighteen; and the office of surveyor general of lumber, existing under authority of chapter sixty of the Revised Laws, are hereby abolished. All the rights, powers, duties, and obligations of the said boards, commissions and offices, or of any member or official thereof, and those of the bureau of statistics, or the director thereof, with respect to collecting, arranging and publishing statistical information relative to the commercial and industrial condition of the people, and the productive industries of the Commonwealth, usually designated as the statistics of labor and manufactures, and with respect to the establishment and maintenance of public employment offices and with respect to all other matters not otherwise provided for by this act, are hereby transferred to and shall hereafter be exercised and performed by the department of labor and industries, established by this act, which shall be the lawful successor of said boards, commissions, and offices and of said bureau of statistics, and the director thereof, with respect to the said rights, powers, duties and obligations. The powers and duties conferred and imposed upon the industrial accident board by section eighteen of Part IV of chapter seven hundred and fifty-one of the Acts of nineteen hundred and eleven are also transferred to and shall hereafter be exercised and performed by said department.

Industrial ac-
cident board.

Commissioner,
etc.

Sec. 70. The department of labor and industries shall be under the supervision and control of a commissioner, to be known as the commissioner of labor and industries, an assistant commissioner, who may be a woman, and three associate commissioners, one of whom shall be a representative of labor and one of whom shall be a representative of employers of labor, all of whom shall be appointed by the governor, with the advice and consent of the council. The first appointment of the commissioner and assistant commissioner shall be for the term of three years, and of the associate commissioners for the terms of one, two and three years, respectively. Thereafter as the terms expire the governor shall in like manner appoint the said commissioners for terms of three years, shall fill any vacancy for the unexpired term, and may, with the consent of the council, remove any commissioner. The commissioner shall receive such annual salary not exceeding seven thousand five hundred dollars, and the assistant commissioner and associate commissioners such annual salary, not exceeding four thousand dollars each, as the governor and council may determine.

Duties.

Sec. 71. The commissioner shall be the executive and administrative head of the department. He shall have charge of the administration and enforcement of all laws, rules, and regulations which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations except as is otherwise provided herein. He may organize the department in such divisions as he may from time to time determine, and may assign the officers and employees of the department thereto. He shall prepare for the consideration of the associate commissioners, rules and regulations, in accordance with existing law, to carry out the provisions of this act relative to the department. All rules and regulations so prepared shall take effect, subject to the provisions of chapter three hundred and seven of the General Acts of nineteen hundred and seventeen where applicable, when approved by the associate commissioners, or upon such date as they may determine. The commissioner may designate an associate commissioner to discharge the duties of the commissioner during his absence or disability.

SEC. 72. The associate commissioners shall constitute a board to be known as the board of conciliation and arbitration, which shall have the authority and exercise the functions heretofore vested in the board of conciliation and arbitration and in the minimum wage commission, except as to matters of an administrative nature, and in pursuance of the said authority shall, if they deem it necessary, investigate immediately the circumstances of any industrial dispute which arises, shall establish wage boards and review their reports, and may issue special licenses under the provisions of section nine of chapter seven hundred and six of the acts of nineteen hundred and twelve. In all investigations and proceedings conducted by said associate commissioners they shall have authority to summon witnesses, to administer oaths, to take testimony, and to require the production of books and documents. In any controversy referred to the board on a joint application under any arbitration agreement they shall employ special experts at the request of either party. One such expert shall be selected from a list furnished by each party to the controversy. The expense of such experts shall be borne by the Commonwealth. They shall be assigned such assistants from the officers and employees of the department as the commissioner and they shall from time to time determine. The fees of witnesses before the associate commissioners for attendance and travel shall be the same as those of witnesses before the superior court, and shall be certified and paid in accordance with the provisions of section fifteen of chapter five hundred and fourteen of the Acts of nineteen hundred and nine, and acts in amendment thereof and in addition thereto.

Board of conciliation and arbitration.

SEC. 73. In all matters relating specifically to women and minors, the assistant commissioner shall have and exercise such duties and authority as may be prescribed by the commissioner with the approval of the associate commissioners.

Women and minors.

SEC. 74. The commissioner and associate commissioners may, with the approval of the governor and council, appoint, and fix the salaries of, not more than five directors, and may, with like approval, remove the directors. Each director shall be assigned to take charge of a division of the department. The commissioner may also, subject to the civil service law and rules, where they apply, employ and remove such experts, inspectors, investigators, clerks, and such other assistants as the work of the department may require, and, subject to the provisions of chapter two hundred and twenty-eight of the General Acts of nineteen hundred and eighteen, and the rules and regulations established thereunder, and to the approval of the governor and council, where that is required by law, fix the compensation of the said persons. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation.

Directors.

Other appointees.

SEC. 75. All directors, inspectors, and other permanent employees of the department shall devote their whole time to the affairs of the department, and all directors and inspectors, and such other employees as may be designated by the commissioner, shall, before entering upon their duties, be sworn to the faithful performance thereof. Inspectors shall have the police powers granted by existing law to the inspectors of the board of labor and industries, except that those assigned to exercise the functions now exercised by the commissioner of standards shall have the powers now possessed by inspectors appointed by the commissioner of standards.

Whole time service.

The number of inspectors employed by the department shall not, at first, exceed the number of inspectors in the service of the boards, commissions, and bureaus hereby abolished, and shall not thereafter be increased without the approval of the governor and council. The commissioner and associate commissioners shall determine from time to time how many of the inspectors employed

Number of inspectors.

shall be women. Section ten of chapter seven hundred and twenty-six of the Acts of nineteen hundred and twelve shall apply to inspectors appointed under the provisions of this section.

Committees.

SEC. 76. The commissioner and associate commissioners may appoint committees, on which employers and employees shall be represented, to investigate and recommend rules and regulations, and changes in existing rules and regulations, within the scope of the powers and duties of the department.

* * * * *

Appeals.

SEC. 78. Any person affected by an order, rule, or regulation of the department may, within such time as the associate commissioners by vote may fix, which shall not be less than ten days after notice of the order, or the taking effect of the rule or regulation, appeal to the associate commissioners, who shall thereupon grant a hearing, and after the hearing may amend, suspend, or revoke such order, rule, or regulation. The commissioner may, pending such hearing, grant a temporary suspension of the order, rule, or regulation appealed from. Any person aggrieved by an order approved by the associate commissioners may appeal to the superior court: *Provided*, That the appeal is taken within fifteen days after the date when the order is approved. The superior court shall have jurisdiction in equity upon such appeal, to annul the order, if it is found to exceed the authority of the department, and upon petition of the commissioner, to enforce all valid orders issued by the department. Nothing herein contained shall be construed to deprive any person of the right to pursue any other lawful remedy.

17. Department of public safety.

Offices, etc.,
combined.

SECTION 99. The district police force, existing under authority of chapter one hundred and eight of the Revised Laws, and acts in amendment thereof and in addition thereto, and all offices, departments, and divisions thereof; the board of boiler rules, existing under authority of chapter four hundred and sixty-five of the Acts of nineteen hundred and seven; the board of elevator regulations authorized under authority of chapter eight hundred and six of the Acts of nineteen hundred and thirteen; and the office of fire prevention commissioner of the metropolitan district, existing under authority of chapter seven hundred and ninety-five of the Acts of nineteen hundred and fourteen, are hereby abolished. All the rights, powers, duties, and obligations of the district police, said boards, and said offices, are hereby transferred to and shall hereafter be exercised and performed by the department of public safety, established by this act, which shall be the lawful successor of the district police, and of said boards and offices.

Commissioner.

SEC. 100. The department of public safety shall be under the supervision and control of a commissioner, to be known as the commissioner of public safety, who shall be appointed by the governor, with the advice and consent of the council. The first appointment shall be for the term of one, two, three, four, or five years, as the governor may determine. Thereafter the governor shall appoint the commissioner for the term of five years, shall fill any vacancy for the unexpired term, and may, with the consent of the council, remove the commissioner. The commissioner shall receive such annual salary, not exceeding five thousand dollars, as the governor and council may determine.

Duties.

SEC. 101. The commissioner shall be the executive and administration head of the department. He shall have charge of the administration and enforcement of all laws, rules, and regulations which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations except as is otherwise provided herein. He shall organize the department in three divisions, namely, a division of State police under his own immediate charge, a division of inspection under the charge of a director to be known as chief of inspections, and a division of fire prevention under the charge of a director to be known as

State fire marshal. The State fire marshal and the chief of inspections shall be appointed by the governor, with the advice and consent of the council, for the term of three years, and may, with like approval, be removed. The directors shall receive such annual salary, not exceeding four thousand dollars, as the governor and council may determine. The commissioner may, subject to the civil service law and rules where they apply, appoint, transfer, and remove officers, inspectors, experts, clerks, and other assistants, and, subject to the provisions of chapter two hundred and twenty-eight of the General Acts of nineteen hundred and eighteen, and the rules and regulations made thereunder, and to the approval of the governor and council where that is required by law may fix the compensation of the said persons.

Sec. 102. The division of State police shall, except as is otherwise provided herein, include the functions of the detective and fire inspection department of the district police. The commissioner shall have the powers and perform the duties of the chief of the district police.

Fire inspection.

Sec. 103. The division of inspections shall include the functions of the boiler inspection department of the district police, and of the building inspection department of the district police. The chief of inspections shall exercise the powers and perform the duties now provided by law for the deputy chief of the building inspection department of the district police and for the deputy chief of the boiler inspection department of the district police. Inspectors assigned to said division shall be designated as building inspectors or as boiler inspectors, and shall have the powers and perform the duties of inspectors of the building inspection department and of the boiler inspection department, respectively, of the district police.

Boiler inspection.

Sec. 104. The director in charge of the fire prevention division shall, under the supervision of the commissioner, perform the duties of the fire prevention commissioner for the metropolitan district, whose office is abolished hereby, and shall also have the powers and perform the duties of the district police and of the deputy chief of the detective and fire inspection department of the district police under the provisions of chapter four hundred and thirty-three of the acts of nineteen hundred and four, and acts in amendment thereof and in addition thereto, relative to the keeping and storing of inflammable fluids and combustible compounds and of the district police under the provisions of chapter thirty-two of the Revised Laws and acts in amendment thereof and in addition thereto. The said director shall submit to the commissioner rules and regulations under the said acts, and such rules and regulations shall take effect subject to the provisions of chapter three hundred and seven of the General Acts of nineteen hundred and seventeen, when approved by the commissioner and by the governor and council, and on such dates as they may fix.

Fire prevention.

Sec. 105. The commissioner shall appoint a board of boiler rules which shall exercise the functions of the board of boiler rules now provided by law. Said board shall consist of the chief of inspections, as chairman, and four other members whose qualifications and compensation shall be the same as those of the members of the board of boiler rules abolished by this act. The terms of office of the appointed members of said board shall be three years, except that when first appointed one of the members shall be appointed for one year, one for two years, and two for three years. Such clerical and other assistants as may be required by said board shall be assigned to it by the commissioner.

Board of boiler rules.

Sec. 106. The commissioner shall, as occasion requires, appoint a board of elevator regulations which shall exercise the functions of the board of elevator regulations as now provided by law. Said board shall consist of the chief of inspections as chairman, a consulting engineer, the building commissioner of the city of Boston, an inspector of buildings of some city other than Boston, a representative of a liability insurance company licensed to write such insurance in the Commonwealth, a representative of elevator manu-

Board of elevator regulations.

facturers and an experienced elevator constructor. They shall serve without compensation, but their necessary expenses shall be paid by the department. Such clerical and other assistants as may be required by said board shall be assigned to them by the commissioner.

Cooperation.

SEC. 107. The commissioner may, when public exigency requires, with the approval of the governor, call upon the metropolitan district commission, hereby established, for assistance in performing the duties imposed upon him by law; and the said commission shall, when so called upon, assign to duty under said commissioner such of the police force under its control as it and the commissioner shall determine.

Inspectors, etc.

SEC. 108. The commissioner may appoint officers and inspectors who shall have the same powers now conferred by law upon officers and inspectors of the district police. The number of such officers and inspectors shall not, at first, exceed the number of officers in the detective and fire inspection department of the district police and of inspectors in the service of the building inspection and boiler inspection departments of the district police and in the service of the fire prevention commissioner of the metropolitan district, and shall not thereafter be increased without the approval of the governor and council. The provisions of sections six and seven of chapter one hundred and eight of the Revised Laws shall, so far as they are applicable, apply to officers and inspectors appointed under the provisions of this section.

Appeals.

SEC. 109. Any person affected by an order of the department or of a division or office thereof, may, within such time as the commissioner may fix, which shall not be less than ten days after notice of such order, appeal to the commissioner, who shall thereupon grant a hearing, and after such hearing may amend, suspend, or revoke such order. Any person aggrieved by an order approved by the commissioner may appeal to the superior court: *Provided*, Such appeal is taken within fifteen days from the date when such order is approved. The superior court shall have jurisdiction in equity upon such appeal to annul such order if found to exceed the authority of the department, and upon petition of the commissioner to enforce all valid orders issued by the department. Nothing herein contained shall be construed to deprive any person of the right to pursue any other lawful remedy.

Additional force.

SEC. 110. Whenever the governor shall deem it necessary to provide more effectively for the protection of persons and property, and for the maintenance of law and order in the Commonwealth, he may authorize the commissioner of public safety to make additional appointments, not exceeding one hundred in number, to the police division of said department, together with such other employees as the governor may deem necessary for the proper administration thereof. The appointment of the additional officers shall be temporary until the general court has authorized their permanent addition to the department. The commissioner may, subject to the approval of the governor, make rules and regulations for the said additional force, including matters pertaining to their discipline, organization, and government, compensation and equipment, and means of swift transportation.

Approved July 23, 1919.

MICHIGAN.

ACTS OF 1919.

ACT No. 25.—*Factory, etc., regulation—Employment of diseased persons.*

SECTION 1. No person who is affected with any infectious disease, or with any venereal disease in a communicable form, shall work or be permitted to work in any place where food or drink is prepared, cooked, mixed, baked, exposed, bottled, packed, handled, stored, manufactured, offered for sale, or sold. Whenever required by any local health officer, any person employed in any such place shall submit to a physical examination by such officer, or by some physician designated by such health officer, or by a physician regularly in the employ of the person, firm, corporation, or institution by whom the person to be examined is employed. If as a result of such examination, such person shall be found to be affected with any infectious disease, or with any venereal disease in a communicable form, such employment shall immediately cease and such person shall not be permitted to work in any such place.

Who not to be employed.

SEC. 2. Any person, knowingly affected with any infectious disease, or with any venereal disease in a communicable form, who shall work in any place defined in section one, and any person knowingly employing or permitting such person to work in such place, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding two hundred and fifty dollars or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

Violations.

Approved March 20, 1919.

ACT No. 34.—*Inspection of coal mines—Inspector.*

[This act amends section 2 of Act No. 177, Acts of 1913, by giving the inspector of coal mines a salary of \$1,800 per year instead of \$4 per day, as formerly.]

ACT No. 35.—*Department of labor—Commissioner.*

[This act amends section 1 of Act No. 285, Acts of 1909, by making the term of the commissioner of labor four years instead of two.]

ACT No. 182.—*Employment of children—School attendance.*

[This act amends act No. 200, Acts of 1905, so as to read as follows:]

SECTION 1. Every parent, guardian, or other person in the State of Michigan, having control and charge of any child between the ages of seven and sixteen years, shall be required to send such child, equipped with the proper textbooks necessary to pursue his or her school work, to the public schools during the entire school year, and such attendance shall be continuous and consecutive for the school year fixed by the district in which such parent, guardian, or other person in parental relation may reside: *Provided*, That in school districts which maintain school during the entire year, and in which the school year is divided into quarters, no child shall be compelled to attend the public school more than three quarters in any one year; but the absence of no child shall be permitted for any two consecutive quarters: *Provided*, That in

Attendance required.

the following cases children shall not be required to attend the public schools:

Exceptions:

(a) Any child who is attending regularly and is being taught in a private or parochial school which has complied with all the provisions of this act and teaches such branches as are taught in the public schools to children of corresponding age and grade as determined by the course of study for the public schools of the school district within which such private or parochial school is located, or who, upon the completion of the work in such schools, shall present satisfactory evidence to the county commissioner of schools, and in appropriate cases, to the superintendent of schools, that he has completed sufficient work to entitle him to an eighth grade diploma;

(b) Any child who has received an eighth grade diploma from the public schools; or who is regularly employed as a page or messenger of either branch of the legislature. during the period of such employment;

(c) 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 not to exceed five months in either of said years; any child claiming exemption from attending school under subdivisions (a) or (b) hereof upon the ground of having completed sufficient work to entitle him to an eighth grade diploma, 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 to do so, or any child who has completed the work of the eighth grade who wishes to be employed at some labor for which a labor permit is not required may be granted an excuse for such work by the county commissioner of schools, or the superintendent of schools of a city district, or duly authorized agents. Such child must present to the officer who issued the excuse satisfactory evidence each month that he or she is actually performing the work for which the excuse was issued.

Approved April 25, 1919.

ACT No. 239.—*Employment of labor—Equal pay for women.*

Discrimination
forbidden.

SECTION 1. Hereafter it shall be unlawful for any employer of labor in this State, employing both males and females in the manufacture or production of any article, to discriminate in any way in the payment of wages as between sex or to pay any female engaged in the manufacture or production of any article of like value, workmanship, and production a less wage, by time or piece-work, than is being paid to males similarly employed in such manufacture, production, or in any employment formerly performed by males: *Provided, however*, That no female shall be given any task, disproportionate to her strength, nor shall she be employed in any place detrimental to her morals, her health, or her potential capacity for motherhood.

Violations.

SEC. 2. Any person, persons, firm, or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not exceeding one hundred dollars or by imprisonment not exceeding three months, or by both such fine and imprisonment in the discretion of the court.

Approved May 12, 1919.

ACT No. 255.—*Criminal syndicalism—Sabotage.*

SECTION 1. Criminal syndicalism is hereby defined as the doctrine which advocates crime, sabotage, violence, or other 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.

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 reform; 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 reform should be brought about by crime, sabotage, violence, or other unlawful methods of terrorism; or 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 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 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 five thousand dollars, or both, at the discretion of the court.

Offenses.

Penalty.

Approved May 12, 1919.

ACT No. 281.—*Commission on industrial relations.*

SECTION 1. There is hereby created a commission to be known as the Michigan Industrial Relations Commission, hereinafter referred to as the commission. Said commission shall consist of five members, two of whom shall be representatives of employers of labor and two of whom shall be representatives of labor, to be appointed by the governor on or before thirty days after this act takes effect. As soon as the members of the commission provided for by this act are appointed, they shall organize said commission and shall select a chairman and secretary from their own members.

Commission created.

SEC. 2. The members of such commission shall receive no compensation for their services, but shall be entitled to their actual and necessary expenses incurred in connection therewith. The commission shall be allowed to employ such clerical and other assistance as may be necessary and shall be permitted to incur necessary expenses for printing, stationary, and other incidentals, to purchase books and all necessary supplies, and to rent space for hearings.

Expenses.

SEC. 3. It shall be the duty of said commission to investigate and make an inquiry into the industrial conditions in the State with special reference to the questions of unemployment, housing, the safety and health of workers engaged in industrial pursuits, the stabilizing of employment, the employment of women and children, vocational education, hours of labor, old-age pensions, and in general the promotion of the industrial welfare 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 governor, and such reports shall be submitted by him at its first regular or special session after the receipt of said report, and unless continued by such legislature shall expire at the end of session at which such report is submitted.

Duties.

Report.

SEC. 4. The department of labor is hereby directed to cooperate with the commission, to give it access to its records and to render it any such proper aid and assistance as will not interfere with the proper conduct of said department.

Cooperation.

Powers. SEC. 5. Such commission or any member thereof shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses within the county in which they reside. All orders and subpoenas issued by the commission, or any of its members, in pursuance of the authority in them fixed by the provisions of this section, may be enforced upon the application of the commission to any circuit court by proceedings in contempt therein as provided by law.

Appropriation. SEC. 6. There is hereby appropriated out of the general fund of the State the sum of ten thousand dollars to meet the expenditures herein authorized. Such sum shall be incorporated in the State tax by the auditor general, and shall be included in the State taxes apportioned by the auditor general on all taxable property of the State, to be levied, assessed, and collected as other State taxes, and when so assessed and collected, to be paid into the general fund to reimburse the same for the money hereby appropriated.

Approved May 13, 1919.

ACT No. 320.—Protection of employees on street railways—Inclosed platforms.

[This act amends section 8581, Compiled Laws of 1915, by requiring the inclosed vestibules prescribed by the law, to be heated.]

ACT No. 321.—Labor organizations—Powers.

SECTION 1. Section six of act number thirteen of the Public Acts of eighteen hundred ninety-seven, entitled "An act to provide for the incorporation of labor associations," being section nine thousand eight hundred eleven of the Compiled Laws of nineteen hundred fifteen, is hereby amended to read as follows:

Succession. SEC. 6. Every such corporation shall have power to provide by its by-laws for succession to its original membership and for new membership, and, after it is organized, may admit to membership and sell stock to members of labor organizations recognized by the American Federation of Labor as being eligible, under its laws, rules, and regulations, to receive charters from the said American Federation of Labor, and shall also have power to provide by its by-laws for election from its membership, of a board of trustees and to fix the number and term of office of such trustees.

Approved May 13, 1919.

ACT No. 322.—Employment of labor—Foremen receiving tips, gratuities, etc.

Acts forbidden. 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 any 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 two hundred fifty dollars for such offense, or by imprisonment for not more than six months or by both such fine and imprisonment in the discretion of the court.

Act construed. 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 this State.

Approved May 13, 1919.

ACT No. 341.—*Employment of women and children—Hours of labor.*

[This act amends section 9 of act No. 285, Acts of 1909, so as to read as follows:]

SECTION 9. No male under the age of eighteen years and no female shall be employed, permitted or suffered to work in any factory, mill, warehouse, workshop, clothing, dressmaking or millinery establishment or any place where the manufacture of any kinds of goods is carried on, or where any goods are prepared for manufacturing, or in any laundry, store, shop, or any other mercantile establishment, or in any office or restaurant, theater, concert hall, music hall, hotel, or operating an elevator, or on street or electric railways, for a period longer than an average of nine hours a day, or fifty-four hours in any week, nor more than ten hours in any one day; and all such establishments shall keep posted a copy of this section printed in large type, in a conspicuous place; in establishments having a time clock such copy shall be posted near the time clock. Copies of this section suitable for posting shall be furnished upon the application of any employer by the commissioner of labor: *Provided, however,* That the provisions of this section in relation to the hours of employment shall not apply to nor affect any person engaged in preserving perishable goods in fruit and vegetable canning establishments. No female under the age of eighteen years shall be employed in any manufacturing establishment between the hours of six o'clock p. m. and six o'clock a. m.. No child under the age of sixteen years shall be employed in any manufacturing establishment or workshop, mine or messenger service in this State, between the hours of six o'clock p. m. and six o'clock a. m. No child under the age of eighteen years shall be employed between the hours of ten o'clock p. m. and five o'clock a. m. in the transmission, distribution or delivery of messages or merchandise.

Approved May 13, 1919.

ACT No. 342.—*Provisions for accidents—Railroads.*

SECTION 1. On and after the first day of November, nineteen hundred nineteen, every railroad company owning and operating any steam railway or any interurban electric railway, wholly or partly within this State, shall provide and carry in one coach on every train owned or used by said company for the conveyance and carriage of passengers, a first-aid cabinet near the door thereof and within easy view, reach, and access of passengers occupying such car, which cabinet shall at all times contain the various contents specified in section two, to be used for the safety and aid of passengers in case of emergencies: *Provided,* This section shall not apply to caboose cars on freight trains, nor to electric street cars operated wholly within the cities for local traffic.

SEC. 2. The first-aid cabinet shall at all times be equipped with and contain the following contents in a clean and sanitary condition:

(1) Eight standard first-aid packages for wounds, each one of which shall contain one dozen pieces of antiseptic lintin or felted cotton, one dozen gauze bandages with compress attached, and one triangular bandage.

(2) Ten ounces absorbent lint.

(3) Two burn-dressing packets.

(4) Four packages absorbent gauze, each containing one yard.

(5) Six packages absorbent cotton, each containing four ounces.

(6) One spool adhesive plaster, one inch wide.

(7) Twelve cotton roller bandages, two inches wide.

(8) Twelve cotton roller bandages, two and one-half inches wide.

(9) Eight lintin gauze bandages, one inch wide.

(10) Eight lintin gauze bandages, two inches wide.

Nine-hour day.

Canneries.

Night work.

First-aid kits.

Supplies.

(11) Twelve lintin gauze bandages, two and one-half inches wide.

(12) One four-ounce bottle aromatic spirits of ammonia.

(13) One pint of tincture of iodine.

(14) Twelve wooden splints.

(15) Six packages safety pins.

(16) Three tourniquets.

(17) Two pairs of scissors.

Removal. SEC. 3. Any person or employee of any railroad company who shall remove or carry away from their proper place, except in case of an accident or emergency, any of the contents specified in section two, which are required to be kept in the passenger cars and interurban cars by the provisions of this act, shall be deemed guilty of an offense, and upon conviction thereof may be punished by a fine not exceeding fifty dollars or imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment in the discretion of the court.

Violations. SEC. 4. Any railroad company or interurban railway company failing, refusing, or neglecting to carry out the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not exceeding one hundred dollars for each offense.

Enforcement. SEC. 5. The provisions of this act shall be enforced by the State board of health.

Approved May 13, 1919.

ACT No. 353.—Factory, etc., regulations—Employment of diseased persons.

[This act establishes for cigar factories the same restrictions as are contained in Act No. 25 for employment in bakeries, etc.]

ACT No. 401.—Safety appliances on railroads—Couplers.

Powers of commission. SECTION 1. The Michigan railroad commission shall have the power to make rules and regulations requiring all couplers on cars used or hauled on interurban railroads, operated wholly or partially in this State, to be of uniform height from the top of the rail to the center of said coupler, and all cars hereafter purchased by any of such railroads shall be in conformity with said rules so established by said commission.

Violations. SEC. 2. Any interurban railroad hauling or permitting to be hauled or used on its line, any car in violation of the provisions of this act, shall be liable to a penalty of not more than one hundred dollars for each and every violation to be recovered in an action of assumpsit brought in the name of the people, and it shall be the duty of the prosecuting attorney of the proper county to bring any such action at the request of the railroad commission.

Approved May 13, 1919.

ACT No. 421.—Employed children—Continuation schools.

Schools to be established. SECTION 1. On and after the first day of September, nineteen hundred twenty, every school district having a population of five thousand or more and containing fifty or more children subject to the provisions of this act, shall, and any other school district may, through its board of education, establish and maintain part-time vocational or general continuation schools or course of instruction for the education of minors under eighteen years of age who have ceased to attend all-day schools. Said schools or courses of instruction shall be in session at least as many weeks in each year as the common schools of such district. When a school district shall have established said schools or courses it shall require the attendance thereof of every minor under eighteen years of age residing within the confines of said school district, who has ceased to attend all-day school and who has not com-

Attendance.

pleted a four-year high-school course or its equivalent: *Provided*, That said minors may be excused from the provisions of this section for the same reasons and under the same conditions as children under fifteen years of age may now be excused from the provisions of the compulsory education law: *Provided further*, That the provisions of this act shall not apply to employed minors who shall have reached the age of sixteen years prior to September one, nineteen hundred twenty. The required attendance provided for in this act shall be at the rate of not less than eight hours per week, and shall be between the hours of eight o'clock in the morning and five-thirty o'clock in the afternoon of any working day or days, except that it shall not be Saturday afternoon. In the establishment and conduct of such part-time vocational and general continuation schools or courses of instruction, any school district may take advantage of established educational agencies or utilize any suitable quarters which meet the approval of the State board of control for vocational education: *Provided, however*, That said schools or courses shall be within reasonable access to the place of employment and, wherever established, shall be considered a part of the public school system of the district wherein the minors attending the same are employed. The time spent in a part-time vocational or general continuation school or course by a minor shall be reckoned as a part of the time or number of hours said minor is permitted by law to work.

Time.

Place.

Count as work time.

SEC. 2. Minors sixteen and seventeen years of age, leaving regular day schools to enter employment, and the employers of such minors shall be subject to the same requirements as to permits to work as are provided by law for children under sixteen years of age and their employers: *Provided*, That permits for minors sixteen years of age and over shall not certify that the wages of the minor are essential to the support of the family.

Permits.

SEC. 3. The employer of any minor under eighteen years of age, who is required to attend part-time vocational or general continuation school or courses of instruction as defined in this act, shall cease forthwith to employ such minor when notified in writing by the superintendent of schools, or his representative duly authorized in writing, having jurisdiction over such minor's attendance, of his nonattendance in accordance with the regulations as defined in this act. Any employer who fails to comply with the provisions of this act shall be punished by a fine of not less than ten or more than one hundred dollars for each offense. The superintendent of schools having jurisdiction, or a person authorized by him in writing, may revoke the employment permit of any minor who fails to attend such school or courses of instruction when required by the provisions of this act.

Duty of employers.

Became a law without the governor's approval.

JOINT RESOLUTIONS.

No. 5.—*Employment of labor—Amendment to the constitution.*

The following amendment to section twenty-nine of article five of the constitution of the State * * * is hereby proposed and agreed to, that is to say, that said section be amended to read as follows:

Section 29. The legislature shall have power to enact laws relative to the hours and conditions under which men, women, and children may be employed.

Men included.

The foregoing amendment shall be submitted to the people of this State at the general election to be held in November, 1920.

MINNESOTA.

ACTS OF 1919.

CHAPTER 40.—Hours of labor of public employees—Eight-hour day.

SECTION 1. Eight hours shall constitute a day's work for all laborers, workmen, mechanics, prison guards, janitors of public institutions, or other persons now employed or who may hereafter be employed by or on behalf of the State of Minnesota, except in cases of extraordinary emergency which may arise in time of war, or in cases where it may be necessary to work more than eight hours per calendar day for the protection of property or human life.

Limit of eight hours.

Approved February 27, 1919.

CHAPTER 84.—Factory, etc., regulations—Foundries.

SECTION 1. An iron or steel foundry shall mean a place where iron or steel, or both metals, are melted and poured into sand molds in the making of castings, together with all cleaning, core-making, drying, and wash rooms and toilet rooms used in connection therewith.

Definition.

The term "entrance" as used in this act shall mean main doorways opening directly to the outer air.

The term "gangway" as used in this act shall mean well-defined passageways dividing the working floors of foundries, but not the spaces between molds. Spaces between molds shall be divided into three classes, which shall be known as "bull-ladle aisles," "hand-ladle aisles," and "buggy-ladle aisles."

SEC. 2. Except as otherwise specified, the provisions of this act shall, as to the subjects covered herein, exempt foundries from the laws relating to factories and workshops.

Effect of law.

SEC. 3. Entrances to foundries shall be protected from November first to April first of each year by a covered vestibule, either stationary or movable, which shall be so constructed as to eliminate drafts and of such dimensions as to answer ordinary purposes, such as the passage of wheelbarrows, trucks, and small industrial cars: *Provided*, This shall not apply to entrances used for railroad or industrial cars handled by locomotives or motors, or for traveling cranes; or for vehicles, or for large industrial cars moved by hand; these entrances may remain open only for such time as is necessary for the ingress and egress of such cars, truck, and trains.

Entrances.

No locomotives shall be permitted to remain inside the foundry during the loading or unloading of the cars.

SEC. 4. Main gangways where metal is carried by hand, bull or truck ladles shall be not less than five feet wide. Truck-ladle gangways which are not main gangways shall be not less than four feet wide. Bull-ladle aisles between floors shall be not less than three feet wide. Single hand-ladle or buggy-ladle aisles between floors shall be not less than eighteen inches wide. Where trolleys are used over molding floors for pouring metal, the aisles shall be of sufficient width to permit the safe ingress and egress of employees and the safe use of the ladles. The provisions of this section shall apply to all foundries hereafter established. In existing foundries, where it is impractical to widen the gangways

Gangways.

- and aisles to the width required in this section, the commissioner of labor, or his assistants, may permit gangways and aisles to be of a narrower width.
- Same. SEC. 5. During the progress of casting, every gangway or aisle shall be kept entirely free from pools of water or obstructions of any nature. Every gangway where industrial tracks are used shall be constructed of a hard material of substantial character, and the top of the rails shall be flush with the floor. Every gangway shall be kept in a good and safe condition at all times.
- Ventilation. SEC. 6. Where smoke, steam, gases, or dust arising from any of the operations of the foundry are dangerous to the health or eyes, and where a natural circulation of air does not carry off the greater part of such smoke, steam, gases or dust, there shall be installed and operated adequate mechanical means of ventilation.
- Cleaning castings. SEC. 7. The cleaning and chipping of castings shall be done in cleaning rooms, except that castings may, when necessary, be chipped or cleaned in the molding room or where cast, provided sufficient protection is furnished by the use of a curtain or screen, or some other means equally good, to protect employees therein.
- Same. This section shall not apply if mechanical appliances are used for cleaning castings and the dust and particles arising therefrom are effectively removed.
- SEC. 8. Where tumbler mills are used, exhaust systems shall be installed to effectively carry off the dust arising from the cleaning of castings, except where the mill is operated outside the foundry. This section shall not prohibit the use of a water barrel for cleaning castings. Sand blast operations shall be carried on in the open air or in a separate room used solely for that purpose. The milling of cupola cinders, when done inside the foundry, shall be carried on by an exhaust mill or water mill.
- Use of compressed air. SEC. 9. No cores shall be blown out of castings by compressed air unless such work is done outside the foundry or in a special or dust proof inclosure. Employees engaged in cleaning castings by compressed air or sand blast shall wear eye guards and helmets, to be furnished by the employer.
- Ventilation. SEC. 10. When fumes, gases, and smoke are emitted from drying ovens in such quantities as to be detrimental to the health or eyes of the employees, hoods and pipes or other adequate means of ventilation shall be provided.
- Lighting. SEC. 11. Where natural light is insufficient to properly light the foundry, artificial light of sufficient power shall be provided. The continuous use of hand torches or other lamps that emit injurious smoke and gases is prohibited.
- Heat. SEC. 12. Proper and sufficient heat shall be provided and maintained in every foundry. The use of the open Salamander stove, or stoves of that type, for heating purposes, shall be prohibited, except in cases of emergency.
- Ladles. SEC. 13. All hand and bull ladles shall be dried outside the foundry, or in accordance with section 6 of this act. A sufficient number of sheet-iron shields shall be available in foundries for use in covering hand and bull ladles.
- Drying clothing. SEC. 14. Suitable facilities shall be provided for drying the clothing of such employees as may be found necessary.
- Water closets. SEC. 15. In every foundry where water-closets or privy accommodations are permitted to remain outside of the foundry, the passageway leading from the foundry to said water-closets or privy accommodations shall be so constructed that the employees in passing thereto or therefrom shall not be exposed to outdoor atmosphere, and such passageways, water-closets or privy accommodations shall be properly heated during cold weather.
- Same. SEC. 16. Water-closets shall be provided in every foundry and for each sex according to the following table:

Number of persons.	Number of closets.	Ratio.
1 to 10.....	1	1 for 10
11 to 25.....	2	1 for 12½
26 to 50.....	3	1 for 16⅔
51 to 80.....	4	1 for 20
80 to 125.....	5	1 for 25

SEC. 17. Individual lockers, arranged for locking, shall be provided for employees, and shall be placed either in a room used exclusively for that purpose, in the wash room, in the drying room, or at convenient places in the foundry. The necessity for individual lockers shall be determined by the commissioner of labor or his assistants.

Lockers.

SEC. 18. Lades, shanks, tongs, slings and yokes, skimmers and slag hoes used in the pouring of molten metals shall, prior to their use, be inspected daily as to their safety by the men preparing and using same; and in addition, a regular inspection as to their safety shall be made once a month by a man designated for that purpose.

Inspection of tools.

A monthly inspection shall also be made of the chains and cables on counterweights in connection with drying ovens, and reports of such inspection shall be made on prescribed forms and be kept on file for examination by the State factory inspector.

SEC. 19. The breaking of castings by the use of a drop inside the foundry during the general working hours is prohibited. Where a drop is used for the breaking of castings or scrap outside of the foundry, a permanent shield of heavy planking or other adequate protection shall be provided.

Use of drop.

SEC. 20. No female shall be employed in placing cores into ovens or in taking cores out of the ovens.

Females.

SEC. 21. No female employed in any core-making room shall be permitted to make or handle cores when the combined weight of core, core box, and plate at which she is working shall exceed twenty-five (25) pounds.

Same.

SEC. 22. A brass foundry shall mean a place where brass, aluminum, copper, tin, zinc, gold, silver, or composition metals containing any of the foregoing metals are melted or poured into sand molds in the making of castings: *Provided*, That foundries where only aluminum is melted shall be covered by the provision of this act governing iron and steel foundries.

Brass foundries.

The term "cellar," when used in this act, shall mean a room or part of a building which is one-half or more of its height below the level of the curb on the ground adjoining the building (excluding areaways).

Cellar.

The term "basement," when used in this act, shall mean a room or a part of a building which is one-half or more of its height above the level of the curb.

Basement.

SEC. 23. The provisions of this act relative to dust, smoke gases or fumes, ventilation, sanitation, heat, light, gangways and aisles, safety appliances, drying and locker accommodations, as specified for iron and steel foundries, shall apply to brass foundries.

Ventilation, etc.

SEC. 24. In all brass foundries, when the crown plate of an upright melting furnace is elevated above the surrounding floor in excess of twelve inches, the furnace shall be equipped with a platform with a standard rail; such platform shall be constructed of metal or other fireproof material, and shall extend along the front and sides of the furnace, flush with the crown plate, and shall be at least four feet in width, and shall be clear of all obstructions during pouring time. If the platform is elevated above the floor in excess of twelve inches, the lowering from same of crucibles containing molten metal shall be done by mechanical means.

Platforms.

- Where the combined weight of crucible, tongs, and molten metal exceeds two hundred fifty pounds, the same shall be removed from the furnace and deposited on the floor by mechanical means.
- Guards.** Sec. 25. All persons removing pots containing molten metal from furnaces and handling same shall be provided with protection for legs and feet.
- Floor scrapings.** Sec. 26. In all brass foundries gangway dirt and floor scrapings shall not be riddled in the room where workmen are employed, unless they are so dampened as to prevent dust arising therefrom.
- Stoves.** Sec. 27. Stoves used for drying molds, when located in the rooms used by workmen, shall be surrounded by a casing of fireproof material to the full height of the stove.
- Height of rooms.** Sec. 28. No brass foundry shall hereafter be constructed with a clearance of less than fourteen feet between the lowest point of the ceiling and the floor, except that where a peak, saw tooth, monitor, or arch roof is constructed the side walls may be of a minimum height of twelve feet.
- Cellar foundries.** Sec. 29. In case any foundry that was legally operated in a cellar or basement on January 1st, 1919, shall be discontinued or unused for a period of more than four consecutive months, it can thereafter be reopened as a foundry only by complying with all the provisions of this act relating to future foundries. The occasional operation of a foundry for the purpose of evading this section shall not be deemed a continuance of use thereof.
- Enforcement.** Sec. 30. The commissioner of labor and his assistants shall enforce the provisions of this act. Any person, firm, or corporation violating any of the provisions of this act shall, if after written notice by the commissioner of labor or his assistants, of such violation they shall not after thirty days have complied with such notice, be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred (\$100) dollars or by imprisonment not exceeding ninety (90) days. If an employee neglects to use the devices furnished under the provisions of this act he shall be guilty of a misdemeanor, punishable by a fine not exceeding ten dollars or imprisonment for not exceeding ten days.
- Approved March 21, 1919.

CHAPTER 107.—*Factory, etc. regulations—Safety provisions.*

- SECTION 1. Section 3864, General Statutes of 1913, is amended to read as follows:
- Communication with power room.** Section 3864. Where the machinery in any room is propelled by power transmitted directly from another room or from another building and the machinery in each workroom can not be disconnected and stopped in such workroom, communication shall be provided between each workroom in which machinery is placed and the room in which the engineer or other person having control of the power-generating apparatus is stationed by means of speaking tubes, electric bells, telephones, or appliances that may control the motive power.
- Approved March 27, 1919.

CHAPTER 108.—*Factory etc., regulations—Fire escapes.*

- [This act amends section 3879, General Statutes, 1913 (sec. 18, ch. 316, Acts of 1913), by requiring the glass in windows at or under fire escapes to be set in metal frames, fire escapes to be kept free from snow, ice, etc., inflammable waste to be removed daily, and by adding the following:]
- Automatic sprinklers.** *Provided,* That when a building is equipped with an automatic sprinkler system, installed in accordance with the rules of the board of fire underwriters, inside standpipes or other extinguishing apparatus shall only be required when deemed necessary by the commissioner of labor.
- Approved March 27, 1919.

CHAPTER 110.—*Department of labor—Enforcement of laws.*

[This act amends section 8, chapter 518, Acts of 1913, by extending the powers of the employees of the department so as to permit them to enter the offices from which employment is directed, as well as the actual places of employment, and to permit them to remain while engaged in their official duties.]

CHAPTER 175.—*Payment of wages due at end of employment.*

SECTION 1. Whenever any person, firm, company, association, or corporation employing labor within this State discharges a ^{Discharged em-} servant or employee from his employment, the wages actually earned and unpaid at the time of such discharge shall become immediately due and payable, upon demand of such employee, at the usual place of payment, and if not paid within twenty-four hours after such demand, whether such employment was by the day, hour, week, month, or piece, such discharged employee may charge and collect wages at the rate agreed upon in the contract of employment, for such period, not exceeding fifteen days (after the expiration of said twenty-four hours) as the employer is in default, until full payment or other settlement, satisfactory to said discharged employee, is made.

SEC. 2. Whenever any such employee (not having a contract for a definite period of service) quits or resigns his employment, the wages earned and unpaid at the time of such quitting or resignation shall become due and payable within five days thereafter, at the usual place of payment, and any such employer failing or refusing to pay such wages, after they so become due, upon the demand of such employee at such place of payment, shall be liable to such employee from the date of such demand for an additional sum equal to the wages provided in said contract of employment, for every day (not, however, exceeding fifteen days in all), until such payment or other settlement satisfactory to said employee, is made: *Provided*, That if any employee having such a contract as is above defined, gives not less than five days' written notice to his employer of his intention to quit such employment, the wages of the employee giving such notice shall become due at the usual place of payment twenty-four hours after he so quits or resigns, and payment thereof may be demanded accordingly, and the penalty herein provided shall apply in such case from the date of such demand: *Provided further*, That if the employer disputes the amount of wages claimed by such employee under the provisions of this, or the preceding section, ^{Employees leaving employment.} and the employer in such case makes a legal tender of the amount which he in good faith claims to be due, he shall not be liable for any sum greater than the amount so tendered and interest thereon at the legal rate, unless, in an action brought in a court having jurisdiction, such employee recovers a greater sum than the amount so tendered with such interest thereon; and if, in such suit, said employee fails to recover a greater sum than that so tendered with such interest as aforesaid, he shall pay the cost of such suit; otherwise the cost thereof shall be paid by said employer: *Provided further*, That in cases where such discharged or quitting employee was, during his employment intrusted with the collection, disbursement, or handling of money or property, the employer shall have ten secular days after the termination of the employment, to audit and adjust the accounts of such employee before his or her wages shall become due and payable, and the penalty herein provided shall apply in such case only from the date of demand made after the expiration of such period allowed for such audit and adjustment; and if, upon such audit and adjustment of said accounts of such employee, it is found that any money or property intrusted to him by his employer has not been properly accounted for or paid over to the employer, as provided by the terms of the contract of employment, such employee shall not be entitled to the benefit ^{Employees under contract.} ^{Disputes as to amount.}

of this act, but the claim for earned and unpaid wages of such employee, if any, shall be disposed of as provided by existing law.

- Absent, e t c . . . employees. **SEC. 3.** No such servant or employee who secretes or absents himself to avoid payment to him, or refuses to receive the same when fully tendered, shall be entitled to any benefit under this act for such time as he so avoids payment: *Provided*, When any number of employees enter upon a strike, the wages due such striking employees at the time of entering upon such strike shall not become due until the next regular pay day after the commencement of such strike.
- Strikes.
- Exceptions. **SEC. 4.** This act shall not be construed to apply to any person employed exclusively as a farm laborer, nor to any employer or an individual, copartnership, or corporation that is bankrupt, or where a receiver or trustee is acting under the direction of the court. Payment or tender by check drawn on a bank situated in the county where a laborer is employed shall be a sufficient payment or tender to comply with the provisions of this act.
- Costs. **SEC. 5.** In any action by any such employee as is described in this act, for the recovery of unpaid wages after the time when such wages shall have become due, as herein provided, there shall be allowed to the plaintiff, and included in any judgment rendered in his favor, in addition to his disbursement allowed by law, if the judgment be recovered in a justice court, five dollars cost, and a like sum if the judgment be recovered in a municipal court and such plaintiff shall be allowed double statutory costs in any such action in any court in which statutory costs are now allowed by law in ordinary actions.

Approved April 4, 1919.

CHAPTER 240.—*Inspection of steam boilers, etc.*

[This chapter amends various sections of the Revised Laws of 1905. Sections 2168, 2180, 2184, and 2186 are amended so as to read as follows:]

- Inspectors. **SECTION 2168.** In the month of January in every odd-numbered year the governor shall appoint a board of boiler inspectors consisting of one resident of each senatorial district, except that where there is more than one senatorial district in any county, there shall be but one inspector in such county. Such inspectors shall be known as district boiler inspectors. The district boiler
- Duties. inspector shall inspect all steam boilers and pressure vessels in use in his respective district not subject to inspection under the laws of the United States, and not hereinafter excepted, and the chief boiler inspector hereinafter provided for shall examine and grant license certificates to steam engineers entrusted with the management of steam boilers, except those in heating plants in private residences as hereinafter defined.
- Chief. The governor shall also appoint one chief boiler inspector, who may, with the consent of the governor, appoint one deputy chief boiler inspector. The chief boiler inspector shall have his office in the capitol. The deputy chief boiler inspector may exercise the powers of the chief boiler inspector in case of the absence or inability of the latter to act.
- Reports. The district inspectors shall make monthly reports to the chief boiler inspector of all business transacted, in such form as shall be prescribed by the chief boiler inspector. The chief boiler inspector and each district boiler inspector shall hold office for the term of two years: *Provided, however*, That the term of the first appointees pursuant to this act shall expire February 1st, 1921, unless sooner removed by the governor. Appointments to fill vacancies shall be for the unexpired term. The district boiler inspector shall examine all applicants for second-class and special engineer
- Engineers' li- censes. licenses and certify the results of their examinations to the chief boiler inspector, whereupon such chief boiler inspector shall issue the required licenses in case the certification made by the district boiler inspector shows the applicant therefor entitled thereto.

The chief boiler inspector or his deputy shall at least once each year visit each district for the purpose of holding examinations therein of applicants for chief and first-class engineers' licenses, and shall give to the public thirty (30) days' published notice in some paper published in the district of the time and place such examination shall be held.

All fees collected by the chief boiler inspector under the provisions of this act shall be paid into the State treasury in the manner provided by law for fees received by other State departments, except 50 per cent of license fees, which shall be turned over to the district inspector of district in which examination was held.

The chief boiler inspector shall receive an annual salary of \$2,400, payable monthly from the fund hereinafter created in the same manner as the salaries of other State officers are paid, and the deputy chief boiler inspector shall receive \$2,000 per annum, payable monthly from said fund in the same manner as the salary of the chief boiler inspector. The chief boiler inspector and his deputy shall be entitled to reimbursement out of said boiler inspectors' fund for their necessary traveling and other expenses while engaged in the performance of their official duties. The expense of maintaining the office of chief boiler inspector shall also be paid from said fund. The district inspectors shall receive as full compensation for their services all fees collected by them for the inspection of boilers, pressure vessels, and hulls, and fifty per cent (50%) of all fees collected by them for the examination of applicants for engineers' licenses, and also fifty per cent (50%) of the annual renewal fees received from such engineers, and fifty per cent (50%) of renewal fees shall be sent to chief boiler inspector, who shall turn same over to State treasury as herein prescribed.

Sec. 2180. Every owner or manager of a steam boiler shall allow inspectors full access to the same, and every engineer operating the same shall assist the inspector in his examination, and point out any known defects in the boilers or machinery in his charge. No person shall be entrusted with the operation of any steam boiler or steam machinery who has not received a license of such grade as to cover said steam boilers or steam machinery, which license shall be renewed annually. Every person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and punished by a fine of not less than ten (10) dollars or more than fifty (\$50) dollars.

Sec. 2184. After examination and tests, if the district boiler inspector shall find any steam boiler or pressure vessel safe and suitable for use, he shall deliver to the chief boiler inspector a verified certificate in such form as the chief boiler inspector shall prescribe, containing a specification of the tests applied and the working pressure allowed, a copy of which the district boiler inspector shall furnish to the owner of the boiler or pressure vessel, who shall post and keep the same in a conspicuous place on or near such boiler or pressure vessel. The district boiler inspector shall be entitled to a fee of three (\$3) dollars for the inspection of each boiler or pressure vessel and its connections, payable on delivery of the certificate. * * *

Sec. 2186. The provisions of this act shall not apply to heating plants in buildings occupied solely for residence purposes with accommodations herein not to exceed four families, nor to railroad locomotives, nor to railroad locomotive engineers employed by railroad companies.

[A new section is added numbered 2186a, which is as follows:]
 Sec. 2186 (a) Every insurance company insuring boilers and pressure vessels in this State shall within fifteen days after inspecting any such boiler or pressure vessel make, in duplicate, a report in writing, showing the date of such inspection, the name of the person making the inspection, the condition of such boiler or pressure vessel as disclosed by such inspection, whether the same is operated by licensed engineer and whether a policy

Fees.

Salaries, etc.

Duty of owners.

Certificates.

Exemptions.

Duty of insurance companies.

of insurance has been issued by said company with reference to said boiler or pressure vessel. Such insurance company shall within said period of fifteen days mail one of such reports to the chief boiler inspector and shall deliver one of such reports to the person, firm, or corporation owning or operating such boiler or pressure vessel.

Exemption.

Every boiler or pressure vessel as to which any insurance company authorized to do business in this State has issued a policy of insurance, after the inspection thereof, shall be exempt from other inspection under the provisions of this act, while the same continues to be insured, provided the person, firm or corporation owning or operating the same shall have an unexpired certificate of exemption from inspection, which certificate shall be issued by the chief boiler inspector upon application by the holder of a report of inspection made by the insurance company as hereinbefore set forth and showing that a policy of insurance has been issued by such insurance company with reference to such boiler or pressure vessel and the payment to the chief boiler inspector of a fee of fifty cents therefor. Such certificate of exemption shall expire one year from the date of the report of inspection of the boiler or pressure vessel to which it relates. Such certificate shall be posted in a conspicuous place near the boiler or pressure vessel described therein and to which it relates. Every insurance company shall notify the chief boiler inspector, in writing, of the cancellation or expiration of every policy of insurance issued by it with reference to policies in this State, and the cause or reason for such cancellation or expiration. Such notice of cancellation or expiration shall show the date of the policy and the date when the cancellation has or will become effective.

Any insurance company which shall fail to comply with the requirements of this section shall be deemed guilty of a misdemeanor and fined not more than fifty dollars.

Approved April 14, 1919.

CHAPTER 328.—*Mothers' pensions.*

[This chapter amends section 1 of chapter 223, Acts of 1917, by adding a provision for the investigation of applications by the county attorney in counties having a population of not over 33,000.]

CHAPTER 333.—*Mothers' pensions.*

[This chapter amends section 6, chapter 223, Acts of 1917, and adds section 6-a. The former relates to investigators to be appointed by the judge of the juvenile court in counties having over 330,000 population, and the latter to the same in counties having from 200,000 to 330,000 inhabitants.]

CHAPTER 359.—*Reports of accidents.*

[This chapter amends chapter 416, Acts of 1913. Section 1 is amended by limiting the reportable accidents to those "of which the employer or his foreman has knowledge," and which incapacitate "for more than the remainder of the day, shift, or turn on which the injury was incurred; also by requiring the report to give dependents or nearest relative, in fatal cases, if known. The following is also added to section 1:]

Subsequent death.

Provided, further, That when an accident has been reported which subsequently terminates fatally, a supplementary report shall be filed with the commissioner of labor by the employer within forty-eight hours after he receives knowledge of such death, stating that the injury has proved fatal.

[Section 2 is amended by limiting to ten days the time when settlements must be filed with the commissioner, when they are to become a part of the permanent records of the department. Section 3 is amended so as to extend penalties to the failure to file copies of releases as well as to make reports.]

CHAPTER 365.—*Vocational rehabilitation of injured workers.*

SECTION 1. There is hereby established, under the direction and control of the State board for vocational education, a division for the training and instruction of persons whose capacity to earn a living has in any way been destroyed or impaired through industrial accident or otherwise: *Provided*, That at the time when the accident or disability was incurred they were residents or citizens of the State of Minnesota. The said board shall in its regular reports to the legislature describe in detail the work of the division and may from time to time issue bulletins containing information relative thereto. Division estab-
lished.

SEC. 2. The employees of the said division shall be appointed and their salaries determined by the said board. The division shall be furnished with suitable quarters in the State capitol, and the board may expend for salaries and other necessary expenses of such division such amounts as shall be appropriated by the legislature. Employees.

Expenses, etc.

SEC. 3. The State board for vocational education and the department of labor and industries, or any agency which may succeed it in the administration or supervision of the workmen's compensation act, shall formulate a plan of cooperation with reference to the work of said division. Such plan shall be effective only when approved by the governor of the State. Cooperation.

SEC. 4. The said division shall aid persons who are incapacitated as described in section one in obtaining such education, training, and employment as will tend to restore their capacity to earn a livelihood. The division may cooperate with the United States Government, and as a part of such cooperation may extend the benefits of this act to any civil employee of the United States disabled while in the performance of his duty, without regard to the residence or citizenship of such employee, if in the judgment of the board the benefits offered by the Federal Government are sufficient to compensate for the cost. The division may of its own accord, establish or maintain, or in cooperation with local boards of education, assist in establishing or maintaining such courses as it may deem expedient, and otherwise may act in such manner as it may deem necessary to accomplish the purposes of this act. Duties.

Approved April 23, 1919.

CHAPTER 388.—*Accident, etc., insurance—Deductions from wages of employees.*

SECTION 1. From and after the first day of July, 1919, no employer shall, by agreement with his employees or otherwise, make deductions from their wages for the purpose of furnishing them with medical or hospital care, accident, sickness, or old age insurance or benefits, either directly or through a mutual association, unless he has first received from the commissioner of insurance of this State a license for the benefit plan he operates or proposes to operate. Such license shall be granted by the commissioner of insurance only when he is satisfied that the benefits given are commensurate with the charges made, and that the said charges are sufficient to keep the fund solvent. All such licenses shall be for the period of one year and it shall be proper for the commissioner to require a statement of the operation of the fund, on a form to be prescribed by him before granting a renewal. The fee for any license granted under this act shall be one dollar (\$1) and the fee for filing the annual statement one dollar (\$1): *Provided*, That in any case before granting a license the commissioner of insurance shall submit the proposed plan to the commissioner of labor and industries in order that he may determine whether the benefits are in conjunction with benefits under the workmen's compensation act and take such action as is required by section 8227, General Statutes of 1913, as amended by section 15, chapter 209, General Laws of 1915. License re-
quired.

Violations.

SEC. 2. Any person, firm, corporation, or association that makes deductions from the wages of his, their, or its employees in violation of section 1 of this act shall be deemed guilty of a misdemeanor: *Provided*, That this act shall not apply to railroad companies engaged in interstate commerce.

Approved April 23, 1919.

CHAPTER 394.—*Department of labor and industries.*

SECTION 1. Subsection 21, section 1, chapter 400. General Laws of 1913, is hereby amended to read as follows:

Salaries.

21. Office of department of labor and industries. Commissioner of labor, thirty-six hundred dollars; assistant commissioner of labor, twenty-four hundred dollars; chief statistician, twenty-four hundred dollars; statistician, seventeen hundred dollars; assistant statistician, twelve hundred dollars; superintendent, bureau of women and children, eighteen hundred dollars; two deputy labor commissioners, not to exceed thirty-seven hundred and twenty dollars; one elevator inspector, not to exceed eighteen hundred and sixty dollars; seven male factory inspectors, not to exceed eleven thousand six hundred dollars; one railroad inspector, not to exceed seventeen hundred dollars; four female inspectors, not to exceed five thousand six hundred dollars; three local managers of employment offices, not to exceed four thousand three hundred dollars; four assistant managers of employment offices, not to exceed four thousand four hundred and forty dollars; three special agents, compensation division, not to exceed five thousand five hundred and eighty dollars; one special agent, statistical division, fifteen hundred dollars; one secretary, not to exceed twelve hundred dollars; three stenographers, not to exceed three thousand and eighty dollars; four clerks, not to exceed four thousand dollars; one chief file clerk, not to exceed twelve hundred dollars.

Approved April 23, 1919.

CHAPTER 483.—*Factory, etc., regulations—Elevators.*

Owner to employ operator, when.

SECTION 1. In any building occupied in whole or in part for factories, workshops, or offices, by two or more tenants, and in which building two or more tenants use jointly the same elevator for the purpose of moving persons or freight from one floor to another, it shall be the duty of the owner of such building to provide a competent person or persons to regularly operate such elevator, and no other person shall operate such elevator: *Provided*, That such owner may arrange by agreement with one or more of such tenants to provide a regular operator or operators to run such elevator.

Locks.

SEC. 2. Every elevator or the entrance to such elevator in any building mentioned in section 1 shall be provided with a lock or fastening device which shall prevent the use of such elevator except by a person authorized to operate the same, and such lock or fastening device shall be applied by the operator to the controlling apparatus or gate of such elevator before leaving the elevator without an authorized attendant.

Enforcement.

SEC. 3. It shall be the duty of the commissioner of labor and his assistant, whenever they find an elevator in use in violation of this act, to seal the entrances of such elevator and attach a notice forbidding the use of such elevator until the provisions of this act are complied with. Any person, firm or corporation who violates any of the provisions of this act, or who removes any seal or notice forbidding the use of such elevator except by authority of the commissioner of labor, or who operates such elevator after a notice has been attached forbidding the use of such elevator except after such notice has been removed by authority of the commissioner of labor, shall be guilty of a misdemeanor, punishable by a fine or imprisonment.

Approved April 25, 1919.

CHAPTER 491.—*Inspection and regulation of places of employment—Sanitation, etc.*

SECTION 1. The term "all places of employment" as used in this act shall mean any place, either inside or outside, where any business or industry is carried on and in which persons are employed and shall include factories, mills, workshops, laundries, dyeing and cleaning establishments, mercantile establishments, offices and office buildings, hotels, restaurants, theaters and other places of amusement, transportation systems, public utilities, engineering works, the erection of buildings, and yards; but shall not be construed to apply to domestic service or agricultural labor.

Scope of act.

SEC. 2. In all places of employment it shall be the duty of the employer to keep the floors and walls of buildings or parts of buildings, the grounds surrounding such buildings, and the machinery, fixtures, and utensils in such buildings, over which he may have control, in as clean and sanitary a condition as the nature of the industry will permit. Where wet processes are used, the floors must be so drained that there is no measurable depth of water in which employees must stand while working. Where practicable, dry standing room must be provided for all employees. Suitable receptacles shall be provided and used for the storage of waste and refuse; such receptacles shall be maintained in a sanitary condition. All waste, refuse, sweepings, and decomposed matter shall be removed from such buildings daily, and in such manner as not to cause a nuisance. All cleaning shall be done, as far as possible, out of working hours; but if done during working hours, shall be done in such a manner as to avoid unnecessary raising of dust or noxious odors. All such places of employment shall be well drained and the plumbing thereof at all times kept in proper repair and in a clean and sanitary condition. In all such places of employment the floors shall be scrubbed and the walls cleaned whenever and so often as the commissioner of labor deems it necessary.

Cleanliness.

SEC. 3. Every place of employment used for the preparation, manufacture, sale, or storage of food products shall be properly lighted, drained, plumbed, and ventilated, and conducted with strict regard to the influence of such conditions upon the health of persons therein employed, and the purity and wholesomeness of the food products therein prepared, manufactured, sold, or stored. The side walls and ceilings of all rooms used for the purposes named in this section shall be of a material that can easily be cleaned and kept clean, and shall be limewashed or painted whenever in the opinion of the commissioner of labor the same is necessary. The floors in such places shall be impermeable, and made of cement or tile laid in cement, brick, wood, or other suitable nonabsorbent material which can be flushed and washed clean with water or otherwise kept in a clean and sanitary condition. The doors, windows, and other openings of such places, shall, where practicable, be fitted with stationary or self-closing screen doors and wire window screens during such months as they are necessary to exclude flies and other insects. No employee of any such place shall expectorate or discharge any substance from his mouth or nose on the floor or interior side wall of any room used for the purposes mentioned in this section. Cuspidors, for the use of employees, shall be provided, and each cuspidor shall be emptied and washed out daily with disinfectant solution and a portion of such solution shall be left in each cuspidor while in use. No water-closet, earth closet, privy, ash pit, or sleeping room for employees shall be in, or communicate directly with any room used for the purposes mentioned in this section. All employees of such places, engaged in the manufacture and handling of bakery products shall wear clothing of washable material, which shall be used for that purpose only, and such garments shall be kept clean at all times.

Food production.

- Ventilation.** **Sec. 4.** In every place of employment the employer shall provide in each workroom thereof, proper and sufficient means of ventilation, and shall maintain proper and sufficient ventilation. If excessive smoke, steam, gas, fumes, vapors, dust, or other impurities are created or generated by the manufacturing process or handicraft carried on therein, in sufficient quantities to obstruct the vision, or to be irritating, obnoxious, or injurious to the health or safety of the employees therein, the room shall be ventilated in such manner as to remove them or render them harmless, so far as is practicable. If in the opinion of the commissioner of labor it is deemed necessary, he may order the installation of exhaust fans and other mechanical means of a proper construction to effectively remove from the point of origin such smoke, steam, gases, fumes, vapors, dust or other impurities. If the removal of such smoke, steam, gases, fumes, vapors, dust, or other impurities is, because of the nature of the process, impracticable, the commissioner of labor may, if he deems it necessary to the health of the workers in any place of employment, order the isolation of such process or handicraft in a separate room or building.
- Air space.** **Sec. 5.** No more employees shall be required or permitted to work in a room in any place of employment than will allow to each of such employees not less than four hundred (400) cubic feet of air space, unless by a written permit of the commissioner of labor such amount of air space for each employee may temporarily be reduced to not less than two hundred fifty (250) cubic feet of air space: *Provided*, That no such permit shall be issued for a room in which smoke, gas, fumes, dust, or vapors are generated or in which there are fires consuming oxygen.
- Warmth.** **Sec. 6.** In every place of employment the workrooms shall, so far as the nature of the industry will permit, be properly heated during cold weather. In every place of employment where excessive heat be created in any of the workrooms by the nature of the process therein carried on it shall be the duty of the employer to provide heat deflectors, exhaust fans, and such other mechanical means that are necessary to protect from the heat and to carry off, so far as practicable, such excessive heat and to cool off such workrooms. After the passage of this act it shall be unlawful in any place of employment to establish any process or handicraft which creates excessive heat in any workroom the ceiling of which is less than eight feet from the floor of such workroom or the floor of any balcony in such workroom.
- The use of salamanders or other heaters that discharge smoke or gas into a workroom in which workers are employed is prohibited.
- Toilets.** **Sec. 7.** In every place of employment there shall be provided adequate toilet facilities which shall be located conveniently to and easily accessible from all places where persons are employed. Each water-closet, urinal, laboratory, or slop sink located in a toilet room, must be connected with a sewer system where a sewer system is available. Indecent or suggestive marks, pictures or words are forbidden in toilet rooms, and such defacements when found by the employer must be at once removed.
- Same.** **Sec. 8.** All toilet rooms not having sewer connection and maintained outside of buildings where persons are employed, shall on new installations be at least twenty-five (25) feet from such buildings. In all places of employment where the workers are exposed to excessive heat, humidity, or fatigue from physical exertion, there shall be a covered passageway connecting said building with such toilet or toilets.
- Separate provisions.** **Sec. 9.** In all places of employment where five or more persons are employed and are of opposite sex, separate toilets for each sex shall be provided and maintained. Such toilets shall be so marked as to designate plainly and distinctly the sex for whose use they are intended, and no person shall be allowed to use the toilet room assigned to the opposite sex.
- Construction.** **Sec. 10.** The toilets in all places of employment must be so constructed as to insure privacy. The outside partitions of all

toilet rooms shall be of solid construction, and may be opaque or translucent, but not transparent, and shall extend from floor to ceiling, or such rooms shall be independently ceiled over. All partitions separating toilet rooms provided for the different sexes shall be constructed of such materials as are not transparent or translucent, and they shall be sound proof, and no opening in such partitions shall be permitted. If the water-closet is not located within a separate compartment in the toilet room, the entrance to such toilet room shall be provided with a screen of sufficient height and width to insure privacy. The floors of all toilet rooms shall be tight, smooth, and constructed of a material that can be kept in a sanitary condition. The walls and ceiling shall be tight and of such substance that can be readily cleaned and kept clean.

SEC. 11. In all places of employment the toilet rooms, and every part thereof, including the floor, walls, and ceiling, and all fixtures therein, must be kept in a clean condition. All toilet rooms and water-closet compartments shall be adequately illuminated by natural or artificial light. All toilet rooms not lighted by windows that open easily shall be adequately ventilated to the outside air by artificial means. All toilet facilities shall be adequately protected to prevent the entrance and breeding of flies, so far as practicable. All toilet rooms, wherever practicable, shall be adequately heated at all times.

Cleanliness,
light, etc.

SEC. 12. In all places of employment, water-closets shall be provided in the following number and ratio: When there are one hundred (100) or less persons on a shift employed, there shall be one water-closet for every twenty (20) persons; when there are one hundred (100) to five hundred (500) persons on a shift, there shall be one water-closet to every thirty (30) persons; when there are five hundred (500) to one thousand (1,000) persons on a shift, there shall be one water-closet to every thirty-five (35) persons on a shift, and when there are over one thousand (1,000) persons on a shift, there shall be one water-closet to every forty (40) persons on a shift.

Water-closets.

When there are more than one hundred (100) men employed on a shift there shall, in addition to the water-closets required by this section, be provided one urinal for every fifty (50) men.

Urinals shall be either individual or slab urinals. At least two (2) feet of slab urinal shall be considered the equivalent of one (1) individual urinal.

SEC. 13. Every place of employment shall provide, without expense to the employee, adequate facilities for washing the hands and face of the employees. Individual towels shall be provided by the employer, and the use of towels in common is prohibited.

Wash rooms.

In all places where food is prepared or manufactured, in all places where poisonous or injurious materials are handled by the employees, and in all places where the employees are required by the nature of the process at which they are employed to become covered with oil, grease, soot, or other material not easily removed, the employer shall provide hot and cold water and soap in sufficient quantities to permit employees to make themselves clean.

SEC. 14. In every place of employment in which a change of clothing is necessary for any of the employees in doing their work, suitable dressing rooms shall be provided and shall be separate for the sexes. All such dressing rooms shall be kept in a clean and sanitary condition and be adequately ventilated. In all places of employment where poisonous compounds are handled by the employees, facilities for hanging and storing both working and street garments shall be provided, so that they will not come in contact with each other nor with the garments of others. All such dressing rooms installed after the passage of this act shall be enclosed by means of solid partitions or walls, shall be so separated from toilet rooms, and shall have at least one window opening to the outer air, or other means of properly ventilating such rooms.

Dressing rooms.

- Place to eat. SEC. 15. In every place of employment it shall be unlawful to keep or eat any food in a room in which the dust or fumes of poisonous compounds are present. In such places of employment the employer shall provide a suitable place in which employees may eat their meals. No employee engaged in handling such poisonous compounds shall go out or be allowed to go out for lunch or to eat his or her lunch on the premises without first washing his or her hands, and, if necessary, washing his or her face.
- Seats for females. SEC. 16. In all places of employment where women are employed, the employer thereof shall provide and maintain suitable seats, with proper backs where practicable, for the use of such women employees, and permit the use thereof by such employees to such an extent as may be reasonable for the preservation of their health. In all places where women are engaged in work which can be properly performed in a sitting posture, suitable seats, with backs where practicable, shall be supplied in every factory for the use of all such women employees and permitted to be used at such work. The commissioner of labor may determine when seats, with or without backs, are necessary and the number thereof.
- Drinking water. SEC. 17. Every place of employment shall provide, without expense to the employees, an adequate supply of pure drinking water. When practicable, ice used for cooling purposes shall be applied in such manner that the ice itself will not come in contact with the drinking water, and the water from the melting ice shall not become mixed with the drinking water. In all places of employment where no running water can be provided, the receptacle for holding the drinking water shall at all times be kept in a clean and sanitary condition and must be kept covered to prevent dust or impurities from entering such receptacle.
- Joint occupation. SEC. 18. Whenever any building is occupied by more than one place of employment and the halls, stairs, toilets, or other portions of the building are used jointly by more than one tenant, or in which conditions prohibited by this act are jointly created by more than one tenant, it shall be the duty of the owner of such building to carry out the provisions of this act: *Provided*, That the owner of any such building may arrange, by agreement, with one or more of his tenants to assume a responsibility for carrying out the provisions of this act.
- Enforcement. SEC. 19. It shall be the duty of the commissioner of labor to enforce the provisions of this act. Thirty (30) days' notice shall be given for any new installations required by this act before any criminal proceeding shall be commenced; but the commissioner of labor may, for good cause shown, extend the time to a longer period. All orders to place toilets, floors, and receptacles in a sanitary condition shall be complied with in forty-eight (48) hours. Any persons, firm, or corporation violating the provisions of this act, or failing to comply, in the time specified, with any order of the commissioner of labor, shall be guilty of a misdemeanor, punishable by fine or imprisonment at the discretion of the court. Any person, firm, or corporation aggrieved at any order of the commissioner of labor issued pursuant to this act may apply for a restraining order to the district court in the manner and as provided in section 3822, General Statutes of 1913.
- Repeal. SEC. 20. Sections 3837, 3838, 3887, 3890, 3853, 3854, and 3855 [Gen. Stat., 1913], and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 25, 1919.

CHAPTER 514.—*Protection of workmen—Shelters for employees of railroads.*

- Shelters required, when. SECTION 1. Every person, firm, copartnership, corporation, or receiver thereof, engaged in the construction or repairing of railroad cars, car trucks, or other equipment used for conveyance by rail, shall erect and maintain a building or buildings at every station or point where there are as many as six (6) men employed at one

time for a period of not less than thirty (30) days, on the work of construction or repairing of such cars, car trucks, or other such equipment; the building or buildings to cover a sufficient portion of the repairing or construction company's yards or tracks so that all employees engaged in such work shall be protected from heat, rain, cold, snow, or other inclement weather, while working at such work.

SEC. 2. The provisions of this act shall not apply to the repairing of conveyances while the same are en route as a part of a train, nor shall it apply to cars loaded with live stock or perishable freight, where trains are being held for the movement of said cars.

SEC. 3. All buildings to be erected hereunder shall substantially comply with the following specifications:

In buildings that cover more than one track the distance between the inside rails of each track shall not be less than twelve lineal feet. Between the walls of the building and the outside rails there shall be a distance of ten lineal feet. The building or buildings shall not be less than twenty feet high at the eaves. Each building shall be enclosed from roof to ground and shall have glass windows on each side with a space of not to exceed twelve feet apart. The side windows shall not be less than nine feet high, and not less than four feet wide. Windows shall be in three sections and each section shall be equipped with pivot and opening device. The buildings shall be equipped with side and end doors. The end doors shall be not less than six feet wide and sixteen feet high, and there shall be two such doors for each track covered by the building. The side doors shall be the same width and height as the end doors and shall be not to exceed forty feet apart. The roof shall be provided with a cupola the entire length of the building, and be equipped with side windows of not less than three feet in width and six feet in height, having pivot and opening device that shall be at all times operative. A similar cupola shall be provided for each two additional tracks in width of such building. The buildings shall be equipped with necessary heating facilities, and shall at all times have drainage that will keep them in a clean and sanitary condition. They shall be equipped with sanitary drinking fountains where clean wholesome drinking water can be obtained. A sufficient number of sanitary lavatories shall be provided for said employees and sanitary toilets shall be provided and kept properly cleaned, ventilated and free from odor. Such toilets shall be properly partitioned, and there shall be at least one for each fifteen persons employed. All scaffolding used in such buildings shall be made of clear lumber free of all knots, and shall be kept in first class condition at all times. The use of paint spraying machines shall not be permitted inside such buildings. It shall be the duty of the railroad and warehouse commission to determine as soon as practicable what portion of the repair or construction tracks of each railroad in the State it shall be necessary to cover with such building or buildings in order to comply with section one thereof, and said commission shall thereupon make an order as to each railroad in the State specifying the size of the building or buildings necessary at each location where such repair or construction work is carried on, and it shall thereupon be the duty of each railroad company to forthwith erect such buildings and have all the same ready for occupancy not later than September 1st, 1922.

SEC. 4. Where any such buildings are maintained, it shall be unlawful for any employer to require men so employed to work outside of such buildings in rain, heat, cold, snow, or other inclement weather.

SEC. 5. Any person, firm, copartnership, corporation, or receiver thereof, violating any of the provisions of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be liable for a penalty of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500), for each offense, and the failure

Exemptions.

Construction.

Heating.

Drinking water.

Toilets.

Scaffolding.

Paint machines.

Enforcement.

Work outside.

Violations.

to provide a building or buildings, as hereinbefore required, shall constitute a separate offense for every day or part of the day while such failure continues, and such penalty shall be recovered in a suit brought in the name of the State of Minnesota, in any court having jurisdiction thereof, by the attorney general of the State, or at his direction. All fines and penalties recovered by the State under this act shall be paid into the treasury of the State of Minnesota.

SEC. 6. This act shall take effect and be in force on and after September 1st, 1920.

Approved April 25, 1919.

MISSOURI.

ACTS OF 1919.

Railroads—Sufficient crews for trains.

(Page 247.)

SECTION 1. The act of the General Assembly of the State of Missouri approved April 16, 1913, [page 183], entitled "An act to promote the safety of employees and travelers upon railroads and railways in whole or in part within the State of Missouri, etc.," is hereby repealed.

Approved May 22, 1919.

Employment of children—General provisions.

(Page 248.)

[This act amends sections 1715, 1716, and 1717 of the Revised Statutes of 1909, and adds new sections 1715a, 1717a, and 1717b, so as to read as follows:]

Section 1715. No child under the age of fourteen years shall be employed, permitted, or suffered to work at or be engaged in any gainful occupation in this State; except that during the hours when the public schools in the district in which the child resides are not in session, such child may work at agricultural pursuits; and domestic service [sic] and except as provided in sections 1726b, 1726c, and 1726l. Age limit.

Sec. 1715a. No child over fourteen and under sixteen years of age shall be employed, permitted, or suffered to work at or be engaged in any gainful occupation in this State unless such child has obtained an employment certificate as provided in sections 1718 to 1724, inclusive; except that such child may, without an employment certificate, work in agricultural pursuits and domestic service during the hours when the public schools in the district in which the child resides are not in session; and except in cases where special permit is required as provided in sections 1726b, 1726c, and 1726l. Employment certificates.

Sec. 1716. No child under the age of sixteen years shall be employed, permitted, or suffered to work at or be engaged in any gainful occupation in this State, except those engaged in agricultural pursuits and domestic service, more than forty-eight hours in any one week nor more than eight hours in any one day; nor before the hour of seven o'clock in the morning nor after the hour of seven o'clock in the evening: *Provided, however,* That sections 1715, 1715a, and 1716 shall not apply to children working for their parents or guardians. Hours of labor.

Sec. 1717. The State factory inspector shall furnish printed forms to every employer of children under the age of sixteen, and every such employer shall correctly fill in and post in a conspicuous place in every work room or place where such children are employed, a printed notice, reading as follows: Schedule to be posted.

NOTICE TO CHILDREN.

Under the laws of Missouri no child under the age of fourteen years can be employed or permitted to work in this establishment. No child under the age of sixteen years can be employed or permitted to work in any occupation for more than forty-eight hours in any one week, nor for more than eight hours in any one day; nor before the hour of seven o'clock in the morning nor after the hour of seven o'clock in the evening. Form.

The working hours of this establishment are as follows:

	Opening hour.	Lunch time.	Closing hour.
Monday	a. m.	m. to m.	p. m.
Tuesday	a. m.	m. to m.	p. m.
Wednesday	a. m.	m. to m.	p. m.
Thursday	a. m.	m. to m.	p. m.
Friday	a. m.	m. to m.	p. m.
Saturday	a. m.	m. to m.	p. m.

Lists. Sec. 1717a. Every person, firm, or corporation employing minors between the ages of fourteen and sixteen years within this State shall keep two complete lists containing the names, ages, and places of residence of all such children employed, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed.

Violations. Sec. 1717b. The violation of any of the provisions of this act shall be deemed a misdemeanor and every day's violation shall constitute a separate offense, and any person, firm, or corporation committing such violation shall be punished by a fine of not more than \$100, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

Approved May 30, 1919.

Employment of children—Certain employments forbidden.

(Page 250.)

[This act repeals sections 4741, 4742, and 4743 of the Revised Statutes of 1909 and enacts new sections numbered 1726l, 1726m, 1726n, and 1726o, which read as follows:]

Dangerous occupations. Section 1726l. No child under the age of sixteen years shall be employed, permitted, or suffered to work at or be engaged in any capacity in the operation of any power machinery or assisting therein in any capacity whatever, except in the operation of machinery used for agricultural purposes or in domestic service; nor shall any such child be employed, permitted, or suffered to work at or be engaged in or about or in connection with any mine or underground work; nor shall any such child be permitted or suffered to work, or be engaged in any capacity in, about, or in connection with the preparing of any composition in which dangerous or poisonous acids or alkalis are used; the manufacture of paints, colors, or white leads; dipping, drying, or packing matches; manufacturing, packing, or storing powder, dynamite, nitroglycerine compounds, fuses, or other explosives; the sewing, lasting, or adjustment of any belt to any powder machinery; nor in oiling, wiping, or cleaning any machinery; nor in operating or assisting in operating any machine used in picking wool, cotton, hair, or upholstery material; nor any job press operated by power or cylinder press; nor any machine used in polishing or grinding any metal, nor any machine used for manufacture of goods for immoral purposes; nor in, about, or in connection with any brewery or other establishment where malt or other alcoholic liquors are manufactured, or sold, packed, wrapped, or bottled; hotel, pool or billiard hall; wholesale drug store; saloon, nor in bowling alleys.

Messenger service. Sec. 1726m. No girl under the age of eighteen years shall be employed, permitted, or suffered to be engaged in "carrying telegraphic dispatches" or in the messenger service.

Enforcement. Sec. 1726n. The State factory inspector, the State superintendent of schools, the probation officer of any juvenile court, the county superintendent of public welfare, and persons authorized by any of them and every attendance and truant officer shall enforce the provisions of this act.

Violations. Sec. 1726o. Any person, firm, or corporation employing any such minor, contrary to the terms of this act, shall, upon conviction, be adjudged guilty of a misdemeanor.

Approved May 30, 1919.

Inspection and regulation of factories—Sanitation.

(Page 439.)

[Sections 7856, 7857, and 7858 of the Revised Statutes of 1909 are amended so as to extend their provisions to employers of three persons instead of five as formerly.]

Sections 7859 and 7860 are amended by placing the duty of enforcing the act on "the industrial inspector, or his assistant, or deputy," instead of on "an inspector of factories" as formerly.]

Factory, etc., regulations—Employment of diseased persons.

(Page 441.)

[This act amends section 7866 of the Revised Statutes of 1909 so as to read as follows:]

Section 7866. No employer shall knowingly require, permit, or suffer any person to work in or about his bakeshop, hotel, restaurant, lunch counter, or confectionery shop who is affected with tuberculosis, scrofula, or any venereal disease, or with a communicable skin affection, and every person is hereby required to keep himself in a clean and sanitary condition while engaged in the manufacturing or handling of such products, and such employer shall, at his own expense, on the demand of the industrial inspector, or his assistant, or deputy, furnish such inspector with the certificate of a reputable and competent physician as to the state of health of any of his employees.

Approved May 21, 1919.

Employment of women—Vacation at childbirth.

(Page 442.)

[This act adds the following new section to the Revised Statutes of 1909:]

Section 7815-a. It shall be unlawful for any person, firm, or corporation to knowingly employ a female or permit a female to be employed in any of the diverse kinds of establishments, places of industry, or places of business specified in section 7815 of this act, within three weeks before or three weeks after childbirth. Any person, firm, or corporation who shall violate this section shall be deemed guilty of a misdemeanor.

Approved May 30, 1919.

Factory, etc., regulations.

(Page 443.)

[This act amends sections 7827, 7828, 7830, 7839, 7840, 7841, and 7842 of the Revised Statutes of 1909, and adds new sections Nos. 7828a and 7845a, so as to read as follows:]

Section 7827. All accidents in manufacturing, mechanical, mercantile, or other establishments or places within this State where labor is employed which prevent the injured person or persons from returning to work within four days after the injury, or which result in death, shall be reported by the person in charge of such establishment or place to the industrial inspector, or to one of the assistant or deputy inspectors provided for by this chapter, and also to the city or county physician, when there be such an officer, which notice may be given by mail.

Sec. 7828. The belting, shafting, machines, machinery, gearing, and drums in all manufacturing, mechanical, and other establishments in this State, when so placed as to be dangerous to persons employed therein or thereabouts while engaged in their ordinary duties, shall be safely and securely guarded when pos-

sible; if not possible, then notice of its danger shall be conspicuously posted in such establishments. Whenever the industrial inspector, or his assistant, or deputy, finds that guards have not been installed nor notice of danger posted, as required by the provisions of this section, he shall at once, in writing, order the owner or owners, or the person or persons in charge of the machinery, plant, establishment, or place, to make the alterations, additions, or repairs necessary within ten days; and if the said alterations, additions, or repairs be not made within ten days from the date of such order, then such failure to make such alterations shall be deemed a violation of this article, and in addition to the penalties hereinafter prescribed for such violations, the inspector, or his assistant or deputy, shall be and is hereby empowered to, and he shall seal said defective appliance or appliances in such a manner as to render the same inoperative until said order of the inspector has been complied with.

Circular saws. Sec. 7828a. All power-driven circular saws must be provided with safety guards which raise and lower automatically for various thicknesses of material, and must also be provided with a kick-back dog to prevent the board binding on the saw and flying back. Said appliances shall be subject to the approval of the State industrial inspector, his assistants, or deputies.

Hatchways, etc. Sec. 7830. The openings of all hatchways, elevators, and well-holes upon every floor of every manufacturing, mechanical, or mercantile, or public building in this State shall be protected by good and sufficient trapdoors or self-closing hatches or safety catches, or strong guardrails at least three feet high, and all due diligence shall be used to keep such trapdoors closed at all times, except when in actual use by the occupant of the building having the use and control of the same. Whenever the State industrial inspector, or one of his assistants or deputies, finds any violations of the foregoing requirement to guard hatchways, elevators, and wellholes, he shall at once, in writing, notify the owner or owners thereof, or the person or persons in charge of said appliance or appliances, to make the necessary alterations, additions, or repairs within ten days; and if said alterations, additions, or repairs are not made within ten days from the date of such notice, the inspector, or his assistant or deputy, shall seal such appliance or appliances in such a manner as to render the same inoperative until there has been compliance with the order of the inspector.

Polishing wheels. Sec. 7839. Every person, firm, or corporation using any polishing wheel or machine of any character which generates dust, smoke, or poisonous gases in its operation, shall provide each and every such wheel or machine with a hood, which shall be connected with a blower or suction fan of sufficient power to carry off said dust, smoke, and gases and prevent its inhalation by those employed about said wheel or machine; and any violation of this section is hereby declared to be a misdemeanor, and a person, firm, or corporation so violating this section shall, upon conviction, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for each and every offense. It shall be the duty of the industrial inspector and his assistants and deputies to see that this section is enforced and to prosecute any violations thereof.

Ventilation. Sec. 7840. In all establishments in this State wherein labor is employed, where any process is carried on by which dust or smoke is generated, the industrial inspector and his assistants and deputies shall have the power and the authority in order that a fan or some other contrivance be put in to prevent the inhalation of such dust or smoke by employees.

Overcrowding. Sec. 7841. Where, in the opinion of the inspector, any establishment wherein labor is employed is so overcrowded with employees as to endanger health or safety, the industrial inspector, when supported in his opinion by the opinion of some reputable physician, shall be authorized and empowered to prohibit such overcrowding.

Sec. 7842. Whenever the State industrial inspector, or one of his assistants or deputies, finds that the heating, lighting, ventilation, or sanitary arrangements of any establishment where labor is employed is such as to be dangerous to the health or safety of employees therein or thereat, or the means of egress in case of fire or other disaster are not sufficient, or that the building or any part thereof is unsafe, or that the belting, shafting, gearing, elevators, drums or other machinery are located so as to be dangerous to employees and not sufficiently guarded, or that the vats, pans, ladles or structures filled with molten or hot liquid, or any furnace, be not sufficiently surrounded with proper safeguards, or the platforms, passageways, and other arrangements around, in, or about any railroad yard or switch be such as to probably lead to injury or accident to those employed in, around, or about any such establishment or place, shall at once, in writing, order the owner or owners, or the person or persons in charge of such establishment or place to make the alterations or additions necessary within ten days; and if such alterations or additions be not made within ten days from the date of such order, then such failure to make such alterations shall be deemed a violation of this article, and in addition to the penalties hereinafter prescribed for such violations, the inspector, or his assistant or deputy, shall be and is hereby empowered to, and he shall, seal said defective appliance or appliances in such manner as to render the same inoperative until said order of the inspector has been complied with.

Unsanitary or dangerous conditions.

Orders.

Sec. 7845a. It shall be unlawful and deemed a violation of this article for any person to break, remove, alter, or otherwise render ineffective, or to aid or abet or cause same to be done, any guards installed, or the seal of any inspector affixed in accordance with the provisions of this article.

Violations.

Approved May 26, 1919.

Hours of labor of railroad employees.

(Page 446.)

[This act amends section 7819, Revised Statutes of 1909, by striking out the last sentence thereof, relating to the disposition of fines for violations of the law.]

Employment of women—Hours of labor.

(Page 447.)

[Section 7815 of the revised statutes of 1909 is amended by striking out an "of" and inserting an "or" in lieu thereof as indicated by brackets in Bul. 148, page 1175.

Section 7816a is amended to read as follows:]

Section 7816a. The industrial inspector shall be charged with the enforcement of the provisions of sections 7815 and 7816 of this article and the prosecution of all violations thereof. It shall be the duty of the industrial inspector, his assistants, or deputies, to make at least two inspections each year of all shops, establishments, and places described in said section 7815, and he shall be entitled to demand and receive for each such inspection the schedule of fees provided in section 7825, Revised Statutes of Missouri, 1909, and amendments thereto.

Enforcement.

Approved May 26, 1919.

Occupational diseases—Sanitation of factories.

(Page 448.)

[This act amends sections 6, 12, 13, and 14 of Acts of 1913, page 402, by changing the title of the inspector from "factory inspector" to "industrial inspector." In section 13 the words therein appearing within parentheses "(employees arising from such)," are stricken out.]

Payment of wages—Semimonthly pay day.

(Page 450.)

[This act amends section 7817 of the Revised Statutes of 1909, by inserting in the first sentence thereof the requirement that wages shall be paid "in lawful money."]

Inspection and regulation of factories—Wash rooms in factories.

(Page 451.)

[Sections 1, 2, and 3 of Acts of 1913, page 401 (Bul. 148, p. 1211), are amended by striking out 10 and inserting 4 wherever they appear so that the act is extended to foundries having four or more employees. In sections 2 and 3 the title "factory" inspector is changed to "industrial" inspector.]

Factory, etc., regulations—Industrial inspector.

(Page 452.)

[This act amends sections 7823, 7824, 7825, and 7826 of the Revised Statutes of 1909, so as to read as follows:]

Inspector to be appointed.

Section 7823. Within thirty days after the passage of this article, the governor of the State, with the advice and consent of the senate, shall appoint a competent person to serve as State industrial inspector, who shall hold office for four years from the date of his appointment, or until his successor is appointed and qualified. The industrial inspector may appoint, from time to time, two assistant industrial inspectors, and ten deputy industrial inspectors, two of whom may be women, who may be removed by him at any time for just cause. Before entering upon his official duties, the inspector shall make oath to support the Constitution and faithfully demean himself in office; he shall also execute a bond to the State of Missouri, in such sum as the governor may prescribe, with two or more solvent sureties, to be approved by the governor, conditioned upon his faithful performance of the duties imposed upon him by law.

Assistants, etc.

Districts.

Duties of inspectors.

Sec. 7824. The State industrial inspector may divide the State into districts, assign one or more deputy inspectors to each district, and may, at his discretion, change or transfer them from one district to another. It shall be the duty of the industrial inspector, his assistants or deputy inspectors, to make not less than two inspections during each year of all factories, warehouses, office buildings, freight depots, machine shops, garages, laundries, tenement workshops, bake shops, restaurants, bowling alleys, pool halls, theaters, concert halls, moving-picture houses or places of public amusement, and all other manufacturing, mechanical, and mercantile establishments, and workshops. The last inspection shall be completed on or before the first day of October of each year, and the industrial inspector shall enforce all laws relating to the inspection of the establishments enumerated heretofore in this section, and prosecute all persons for violating the same. Any municipal ordinance relating to said establishments or their inspection shall be enforced by the industrial inspector. The industrial inspector, his assistants and deputy inspectors may administer oaths and take affidavits in matters concerning the enforcement of the various inspection laws relating to these establishments: *Provided*, That the provisions of this section shall not apply to mercantile establishments that employ less than ten persons that are located in towns and cities that have three thousand inhabitants or less.

Fees for inspection.

Sec. 7825. The inspector provided for in this article shall be entitled to demand and receive from the owner, superintendent

manager, or other person in charge of every establishment inspected, as provided for by law, the following fee for each inspection made in accordance with the provisions of Articles IV, V, VI, VII, VIII, and IX, chapter 67, Revised Statutes of Missouri, 1909, or elsewhere authorized or required of said inspector by law to be made: For the inspection of every building or shop in which three or less persons are employed or found at work, the sum of fifty cents; for the inspection of every building or shop in which more than three or not exceeding thirteen persons are employed, the sum of one dollar; for the inspection of every building or shop in which more than thirteen and not exceeding twenty-six persons are employed, the sum of two dollars; for the inspection of every building or shop in which more than twenty-six and less than fifty persons are employed, the sum of three dollars; for the inspection of every building or shop in which more than fifty persons and less than eighty persons are employed, the sum of four dollars; and in every building or shop in which more than eighty persons are employed an additional fee of one dollar shall be charged and collected for every fifty additional persons employed, or any additional fraction thereof; and the fee herein provided for shall be due immediately upon completion of the inspection. The owner, superintendent, manager, or other person in charge of any establishment at the time of inspection shall be required to furnish the inspector making the inspection a true statement of the number of persons employed in such establishment at the time of inspection, and any owner, superintendent, manager, or other person in charge who shall fail or refuse to furnish such statement, or understate the number of persons employed in such establishment at the time of inspection, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense. Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether acting for himself or for such firm or corporation or by himself or through subagents or foreman, superintendent or manager who shall refuse or attempt to prevent the admission of any inspector authorized by this article, upon or within the premises or building of any establishments or place which he is required by law to inspect, at any reasonable business hour, or during working hours of the persons employed therein or thereat, or shall in any manner interfere with the performance of the official duties of such inspector, or shall neglect or refuse to pay the inspection fee upon the completion of such inspection, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense: *Provided*, That the owner or manager of any establishment inspected shall not be required to pay for more than two such inspections between the first day of October of one year and thirtieth day of September of the next year, unless, through noncompliance with the written orders of the inspector, additional inspections are made necessary.

Duty of owners, etc.

Refusing admission.

Fund.

Salaries.

Sec. 7826. All fees received by the industrial inspector for all inspections provided for by law shall be paid into the State treasury on or before the last day of each month, to be placed to the credit of the "Industrial inspection fund." The industrial inspector shall receive an annual salary of twenty-five hundred dollars; the two assistant industrial inspectors shall receive an annual salary of eighteen hundred dollars each, and the deputy industrial inspectors shall each receive a salary of one hundred fifty dollars per month for the time actually employed; and the industrial inspector, assistant industrial inspectors, and deputy industrial inspectors shall further receive actual necessary expenses incurred in the discharge of their duties, to be paid monthly upon a warrant of the State auditor, issued upon vouchers therefor. The industrial inspector shall establish and maintain an

Offices.

office in the city of St. Louis, and also an office in the city of Kansas City and the city of St. Joseph. The offices herein provided for in St. Louis and Kansas City shall each be in charge of one of said assistant industrial inspectors and the office in St. Joseph shall be in charge of one deputy industrial inspector. Each of said assistant and deputy industrial inspectors shall devote his entire time to the discharge of the duties of the office in the city for which he is appointed. The persons appointed assistant industrial inspectors under this article shall possess all the qualifications now required of city officers by the charters of the respective cities in which their said offices are located: *Provided*, That no salary or expense shall be paid for the industrial inspector or assistant or deputy industrial inspectors or clerks in excess of the receipts from the fees paid into the industrial inspection funds: *And provided further*, That the salary of the industrial inspector and his assistants, and all expenses for traveling, office rent, printing, stationery, postage, and other items of expenditure shall be limited for the biennial term of two years to an amount not exceeding sixty-five thousand dollars, and all money remaining in said industrial inspection fund at the close of each biennial term, after the payment of the salaries and expenses herein provided for, shall be transferred to the general revenue fund.

Approved May 21, 1919.

Employment of children—School attendance.

(Page 681.)

[This act amends sections 10896 and 10898 of the Revised Statutes of 1909, and adds a new section, 10900, to read as follows:]

Attendance re- Section 10896. Every parent, guardian, or other person in this quired. State having charge, control, or custody of a child between the ages of seven and fourteen years, shall cause such child to attend regularly some day school, public, private, parochial, or parish, not less than the entire time the school which said child attends is in session, or shall provide such child at home with such regular daily instruction during the usual hours as shall, in the judgment of a court of competent jurisdiction be substantially equivalent at least to the instruction given the children of like age at said day school in the locality in which said child resides; and every parent or person in this State having charge, control, or custody of a child between the ages of fourteen and sixteen years, who is not actually and regularly and lawfully engaged for at least six hours each day in some useful employment or service, shall cause said child to attend regularly some day school, as aforesaid; *Provided*, That a child between the ages aforesaid may be excused temporarily from complying with the provisions of this act, in whole or in part, if it be shown to the satisfaction of the attendance officer, or if he declines to excuse, to the satisfaction of a court of competent jurisdiction, that said child is mentally or physically incapacitated to attend school for the whole period required, or any part thereof, or that said child has completed the common school course as prescribed by constituted authority, or its equivalent, and has received a certificate of graduation therefrom.

Enforcement.

Sec. 10898. The county superintendent of schools in each county shall select a person of good moral character to act as school attendance officer for the county. The person so selected shall file with the clerk of the county court his acceptance and oath of office and bond of one thousand dollars (\$1,000) with two sufficient sureties to be approved by the county clerk. The person so selected shall be known as the county school attendance officer and he shall have the power of a deputy sheriff in the performance of the duties of school attendance officer in all school districts of the county when directed so to do by the county superintendent

of schools, except as hereinafter provided: * * * The attendance officer or officers, as aforesaid, shall have the right to investigate the claims of children for exemptions under section 10896, and to issue certificates of exemption when such claims are established to his or their satisfaction; shall serve written or printed notices upon the parents or guardian, or persons who, having charge, control, or custody of children as aforesaid, violate the provisions of said sections; shall, when reasonable doubt exists as to the age of any such child, require a properly attested birth certificate or an affidavit stating such child's age, giving date of birth, physical characteristics, and bearing the signature of the child; shall have the right to visit and enter any mine, office, factory, workshop, business house, place of amusement, or other place in which children are employed or engaged in any kind of service, or any place or building in which children loiter or idle during school hours; shall have the right to require a properly attested certificate of the attendance of any child or children at such day school; shall have the power to arrest, without warrant, any truant, or nonattendants or other juvenile disorderly persons, and place them in some school, or take them to their homes, or take them to any place of detention provided for neglected children in such county or school district; shall serve in the cases which they prosecute without further fee or compensation than that paid by the board as aforesaid, and shall carry into effect such other regulations as may lawfully be required by the board or superintendent appointing them. Whenever a county superintendent of public welfare has been appointed in any county, such county superintendent of public welfare may be appointed by the county superintendent of schools as the county school attendance officer, with such additional compensation as may be fixed by the county court.

Sec. 10900a. Whenever the board of education or board of directors of any school district in this State shall have established ^{Part-time} part-time instruction in continuation ^{schools.} schools for children under sixteen years of age, lawfully engaged in any regular employment, all such children shall be required to attend such school not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the evening during the school year of such part-time classes: *Provided further*, That whenever the part-time classes, herein provided for, shall have been established in any school district, that all children who are under eighteen years of age, who have not completed the elementary school course in the public schools of Missouri, or its equivalent, and who are not attending regularly any day school shall be required to attend regularly such part-time classes not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the afternoon during the school year of such part-time classes.

Approved May 30, 1919.

Employment of children—Continuation schools.

(Page 693.)

SECTION 1. Whenever in any school district in this State shall be issued and in full force and effect not less than twenty-five employment certificates for children under sixteen years of age, such school district shall establish and maintain ^{Schools estab-} part-time schools, departments, or classes for such employed children for not less than four hours per week and for a term not less than that in which schools are regularly in session in such district. ^{lished, when.}

SEC. 2. The State board of education shall establish ^{Standards.} standards for the establishment and maintenance of such schools.

SEC. 4. The attendance on such part-time school, department, or class, shall be counted as a part of the time the minor can be employed. ^{Attendance.}

Exemption. **SEC. 6.** The State board of vocational education may upon special hearing in each case excuse a city, village, town, county, or district from either establishing or maintaining part-time schooling.

Penalties. **SEC. 8.** All of the penalties provided in the compulsory education law for Missouri are hereby made applicable in requiring the attendance of the children under sixteen years of age upon a part-time school, department, or class whenever such part-time school, department, or class shall have been established in any school district.

Approved June 2, 1919.

MONTANA.

ACTS OF 1919.

CHAPTER 11.—*Payment of wages.*

SECTION 1. That from and after June 1, 1919, every employer of labor (except agricultural labor), whether a person, copartnership, or corporation, in the State of Montana, shall pay to his employe the wages earned each and every fifteen (15) days in lawful money of the United States, or checks on banks convertible into cash on demand full face values thereof, and all such wages shall be due and payable, and shall be paid by such persons, copartnership or corporation not later than the fifth and twentieth day of each calendar month for all such wages earned up to and within five (5) days of the date of such payment: *Provided, however,* That if at such time of payment any employe shall be absent from the regular place of labor he shall be entitled to such payment at any time thereafter: *Provided, further,* That this act shall not affect any person, copartnership, or corporation, foreign or domestic, who shall have already established, and shall continue to maintain, a semimonthly or weekly pay day.

SEC. 2. Whenever any employer, whether a person, copartnership, or corporation, fails to pay any of his employees, as provided in section 1 of this act, then a penalty shall attach to such person, copartnership, or corporation, and become due such employees as follows: A sum equivalent to a penalty of five per cent of the wages due and not paid, as herein provided, as liquidated damages, and such penalty shall attach and suit may be brought in any court of competent jurisdiction to recover the same and the wages due.

SEC. 3. Whenever any employe is discharged from the employ of any such person, copartnership, or corporation, including persons, copartnerships, and corporations engaged in agricultural pursuits, on leaving said employment shall be paid in not less than three (3) days thereafter, then all the unpaid wages of such employes shall immediately become due and payable on demand, except in months having thirty-one (31) days, when the payment shall include the last sixteen (16) days or thirteen (13) or fourteen (14) days in February as the case may be, and if such person, copartnership, or corporation fails to pay any such discharged employe, within twenty-four hours after such discharge, all the wages due and payable to said discharged employe, then the same penalty of five per cent shall attach to said person, copartnership, or corporation, and become due such employe as provided in section 2 of this act.

SEC. 4. Any employe may recover all such penalties as are provided for the violation of section 2 of this act, which have accrued to him at any time within six months succeeding such default or delay in the payment of such wages.

SEC. 5. Any contract or agreement made between any person, copartnership, or corporation and any parties in his, its, or their employ, whose provision shall be in violation, evasion, or circumvention of this act, shall be unlawful and void; but such employe may sue to recover his wages earned, together with such five per cent penalty, or separately to recover the penalty, if the wages have been paid.

SEC. 6. Whenever it shall become necessary for the employe to enter or maintain a suit at law for the recovery or collection of

Semimonthly pay day.

Failure to pay.

Discharged employes.

Penalties.

Waivers unlawful.

Attorneys' fees.

wages due, as provided for by this act, then such judgment shall include a reasonable attorney's fee in favor of the successful party, to be taxed as part of the costs in the case.

Approved February 13, 1919.

CHAPTER 32.—*Inspection of steam boilers.*

[This chapter amends sections 1643, 1652, and 1655 of the Revised Codes of 1907, as amended by chapter 30, Acts of 1913. Section 1643 is amended by striking out the proviso at the end of the first sentence, which exempted from annual examination boilers not used more than sixty days during the year.

The second sentence of section 1652 is made to read: "The fee for the inspection of each traction engine or boiler on wheels shall be ten dollars." A new requirement directs all certificates of inspection and engineers' licenses to be displayed in a conspicuous place in the engine room.

Section 1655 exempts boilers used in heating private residences and locomotives used on commercial railroads; but not locomotives used for individual or establishment purposes.]

CHAPTER 43.—*Employment of children—Certificate.*

[This chapter amends section 1101, chapter 76, Acts of 1913, so as to read as follows:]

Certificates re-
quired.

Labor neces-
sary.

Duty of em-
ployers.

Section 1101. No child under sixteen years of age shall be employed or be in the employment of any person, firm, company, or corporation during the school term and while the public schools are in session in the district in which such child lives, unless such child shall present to such persons, firm, company, or corporation an age and schooling certificate. An age and schooling certificate shall be issued by the city superintendent of schools or principal of schools, or by some person duly authorized by him, and in districts not having a city superintendent or principal by the county superintendent of schools, upon satisfactory proof that such child is of the age of sixteen years or over, or that such child has successfully completed the eighth grade as the same is designated and determined by the State board of education: *Provided, however,* That in case the wages of any child over fourteen years of age are necessary to the support of the family of such child, the city superintendent of schools, or principal of schools, or county superintendent, as the case may be, may, upon production of satisfactory evidence that the wages of such child are necessary to the support of the family, issue a certificate permitting the employment of such child. The age and schooling certificate shall be formulated by the superintendent of public instruction and blank certificates furnished by the clerk of the board of trustees. Every person, firm, company, or corporation employing any child under sixteen years of age shall exact the age and schooling certificate, or the certificate permitting the employment of such child, prescribed in this section, and shall upon the request of the truant officer or other authorized person by school trustees, permit him to examine such age and schooling certificate. When, however, employment of such child ceases, the employer shall promptly return to the city superintendent of schools, or principal of schools, or county superintendent of schools of such district where said child resides, the age and schooling certificate or certificate permitting the employment of such child. Any person, firm, company, or corporation employing any child contrary to the provisions of this chapter shall be fined not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars for each and every offense: *Provided, however,* That nothing in this act shall be construed to interfere with the employment of a child during the time school is not actually in session.

Approved February 24, 1919.

CHAPTER 133.—*Employed children—Continuation schools.*

SECTION 1. Any school district of the first class, or county high school located in a district of the first class, in which there shall reside or be employed, or both, not fewer than fifteen children over fourteen years of age and less than eighteen years of age, who have entered upon employment, shall establish part-time schools or classes for such employed children. Schools to be established.

SEC. 2. A part-time school or class established in accordance with the terms of this act shall provide an education for children who have entered employment, which shall be either supplemental to the work in which they are engaged, continue their general education, or promote their civic or vocational intelligence. Nature of school.

SEC. 3. All children of first-class districts of the State shall attend school until the age of eighteen, unless they are excused from school to enter employment, in accordance with section 1100, 1101, and 1102 of chapter 11 of the school laws of Montana, or unless they shall have completed a high-school course. Attendance.

SEC. 4. Whenever any district or county high-school board shall deem it inexpedient to organize part-time schools or classes for employed minors, it shall state the reasons for such inexpediency in a petition to the State board of education, and when the State board of education shall judge such reasons as valid, the district or county high-school board shall be excused from the establishment of such part-time schools or classes. Districts excused.

SEC. 5. Part-time schools or classes established in accordance with the provisions of this act shall be in session not less than four hours a week between the hours of eight a. m. and six p. m. during the week which other public schools are maintained in the district or county establishing such part-time schools or classes. Hours.

SEC. 7. Whenever the number of hours for which a child over fourteen years and less than eighteen years of age may be employed shall be fixed by the Federal or State law, the hours of attendance upon a part-time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by Federal or State laws. Counted as work time.

SEC. 8. Every parent, guardian, or other person in the first class school district in the State of Montana having control of any child or children between and including the ages of fifteen and seventeen, who have entered upon employment, shall be required to send such child or children to a part-time school or class whenever there shall have been such part-time school or class established in the district where the child resides or may be employed. Duty of parents.

SEC. 9. In case any parent, guardian, or other person in first-class school districts in the State of Montana having control or charge of any child or children between and including the ages of fifteen and seventeen shall fail to comply with the provisions of this act he shall be deemed guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not less than five dollars nor more than twenty dollars for each separate offense. Violations.

SEC. 10. Any person, firm, or corporation employing a child between the ages of fourteen and eighteen shall permit the attendance of such child upon a part-time school or class whenever such part-time school or class shall have been established in the first-class district where the child resides or may be employed; and any person, firm, or corporation employing any child over fourteen and less than eighteen years of age contrary to the provisions of this act shall be subject to a fine of not less than twenty-five nor more than fifty dollars for each and every offense. Duty of employers.

SEC. 11. The officers charged by law with the responsibility for enforcement of attendance upon regular public schools of children over eight years of age shall also be charged with the responsibility for the enforcement of attendance upon part-time school or classes of minors over fourteen years and less than eighteen years of age, in accordance with the terms of this act. Enforcement.

Approved March 5, 1919.

CHAPTER 134.—*Reports of employees.*

- Why to report.** SECTION 1. It shall hereafter be the duty of every person, association, or corporation employing more than fifty persons at one time, within the State of Montana, to make out and file with the industrial accident board a regular quarterly report, showing the names, ages, and residence of all their employees who are not citizens of the United States, and also of all employees who do not read and speak the English language. All such reports shall be made upon printed blank forms to be furnished by the industrial accident board, and shall in addition to the foregoing facts disclose the following, to wit:
- Form.** (1) The country of which said employee is a citizen;
 (2) The period of time which said employee has resided in the United States;
 (3) The period of time which said employee has been in the service of said employer;
 (4) Whether said employee be married or single, and if married, the residence of employee's wife and family;
 (5) What steps, if any, employee has taken to become a citizen of the United States;
 (6) What steps, if any, employee has taken to familiarize himself with the English language;
 (7) Such further and additional facts and information as shall be prescribed and required by said board.
- Blanks.** SEC. 2. It shall be the duty of the industrial accident board to prepare or cause to be prepared all blank printed forms that shall be necessary to comply with the provisions hereof, which said blanks shall be furnished to all said employers upon application therefor to said industrial accident board.
- Duty of employers.** SEC. 3. For the purpose of carrying out the provisions of this act, all employers of labor are hereby designated, for the purpose of receiving the information provided for in this act, agents and representatives of the industrial accident board, and it shall be the duty of all employees of such employers to furnish to the employers, upon their request, for and on behalf of said industrial accident board, all information necessary to enable the employers to make out and furnish the report or reports required by this act. In case of the failure or refusal of any employee to furnish to his employer the information provided for in this act, such fact shall be reported by the employer to the industrial accident board, and the industrial accident board is hereby authorized and empowered to cause such employee to appear before the industrial accident board, at such time and place as they may determine, and furnish the information required under the provisions of this act.
- Enforcement.** SEC. 4. The industrial accident board shall have full power and authority to make and prescribe all reasonable rules, regulations, and to prescribe all necessary penalties to secure a strict compliance with the provisions of this act, and every employer or employee or other person who shall fail or refuse to comply with the provisions of this act, or with any rule or regulation of the industrial accident board, shall be deemed guilty of a misdemeanor.
- Approved March 5, 1919.

CHAPTER 147.—*Employment of labor—Equal pay for women.*

- Discrimination forbidden.** SECTION 1. It shall be unlawful for any person, firm, State, county, municipal or school district, public or private corporation, to employ any woman or women in any occupation or calling within the State of Montana for salaries, wages, or compensation which are less than that paid to men for equivalent service or for the same amount or class of work, or labor in the same industry, school, establishment, office, or place of any kind or description.
- Violations.** SEC. 2. Any person, firm, State, county, municipal or school district officers, or public or private corporation, violating any of the provisions of section 1 of this act shall be deemed guilty of a mis-

demeanor, and upon conviction thereof shall be fined not less than twenty-five (\$25) dollars nor more than five hundred (\$500) dollars for each offense.

Approved March 7, 1919.

CHAPTER 198.—*Mothers' pensions.*

[This chapter amends section 3 of chapter 88, Acts of 1917, by adding to condition (5) the requirement that beneficiaries must be citizens of the United States.

The following is also added to this section:]

(7) Application shall be made by the mother to the county attorney, whose duty it shall be to file a petition with the district court or a judge thereof setting forth the facts above required. The said court or the judge thereof shall designate the bureau of child and animal protection of the State of Montana, or the county probation officer of the county wherein the mother resides, to make a thorough investigation of all the facts of the case and make such findings and report thereon under oath as the result of the investigation, and to appear at the hearing of said application to testify in support of said findings and report, if required. And it is hereby made the duty of the county attorney to appear at such hearing and conduct such investigation. (8) Every person receiving an allowance under this act shall, every six months, file with the county auditor, in counties having an auditor, a report in writing, verified under oath, showing whether or not she has remarried; whether any of the children for whom she is receiving an allowance for support have died, or not living with her, or are not being supported by her; her present place of residence, and the present place of residence of the children for whom she is receiving an allowance; whether any of such children have attained the age of sixteen years, or have acquired property sufficient for their support.

Approved March 11, 1919.

CHAPTER 213.—*Regulation of factories, etc.—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 hospital, * * * apartment house, * * * 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 requirement of this act and it is selected 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 building: *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. * * *

SEC. 2. An adequate fire escape, provided for in section one (1) of this act is defined to be a concrete stairway, an iron or steel stairway, an iron or steel straight chute, or which may be constructed of other fireproof material of equal strength, and may be erected on the exterior or interior of any building requiring fire escapes: *Provided, however*, Where outside stairways do not

- reach the ground, same must have an iron stairway from the lowest balcony to the ground, counterbalanced so that same shall remain in a horizontal position when not in use. This stair must be constructed in the same manner of the same material as those of the upper balconies. When a suspended weight is used as a counterbalance, proper guides or places must be provided. It is hereby made the duty of 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 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 non-combustible material, and that all door and window openings be properly protected with self-closing, fireproof shutters, and that all stairway escapes, interior and exterior, be continuous and suitably connected with the roof of the building. No fire escape 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 (1) 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.
- Structure.**
- Signs, etc.** 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, the occupant or lessee of any building used or intended to be used, as described in section one (1) 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 escapes required by the provisions of this act, or any hallway, corridor, or entrance way leading thereto.
- Enforcement.** 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 under the jurisdiction of the State fire marshal, or any person authorized to act in his stead, 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.
- Inspection.** SEC. 5. It shall be the duty of the State fire marshal, his deputies, and subordinates, the chief of the fire department of each city or village where a fire department is established, or the mayor of a city or village where no fire department exists, or the justice of the peace of a township in territory without the limits of a city or village, to enter into all buildings and upon all premises within his jurisdiction for the purpose of the examination of such premises for violations of this act. And when any building shall be found which requires 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. In case of buildings within the terms of this act, that are managed and controlled by a board of trustees, board of
- Notice.**

commissioners, or other governing body, notice may be served on the president, secretary, or treasurer of such board of trustees, board of commissioners or other governing body, to cause the erection of fire escapes on said buildings as may be required: *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 or damages or ouster.

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 fifty (\$50) dollars, nor more than two hundred (\$200) dollars, and each day's failure to comply with any of the provisions of this act, after the expiration of the time 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.

SEC. 7. In addition to 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 attorney of the county where any such building is located, 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.

Approved March 13, 1919.

CHAPTER 225.—*Private employment offices.*

SECTION 1. The term person, when used in this act, means and includes any individual, company, association, or corporation, or their agents, and the term employment agency means and includes the business of keeping an intelligence office, employment bureau, or other agency or office for procuring work or employment for persons seeking employment where a fee or privilege is exacted, charged, or received directly or indirectly for procuring or assisting to procure employment, work, or a situation of any kind, or for procuring or providing help for any person, whether such fee is collected from the applicant for employment or the applicant for help, excepting agencies for procuring employment for school teachers exclusively. The term fee as used in this act means money or other thing of value, or a promise to pay money or thing of value.

SEC. 2. No person shall open, keep, or carry on any such employment agency in the State of Montana, unless every such person shall procure a license therefor from the county treasurer of the county in which such person intends to conduct such agency. Such license shall be granted upon the payment to said county treasurer of a fee of five dollars (\$5), annually for such employment agencies.

SEC. 3. Every license shall contain the name of the person licensed, a designation of the city, street, and number of the house in which the person licensed is authorized to carry on said employment agency, and the number and date of such license.

SEC. 4. The application for such license shall be filed not less than one month prior to the granting of said license and shall be accompanied by the affidavits of two or more persons who have

Violations.

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Application.

- known the applicant or the chief officer thereof, if the applicant is a corporation, for five years, stating that the said applicant or officer thereof is a person of good moral character.
- Bond.** SEC. 5. The county treasurer of each county shall require such person to file with his application for a license a bond in due form to the State of Montana in the penal sum of three thousand (\$3,000) dollars, with two or more sufficient sureties, and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions, or requirements of this act.
- Action on bond.** SEC. 6. If any person shall be aggrieved by the misconduct of any such licensed person, such person may maintain an action in his own name upon the bond of said employment agent in any court having jurisdiction of the amount claimed.
- Register.** SEC. 7. It shall be the duty of every such licensed person to keep a register, approved by the county treasurer, in which shall be entered the date of every application for employment; the name and address of the applicant; the amount of the fee received. Such licensed person shall also enter in a separate register, approved by the county treasurer, the name and address of every applicant for help, the date of such application, the kind of help requested, the names of the persons sent, with the designation of the one employed, the amount of the fee received, and the rate of wages agreed upon. The aforesaid registers of applicants for employment and for help shall be open during office hours to inspection by the county treasurer.
- Fees.** SEC. 8. The fees charged applicants for any employment shall not exceed the sum of three dollars (\$3). In case the applicant through no fault, neglect, or refusal of his own shall not obtain help or employment, through such agency, then such licensed person shall, on demand, repay the full amount of the said fee, allowing five days' time to determine the fact of the applicant's failure to obtain help or employment.
- Receipts.** SEC. 9. It shall be the duty of such licensed person to give to every applicant for employment from whom a fee shall be received a receipt in which shall be stated the name of said applicant, the date and amount of the fee, and the purpose for which it is paid, and to every applicant for help a receipt stating the name and address of said applicant, the date and amount of the fee, and the kind of help to be provided. Every such receipt shall have printed on the back thereof a copy of this section.
- Evasions.** SEC. 10. No such licensed person shall receive or accept any valuable thing or gift as a fee in lieu thereof and no fee shall be accepted by such licensed person for any other purpose directly or indirectly by any pretense or subterfuge employed to evade the interest or purpose of this section except as herein provided. No such licensed person shall divide fees with contractors or other employees to whom applicants for employment are sent.
- Statements.** SEC. 11. Every such licensed person shall give to each applicant for employment a card containing the name and address of such employment agency and the written name and address of the person to whom the applicant is sent for employment.
- Act to be posted.** SEC. 12. Every such licensed person shall post in a conspicuous place in each room of such agency a plain and legible copy of this act.
- Sending laborers out of county.** SEC. 13. Whenever such licensed person, or any other acting for him, agrees to send one or more persons to work as contract laborers in any one place outside of the county in which such agency is located, the said licensed person shall file with the county treasurer, within five days after the contract is made, a statement containing the following items: Name and address of the employer, name and address of the employee, nature of work to be performed, hours of labor, wages offered, designation of the persons employed, and terms of transportation.
- Immoral resorts.** SEC. 14. No such licensed person shall send or cause to be sent any female help as servants or inmates to any questionable place, or place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes,

the character of which such licensed person could have ascertained upon reasonable inquiry.

SEC. 15. No such licensed person shall publish or cause to be published any false or fraudulent notice or advertisement; all advertisements of such employment agency by means of cards, circulars, or signs, and in newspapers and other publications, and all letterheads, receipts, and blanks shall contain the name and address of such employment agency and no such licensed person shall give any false information, or make any false promise concerning employment to any applicant who shall register for employment or help. Fraudulent advertisements, etc.

SEC. 16. Any violation of the provisions of this act shall constitute a misdemeanor punishable by a fine of not less than one hundred (\$100) dollars, nor more than five hundred (\$500) dollars, or imprisonment for a period of not more than ninety (90) days, or by both such fine and imprisonment. Violations.

Approved March 21, 1919.

NEBRASKA.

ACTS OF 1919.

CHAPTER 28.—*Employment of children—Certificate.*

[This chapter amends sections 3581 and 3583 of the Revised Statutes of 1913. These sections are embodied in their amended form in Article 3 of Title IV, chapter 190, below.]

CHAPTER 161.—*Mediation and arbitration—State board.*

[This chapter amends section 3633, Revised Statutes of 1913, by striking out the provision making the chief deputy commissioner of labor a member of the board. Section 3634 is amended so as to read as follows:]

Section 3634. The duty of said board of mediation and investigation shall be as follows: Whenever a strike or lockout occurs in the State of Nebraska, or when such strike or lockout is seriously threatened, the board shall, upon request of the governor, or upon request of the employer or employers at interest, or upon the request of the employees at interest, proceed promptly to the locality of such strike or lockout and endeavor by mediation to effect an amicable adjustment of the controversy. Whenever the governor deems it advisable, and a majority of the board concur therein, the board shall proceed to the locality of such strike or lockout to inquire into the cause thereof, and for that purpose the board shall have similar powers to those conferred upon it in the case of a controversy submitted to it for investigation, by mutual agreement. The board may hold meetings at any time within the State, when, for any purpose pertaining to the duties of said board, the chairman deems it advisable. Three members of said board shall constitute a quorum.

Duty of board.

Approved April 15, 1919.

CHAPTER 190.—*Civil administrative code—Department of labor.*

TITLE I.

ARTICLE I.

General provisions.

SECTION 1. The civil administration of the laws of the State is hereby vested in the governor. For the purpose of aiding the governor in the execution and administration of the laws, the executive and administrative work shall be divided into several departments enumerated in section 2 of this article.

Power of governor.

SEC. 2. There are hereby created and established the following departments of the State government. * * * The department of agriculture; the department of labor; the department of trade and commerce; * * *

Departments.

SEC. 3. To aid the governor in carrying out the constitutional duties vested in him as the supreme executive, each department shall have a departmental officer who shall be known as "secretary," who shall, subject to the provisions of this act, and under the general direction of the governor, execute the power and discharge the duties vested by law in his respective department. Such officers shall be designated as follows: * * * The secretary of agriculture, for the department of agriculture; the secre-

Secretaries.

Salary. tary of labor, for the department of labor; the secretary of trade and commerce, for the department of trade and commerce; * * *

SEC. 4. The secretaries of the respective departments created by this article shall receive annual salaries in monthly or yearly periods as follows: * * * The secretary of agriculture shall receive \$5,000; the secretary of labor shall receive \$5,000; the secretary of trade and commerce shall receive \$5,000. * * *

* * * * *

TITLE III.

ARTICLE XI.

Inspection and regulation of bakeries.

[Section 2598-2607, Revised Statutes, 1913, are included under this article under the administration of the department of agriculture. A new section is added as follows:]

Violations. SEC. 11 Any person violating any of the provisions of this article, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not exceeding one hundred (\$100) dollars or imprisonment in the county jail not exceeding three months.

TITLE IV.

ARTICLE I.

Department of labor—General powers.

FUNCTIONS. SECTION 1. The governor, through the agency of the department of labor created by this act, shall have the power:

1. To foster, promote, and develop the welfare of wage earners;
2. To improve working conditions;
3. To advance opportunities for profitable employment;
4. To collect, collate, assort, systematize, and report statistical details relating to all departments of labor, especially in its relation to commercial, industrial, social, economic, and educational conditions, and to the permanent prosperity of the manufacturing and productive industries;
5. To require and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of the word;
6. 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;
7. 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;
8. To acquire and diffuse information in relation to the prevention of accidents, occupational disease, and other related subjects;
9. To administer and enforce the workmen's compensation laws or employers' liability acts of the State, and for that purpose the secretary of the department of labor shall be the deputy commissioner of labor and compensation commissioner, and the duty hereby imposed upon him, as such, of executing all of the provisions of Article VIII, chapter 35, Revised Statutes of Nebraska, for the year 1913, and any and all act or acts amendatory thereof.

ARTICLE II.

Employment regulations.

LAW ENFORCEMENT. SECTION 1. In addition to the general powers conferred upon the governor in the preceding article, he is hereby invested with the power and charged with the duty of enforcing, through the agency of the department of labor created by this act, all of the

provisions contained in this article and all provisions which may be hereafter enacted as amendatory thereof.

Sec. 2. The department of labor shall establish and maintain in its office and in connection therewith a free public employment bureau. Free employ-
ment offices.

Sec. 3. It shall be the duty of every agent, proprietor, superintendent, or employer of female help within the State of Nebraska to provide a chair, stool, or seat for each and every such employee, upon which their female workers shall be allowed to rest when their duties will permit, or when said position does not interfere with the faithful discharge of their duties. Seats for fe-
males.

Sec. 4. Any agent, proprietor, superintendent, or employer in the State of Nebraska failing to comply with the requirements of the preceding section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than ten (\$10) dollars nor more than two hundred (\$200) dollars and stand committed until such fine be paid, and shall also be liable to an action for damages to the employee whose health has been injured by such neglect. Same.

Sec. 5. In metropolitan cities and cities of the first class no female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, office or by any public service corporation in this State more than nine hours during any one day or more than fifty-four hours in one week. The hours of each day may be so arranged as to permit the employment of such female at any time from six o'clock a. m. to ten o'clock p. m., but in no case shall such employment exceed nine hours in any one day, nor shall such female be employed, except by public service corporations, between the hours of 10 p. m. and 6 a. m. Hours of labor
of women.

Sec. 6. Every such employer shall post, in a conspicuous place in every room where such females are employed, a printed notice stating the number of hours of work required each day, the hours of commencing and stopping, the time allowed for meals. Printed forms for such notices shall be furnished by the department. Night work.

Sec. 7. Any employer, overseer, superintendent, or other agent of any such employer who shall violate any of the provisions of the next two preceding sections, shall upon conviction, be fined for each offense in a sum not less than twenty (\$20) dollars nor more than fifty (\$50) dollars. Schedule to be
posted.

[Sections 8 to 11, inclusive, relate to union labels. They are declared lawful, and provision is made for recording them in the office of the department of labor and protecting them against infringement or wrongful use.] Violations.

Sec. 12. Whenever any employee of any public service corporation or of a contractor who works for such corporation or contractor doing business in the State of Nebraska shall be discharged or voluntarily quits the service of his employer, it shall be the duty of the superintendent or manager, or contractor, upon the request of such employee, to issue to such employee a service letter, setting forth the nature of the service rendered by such employee to such corporation or contractor, and the duration thereof, and truly stating the cause for which such employee was discharged or quit such service. Union labels.

Sec. 13. Such letter shall be written in its entirety upon a plain sheet of white paper to be selected by such employee. No printed blank letter be used, and if such letter be written on a typewriter, it shall be signed with a pen and black ink, and immediately beneath the signature shall be affixed the official stamp or seal of such superintendent, manager, or other official of such corporation, or contractor, in an upright position. There shall be no figures, words, or letters used upon such piece of paper except such as are plainly essential either in the date line or address or the body of the letter or the signature and seal or stamp thereof, and no such letter shall have any picture, imprint, character, design, device, impression, or mark, either in the body or the face or back thereof. Service letters.

Form.

Failure to is- sue. SEC. 14. If any superintendent, manager, or contractor shall fail or refuse to issue such letter to such employees [on] request, or willfully fail, or negligently refuse to give such letter, or fail to state the facts therein correctly, he shall, upon conviction, be punished by a fine of not less one hundred (\$100) dollars, nor more than five hundred (\$500) dollars, for each offense, or by imprisonment in the county jail for a period of not less than one month and not more than one year.

ARTICLE III.

Employment of children.

- Age limit. SECTION 1. No child under fourteen years of age shall be employed, permitted, or suffered to work in, or in connection with any theater, concert hall, or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or work shop, or as a messenger or driver therefor within this State. No person, firm, or corporation shall employ any child under fourteen years of age in any business service whatever during the hours when the public schools of the school district in which the child resides are in session.
- Certificates. SEC. 2. No child between fourteen and sixteen years of age shall be employed, permitted, or suffered to work in any theater, concert hall or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as a messenger or driver thereof, within this State, unless the person or corporation employing him procures and keeps on file and accessible to the truant officers of the city, the department of labor, and its assistants and employees, an employment certificate as hereinafter prescribed and keeps two competent lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. Upon the termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith transmitted by the employer to the city or county superintendent of schools of the county in which the child resides, and shall be turned over to the child named therein upon demand. Any truant officer, the department of labor or its assistants and employees may make demand on any employer in whose place of business a child apparently under the age of sixteen years is employed, or permitted, or suffered to work, and whose employment certificate is not then filed as required by this section, that such employer shall either furnish him, within ten days, evidence satisfactory to him 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 place of business. The same evidence of the age of such child may be required from such employer as is required on the issuance of an employment certificate as hereinafter provided, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the truant officer or the secretary of labor within ten days after demand for the same, such evidence of the age of any child as may be required of him under the provisions of this article and shall thereafter continue to employ such child or permit or suffer such child to work in such place of business, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this section, that such child is under sixteen years of age and is unlawfully employed.
- Return. SEC. 3. An employment certificate shall be approved only by the superintendent of schools of the school corporation in which the child resides, or by a person authorized by him in writing, or where there is no superintendent of schools by a person authorized by the school district officers: *Provided*, No school district officer or
- Enforcement.
- Approval.

other person authorized as aforesaid shall have authority to approve such certificate for any child then in, or about to enter, his own employment, or the employment of a firm or corporation of which he is a member, officer, or employee, or in whose business he is interested. The officer or person approving such certificate shall have authority to administer the oath provided for therein or in any investigation or examination necessary for the approval thereof. No fee shall be charged for approving any such certificate nor for administering any oath or rendering any services therein in respect thereto. The board of directors of such school corporation shall establish and maintain proper records where copies of all such certificates and all documents connected therewith shall be filed and preserved, and shall provide the necessary clerical services for carrying out the provisions of this article.

SEC. 4. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed: The school record of such child, properly filled out and signed as provided in this article, showing the child has completed the work of the eighth grade of the public schools, or its equivalent, or is regularly attending night school in compliance with this article; a passport or duly attested transcript of the certificate of birth or baptism, or other religious or official record showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a register of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child. The affidavit of the parent, or guardian, or custodian of a child which shall be required, however, only in case none of the documents mentioned above can be produced and filed, showing the place and date of birth of such child, which affidavit must be taken before the officer issuing the employment certificate. Such employment certificate shall not be issued until such child has personally appeared before, and been examined by, the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that, in his opinion, the child is fourteen years of age, or upwards, and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a physician provided by the department of labor. Whenever the person authorized to issue the employment certificate is in doubt about the age of a child, he may require the party or parties making application for the certificate to appear before the judge of the juvenile court, or the county judge where the question of the age of the child shall be determined and the judgment of the court shall be final and binding upon the person issuing the certificate. Notice of the hearing before the court shall be given to some one of the persons authorized to demand inspection of employment certificates. Every employment certificate shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.

SEC. 5. Such certificate shall state the date and place of birth of such child and describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such child and that the papers required by the preceding section have been duly examined, approved, and filed, and that the child named in such certificate has appeared before the officer signing the certificate and been examined.

SEC. 6. The school record shall be signed by the teacher and principal of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools, or schools equivalent thereto, or parochial schools for not less than three-fourths of the school year prior to his arriving at the age of fourteen years, or during the year prior to applying for such school record, and is able to

Evidence.

Physical fitness.

Contents of certificates.

School record.

read and write simple sentences in the English language. It shall also state the amount of work completed by such child, measured by the grade of the public day schools in the city or county. Such school record shall also give the age and residence of the child as shown on the records of the school, and the name of its parent or guardian or custodian.

Duplicates to be furnished.

Sec. 7. The superintendent of public schools in all cities and towns having a population of more than one thousand (1,000) according to the last official census, and the presiding officer of all other school boards shall furnish a duplicate copy of all certificates issued under the provisions of this article to the department of labor. The duplicate certificates as to form are set forth in section 3593 [3583—see sec. 9] of this article, and must be filed with the department of labor at the time of the issuance of the original certificate.

Evening schools.

Sec. 8. Regular attendance of a child at any public evening school, maintained in any city or village where instruction is given not less than twenty weeks each year, and three evenings each week, and two hours each evening, shall authorize the issuance of a certificate of employment where the schooling certificate fails to show that the child has completed the work of the eighth grade, if the schooling certificate and all other certificates are otherwise in due form, and the applicant further produces a certificate from the superintendent or principal of such public evening school, showing the regular attendance of such child at such evening school, and if the child employed under such certificate shall furnish to his employer a weekly certificate showing regular attendance each week while the evening school is in session. Whoever employs a child in violation of the provisions of this article shall, on conviction, be fined not more than fifty (\$50) dollars for each offense. A parent, guardian, or custodian who permits a child under his control to be employed in violation of the provisions of this article shall, on conviction, be fined not more than twenty (\$20) dollars.

Forms.

Sec. 9. The age and schooling certificate provided for herein shall be made out upon blank forms furnished in triplicate by the department and shall be in the following form:

SCHOOL ATTENDANCE CERTIFICATE.

-----, Nebraska,
 (Name of school) (City or town)
 -----, 19-----
 (Date)
 This certifies that ----- has completed
 (Name of child)
 the work of the -----th grade, can read and write legibly
 simple sentences in the English language.
 This also certifies that according to the records of this school
 and in my belief, the ----- was born
 (Name of child)
 at ----- in ----- county, State of
 (City or town)
 ----- on the ----- and is now
 (Date)
 ----- years and ----- months old, and has attended said
 school within the past twelve months the following period -----
 (Name of parent or guardian) (Residence)
 (Signature.) (Teacher)
 (Signature.) (Principal)

AGE AND SCHOOLING CERTIFICATE.

-----, Nebraska, -----, 19-----
 (City or town) (Date)
 This certifies that I am the -----
 (Father, mother, guardian or custodian)
 of -----, and that ----- was born
 (Name of child)

at _____, in _____ County, State of _____, on the _____, and is now _____ years _____ months old.

(Signature of father, mother, guardian or custodian) _____, Nebraska, _____, 19_____.
 (Name of city or town) _____ (Dated) _____
 There personally appeared before me the above named _____ and being sworn testified that the foregoing certificate by _____ signed is true to the best of _____ knowledge or belief.
 (him or her)
 (his or her)

I hereby approve the foregoing certificate of _____ (Name of child) _____, height _____ feet, _____ inches, weight _____ pounds, _____ ounces, complexion _____, hair _____, eyes _____, having no sufficient reason to doubt that _____ is of the age herein certified. I hereby certify that _____ read at sight and _____ write legibly simple sentences in the English language, that said child has appeared before me and been personally examined by me; that all certificates and papers required by law have, in due form, been presented to, and approved by me, and the same have been placed on file.

(In case the child is attending school insert here the following:)
 I further certify that _____ is regularly attending the _____ (Name of school)

This certificate shall continue in force only so long as the regular attendance of said child at said school is certified weekly by a teacher thereof.

This certificate belongs to _____ and is to be surrendered to the superintendent of schools whenever _____ leaves the service of the person, firm, or corporation holding the same as employer.
 (Name of child)

(Signature and official title of persons authorized to approve and sign)
 Place employed _____ Authority for age _____ Hours _____
 Certificate valid until _____

EVENING SCHOOL ATTENDANCE CERTIFICATE.

This certifies that _____ is registered in and regularly attends the _____ evening school. This also certifies that according to the records of my school and in my belief _____ was born at _____ on the _____ day of _____, 19_____, and is now _____ old.

 (Name of parent or guardian.)

 (Signature of teacher.)

 (Signature of principal.)

Duplicate copies of such certificates shall be retained in all cases by the person or officer issuing the same and kept on file by the superintendent of schools or school district directors of the county in which the same are issued.

Hours of labor. SEC. 10. No person under the age of sixteen years shall be employed or suffered or permitted to work in any theater, concert hall or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, packing house, bowling alley, passenger or freight elevator, factory, workshop, beet field, or as a messenger or driver, more than eight hours in any one day, nor before the hour of 6 o'clock in the morning, nor after the hour of 8 o'clock in the evening. Every employer shall post in a conspicuous place in every room where such children are employed a printed notice stating the hours required of them each day, the hours of commencing and stopping work, and the time allowed for meals. The printed form of such notice shall be furnished by the department of labor.

Night work.

Violations. SEC. 11. Whoever employs a child under sixteen years of age and whoever, having under his control a child under such age, permits such child to be employed in violation of this article shall for each offense be fined not more than fifty dollars; and whoever continues to employ any child in violation of either or any section of this article, after being notified by a truant officer, or by the department of labor or by its assistants or employees, shall for every day thereafter that such employment continues be fined not less than five (\$5) dollars nor more than twenty (\$20) dollars. The failure of an employer of child labor to produce, upon request of a person authorized to demand the same, any employment certificate or list required by this article shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not listed. Any corporation or employer retaining employment certificates in violation of this article shall be fined ten (\$10) dollars. Every person authorized or required to sign any certificate or statement prescribed by this article, or who knowingly certifies or makes oath to any material false statement therein or who violates any of the provisions of this article, shall be fined not to exceed fifty (\$50) dollars. Every person, firm or corporation, agent or manager, superintendent or foreman of any person, firm, or corporation who shall refuse admittance to any officer or person authorized to visit or inspect any premises or place of business under the provisions of this article and to produce all certificates and lists he may have, when demanded, after such person shall have announced his name and the office he holds and the purpose of his visit, or shall otherwise obstruct such officers in the performance of their duties as prescribed by this article, shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not exceeding fifty (\$50) dollars, or be imprisoned not to exceed thirty days.

Evidence. SEC. 12. The presence of a child under sixteen years of age, apparently at work, in any of the places of business enumerated in this article shall be prima facie evidence of his employment therein. Truant officers shall visit the places of business enumerated in this article to ascertain whether any children are employed therein contrary to the provisions of this article, and they shall report any cases of such illegal employment to the department of labor and to the county attorney.

Dangerous occupations. SEC. 13. No child under the age of sixteen years shall be employed in any work which by reason of the nature of the work, or place of performance, is dangerous to life or limb, or in which its health may be injured or its morals may be depraved. Any parent, guardian, or other person, who, having under his control any child, causes or permits such child to work or be employed in violation of this section shall be fined not more than fifty (\$50) dollars or be imprisoned not exceeding ten days.

ARTICLE IV.

Health and safety regulations.

Water - closets, etc. SECTION 1. Every factory, mill, workshop, mercantile or mechanical establishment, or other building where one or more persons are employed shall be provided within reasonable access with a suffi-

cient number of water-closets, earth closets, or privies for the reasonable use of persons employed therein, and whenever male and female persons are employed as aforesaid together, water-closets, earth closets, or privies separate and apart shall be provided for the use of either sex, and plainly so designated, and no person shall be allowed to use such closet or privy assigned to the other sex. Such closet shall be properly enclosed and ventilated and at all times kept in a clean and sanitary condition. When the number employed is more than twenty of either sex, there shall be provided an additional closet for each sex up to the number of forty and above that number in the same ratio. The department of labor or any person authorized by the department may require such changes in the placing of such closets as the department may deem necessary and may require other changes which may serve the best interest of morals and sanitation.

SEC. 2. In factories, mills, or workshops, mercantile or mechanical establishments, or other places where the labor performed by the operator is of such a character that it becomes necessary to change the clothing, wholly or in part, before leaving the building at the close of the day's work, separate dressing rooms shall be provided for females whenever so required by the department of labor. It shall be the duty of every occupant, whether owner or lessee of any such premises used as specified by this article, to make all the changes and additions thereto. In case such changes are made upon the order of the department of labor, to the lessee of the premises, the lessee may at any time within thirty days after the completion thereof, bring an action against any person or corporation or partnership having interest in such premises, and may recover such proportion of expenses of making such changes and additions as the court adjudges should justly and equitably be borne by such defendant.

SEC. 3. If in any of the aforesaid places, any process is carried on by which dust or fumes are caused, which may be inhaled by the persons employed therein, or if the air should become exhausted or impure, there shall be provide a fan or other such mechanical device as will substantially carry away all such dust or fumes or other impurities, subject to the approval of the department of labor.

SEC. 4. All of the aforesaid places shall be kept clean and free from effluvia arising from any drain, privy, or nuisance, and shall be ventilated and kept in a sanitary condition. The department of labor or any person authorized by the department may require such changes or additions to be made in any of the aforesaid places as will promote the best measures of sanitation.

SEC. 5. All persons, companies, or corporations operating any factory or workshop where grinding wheels or grinding machines, emery wheels, or emery belts of any description are used, either solid emery, leather covered, felt, canvas, linen, paper, cotton, or wheels or belts rolled or coated with emery or carborundum or cotton wheels used as buffs, shall, when deemed necessary by the department of labor, provide such wheels or belts with blowers or similar apparatus, which shall be placed over, beside, or under such wheels or belts in such manner as to protect the person or persons using the same from particles of dust produced and caused thereby, and to carry away the dust arising from or thrown off by such wheels or belt while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust: *Provided*, Grinding machines upon which water is used at the point of grinding contact and other wheels used for tool grinding shall be exempt from the provisions of this article.

SEC. 6. No emery wheels or grindstones in any factory, mill, or workshop shall be used when known to the person using the same to be cracked or otherwise defective, nor operated at a greater speed than indicated or guaranteed by the manufacturer of such emery wheel or grindstone.

Dressing rooms.

Fans.

Ventilation.

Blowers.

Grindstones.

- Hoods.** SEC. 7. Each and every emery wheel and grindstone shall be fitted with a sheet or cast iron hood or hopper, of such form so adjusted that the dust or refuse therefrom will fall or be thrown into such hood or hopper by centrifugal force, and be carried off by the current of air into a suction pipe.
- Suction pipes.** SEC. 8. Every such wheel six inches or less in diameter shall be provided with a three-inch suction pipe; wheels six inches to twenty-four inches in diameter, with four-inch suction pipe; wheels from twenty-four inches to thirty-six inches in diameter, with five-inch suction pipe; and every wheel exceeding thirty-six inches in diameter shall be provided with a suction pipe not less than six inches in diameter. The suction pipe from each wheel shall be of full size to its terminus, and a suction pipe to which smaller pipes are attached shall, in its capacity, be equal to the combined capacities of all smaller pipes attached thereto, and the discharge pipe shall be of as large capacity as, or larger capacity than, the combined capacities of all the suction pipes.
- Guards.** SEC. 9. Every person operating a plant where machinery is used, shall provide such guards, boxing, screens, or other appliances as will protect employees against injury from belting, shafting, gearing, elevators, drums, saws, cogs, electric currents, molten metal or hot liquid. He shall also furnish and supply belt shifters which can be operated from the floor. All exposed cogs or gears shall be enclosed in metal casings or woven wire screens; protruding set screws in collars, and couplings of shaftings or other revolving machinery shall be countersunk or covered with metal boxing; pulleys, belts, and projections of or from ends of shaftings shall be protected by boxing or inclosing with metal or other suitable material. Belts shall not rest on shafting in motion, but rest hooks shall be provided to hold belting free therefrom. Roll guards shall be placed on roll feed machines fed by hand at the point where the material is fed and a device for instantly stopping the machine by the hand or foot shall also be provided within reach of the operator when operating the machine.
- Screens.** SEC. 10. A metal or other suitable screen shall be placed around each laundry extractor or other exposed high-speed revolving machinery.
- Wood planers, etc.** SEC. 11. Wood planers, wood shapers, swing saws, equalizing saws, circular heading jointers, wood polishers, buzz planers, lathe bolters, and all similar machinery shall be equipped with requisite safety appliances.
- Approval.** SEC. 12. All safety appliances prescribed by this article shall be subject to the approval of the department of labor.
- E l e c t r i c switches.** SEC. 13. Signs or indicating lamps shall be placed at all switches, in electric light and power plants or other places where high-pressure currents are used, to show whether the current is on or off the circuit. When current is turned off a circuit for repair, the switch shall first be tagged, the tag bearing the name of the person for whom it is turned off. The tag shall not be removed or the current turned on until the person for whom it was tagged shall notify the operator that his work has ceased.
- Elevators.** SEC. 14. Every elevator, whether freight or passenger, shall be equipped with a speed-governor safety device and with gates or doors to be not less than five feet in height, and all freight elevators shall be equipped with a signal or gong.
- Entering boilers.** SEC. 15. Where a number of boilers deliver to a common steam main, they shall be equipped with a shut-off or throttle valve for each boiler to take it out of service for repairs and inspection necessitating the entry therein of workmen. A metal shield shall be constructed covering the hand wheel of the valve, hinging in the center and containing hasp and hook. The shield shall be painted red and marked with the words, "Man in Boiler." The workman shall be allowed to retain key in his possession while in said boiler.
- Fire escapes.** SEC. 16. Every factory or other institution, more than two stories in height, shall be equipped with outside fireproof iron stairways, chutes, or toboggans; and one automatic fire escape

for every fifteen persons working or congregating therein at any time, who, for any reason, are unable to reach or use the outside fireproof stairways, chutes, or toboggans.

SEC. 17. Every person operating a plant where machinery is used shall report in writing to the department of labor all fatal accidents within forty-eight hours after their occurrence, and all other accidents within two weeks after their occurrence. Such report shall state fully the cause of the accidents, the nature and extent of the injuries, and the probable loss of time which will result therefrom.

Accidents to be reported.

SEC. 18. Every person operating a plant where machinery is used who shall violate any of the provisions of this article, shall be liable in damages to any person injured, as a result thereof, or to the heirs of any person who shall have died as a result thereof.

Violations.

SEC. 19. The continuance by any person in the employ of any such operator shall not be deemed an assumption of the risk of such employment.

Assumption of risks.

SEC. 20. Every person who shall violate any of the provisions of this article shall be guilty of a misdemeanor and shall, on conviction thereof, be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Penalty.

SEC. 21. All scaffolds, hoists, cranes, stays, ladders, supports, or other mechanical contrivances used in the erection, repairing, alteration, removal, or painting of any house, building, bridge, viaduct, or other structure, shall be erected and constructed in a safe, suitable, and proper manner. Scaffolding or staging, swung or suspended from an overhead support and more than twenty feet from the ground floor, shall have, where practicable, a safety rail properly bolted, secured, and braced, raising 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 such scaffolding and staging shall be so fastened as to prevent the same from swaying from the building or structure.

Scaffolds, etc.

SEC. 22. If in any house, building, or structure in process of erection or construction except a private barn, or a private house, the distance between the enclosed walls is more than twenty-four feet in the clear, there shall be built, kept, and maintained proper intermediate supports for the joists, which supports shall be either brick walls or iron or steel columns, beams, trusses, or girders. The floors in all such houses, buildings, or structures shall be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same a live load of fifty pounds for every square foot of floor surface.

Floors.

SEC. 23. The owner of every house, building, or structure, except a private barn or private house, shall affix and display conspicuously on each floor of such building during construction, a placard stating the load per square foot of floor surface which may, with safety, be applied to the particular floor during construction; or if the strength of different parts of any floor varies, then there shall be placards for each varying part of such floor. It shall be unlawful to load any such floors or any part thereof to a greater extent than the load indicated on the placard, and all such placards shall be verified and approved by the department of labor or other proper authority in the city or village charged with the enforcement of building laws.

Construction work.

Loading.

SEC. 24. Whenever it shall come to the notice of the department of labor or the local authority in any city or village of this State charged with the duty of enforcing the building laws that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any swinging or stationary scaffolding, platform or other similar device used in the construction, alteration, removing, repairing, cleaning, or painting of buildings, bridges or viaducts within this State are unsafe, or liable to prove dangerous to the life or limb of any person, the department of labor or such

Inspection.

Notice.

local authority or authorities shall immediately cause an inspection to be made of such scaffolding, platform or device, or the slings, hammocks, blocks, pulleys, stays, braces, ladders, iron, or other parts connected therewith. If after examination such scaffolding, platform or device, of any such parts, is found to be dangerous to the life or limb of any person, the department of labor or such local authority shall at once notify the person responsible for its erection or maintenance, of such fact and warn him against the use, maintenance or operation thereof, and prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. Such notice may be served personally upon the person responsible for its erection or maintenance or by conspicuously affixing it to the scaffold, platform or other such device, or the part thereof declared to be unsafe. After such notice has been so served or affixed the person responsible therefor shall cease using and immediately remove such scaffolding, platform or other device or part thereof, and alter or strengthen it in such manner as to render it safe. The department of labor, or such local authority, whose duty it is, under the terms of this article, to examine or test any scaffolding, platform, or other device, or part thereof, required to be erected and maintained by this section, shall have free access at all reasonable hours to any building or structure or premises containing such scaffolding, platform or other similar device, or parts thereof, or where they may be in use. All swinging and stationary scaffolding, platforms or other devices shall be so constructed as to bear four times the maximum weight required to be dependent thereon, or placed thereon when in use, and such swing, scaffolding, platform, or other device shall not be so overloaded or crowded as to render the same unsafe or dangerous.

Secondary scaffolds.

Sec. 25. Any person employing or directing another to perform labor of any kind in erecting, altering, repairing or painting of any water pipe, standpipe, tank, smokestack, chimney, tower, steeple, pole, staff, dome, or cupola when the use of any scaffolding, staging, swing, hammock, support, temporary platform or other similar contrivance is required or used in the performance of such labor shall keep and maintain at all times, while such labor is being performed and such mechanical device is in use or operation, a safe and proper scaffold, stay, support, other suitable device, not more than sixteen feet below such working scaffold, staging, swing, hammock, support, or temporary platform, when such work is being performed at a height of thirty-two feet or more.

Flooring to be filled in.

Sec. 26. 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 fireproof material or brick work, shall complete the flooring or filling in as the building progresses, to within at least two tiers or beams below that on which the iron work is being erected. If the plans and specifications of such building do not require filling in between the beams of floors with brick or fireproof material, all contractors for carpenter work in the course of construction shall lay the under flooring thereof, or a safe temporary floor on each story as the building progresses to within at least two stories or floors below the story where the work is being performed. If the floor beams are of iron or steel the contractors for the iron or steel work of buildings in the course of construction or the owners of such buildings, shall thoroughly plank over the entire tier or (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 and lowering of materials to be used in the construction of buildings, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts.

Hoist shafts.

Sec. 27. If elevating machines or hoisting apparatus 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 owners shall cause the shafts or openings in each floor to be inclosed or fenced in on all sides by a substantial barrier of railing at least eight feet in height. Any hoisting machines or engines used in such building construction shall, where practicable, be set up or placed on the ground, and where it is necessary in the construction of such building to place such hoisting machine or engine on some floor above the ground floor, such machine or engine must be properly secured and supported with a foundation capable of safely sustaining twice the weight of such machine or engine. If a building in course of construction is five stories or more in height, no material needed for such construction shall be hoisted or lifted over public streets or alleys unless such street or alley shall be barricaded from use by the public. The chief officer in any city or village charged with the enforcement of local building laws and ordinances shall cooperate with the department of labor in enforcing the provisions of this article.

SEC. 28. If elevating or hoisting apparatus, operated or controlled by other than hand power, are used in the construction, alteration, or removal of any building or other structure, a complete and adequate system of communication by means of signals shall be provided and maintained by the owner, contractor, or subcontractor during the use and operation of such elevating machines or hoisting apparatus.

Signals.

SEC. 29. All architects or draftsmen, in preparing plans, specifications, or drawings to be used in the erection, repairing, altering, or removing of any building or structure within the terms and provisions of this article, shall provide in such plans, specifications, and drawings for all the permanent structural features or requirements specified in this article. Any person violating the provisions of this section shall, upon conviction, be fined not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars for each offense.

Duty of architects.

SEC. 30. Any person violating any of the provisions of this article, except the provisions of section 29, shall upon conviction thereof be fined not less than twenty-five (\$25) dollars nor more than five hundred (\$500) dollars, or imprisoned for not less than three months nor more than two years, or both.

Violations.

SEC. 31. The continuance by any person in the employ of any such operator shall not be deemed an assumption of the risk of such employment.

Assumption of risks.

ARTICLE V.

Private employment agencies.

SECTION 1. When used in this division the following terms are defined as herein specified: The term "person" means and includes any individual, company, society, association, corporation, manager, contractor, subcontractor, or their agents or employees. The term "employment agency" means and includes the business of conducting, as owner, agent, manager, contractor, subcontractor, or in any other capacity an intelligence office, domestic and commercial employment agency, theatrical employment agency, bonding and reference agency, teacher's employment agency, general employment bureau, shipping agency, or any other agency or office for the purpose of procuring or attempting to procure help or employment or engagements for persons seeking employment or engagements, or for the registration of persons seeking such help, employment, or engagement, or for giving information as to where and of whom such help, employment or engagement may be procured, where a fee or other valuable consideration is exacted or attempted to be collected, directly or indirectly, for such services, whether such business is conducted in a building or on the street or elsewhere.

Definitions.

The term "fee" means and includes any money or other valuable consideration paid or promised to be paid for services ren-

dered or to be rendered by any person conducting any employment agency of any kind under the provisions of this division. Such term includes any excess of money received by any such person over what has been paid out by him for the transportation, transfer of baggage, or board and lodging for any applicant for employment; such term also includes the difference between the amount of money received by any such person who furnishes employees and the amount paid by him to such employees.

License re-
quired.

SEC. 2. 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 department of labor, and the license fee shall be fifty (\$50) dollars per annum, payable in advance on the first day of May of each year, and shall expire on the last day of April of each year. Every license shall contain a designation of the city, street, and number of the building in which the licensed parties conduct said employment agency. In case of removal to another location during the period covered by such license, the department shall be at once notified and the license corrected accordingly. No such license shall be transferable.

Bond.

SEC. 3. The department of labor shall require with each application for a license a surety bond in the penal sum of two thousand (\$2,000) dollars to be approved by said department and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions, or requirements of this division. The department 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 may revoke, upon a full hearing, any license whenever in its judgment the party licensed shall have violated any of the provisions of this division.

Canceled
license.

SEC. 4. In case of refusal of any licensee to comply with the lawful orders of the department of labor, the department of labor may cancel the license held by such person, firm, or corporation. When such licenses 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.

Signs.

SEC. 5. 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.

Register.

SEC. 6. 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 department of labor, and a copy of such register shall be filed with the department of labor not later than the 10th day of each calendar month.

Receipts.

SEC. 7. 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 receipts; also the nature of the employment offered and if a strike or lockout is known to exist the fact shall be stated.

Said receipt shall be made upon forms prescribed by the department 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 department of labor as prescribed in section 6.

Fees.

SEC. 8. A registration fee not to exceed two (\$2) dollars may be charged by such licensed agency when such agency shall be at actual expense in advertising such individual applicant, or in looking up the references of such applicant. In all such cases

a complete record of such references shall be kept on file, which record shall, during all business hours, be opened for the inspection of the department of labor, and upon demand shall be subject to inspection and examination by the applicant. For such registration fee a receipt shall be given to said applicant for help or employment, giving name of such applicant, date of payment, and character of position or help applied for. Said registration fee shall be returned to said applicants on demand after thirty (30) days and within sixty (60) days from date of receipt less the amount that has been actually expended by said licensed agency of said applicant, and an itemized account of such expenditures shall be presented to said applicant on request at the time of returning the unused portion of such registration fee, provided no position has been furnished by said licensed agency to and accepted by said applicant.

Return.

No licensee shall, as a condition to registering or obtaining employment for such applicant, require such applicant to subscribe to any publication or exact other fees, compensation, or reward, other than the registration fee aforesaid, and a further fee, the amount of which shall be agreed upon between such applicant and the licensee, to be payable at such time as may be agreed upon in writing, but the further fee aforesaid shall not be received by such licensee before the applicant has been tendered a position by said licensed person. In the event that the position so tendered is not accepted by or given such applicant, the licensee shall refund all fees requested by said applicant, other than the registration fees aforesaid within three (3) days after demand is made therefor. No licensee shall send out any applicant for employment without having obtained a bona fide order therefor, and if it shall appear that no employment of the kind applied for existed at the place where said applicant was directed, said licensee shall refund to such applicant within five (5) days after demand any sum paid by such applicant for transportation in going to and returning from said place, and all fees paid by said applicant.

Other fees.

Bona fide orders.

In addition to the receipt herein provided to be given for registration fees, it shall be the duty of the licensee to give to every applicant for employment from whom other fee or fees shall be received an additional receipt, in which shall be stated the name of such applicant, the date and amount of such other fees; and to every applicant for help from whom other fee or fees shall be received an additional receipt, stating the name and address of said applicant, the date and amount of such other fee or fees, and the kind of help to be provided. All receipts shall have printed on the back thereof, in the English language, the name and address of the secretary of labor.

Additional receipts.

Every such licensee shall give to every applicant for employment a card or printed paper containing the name of the applicant, the name and address of such employment agency, and the written name and address of the person to whom the applicant is sent for employment.

If an employee furnished fails to remain one week in a situation, through no fault of the employer, then all fees paid or pledged, in excess of the registration fee aforesaid, shall be refunded to the employer upon demand.

Refunds.

If the employment furnished the applicant does not continue more than one week, through no fault of the employee, then all fees paid or pledged in excess of the registration fee aforesaid shall be refunded to the employee upon demand.

SEC. 9. The fee for procuring employment or help in all cases shall be clearly set out in the receipt as provided in section 7. The receipt shall plainly show the amount of the fee and all commissions and expenses or compensations whatsoever to such licensed agency for procuring employment or help. In case the person 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.

Fees to be stated.

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 the actual expenses incurred by reason of failure to receive employment, in all cases when it shall appear that the employment agency made false representations.

Dividing fees. SEC. 10. Any licensed agency, or agent thereof, who shall be guilty of dividing fees with any agent, superintendent, manager, foremen or other employee of any person, company, corporation or association, for whom employees are furnished, shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50) dollars or be imprisoned in the county jail for a period not exceeding three (3) months at the discretion of the court.

Immoral re-sorts. SEC. 11. No agency shall knowingly send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes. No such licensed agency shall publish or cause to be published any false information, make any false promise concerning or relating to work or employment to any one who shall register for employment and no licensed agency shall make any false entries in the register to be kept as herein provided.

Violations. SEC. 12. Any person convicted of a violation of the provisions of this section not otherwise specifically provided for, shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars for each offense or be imprisoned in the county jail for a period not 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 the license shall be permanently cancelled.

Definition. SEC. 13. The term employment or work, whenever used in this division, shall be construed to mean manual or mechanical labor, clerical, domestic or professional service.

Scope of act. SEC. 14. Any person, firm or corporation who, for hire or with a view to profit, shall undertake to secure employment for help or through the medium of cards, circulars or 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 division.

Approved April 19, 1919.

CHAPTER 207.—*Private employment offices.*

[The provisions of this act, approved April 10, 1919, differ in no essential point from those of the article reproduced above. It makes no reference to the foregoing article, and is not referred to therein. It is not reproduced on account of its practical identity with it.]

CHAPTER 221.—*Mothers' pensions.*

Jurisdiction. SECTION 1. The juvenile court shall have original jurisdiction in all cases coming within the terms of this act. The findings of the court in all cases relating to the support of mothers under this act shall be entered in a book, or books, to be kept for that purpose and known as the "Mothers' Pension Record."

Who entitled. SEC. 2. A mother whose husband is dead, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity, or is confined in a penal institution, and a mother who is unmarried, or has been married and is divorced, or has been deserted by husband, may file a petition for relief under this act: *Provided*, Such mother has had a residence for

two years in the county where such petition is filed and is the mother of a child, or children: *Provided further, however*, No mother shall receive any support whose husband, or whose divorced husband has means and can be legally made to assist in the support of his children. Such petition shall be filed with the juvenile court of the county where such mother resides, and may be verified on information and belief.

SEC. 6. The allowance made to such mother shall not exceed ten dollars per month when such mother has but one child under the age of fourteen years, and when she has more than one child under such age, the relief granted shall not exceed ten dollars per month for each of the other children: *Provided*, That in no event shall the relief granted to any one mother and children exceed the sum of fifty dollars per month: *Provided further*, No such order shall be effective for more than six months unless renewed by the court at or after the expiration of that period.

Amounts.

SEC. 7. 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 and when by means of such relief she will be able to remain at home with her children except that she may be absent from 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 of [or] the neglect of the home and children; (5) the relief granted shall, in the judgment of the court be necessary to save the child or children from neglect and to furnish such child with suitable education; (6) a mother shall not receive such relief who is the owner of real property or personal property other than the household goods of more than two thousand dollars in value; (7) a mother shall not receive such relief who has not resided in the county where the application is made at least two years next before making such application; (8) a mother shall not receive such relief if her children have relatives within the second degrees of sufficient abilities to support them, said relationship to be computed according to the method of determining interstate succession to property in Nebraska.

Conditions.

SEC. 8. Whenever any child shall arrive at the age of fourteen years and relief granted to the mother for such child shall cease: *Provided*, If a child of fourteen years of age be ill or is incapacitated for work, the mother shall receive funds for his care during such illness or incapacity for work until such child is sixteen years of age. The court may, in its discretion, at any time before such child reaches the age of fourteen years, modify or vacate the order granting relief to any mother and for any child.

Termination.

Approved April 17, 1919.

CHAPTER 261.—*Criminal syndicalism—Sabotage.*

SECTION 1. Criminal syndicalism is hereby defined to be the doctrine which advocates crime, physical violence, arson, destruction of property, or sabotage, as a means of accomplishing or effecting industrial or political ends, or for profit.

Definitions.

SEC. 2. Any person who, by word of mouth or writing, advocates, affirmatively suggests or teaches the duty, necessity, propriety, or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest, or teach the duty, necessity, propriety, or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime as a means of accomplishing or effecting any industrial or political ends, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper,

Offenses.

handbill, poster, document, or written or printed matter in any form whatsoever, containing matters advocating, advising, affirmatively suggesting or teaching crime, criminal syndicalism, sabotage, the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime as a means of accomplishing, effecting, or bringing about any industrial or political ends, or for profit, or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of physical violence, the destruction of or damage to any property, the injury of any person or the commission of any crime, with the intent to exemplify, spread, or teach, or affirmatively suggest criminal syndicalism, or organizes, or helps to organize or becomes a member of or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage or the necessity, propriety, or expediency of doing any act of physical violence or the commission of any crime as a means of accomplishing or effecting any industrial or political ends or for profit, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the penitentiary for a term of not less than one year or more than ten years, or by a fine of not more than one thousand dollars, or both such imprisonment and fine.

Permitting assemblage.

SEC. 3. The owner, lessee, agent, superintendent, or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by the provisions of section 2 of this act, or who after notification by authorized public or peace officer that the place or premises, or any part thereof, is or are so used, permits such use to be continued, is guilty of a misdemeanor and punishable upon conviction thereof by imprisonment in the county jail for not less than sixty days or for not more than one year, or by a fine of not less than one hundred dollars, or more than five hundred dollars, or both such imprisonment and fine.

Approved April 3, 1919.

CHAPTER 267.—Employed children—Continuation schools.

Schools authorized.

SECTION 1. Any board in control of any public school, State school, college, or university may establish, in cooperation with the State board of vocational education, a vocational school, department, or class giving instruction of less than college grade in agricultural, trade or industrial or home economics subjects to persons over fourteen years of age who have entered upon or who are preparing to enter upon the work of the farm, a trade, or the home.

Definition.

SEC. 3. A vocational trade or industrial school, department, or class shall be one which gives all-day, part-time, or evening instruction in trade and industrial subjects to persons who have entered upon or who are preparing to enter upon employment in a particular trade or industrial pursuit.

When organized as an all-day school, department, or class the instruction shall be for persons who are preparing to enter upon the work of a particular trade or industrial pursuit; it shall cover a period of at least nine months and shall provide for at least thirty hours of instruction per week. At least half the time of instruction must be devoted to work on the useful or productive basis and the remainder of the time to related subjects and to subjects necessary to build a well-rounded course of training: *Provided*, That for cities and towns of less than twenty-five thousand population according to the last preceding United States census the local board, with the approval of the State board of vocational education, may modify the conditions as to the length of the course and hours of instruction a week.

Hours.

When organized as a part-time school, department, or class the instruction shall be provided for persons who have entered upon

employment; it shall cover a period of at least one hundred forty-four hours per year; and may include instruction supplementary to the employment in which the pupils are engaged, instruction in a different employment, or instruction in elementary or secondary subjects given to continue the general education of the pupils in attendance.

When organized as an evening school, department, or class the instruction shall be provided for persons over sixteen years of age who have entered upon the work of a particular trade or industrial pursuit and shall provide for instruction supplemental to the daily employment.

SEC. 7. The board in control of the public school of any public-school district in the State having at least fifteen children between the ages of fourteen and sixteen years who hold employment certificates in force, shall establish a part-time school or class and shall require minors holding such employment certificates to attend said school or class regularly for not less than eight hours a week while so employed and until they reach the age of sixteen years: *Provided*, That no person over sixteen and under twenty-one years of age shall be barred from attendance upon said part-time schools or classes.

Schools to be established.

Attendance.

If any such minor between the ages of fourteen and sixteen shall fail to attend regularly upon such part-time school or class as herein required the employment certificate of such minor shall be canceled. It shall be unlawful for any person, firm, or corporation to employ any such minor between the ages of fourteen and sixteen years for more than forty hours in any one week, nor more than eight hours in any one day, nor before the hour of six o'clock in the morning or after the hour of eight o'clock in the evening, nor unless such minor shall attend regularly upon such part-time school or class as herein required. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than five dollars nor more than twenty-five dollars for each offense. * * *

Approved March 24, 1919.

NEVADA.

ACTS OF 1919.

CHAPTER 8.—*Barber shops—Sunday labor.*

[This act amends section 2 of chapter 227, Acts of 1917, forbidding the opening of barber shops on Sunday, so as to include all towns having a population of more than 500 people, instead of 10,000, as heretofore.]

CHAPTER 22.—*Sabotage—Criminal syndicalism.*

SECTION 1. Criminal syndicalism is the doctrine which advocates or teaches crime, sabotage, violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform. The advocacy or teaching 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 (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 Offenses.

(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 doctrine 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 doctrine of criminal syndicalism;

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.

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. Assembly.

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 the 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. Permitting assemblage.

Penalty.

Approved February 27, 1919.

CHAPTER 56.—*Labor commissioner.*

[This chapter amends sections 1, 4, 12, and 14 of chapter 203. Acts of 1915, so as to read as follows:]

- Office created.** SECTION 1. There is hereby created the office of labor commissioner of the State of Nevada, and one member of the Nevada Industrial Commission, other than the chairman, shall be designated by the governor to act as *ex officio* labor commissioner. Said commissioner shall receive as compensation for his services as labor commissioner a salary of fifteen hundred (\$1,500) dollars per annum, payable in monthly installments out of the State treasury of Nevada as other salaries are paid. Said commissioner may employ stenographic or clerical help not to exceed fifteen hundred (\$1,500) dollars per annum, and statistical assistance not to exceed three hundred (\$300) dollars per annum. Said labor commissioner shall be entitled to receive from the State, when travel is necessary in the performance of his official duty, reimbursement for the actual cost of transportation to points within the State over the shortest usually traveled route, and such other expenses as are allowed to other State officers.
- Salary.**
- Assistance.**
- Law enforcement.** SEC. 4. Said commissioner shall inform himself of all laws of the State for the protection of life and limb in any of the industries of the State, all laws regulating the hours of labor, the employment of minors, the payment of wages, and all other laws enacted for the protection and benefit of employees; and it shall be the duty of said labor commissioner to enforce all labor laws of the State of Nevada, the enforcement of which is not specifically and exclusively vested in any other officer, board or commission, and whenever after due inquiry he shall be satisfied that any such law has been violated he shall present the facts to the district attorney of the county in which such violation occurred, and it shall be the duty of such district attorney to prosecute the same.
- Printing.** SEC. 12. All forms, blanks, envelopes, letterheads, circulars, bulletins, and reports required to be printed by said labor commissioner shall be printed at the State printing office in the same manner and under the same regulations which are specified in an act entitled "An act to designate and authorize the work to be done in the State printing office," approved March 5, 1909.
- Appropriation.** SEC. 14. For the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, the sum of ten thousand (\$10,000) dollars. All salaries and expenses enumerated in this act, except the expenses of printing at the State printing office and the providing of properly furnished offices at the capitol, shall be paid from the appropriations made for the salaries and support of the office of labor commissioner.

Approved March 13, 1919.

CHAPTER 71.—*Payment of wages—Semimonthly pay day.*

- Payment prescribed.** SECTION 1. All wages or compensation of employees in private employments shall be due and payable semimonthly, that is to say, all such wages or compensation earned and unpaid prior to the first day of any month, shall be due and payable not later than the fifteenth day of the month following that in which such wages or compensation were earned; and all wages or compensation earned and unpaid prior to the sixteenth day of any month shall be due and payable not later than the last day of the same month; but nothing contained herein shall be construed as prohibiting the contracting for the payment or of the payment of wages at more frequent periods than semimonthly. Every agreement made in violation of this section, except as hereinafter provided, shall be null and void; except any employee shall be entitled to payment of such wages or compensation for the period during which the same were earned.
- Scope.** The words "private employments" used in this act shall mean all employments other than those under the direction, manage-

ment, supervision, and control of this State or any county, city, or town therein, or any office or department thereof.

Sec. 2. Whenever an employer discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and payable immediately; but whenever an employee resigns or quits his employment, the wages and compensation earned and unpaid at the time of such resignation or quitting, shall be paid within twenty-four hours after a demand therefor.

Termination of employment.

Should any employer fail to pay within three (3) days after the same shall become due and payable, under the provisions of this act, any wages or compensation, without deduction, of any employee, who is discharged from or who resigns or quits his employment, then as a penalty for such nonpayment of such wages or compensation, the same shall continue from the date of the cessation of employment at the same rate until paid: *Provided*, In no case shall such wages or compensation continue for more than thirty (30) days: *And provided further*, Any employee who secretes or absents himself to avoid payment of such wages or compensation, or refuses to accept the same when fully tendered to him, shall not be entitled to the payment thereof for such time as he so secretes or absents himself to avoid such payment.

Sec. 3. Every employer shall establish and maintain regular pay days as herein provided and shall post and maintain posted notices printed in plain type or written in plain script in at least two (2) conspicuous places where such notices can be seen by the employees, setting forth the regular pay days as herein prescribed, and place of payment, which shall be within the justice court precinct in which such services were performed.

Notices.

In case an employee shall be absent at the time and place of the payment of such wages or compensation, due and payable as herein prescribed: *Provided*, He does not secrete or absent himself to avoid such payment as aforesaid, he shall be paid the same within five (5) days after making written demand therefor.

The payment of such wages or compensation shall be made in lawful money of the United States, or by a good and valuable negotiable check or draft payable on presentation thereof at some bank or established place of business without discount in lawful money of the United States, and not otherwise, and shall be payable at the place designated in the notice prescribed herein.

Medium.

Sec. 4. Nothing in this act shall be so construed as to preclude the withholding from the wages or compensation of any employee any dues, rates, or assessments becoming due to any hospital association, or to any relief, savings, or other department, or association, maintained by the employer or employees for the benefit of the employees, or poll tax, or other deductions authorized by written order of an employee: *Provided*, At the time of payment of such wages or compensation, such employee shall be furnished by the employer an itemized list showing the respective deductions made from the total amount of such wages or compensation.

Deductions.

Sec. 5. Should any provision of this act be judicially decreed, or declared null or void, the remaining provision thereof shall not be affected thereby, but the same shall be given full force and effect.

Provisions severable.

Sec. 6. Any employer who fails or refuses to pay any of the wages or compensation of an employee, in whole or in part, as in this act provided, or violates any of the remaining 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 fifty (\$50) dollars nor more than three hundred (\$300) dollars.

Violations.

Sec. 7. It shall be the duty of the labor commissioner to cause this act to be duly enforced, and upon notice from him the district attorney of any county in which a violation of this act has occurred shall prosecute the same according to law.

Enforcement.

Sec. 8. Nothing in this bill, however, shall be so construed as to mean that any special occasion where it appears to be satis-

Waivers.

factory and beneficial to both employed and employee, that they shall not have the right to agree either verbally, or in writing, as to where and at what time, other than every fifteen days, wages shall be paid: *Provided*, That it shall be unlawful for any employer to require any employee to enter into any such agreement as a condition to entering into or remaining in his service.

Approved March 19, 1919.

CHAPTER 85.—*Employed children—Continuation schools.*

- Schools to be established.** SECTION 1. The school board of any school district in which there shall reside, or be employed, or both, not less than fifteen children over fourteen years of age and not less than eighteen years of age who have entered upon employment, shall establish part-time schools or classes for such employed children.
- Nature of school.** SEC. 2. A part-time school or class established in accordance with the terms of this act shall provide an education for children who have entered employment which shall be either supplemental to the work in which they are engaged, continue their general education, or promote their civic and vocational intelligence.
- Attendance.** SEC. 3. All children of the State shall attend school until the age of eighteen unless they are employed and are excused from attendance in accordance with terms of subdivisions 1, 3, and 5 of section 203, chapter 133, Statutes of 1911.
- Certificates.** SEC. 4. The school board of any school district, or person or persons designated by them, shall issue to any child over the age of fourteen years a certificate giving the age of the child as it appears upon the register of the school which he has been attending, the grade which he has attained, and his place of residence, which certificate shall be presented by him to the employer of any minors.
- List.** SEC. 5. The employer of any minors under eighteen years of age shall keep a list of minors so employed and shall keep on file the certificate issued by the school authorities, and shall notify the school board of the district in which the child last attended school of such employment. Upon the discharge of any such employed minor, the employer shall return within ten days the certificate issued by the board of education, to the school board issuing such certificates.
- Districts excused.** SEC. 6. Whenever any school board shall deem it inexpedient to organize part-time schools or classes for employed minors, it shall state the reasons for such inexpediency in a petition to the State board for vocational education, and when the State board for vocational education, upon the recommendation of the State director, shall judge such reasons to be valid, the school board shall be excused from the establishment of such part-time schools or classes.
- Hours.** SEC. 7. Part-time schools or classes established in accordance with the provisions of this act shall be in session not less than four hours a week between the hours of eight a. m. and six p. m. during the number of weeks which other public schools are maintained in the district establishing such part-time schools or classes.
- * * * * *
- Counted as work time.** SEC. 9. Whenever the number of hours for which a child over fourteen years and less than eighteen years of age may be employed shall be fixed by Federal or State law, the hours of attendance upon a part-time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by Federal or State laws.
- Duty of parents.** SEC. 10. Every parent, guardian, or other person in the State of Nevada, having control of any child or children between and including the ages of fifteen and seventeen and at work shall be required to send such child or children to a part-time school or class, whenever there shall have been such part-time school or class established in the district where the child resides or may be employed,

unless excused in accordance with the provisions of section 3 of this act.

SEC. 11. In case any parent, guardian, or other person in the State of Nevada having control or charge of any child or children between and including the ages of fifteen and seventeen shall fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be subject to a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, or by imprisonment in the county or city jail not less than two nor more than ten days, or by both such fine and imprisonment at the discretion of the court. Penalty.

SEC. 12. Any person, firm or corporation employing a child between the ages of fourteen and eighteen years shall permit the attendance of such child upon a part-time school or class whenever such part-time school or class shall have been established in the district where the child resides or may be employed, and any person, firm, or corporation employing any child over fourteen and less than eighteen years of age contrary to the provisions of this act shall be subject to a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each separate offense. Duty of employers.

SEC. 13. The officers charged by the law with responsibility for the enforcement of the attendance upon regular public schools of children over eight years of age shall also be charged with the responsibility for enforcement of attendance upon part-time schools and classes of children over fourteen and less than eighteen years of age in accordance with the terms of this act. Enforcement.

Approved March 25, 1919.

CHAPTER 167.—*Private employment offices.*

SECTION 1. When used in this section the following terms are defined as herein specified: Definitions.

The term "person" means and includes any individual, firm, company, corporation, association, manager, contractor, subcontractor, or their agents or employees.

The term "employment agency" means and includes the business of conducting, as owner, agent, manager, contractor, subcontractor, or in any other capacity, an intelligence office, domestic and commercial employment agency, general employment bureau, shipping agency, or any other agency for the purpose of procuring or attempting to procure help or employment for persons seeking employment, or for the registration of persons seeking such employment or help, or for giving information as to where and of whom such help or employment may be secured, where a fee or other valuable consideration is exacted, or attempted to be collected for such services, whether such business is conducted in a building or on a street or elsewhere.

The term "labor commissioner" shall mean the labor commissioner of the State of Nevada.

SEC. 2. No person shall open, keep, operate, or maintain an employment agency in this State without first obtaining a license therefor as provided in this act from the labor commissioner. Such license, together with a copy of this act, shall be posted in a conspicuous place in each and every employment agency. Any person who shall open, keep, operate, or maintain such employment agency without first procuring said license shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail not to exceed six (6) months, or by a fine not exceeding three hundred (\$300) dollars, or by both such fine and imprisonment. License required.

SEC. 3. An application for such license shall be made to the labor commissioner. Such application shall be in written form and shall state the name and address of the applicant; the street and number of the building or place where the business is to be conducted; and the business or occupation engaged in by the applicant for at least two years immediately preceding the date of the application. Such application shall be accompanied by the Application.

- affidavits of at least two reputable residents of the city to the effect that the applicant is a person of good moral character.
- Contents.** SEC. 4. Every license shall contain the name of the person licensed, a designation of the city, street, number of the house in which the person licensed is authorized to carry on said employment agency, and the number and date of such license. Such license shall not be valid to protect any other than the person to whom it is issued or any place designated in the license.
- Fee.** SEC. 5. Every person licensed under the provisions of this act to carry on the business of an employment agency shall pay to the labor commissioner a fee of twenty-five (\$25) dollars before such license is issued. He shall also deposit before such license is issued, with the clerk of the city in every city where there is a clerk, or clerk of the county, a bond in the penal sum of one thousand dollars with two or more sureties, or a duly authorized surety company, to be approved by the labor commissioner.
- Bond.** The bond executed shall be payable to the people of the State of Nevada and shall be conditioned that the person applying for the license will comply with this act and shall pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud, or deceit, or any unlawful act or omission of any licensed person, made, committed, or omitted in the business conducted under such license, or caused by any other violation of this act in carrying on the business for which such license is granted.
- If at any time the sureties or any of them shall become irresponsible, the person holding such license shall, upon notice of the labor commissioner, give a new bond, subject to the provisions of this section. The failure to give a new bond within ten days after such notice shall operate as a revocation of such license and the license shall thereupon be returned to the labor commissioner, who shall destroy the same.
- Action on bond.** SEC. 6. All claims or suits brought in any court against the licensed person may be brought in the name of the person damaged upon the bond deposited with the city, or county, as the case may be, by such licensed person, and may be assigned as other claims for damages in civil suits. The amount of damages claimed by plaintiff, and not the penalty named in the bond, shall determine the jurisdiction of the court in which the action is brought. Where such licensed person has departed from the State with intent to defraud his creditors or with intent to avoid a summons in an action brought under this section, service shall be made upon the surety as prescribed in the code of civil procedure. A copy of such summons shall be mailed to the last known post-office address of the residence of the licensed person, and the place he conducted such employment agency, as shown by the records of the labor commissioner's office. Such service thereof shall be deemed to be made when not less than the number of days shall have intervened between the dates of service and the return of the same as provided by the civil procedure for the particular court in which suit has been brought.
- Register.** SEC. 7. It shall be the duty of every licensed person to keep a register in which shall be entered the date of application for employment; the name and address of the applicant to whom employment is promised or offered, or to whom information or assistance is given in respect to such employment; the amount of the fee received, and, whenever possible, the name and addresses of former employers or persons to whom such applicant is known. Such licensed person shall also enter in the same or in a separate register the name and address of every applicant for help, the date of such application, kind of help requested, the conditions of employment, the hours of labor required, and the rate of wages to be paid. No such licensed person shall make any false entry in such registers.
- Inspection.** SEC. 8. All registers, books, records, and other papers kept by the licensed person pursuant to this act shall be open at all reasonable hours to the inspection of the labor commissioner, and

every licensed person shall furnish to the labor commissioner on request a true copy of such register, books, records, and papers, or any portion thereof, and shall make such reports as the labor commissioner may prescribe.

SEC. 9. It shall be the duty of every licensed person to give to every applicant for employment from whom a fee shall be received a receipt in which shall be stated the name and address of such employment agency, the name and address of the party to whom the applicant is sent for employment, the name of the applicant, the date, the amount of the fee, the kind of work or service to be performed, the general conditions of employment, including, among other things, the hours of service, the rate of wages or compensation, whether or not board or lodging is to be furnished, the cost of transportation and whether or not it is to be paid by the employer, the time of such service if definite, and if indefinite to be so stated, and the name of the person authorizing the hiring of such applicant. There shall be printed on the face of the receipt in prominent type the following: "This agency is licensed by the labor commissioner of Nevada." All receipts shall be made and numbered in original and duplicate. The original shall be given to the applicant paying the fee and the duplicate shall be kept on file at the employment agency.

Receipts.

SEC. 10. No such licensed person shall accept a fee from any applicant for employment, or send out any applicant for employment without having obtained, either orally or in writing, a bona fide order therefor. In case the applicant paying a fee fails to obtain employment, such licensed agency shall repay the amount of said fee to such applicant upon demand being made therefor: *Provided*, That in cases where the applicant paying such fee is sent beyond the limits of the city in which the employment agency is located, such licensed agency shall repay in addition to the said fee any actual expenses incurred in going to and returning from any place where such applicant has been sent: *Provided, however*, Where the applicant is employed and the employment lasts less than seven days by reason of the discharge of the applicant, the employment agency shall return to said applicant the fee paid by such applicant to the employment agency.

Orders required.

SEC. 11. No licensed person conducting an employment agency shall publish or cause to be published any false or fraudulent or misleading information, representation, notice, or advertisement; all advertisements of such employment agency by means of cards, circulars, signs, or in newspapers and other publications, and all letterheads, receipts, and blanks shall be printed and contain the licensed name and address of such employment agency, and no licensed person shall give any false information, or make any false promise or false representation concerning an engagement or employment to any applicant who shall register or apply for employment or help.

False statements.

SEC. 12. No licensed person shall accept any application for employment made by or in behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of the child-labor law. No licensed person shall send an applicant to any place where a strike, lockout, or other labor trouble exists without notifying the applicant of such conditions, and shall in addition thereto enter a statement of such facts upon the receipt given to such applicant. No licensed person shall divide fees with an employer, or an agent of an employer, or with any superintendent, manager, foreman, or other employee of any person, firm, or corporation to which help is furnished.

Children.

Strikes.

Dividing fees.

SEC. 13. The labor commissioner shall furnish to each licensed employment agency blank books upon which their records shall be kept as provided in this act, together with forms of receipts, and necessary blanks upon which reports shall be made to the labor commissioner.

Records.

SEC. 14. The labor commissioner shall, at the end of each month, make an itemized account of all moneys received by him from license fees under the provisions of this act, and pay the same to

Accounts.

the State treasurer, to be held in a separate fund known as the employment agency fund and to be used for expenses incurred in printing blanks, books, and receipts to be furnished to such employment agencies by said labor commissioner.

Enforcement.

SEC. 15. It shall be the duty of the labor commissioner to enforce this act, and when informed of any violations thereof it shall be his duty to report the fact to the district attorney of the county in which such violation occurred and said district attorney shall prosecute the same in accordance with the law.

Violations.

SEC. 16. Any person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail not to exceed six (6) months, or by a fine not exceeding three hundred (\$300) dollars, or by both such fine and imprisonment.

Approved March 28, 1919.

CHAPTER 168.—*Employment of labor on public works—Aliens.*

Citizens to be employed.

SECTION 1. No person not a citizen or ward of the United States or who has not declared his intentions to become a citizen shall be employed by any officer of the State of Nevada, or by any contractor with the State of Nevada, or any political subdivision of the State, or by any person acting under or for such officer or contractor, in the construction of public works or in any office or department of the State of Nevada, or political subdivision of the State, and in all cases where persons are so employed, preference shall be given to honorably discharged soldiers, sailors, and marines, and to citizens of the State of Nevada: *Provided*, Nothing in this act shall be construed to prevent the working of prisoners by the State of Nevada, or by any political subdivision of the State, on street or road work or other public work; nor to prevent the working of aliens, who have not forfeited their right to citizenship by claiming exemption from military service, as common laborers in the construction of public roads, when it can be shown that citizens or wards of the United States, or persons who have declared their intentions to become citizens, are not available for such employment; nor to prevent the exchange of instructors between the University of Nevada and similar institutions of North and South American countries.

Convicts.

Contracts.

SEC. 2. In each contract for the construction of public works a proviso shall be inserted to the effect that if the provisions of section 1 of this act are not complied with by the contractor, the contract shall be void. All boards, commissions, officers, agents, and employees having the power to enter into contracts for the expenditure of public money on public works shall file in the office of the commissioner of labor the names and addresses of all contractors holding contracts with the State of Nevada, or with any political subdivision of the State. Upon the lettering of new contracts the names and addresses of such new contractors shall likewise be filed. Upon the demand of the commissioner of labor a contractor shall furnish a list of the names and addresses of all subcontractors in his employ.

Payments.

SEC. 3. No money shall be paid out of the State treasury, or out of the treasury of any political subdivision of the State, to any person employed on any of the work mentioned in section 1 of this act unless such person shall be a citizen or ward, or naturalized citizen of the United States, subject to the exception contained in section 1 of this act.

Violations.

SEC. 4. Any officer of the State of Nevada, or of any political subdivision of the State, or any person acting under or for such officer, or any contractor with the State of Nevada, or with any political subdivision of the State, or any other person who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof be fined in a sum of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or be imprisoned not exceeding six months, or by both such fine and imprisonment: *Provided, however*, The penalties provided for in

this act shall not apply where violations thereof are due to misrepresentations made by the employee or employees.

Approved March 28, 1919.

CHAPTER 182.—*Vocational rehabilitation—State and Federal cooperation.*

SECTION 1. That the State of Nevada does hereby accept the benefits of any act that may be passed by the Senate and House of Representatives of the United States of America in Congress assembled to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to safe employment, and will observe and comply with all of the requirements of said act. Benefits accepted.

SEC. 2. That the State board of education is hereby designated as the State board for the purposes of the said act, and is hereby given all the necessary power to cooperate with the Federal Board for Vocational Education in the administration of the provisions of the act. Board.

SEC. 3. It shall be the duty of the State board of education to act jointly with the industrial commission in the administration, supervision, designation, and support of the course in vocational rehabilitation to be provided in carrying out the provisions of this act. Duty.

SEC. 4. Said joint board shall have the power to provide courses in this State or other States, in their discretion, for vocational rehabilitation of injured persons: *Provided, however,* That such arrangements shall be approved by the governor in writing. Powers.

SEC. 6. That the sum of ten thousand dollars (\$10,000) is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, as a vocational rehabilitation fund, to be available in the biennial period, beginning July 1, 1919. Appropriation.

Approved March 28, 1919.

CHAPTER 203.—*Hours of labor on public works—Eight-hour day.*

SECTION 1. The services and employment of all persons, except as otherwise provided herein, who are now, or may hereafter, be employed by the State of Nevada, or by any county, city, town, township, or any other political subdivision thereof, or by any contractor, subcontractor, or other person having a contract with the State of Nevada or with any county, city, town, township, or any other political subdivision thereof, for the performance of public work, is hereby limited and restricted to not more than eight hours in any one calendar day and not more than fifty-six hours in any one week; and it shall be unlawful for any officer or agent of the State of Nevada, or of any county, city, town, township, or other political subdivision thereof, or any contractor, subcontractor, or other person having a contract as herein provided, whose duty it shall be to employ, direct, or control the services of such employees, to require or permit such employees to work more than eight hours in any one calendar day or more than fifty-six hours in any one week, except in cases of emergency where life or property is in imminent danger: *Provided,* Nothing in this act shall apply to officials of the State of Nevada, or of any county, city, town, township, or other political subdivision thereof, or to employees thereof who are engaged as employees of a fire department, or to nurses in training or working in hospitals, or to deputy sheriffs or jailers. Limit on hours.

SEC. 2. Every contract made with the State of Nevada or with any county, city, town, township, or any other political subdivision thereof, shall contain a condition that no person shall be employed for more than eight hours in any one day or more than fifty-six hours in any one week, except in cases of emergency where life or property is in imminent danger, and in such emergency cases Hours per week.

SEC. 2. Every contract made with the State of Nevada or with any county, city, town, township, or any other political subdivision thereof, shall contain a condition that no person shall be employed for more than eight hours in any one day or more than fifty-six hours in any one week, except in cases of emergency where life or property is in imminent danger, and in such emergency cases Contracts.

the persons required to work over eight hours per day or fifty-six hours per week shall be paid regular wages for all overtime; every such contract herein referred to shall also contain a condition that the contract may be canceled at the election of the State of Nevada or of any county, city, town, township, or other political subdivision thereof, which is concerned, for any failure or refusal on the part of the contractor to faithfully perform the contract according to its terms as herein provided.

Violations.

SEC. 3. Any officer or agent of the State of Nevada, or of any county, city, town, township, or other political subdivision thereof, or any contractor, subcontractor, or other person whose duty it shall be to employ, direct, or control the services of an employee covered by this act, who shall violate any of the provisions of this act as to the hours of employment of labor as herein provided, shall be deemed guilty of a misdemeanor, and for each and every such offense shall, upon conviction, be punished by a fine not to exceed three hundred (\$300) dollars, or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof.

Approved March 29, 1919.

CHAPTER 225.—*Employment of labor—Provisions for safety.*

Definitions.

SECTION 1. The following terms, as used in 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 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 an 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 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. 2. 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, operation, 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. Duty of employers.

Sec. 3. 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 maintain any place of employment that is not safe. Safeguards.

Sec. 4. 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. 5. 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, etc., guards.

Sec. 6. It shall be the duty of the Nevada industrial commission, and they shall have full power, jurisdiction, and authority over all employments not within the jurisdiction of the department of the mining inspector, labor commissioner, and railroad and public service commissions: Enforcement.

(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 practical, 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) 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.

(6) 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.

(7) 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.

Duty of em-
ployers.

SEC. 7. 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 and observance of every such order, decision, direction, rule, or regulation.

Orders as evi-
dence.

SEC. 8. 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 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 of such violation or violations, proceedings for a rehearing thereon or a review thereof shall have been instituted and not then finally determined.

Violations.

SEC. 9. 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 two, three, four, or five 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 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.

Separate offen-
ses.

SEC. 10. Every violation of the provisions contained in sections two, three, four, or five 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.

Act construed.

SEC. 11. Nothing contained in this act shall be construed to deprive the board of county commissioners of any county, or city and county, the board of trustees of any city, or any other public corporations or board or department, of any power or jurisdiction over or relative to any place of employment.

Approved April 1, 1919.

NEW HAMPSHIRE.

ACTS OF 1919.

CHAPTER 6.—*Payment of wages—Weekly pay day.*

[This chapter amends section 21, chapter 180, Public Statutes, 1891, so as to read as follows:]

SECTION 21. Every manufacturing, mining, quarrying, stone-cutting, mercantile, railroad, telegraph, telephone, express, aqueduct and municipal corporation employing more than ten persons at one time shall pay the wages earned each week by their employees who work by the day or week within eight days including Sunday after the expiration of the week. Every such corporation shall post a notice in a conspicuous place in its office that it will pay its employees' wages as above, and shall keep the same so posted. This act shall not apply to employees engaged in the cutting, harvesting and driving of pulpwood and timber.

Scope of law.

Exemption.

Approved February 5, 1919.

CHAPTER 66.—*Factory, etc., regulations.*

[This chapter amends section 1 of chapter 183, Acts of 1917, by making the act apply to places where three or more persons are employed, instead of ten as formerly.]

CHAPTER 106.—*Employed minors — Illiterates — Continuation schools.*

SECTION 14. Every person between sixteen and twenty-one years of age who can not read and speak English understandingly shall, unless excused by the commissioner of education, or by such person as he may designate, attend an evening or special day school, if one is maintained by the district in which he or she either resides or is employed, until he or she has completed the minimum course of studies prescribed by the State board.

School attendance required.

Sec. 15. Any school district may maintain an evening school as a part of its public-school system, and every district in which reside or are employed fifteen or more persons between the ages of sixteen and twenty-one years who can not read and speak the English language understandingly shall maintain an evening or special day school for the purpose of carrying into effect the provisions of this act for such time in each year and under such conditions and with such exceptions as the State board may prescribe.

Schools to be maintained.

Sec. 17. No person or corporation shall, after October 1, 1919, employ a person between sixteen and twenty-one years of age who resides or is employed in a district maintaining an evening or special day school, as prescribed in section 14, who can not read and speak English understandingly, unless he or it procures and keeps on file in a place readily accessible to all authorized inspectors a certificate of the superintendent of schools for the district in which he or she is employed, showing that he or she is enrolled in such evening or special day schools and that his or her conduct and attendance are satisfactory; or a certificate that he or she has been excused from attending such a school for a reason satisfactory to the commissioner of education, or to such person as he may designate.

Duty of employers.

Sec. 18. It shall be the duty of superintendents to issue such certificates and revoke them for cause in the proper cases, and

Duty of superintendents.

they shall keep such record as prescribed by section 14, chapter 162, Laws of 1911, and make such reports of their doings under the preceding section as the commissioner of education may prescribe.

Effect of certificate.

Sec. 19. Such a certificate shall protect an employer from the date it is issued until the end of the current school year unless sooner revoked by the superintendent, and any one who employs a person between sixteen and twenty-one years who can not read and speak English understandingly, without the proper certificate, shall be guilty of a misdemeanor and fined not more than fifty dollars. It shall be the duty of truant officers, inspectors appointed by the State board, police officers, constables, sheriffs, and city and county solicitors to enforce the provisions of this act.

Violations.

Approved March 28, 1919.

NEW JERSEY.

ACTS OF 1919.

CHAPTER 35.—*Employment of children—General provisions.*

[This chapter amends section 2 of chapter 223, Acts of 1914, by adding thereto the following:]

Provided, That on and after July first, one thousand nine hundred and twenty, every parent, guardian, or other person having custody and control of a child between the ages of fourteen and sixteen years, to whom an age and schooling certificate has been granted and who is temporarily unemployed, shall cause such child regularly to attend a continuation school for at least twenty hours each week.

On and after July first, one thousand nine hundred and twenty, every parent, guardian, or other person having custody and control of a child between the ages of fourteen and sixteen years, to whom an age and schooling certificate has been granted and who is regularly and lawfully employed, shall cause such child to attend a continuation school for a period of at least six hours during each week for at least thirty-six weeks in each year. Such attendance shall be in the school district or the county in which said child is employed and shall be during the hours when said continuation school in such district or county is in session: *Provided*, That for reasons satisfactory to the State board of education, the commissioner of education may permit or require such child to attend a continuation school in the school district or the county in which he or she resides.

[Section 12 is amended by requiring from the employer an agreement to permit employed children to attend continuation schools at least six hours per week for 36 weeks during the year; also by making provision for transmitting and filing certificates of children employed in other than the district of their residence.

Slight formal changes are made in sections 16 and 17, to conform to the changes providing for a recognition of continuation schools.]

CHAPTER 36.—*Employment of children—Hours of labor.*

[This chapter amends section 9, chapter 252, Acts of 1914, so as to read as follows:]

SECTION 9. No minor under the age of sixteen years shall be employed, permitted or allowed to work in places coming under the provisions of this act, more than eight hours in a day or forty-eight hours in a week: *Provided*, That during the weeks of each year that any continuation school now established, or which may hereafter be established in the school district or the county in which the minor is employed, shall be in session, no minor under the age of sixteen years shall be employed, permitted, or allowed to work in any place or places coming under the provisions of this act for more than forty-two hours in each week; nor shall any minor under the age of sixteen years be employed, permitted or allowed to work in any place or places coming under the provisions of this act after seven o'clock in the afternoon or before seven o'clock in the morning of any day; nor shall any child under the age of sixteen years be employed, permitted or allowed to work on the first day of the week commonly known as Sunday, or any time during said day; any corporation, or the officers and agents thereof, the members of any firm, or the agents thereof, or any parent,

Attendance at continuation school.

Hours per day and week.

During school term.

Night work.

Sunday labor.

Violations. parents or custodian of any child who shall violate any of the provisions of this section shall be liable to a penalty not to exceed fifty dollars for each offense. Any place where a child or children are habitually employed contrary to the provisions of this section shall be a disorderly house, and any corporation, or the officers or agents thereof, the members or agents of any firm, or any person, owning, operating or managing said business shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.

Approved April 7, 1919.

CHAPTER 37.—*Employment of children in mercantile establishments.*

[This act amends section 2, chapter 253, Acts of 1914, so as to read as follows:]

Certificates re- SECTION 2. No child under the age of sixteen years shall be
quired. employed, allowed, or permitted to work in or in connection with
any mercantile establishment unless such child shall produce an
age and schooling certificate as provided and required by law, nor
shall said child be employed more than eight hours in any one day,
Hours of labor. or more than forty-eight hours in any one week, or before seven
o'clock in the morning or after seven o'clock in the evening:
Night work. *Provided*, That during the weeks of each year that any continua-
tion. tion school now established, or which may hereafter be established
in the school district or the county in which said child is employed,
shall be in session, no child under the age of sixteen years shall be
employed, permitted, or allowed to work in any place or places com-
ing under the provisions of this act for more than forty-two hours
in any one week; nor shall any child under the age of sixteen
years be employed, permitted, or allowed to work on the first day
of the week, commonly known as Sunday, or any time during said
Sunday labor. day. Any corporation, or the officers and agents thereof, the
members of any firm, or the agents thereof, any person, or any
parent, parents, or custodian of any child who shall violate any
of the provisions of this section shall be liable to a penalty not to
Violations. exceed fifty dollars for each offense. Any place where a child
or children are habitually employed contrary to the provisions
of this section shall be a disorderly house, and any corporation,
or the officers or agents thereof, the members or agents of any firm,
or any person owning, operating, or managing said business, shall
be deemed to be guilty of keeping a disorderly house, and upon
conviction thereof shall be fined not to exceed one thousand
dollars, or shall be committed to jail not to exceed three years,
or both.

Approved April 7, 1919.

CHAPTER 74.—*Vocational rehabilitation of handicapped persons.*

DEFINITIONS.

Physically (a) "Physically handicapped" shall mean any person who, by
handicapped. reason of a physical defect or infirmity, whether congenital or
acquired by accident, injury, or disease, is or may be expected to
be totally or partially incapacitated for remunerative occupation.
Rehabilitation. (b) "Rehabilitation" shall mean the rendering of a person
physically handicapped fit to engage in a remunerative occupation.
Residence. (c) "Residing in the State of New Jersey" shall mean any
person who is and has been domiciled within the State for one
year or more.
Commission SECTION 1. There is hereby created a State commission for the
created. rehabilitation of physically handicapped persons hereinafter re-
ferred to as the commission, to be composed of the commissioner
of education, the commissioner of labor, and the commissioner of
charities and correction, and of three other members to be ap-
pointed by the governor within thirty days after this act goes into

effect, one of whom shall be appointed for a term of one year, one for a term of two years and one for a term of three years. Their successors shall be appointed in the same manner for the term of three years.

Of the three members appointed by the governor one member, and only one, shall be a person who, on account of his or her vocation, activities, and affiliations can be considered as a representative of the employers of labor of the State, and one member, and only one, shall be a person who, on account of his or her vocation, activities, and affiliations, can be considered as a representative of organized labor.

Representation.

As soon as the commission is organized, and during the month of July of each year thereafter at an annual meeting, the commission shall elect its chairman.

The members of this commission shall serve without pay, but their actual expenses incurred in the performance of their duties shall be paid out of the funds appropriated to conduct the activities of the commission.

Expenses.

The governor shall have power at any time to remove any member of the commission appointed by him pursuant to the provisions of this act for inefficiency or neglect of duty, charges in writing having been preferred and sustained after public hearing. Any vacancy occurring during a term shall be filled for the unexpired portion thereof by the appointment of a successor in the same manner as the predecessor was appointed.

Removal of members.

SEC. 2. It shall be the duty of the commission to direct, as hereinafter provided, the rehabilitation of any physically handicapped persons sixteen (16) years of age or over residing in the State of New Jersey: *Provided*, That said duty of this commission shall not be construed to apply to aged or helpless persons requiring permanent custodial care, or to blind persons under the care of the State Commission to Ameliorate the Condition of the Blind, or to deaf persons under the care of the State School for Deaf-Mutes, or to any epileptic or feeble-minded person, or to any person who may, in the judgment of the commission, not be susceptible of such rehabilitation.

Duties.

SEC. 3. The commission shall appoint a director, who shall employ such staff and special assistants as may be necessary to carry out the purposes and objects of this act: *Provided*, That such staff and special assistants shall be appointed by the director in accordance with the provisions of an act entitled "An act regulating the employment, tenure, and discharge of certain officers and employees of the State, and of various counties and municipalities thereof, and providing for a civil service commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight: *And provided further*, That there shall be employed no teacher receiving salary for service who does not possess a certificate of qualification issued under rules prescribed by the State board of education.

Appointees.

SEC. 4. The commission shall have power:

(1) To establish relations with all public and private hospitals to receive reports of any persons under treatment in such hospitals for any injury or disease that may permanently impair their earning capacity in order that persons thus reported may be promptly visited by representatives of the commission who shall make record of their condition and report to the commission. The commission shall then determine whether the person is susceptible of rehabilitation. Such persons as may be found so susceptible shall be acquainted by the commission with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date. Any person who chooses to take advantage of these rehabilitation facilities shall be registered with the commission, and a record kept of every such person and the measures taken for his or her rehabilitation. The commission shall proffer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training, and shall initiate definite plans for

Powers of commission.

Reports from hospitals.

- beginning rehabilitation as soon as the physical condition of the person permits.
- Accident re-ports. (2) To arrange with the commissioner of labor to receive reports of all cases of injuries received by employees in the course of employment which may result in permanent disability. The persons thus known to be injured may be visited, examined, registered, and advised in the same manner and for the same purposes as specified in clause one of this section.
- Handicapped residents of State. (3) To receive applications of any physically handicapped persons residing within the State for advice and assistance regarding their rehabilitation. The persons thus known to be physically handicapped may be visited, examined, and advised in the same manner and for the same purposes as specified in clause one of this section.
- Surveys. (4) To make surveys to ascertain the number and condition of physically handicapped persons within the State. The persons thus known to be physically handicapped may be visited, examined, registered, and advised in the same manner and for the same purposes as specified in clause one of this section.
- Treatment. (5) To arrange for such therapeutic treatment as may be necessary for the rehabilitation of any physically handicapped persons who have registered with the commission.
- Appliances. (6) To procure and furnish at cost to physically handicapped persons registered with the commission, artificial limbs and other orthopedic and prosthetic appliances, to be paid for in easy installments, when such appliances can not be otherwise provided.
- School. (7) To establish, maintain, and operate in one of the first-class cities in the State a school to be known as "The New Jersey Memorial School for Rehabilitation," and to establish, maintain, and operate branches of the school at such other places as may, in the judgment of the commission, be necessary. There shall be provided at the school and its branches courses of training in selected occupations for physically handicapped persons registered with the commission whose physical condition may, in the judgment of the commission, require special courses of training to render them fit to engage in remunerative employment, and who will be assigned by the commission to the school or to any of its branches for the purpose of such special training.
- The commission shall make the necessary rules for the proper conduct and management of the school and its branches; shall have control and care of the building and grounds used by the State for the school and its branches, and the funds for the support thereof, appropriated by the State; shall purchase the necessary equipment and supplies; and shall prescribe the courses and methods of training to be given at the school and its branches.
- Training courses. (8) To arrange with the commissioner of education for training courses in the public schools in the State in selected occupations for physically handicapped persons registered with the commission.
- (9) To arrange with any educational institution for training courses in selected occupations for physically handicapped persons registered with the commission.
- (10) To arrange with any public or private organization or commercial, industrial, or agricultural establishment for training courses in selected occupations for physically handicapped persons registered with the commission.
- Maintenance costs. (11) To provide maintenance costs during the prescribed period of training for physically handicapped persons registered with the commission: *Provided*, That when the payment of maintenance costs is authorized by the commission it shall not exceed ten dollars (\$10) per week, and the period during which it is paid shall not exceed twenty weeks, unless an extension of time is granted by a unanimous vote of the commission.
- Social service. (12) To arrange for social service for the visiting or physically handicapped persons registered with the commission and of their families in their homes during the period of treatment and train-

ing and after its completion to give advice regarding any matter that may effect rehabilitation.

(13) To cooperate with the commissioner of labor in the placement in remunerative employment of physically handicapped persons registered with the commission. Placement.

(14) To conduct investigations and surveys of the several industries located in the State to ascertain the occupations within each industry in which physically handicapped persons can enter upon remunerative employment under favorable conditions and work with normal effectiveness, and to determine what practicable changes and adjustments in industrial operations and practices may facilitate such employment. Investigation of trades, etc.

(15) To make such studies and reports as may be helpful for the operation of this act. Reports.

(16) To keep the people of the State informed regarding the operation of this act.

(17) To cooperate with any department of the Federal Government or of the government of the State of New Jersey or with any county or municipal authorities within the State or with any private agency in the operation of this act. Cooperation.

SEC. 5. The commission shall have further power to extend the benefits of this act to any physically handicapped person who is not a resident of New Jersey upon payment of such fees for the services rendered as shall be fixed by the commission. Nonresidents.

SEC. 6. The provisions of this act shall be liberally construed in order that its purposes and objects may be fully effectuated. Construction.

SEC. 7. To purchase or lease land, construct or rent buildings, provide the equipment, and meet all the expenses necessary to establish, maintain, and operate the school to be known as the "New Jersey Memorial School for Rehabilitation," and to conduct the other activities of the commission authorized by this act, there is hereby appropriated the sum of five thousand dollars (\$5,000), for the purpose of conducting the necessary surveys of the work to be undertaken by this commission, and, in addition thereto, there is hereby appropriated the sum of one hundred thousand dollars (\$100,000) for the purpose of carrying into effect the provisions of this act, such moneys to be available whenever they are included in any annual or other appropriation bill. Appropriations.

SEC. 8. A report on the activities of the commission authorized by this act shall be submitted annually to the governor, together with a statement of the sum necessary to conduct said activities during the ensuing year. Annual reports.

* * * * *
SEC. 10. If 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 this act as a whole or any part thereof other than the part so decided to be unconstitutional or invalid. Provisions severable.

Approved April 10, 1919.

CHAPTER 151.—Department of labor—Inspection of steam boilers.

[This act amends chapter 363, Acts of 1913, as amended by chapter 251, Acts of 1917, and chapter 213, Acts of 1918.]

SECTION 1. Within sixty days after this act shall take effect there shall be established in the department of labor a bureau to be known as the boiler inspection bureau, which shall consist of the commissioner of labor as head, the members of the steam engine and boiler operators' license bureau, created under the provisions of * * * [Chapter 363, Acts of 1913], and such inspectors as the commissioner of labor shall deem necessary, who shall have the qualifications and be appointed in the manner hereinafter prescribed in this act. The members of the steam engine and boiler operators' license bureau, under the direction of the commissioner of labor, shall exercise supervision over all the inspections made under this act and shall also direct and supervise the inspectors hereinafter provided for. Boiler inspection bureau.

- The said members of the steam engine and boiler operators' license bureau shall also have all the powers and privileges and be entitled to the same emoluments as said inspector.
- Duties.** **Sec. 2.** The said boiler inspection bureau shall be in charge of the inspection of all of the steam boilers located within this State carrying a pressure of more than fifteen pounds per square inch, and also refrigerating plants in this State using ammonia or ethyl chloride of over three tons refrigerating capacity.
- The members of said boiler inspection bureau shall be subject to the direction, control, and approval of the commissioner of labor, who shall prescribe their duties and who shall make such rules and regulations for the operation of such bureau as he may deem necessary.
- Qualifications.** **Sec. 3.** Any person who shall be a citizen of the State of New Jersey, who has had at least five years' experience as an engineer in the care and operation of steam boilers, or who has had at least five years' experience as a boiler-maker, or who has been for five years an inspector of an insurance company issuing insurance upon boilers and licensed to do business within this State, who shall satisfactorily pass the examination hereinafter provided for, shall be eligible to the office of inspector in the said boiler inspection bureau.
- Appointment of inspectors.** **Sec. 5.** The commissioner of labor shall appoint the necessary inspectors from those who have satisfactorily passed said examination and shall issue to the inspector so appointed a license, which license shall be signed by the commissioner of labor and be sealed with the seal of the department of labor, and when so licensed such inspectors shall be authorized and empowered to conduct inspection of steam boilers within this State. Said inspectors shall hold office during the pleasure of the commissioner of labor and shall perform such duties as the commissioner of labor shall by rule direct.
- Inspections.** **Sec. 6.** All steam boilers carrying a pressure or [of] more than fifteen pounds per square inch shall be inspected internally and externally and be subject to a hydrostatic test, if necessary, at least once in each year by an inspector of the boiler-inspection bureau, excepting, however, such steam boilers as may be insured after having been regularly inspected in accordance with the terms of this act by insurance companies: *Provided, however,* That the inspectors of such insurance companies shall have satisfactorily passed the examination and been licensed by the commissioner of labor under the terms of this act for the inspection of steam boilers; the inspections of any steam boiler by such licensed inspector of an insurance company shall be acceptable in lieu of other inspections by the boiler-inspection bureau. This act shall not apply to steam boilers in marine or railroad service that are subject to United States Government inspection and regulations, or to fire department apparatus or motor road vehicles.
- Rules.** **Sec. 10.** The commissioner of labor is hereby authorized to make such rules and regulations covering the manner of conducting inspections, the method of collecting fees, the settlement of accounts and payment of money on the part of licensed inspectors by insurance companies as he may deem necessary.
- Reports by insurance companies.** **Sec. 11.** Any insurance company making an inspection of any steam boiler shall make a report of such examination to the commissioner of labor in such manner and at such intervals as he may by rules provide, and shall pay to said commissioner of labor a fee of one dollar for each boiler insured within the State.
- Condemnation.** **Sec. 13.** If, after any inspection, it is found that any steam boiler is unfit for use, the inspector making such inspection shall order the use of said boiler to be discontinued until such time as proper repairs or replacements are made, and it shall be the duty of said owner of said steam boiler before continuing the use of said steam boiler to cause the same to be properly repaired or replaced, and when said repairs or replacements are complete

to notify the commissioner of labor, who thereupon shall cause a further inspection of said steam boiler in order to determine whether such repairs or replacements have been properly made, and if said inspection discloses that such steam boiler is fit for use the said inspector shall deliver to said owner a certificate entitling said owner to recontinue its use.

SEC. 14. Any owner or operator of any steam boiler who is dissatisfied with the result of any such inspection may appeal to the commissioner of labor by mail and upon the receipt of any such appeal the commissioner of labor shall direct one of the members of the steam engine and boiler operators' license bureau to conduct an inspection of such steam boiler and make a report of such inspection to the commissioner of labor, who thereupon shall render his decision, which decision shall be final.

Appeal.

SEC. 15. All steam boilers in this State shall be required to conform to such regulations and standards as are from time to time adopted by the board of boiler rules.

New regulations.

Approved April 14, 1919.

CHAPTER 152.—*Employment of children—Continuation schools.*

SECTION 1. The following words and phrases as used in this act shall, unless a different meaning is plainly required by the context, have the following meanings:

Definitions.

(a) "Continuation school" shall mean a class, school, or department of a school having a separate organization of pupils and course, or courses, of study for the purpose of giving instruction to children to whom have been granted age and schooling certificates.

(b) "Vocational class" in a continuation school shall mean a class for children to whom have been granted age and schooling certificates in which the controlling purpose of the instruction is to fit for profitable employment.

SEC. 2. On and after July first, one thousand nine hundred and twenty, the board of education in every school district in this State in which there are employed twenty or more children between the ages of fourteen and sixteen years to whom have been granted age and schooling certificates in accordance with the child labor and compulsory education laws, shall establish and maintain a continuation school or continuation schools. * * *

Schools to be established.

Approved April 14, 1919.

CHAPTER 172.—*Department of labor—Inspectors.*

[This chapter amends section 1 of chapter 58, Acts of 1917, by striking out the provisions for the payment of fixed sums to the various classes of inspectors, and enacting that they shall receive such compensation as is or may be fixed by the State civil-service commission, in accordance with the provisions of chapter 24, Acts of 1918.]

CHAPTER 182.—*Payment of wages in scrip.*

SECTION 1. It shall not be lawful for any person or corporation in this State to issue, for payment of labor, any order or other paper whatsoever, unless the same is negotiable and purport to be redeemable for its face value at sight in lawful money of the United States, by the person giving or issuing the same: *And provided, however,* Nothing in this act contained shall prevent any private individual from giving any orders for goods and merchandise on any store in which such private individual has no interest, directly or indirectly, in the profits or business.

Orders, etc., to be redeemable.

SEC. 2. This act shall take effect immediately.

Approved April 15, 1919.

CHAPTER 187.—*Mine regulations.*

- Definitions.** SECTION 1. For the purpose of this act the following words and terms shall be deemed and taken to have the meanings herein given to them:
- Mine.* The term "mine" shall include any and all mines within the State, and any mining plant and equipment therewith, underground or on the surface, which contributes or may contribute to the mining or handling of ore, coal, or other metalliferous or non-metalliferous products.
- Operator.* The term "operator," when used in this act, shall mean the person, firm, association, company, or corporation in immediate possession of any mine or mining claim, or accessories thereof, as owner or lessee thereof, and as such responsible for the management and condition thereof.
- Inspector of mines.* The term "inspector of mines" or "inspector" when used in this act shall mean the inspector attached to the bureau of mines.
- Excavations or workings.* The words "excavations" and "workings" when used in this act, shall mean any or all parts of a mine excavated or being excavated, including shafts, tunnels, entries, winzes, raises, stopes, open cuts, and all working places, whether abandoned or in use.
- Bureau of mines.** SEC. 2. There is hereby created within the department of labor a bureau of mines. Such bureau shall consist of an inspector of mines, who shall have practical knowledge and skill in the work in and operation of mines and such additional employees, as may, in the judgment of the commissioner of labor, be necessary.
- Appointment.** SEC. 3. The inspector of mines and other employees shall be appointed by the commissioner of labor in accordance with the provisions of an act entitled "An act regulating the employment, tenure, and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight: *Provided, however,* That nothing contained in this act shall limit in any way the power granted the commissioner of labor under the provisions of the act of which this act is a supplement, to assign or transfer inspectors from one bureau to another, or stenographers or clerks from one bureau to another, as may be necessary or advisable, or to require from one bureau assistance in the work of another bureau. The salaries of the inspector and other employees shall be fixed by the commissioner of labor. The inspector and other employees or appointees in this bureau shall, in addition to their compensation, be reimbursed for their actual and necessary expenses incurred in the performance of their duties.
- Inspector.** SEC. 4. The inspector of mines shall be a qualified elector of the State and a resident thereof at least two years prior to his appointment, and not under thirty years of age, and shall have been practically engaged in and acquainted with mines and mining in this State, and shall have at least seven years' experience in the underground mining.
- Duties.** SEC. 7. It shall be the duty of the inspector to visit, at least once in every three months, every mine in this State, employing twenty-five or more men underground, and every other working mine employing six or more men, at least twice each year, and oftener if in his opinion the safety of the men employed in the mine so requires; and to inspect, investigate, inquire, and examine into the operation, workings, timbering, safety appliances machinery, sanitation, ventilation, means of ingress and egress, means taken to protect the lives and insure the safety of the miners, together with the cause of accidents and accidental deaths therein, and in general to inspect, ascertain what means are taken to comply with the provisions of this act. For the purpose of making such inspection, and ascertaining facts in connection with such investigation, examination, and inquiry the inspector shall have full power and

authority upon exhibition of his certificate of appointment, at all hours, to enter and examine any part of a mine, and to visit, investigate, and examine any plant or equipment connected therewith within this State or any part of the workings thereof. All operators and their employees shall render to the inspector such assistance as may be necessary to enable the inspector to make such examination.

[The remaining sections of the act (8 to 36, inclusive) present the usual provisions of such a law, including the issue and enforcement of orders, reports of accidents, provisions for first aid, regulations as to maps, explosives, blasting, fire protection, escape shafts, hoisting and lowering men, ladderways, ventilation, signals, provisions for rescue, etc.]

Approved April 15, 1919.

CHAPTER 251.—*Factory etc., regulations—Fire-alarm systems.*

SECTION 1. Every factory, workshop, mill, or place where the manufacture of goods of any kind is carried on which is more than two stories in height above grade on three sides of such building and wherein more than twenty-five (25) operatives are employed above the first floor or grade level shall be equipped with an electrical fire-alarm system or its equivalent in efficiency, except all buildings coming within the intent of this act that are equipped with an approved and efficiently maintained sprinkler system shall be exempt from the provisions requiring the installation of electrical fire-alarm equipment or its equivalent in efficiency, provided such sprinkler equipment in the judgment of the commissioner of labor is deemed sufficient protection to the occupants. The electrical fire-alarm system or its equivalent in efficiency shall include sufficiently loud sounding gongs or other approved devices located on each floor or subdivision of floors of such building to be distinctly heard above the noise of machinery and other sounds. All fire-alarm systems in buildings hereby required to be so equipped shall be installed in conformity with the standards of the department of labor, and shall be maintained at full operating efficiency continuously throughout the tenancy of such buildings.

System to be installed, when.

SEC. 2. The system shall be so installed as to permit the sounding of all alarm gongs or other devices within a single building whenever the alarm is sounded in any one portion thereof; the means of sounding this alarm shall be placed within easy access of all the operatives within the specified factory or section thereof, preferably at usual means of egress, and shall be plainly labeled.

Alarm through out building.

SEC. 3. The system of fire alarm shall be used for no other than fire protective purposes.

Use restricted.

SEC. 4. The fire-alarm system shall be tested daily at or before the hour of commencing work, and such tests shall consist of two taps (or blasts). All the fire-alarm boxes in such fire-alarm systems shall be tested once in each calendar month. Reports shall be maintained by the management of any factory, workshop, mill, or other work place wherein such system exists of the daily tests, monthly tests, and fire drills.

Tests.

SEC. 5. It shall be the duty of the person in charge of any factory, workshop, mill, or other place where the manufacture of goods of any kind is carried on within a building equipped with such a system to immediately cause the alarm to be sounded in the event of fire.

Alarm to be sounded.

SEC. 6. A fire drill sufficient to enable the operatives of a factory, workshop, mill, or other work place immediately and rapidly to leave the premises shall be maintained in every factory building more than two stories in height, and shall be practiced at least once in every calendar month, and the management normally in charge of such factory, workshop, mill, or other place shall properly instruct all operatives in the method of practicing these fire drills. A demonstration of this drill shall be given at the request of a representative either of the department of labor or of the fire department of the municipality in which the factory, work-

Fire drills.

shop, mill, or other work place is located. The chief of each fire department shall advise the commissioner of labor of any violations of the requirements of the law coming to his knowledge.

Enforcement.

SEC. 7. The commissioner shall have power to enforce the provisions of this act by order in writing served upon the owner or owners of any building coming within the operation of this act, specifying the directions to be executed and the time limited for the completion thereof. Any person, firm, or corporation failing or neglecting to comply with the terms of such order within the time therein limited, or any extension thereof granted by the said commissioner, shall be liable to a penalty of one hundred dollars for such failure and to a further penalty of ten dollars for each day that shall elapse after the expiration of the time limit until compliance is made with the terms of such order. If the order is not complied with within the time limited, in addition to the foregoing penalty, the commissioner shall forthwith cause the said building to be closed for manufacturing purposes until such order is complied with. The commissioner shall give the owner of such building twenty-four hours' notice, in writing, of a closing order, and then shall post on the doors of such building a notice that such building has been closed for manufacturing purposes pending compliance with an order of the department of labor. If the said building shall be used for any manufacturing purpose until such order shall have been revoked by the said commissioner upon compliance with said order, the owner of such building shall be liable to a penalty of one thousand dollars.

Penalty.

For violation of any mandatory portion of this act, if an order of the commissioner with reference thereto has not been issued, the owner of such building shall be liable to a penalty of one hundred dollars.

Force of act.

SEC. 8. The provisions of this act shall be construed as furnishing minimum requirements for the guidance of said commissioner of labor; he may multiply or add such requirements as in his judgment are necessary and proper in each particular case. No municipality shall issue order or permits in derogation thereof, but any municipality may require, in addition thereto, such precautions or devices as are not inconsistent with the provisions of this act, but the municipality shall be responsible for the enforcement of the orders issued under its authority.

Approved April 17, 1919.

NEW MEXICO.

ACTS OF 1919.

CHAPTER 84.—*State mine inspector—Salary.*

Section 5364 of the New Mexico Statutes, annotated Codification 1915, is amended to read as follows: Section 1.

Sec. 59. The inspector shall give bond to the State in the sum of four thousand dollars (\$4,000) and shall receive as compensation for his service the sum of two thousand four hundred dollars (\$2,400) per annum, payable monthly, and in addition actual and necessary transportation and traveling expenses. Bond.
Salary.

Approved March 15, 1919.

CHAPTER 140.—*Employment of labor—Anarchists.*

SECTION 5. Any person, firm, or corporation employing or having in his employ any person or persons knowing him or them to be actively engaged in advocating, teaching, or encouraging the violation of 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 one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than sixty days nor more than six months, or by both such fine and imprisonment, in the discretion of the court. Employers liable.

Approved March 17, 1919.

NEW YORK.

ACTS OF 1919.

CHAPTER 85.—*Department of labor—Bureau of women in industry.*

[This chapter amends section 42 of chapter 31, Consolidated Laws, as amended by chapter 674, Acts of 1915, by adding to the bureaus therein enumerated a bureau of women in industry.

Section 2 of the act reads as follows:]

SECTION 2. The following sums, or so much thereof as may be necessary for the purpose of the appropriation, are hereby appropriated, respectively, for salaries of employees in the bureau of women in industry, of the department of labor:

Chief.....	\$2, 500
Five investigators, at \$1,500 each.....	7, 500
Stenographer.....	900

The amount specified or appropriated for any such salary shall be the salary for the position indicated for one year. The moneys appropriated shall be paid out by the State treasurer on the warrant and audit of the comptroller, upon vouchers approved by the State industrial commission.

Became a law March 20, 1919.

CHAPTER 228.—*Inspection of steam boilers.*

SECTION 1. Section ninety-one of Chapter * * * thirty-one of the Consolidated Laws, as added by chapter three hundred and forty-seven of the laws of nineteen hundred and fifteen, is hereby amended to read as follows:

Section 91. The commission shall cause to be inspected at least once each year, all boilers used for generating steam or heat which carry a steam pressure of more than fifteen pounds to the square inch, except where a certificate is filed with such commission by a duly authorized insurance company, in conformity with the rules and regulations of the commission, and certifying that upon such inspection such boilers have been found to comply with the rules and regulations adopted by the commission and to be in a safe condition. Every such insurance company shall report to the commission all boilers insured by them coming within the provisions of this section including those rejected, together with the reasons therefor. A fee of five dollars shall be charged the owner or lessee of the Consolidated Laws, as added by chapter three hundred and ternal inspection made by the inspector of the commission but not more than the sum of seven dollars shall be collected for the inspection of any one boiler for any year. Such fee shall be payable within thirty days from the date of such inspection. If a certificate of inspection filed in the office of the commission shows a boiler to be in need of repairs or in an unsafe or dangerous condition, the commission shall order such repairs to be made to such boiler as in its judgment may be necessary and it shall order the use of such boiler discontinued until such repairs are made or such dangerous and unsafe conditions remedied. Such order shall be served upon the owner or lessee of the boiler, personally or by mail, and any owner or lessee failing to comply with such order within a time to be specified therein, which shall be not less than ten days from the service of the order if served personally and not less than fifteen days from the mailing thereof if served by mail, shall be liable to a penalty of fifty dollars for each day's neglect thereafter. Every owner or lessee of any such boiler who shall use or allow a boiler to be used by any one in his employ after re-

Annual inspec-
tions.

Fee.

Ordera.

ceiving notice that such boiler is in an unsafe or dangerous condition shall be subject to a penalty of not to exceed five dollars for each day on which such boiler is used after receipt of such notice: Owners and lessees of boilers shall attach to such boilers the numbers assigned by the commission under a penalty of five dollars for each day's failure so to do after such numbers have been assigned.

Exemptions.

The provisions of this section shall not apply to cities in which boilers are regularly inspected by competent inspectors acting under the authority of local laws or ordinances. Said cities shall enforce the boiler code as adopted by the commission.

Boilers subject to inspection by the public service commission, inspectors of steam vessels under the State superintendent of public work and United States Government are exempted.

Became a law April 15, 1919.

CHAPTER 308.—Stock for employeess of corporations.

[This chapter adds a new section to chapter 59, Consolidated Laws, as follows:]

Power to issue.

SECTION 62-a. Any corporation may with the consent of the stockholders under such restrictions as they shall impose issue any part or all of the additional stock authorized pursuant to section sixty-two of this act to employees of the corporation. * * *

Became a law May 3, 1919.

CHAPTER 373.—Mothers' pensions.

[This act amends subdivision 1 of section 153, chapter 24, Consolidated Laws, added by chapter 228, Acts of 1915, by adding a provision admitting to the benefits of the act the widow of a man who had resided two years in the State immediately preceding his death, whose child or children were born in the United States, and who had declared his intention of citizenship within two years preceding his death.]

CHAPTER 402.—Factory, etc., regulations—Definitions.

[This chapter amends the definition of a mercantile establishment as found in section 2 of chapter 31, Consolidated Laws, by inserting the words, "Where one or more persons are employed" after the word "place" in the first line of the paragraph.]

CHAPTER 403.—Factory, etc., regulations—Inspectors.

SECTION 1. Section fifty-four of chapter * * * thirty-one of the Consolidated Laws, as renumbered and last amended by chapter one hundred and forty-five of the laws of nineteen hundred and thirteen, is hereby amended to read as follows:

Inspectors, factory.

SEC. 54. 1. Factory inspectors: There may be appointed not more than two hundred and twenty-five factory inspectors, not more than fifty of whom shall be women, within the appropriation granted by the legislature. Such inspectors shall be appointed by the commission and may be removed by it at any time. The

Salaries.

inspectors shall be divided into seven grades. Inspectors of the first grade shall each receive an annual salary of one thousand two hundred dollars; inspectors of the second grade shall each receive an annual salary of one thousand five hundred dollars; inspectors of the third grade shall each receive an annual salary of one thousand eight hundred dollars; inspectors of the fourth grade shall each receive an annual salary of two thousand dollars and may be attached to the division of industrial hygiene and act as investigators in such division; inspectors of the fifth grade, of whom there shall be not more than nine, one of whom shall be able to speak and write at least five European languages in addition to English, shall each receive an annual salary of three thousand five hundred dollars and shall act as supervising inspectors; inspectors of the sixth grade, of whom there shall be not less than three and one of whom shall be a woman, shall act as

medical inspectors and shall each receive an annual salary of two thousand five hundred dollars; inspectors of the seventh grade, of whom there shall be not less than four, shall each receive an annual salary of three thousand five hundred dollars; all of the inspectors of the sixth grade shall be physicians duly licensed to practice medicine in the State of New York. Of the inspectors of the seventh grade one shall be a physician duly licensed to practice medicine in the State of New York, and he shall be the chief medical inspector; one shall be a chemical engineer; one shall be a mechanical engineer, and an expert in ventilation and accident prevention; and one shall be a civil engineer, and one an expert in fire prevention. Inspectors of the first grade who have served in said grade two years at the time this section as amended takes effect, or who hereafter will have served two years in said grade, shall be placed in the second grade. Inspectors of the second grade, who have served in said grade two years at the time this section as amended takes effect, or who hereafter will have served two years in said grade, shall be placed in the third grade. Inspectors of the third grade, who have served in said grade two years at the time this section as amended takes effect, or who hereafter will have served two years in said grade, shall be placed in the fourth grade.

Promotion.

2. Mercantile inspectors: The commission may appoint from time to time not more than twenty mercantile inspectors, not less than four of whom shall be women, and who may be removed by it at any time. The mercantile inspectors shall be divided into three grades. Each mercantile inspector of the first grade shall receive an annual salary of one thousand two hundred dollars; of the second grade an annual salary of one thousand five hundred dollars; and of the third grade an annual salary of one thousand eight hundred dollars. Inspectors of the first grade who have served in said grade two years at the time this section as amended takes effect, or who hereafter will have served two years in said grade, shall be placed in the second grade. Inspectors of the second grade, who have served in said grade two years at the time this section as amended takes effect, or who hereafter will have served two years in said grade, shall be placed in the third grade.

Inspectors, mercantile.

Salaries.

SEC. 2. The sum of twenty-two thousand eight hundred dollars (\$22,800), or so much thereof as may be needed, is hereby appropriated for carrying out the provisions of this act.

Appropriation.

Became a law May 5, 1919.

CHAPTER 531.—*Employed children—Continuation schools.*

[This chapter amends article 22, chapter 16, Consolidated Laws. Section 601 is made section 602, and subsequent sections are renumbered accordingly. A new section 601 is enacted, containing the principal provisions as to continuation schools. Some changes are also made in section 600. The amended law follows:]

SECTION 600. The board of education of any city may establish, acquire, conduct and maintain as a part of the public school system of such city the following:

1. General industrial schools in communities of less than twenty-five thousand inhabitants open to pupils who have completed the elementary school course or who have attained the age of fourteen years; and
2. Unit trade and technical schools open to pupils who have attained the age of fourteen years or who have completed the elementary school course, or who have met such other requirements as the commissioner of education may have prescribed; and
3. Schools of agriculture, mechanic arts and homemaking, open to pupils who have completed the elementary school course or who have attained the age of fourteen, or who have met such other requirements as the local school authorities may have prescribed; and
4. Practical arts or homemaking schools open to pupils who have completed the elementary school course, or who have at-

Cities may establish industrial, etc., schools.

tained the age of fourteen years, or who have met such other requirements as the commissioner of education may have prescribed. Special requirements may be prescribed for courses conducted in communities of less than twenty-five thousand inhabitants.

5. Evening vocational schools in which instruction shall be given in the trades and industrial, agricultural and homemaking subjects, and which shall be open to pupils over sixteen years of age, who are regularly and lawfully employed during the day and which provide instruction in subjects related to the practical work carried on in such employment; but such evening vocational schools providing instruction in homemaking shall be open to all women over sixteen years of age who are employed in any capacity during the day.

The word "school," as used in this article, shall include any department or course of instruction established and maintained in a public school for any of the purposes specified in this section.

Continuation
schools.

SEC. 601. Part-time or continuation schools shall be established in cities and school districts, having a population of five thousand or more inhabitants. a. The board of education of each city and of each such school district in which there are twenty or more minors above the age of fourteen years and below the age of eighteen years, who are not in regular attendance upon instruction, shall establish and maintain part-time or continuation schools or classes in which such minors shall receive instruction. Such schools or classes may be established in public school buildings, in other buildings especially adapted for their operation, in manufacturing or mercantile establishments and in factories. Such schools or classes, wherever they are established or maintained, shall be under the control and management of the board of education and shall be a part of the public school system of the city or district which maintains them. Courses of study in private or parochial part-time or continuation schools or classes which meet the requirements of the statutes and the regulations prescribed thereunder may be approved by the commissioner of education and, when thus approved, attendance thereon shall be accepted for that required under this article.

Time.

b. Such part-time or continuation schools or classes shall be maintained each year during the full period of time which the public schools of a city or district are in session. The sessions of such part-time or continuation schools or classes shall be on the regular school days and for as many hours between the hours of eight o'clock forenoon and five o'clock afternoon as shall be necessary to provide the required instruction for such minors who reside in said city or district.

Studies.

c. The courses of study in such part-time or continuation schools or classes shall be approved by the commissioner of education and shall include among other subjects instruction in American history, the rights and obligations of citizenship, industrial history, economics, the essential features of the laws relating to the industries taught, and shall also include such other subjects as will enlarge the vocational intelligence of such minors.

Terms.

d. The board of education of each city and of each such school district shall make necessary arrangements to begin to operate and maintain such part-time or continuation schools or classes, on the opening of the public schools in September, nineteen hundred and twenty, and shall annually thereafter in September open and maintain additional schools and classes so that by the opening of the public schools in September, nineteen hundred and twenty-five, a sufficient number of such schools shall have been established as to afford the required instruction under this article to those minors who are required to attend such schools or classes.

Attendance.

e. Each minor under the age of eighteen years, who is not in regular attendance upon a public, private or parochial school or who is regularly and lawfully employed in some occupation or service, unless such minor has completed a four-year secondary course of instruction approved by the regents of the university, shall attend a part-time or continuation school or class in the city

or district in which such minor resides or may be employed. Such attendance shall be for not less than four hours per week and not more than eight hours per week for each week which such school or class is in session except that the school authorities may, subject to the approval of the commissioner of education, permit any such minor to increase the number of hours per week of required attendance and decrease the number of weeks of required attendance. Such minor who is temporarily out of regular employment or service shall attend such school not less than twenty hours per week. The attendance upon a part-time or continuation school or class shall be between the hours of eight o'clock forenoon and five o'clock afternoon.

f. The commissioner of education shall make a survey of each city or district to ascertain the industrial, commercial, economic and social needs of such city or district and the benefits and opportunities to be afforded through the establishment of such part-time or continuation schools or classes to the community and to those who are required to attend such schools or classes. The industrial commission and the commissioner of agriculture shall cooperate with the commissioner of education in making such survey. Survey.

g. The regents of the university shall establish regulations to govern and regulate the administration of such part-time or continuation schools or classes and the attendance of minors thereon. To meet local necessities the board of education of each city or school district may establish regulations but such regulations shall not conflict with the regulations adopted by the regents. Regulations.

h. The parent, guardian or other person having the custody or control of a minor who is required under the provisions of this article to attend a part-time or continuation school or class shall cause such minor to attend such school or class. A parent, guardian or other person who refuses or fails to comply with this provision of the law shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one hundred dollars or by imprisonment for not more than ten days, or both such fine and imprisonment at the discretion of the court. Any minor under sixteen years of age who fail [sic] to attend upon instruction as defined by this article shall be subject to the provisions of section six hundred and thirty-five of the education law, and a minor over sixteen years of age who fails to attend upon instruction as required by this act may be punished for any such violation by a fine not exceeding ten dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment. Duty of parents.

i. Any person, firm or corporation employing a minor between the ages of fourteen years and eighteen years shall permit the attendance of such minor upon a part-time school or class whenever such part-time school or class shall have been established in the city or district where the minor resides or may be employed, and upon the termination of employment of any such minor the employer shall return within three days the employment certificate of such minor by mail to the school authorities, and a person, firm or corporation employing a minor over fourteen years of age and less than eighteen years of age contrary to the provisions of this article shall be subject to a fine of not less than twenty-five dollars and not more than one hundred dollars for each offense or by imprisonment in the city or county jail for not less than five days and not more than ten days, or by such fine and imprisonment at the discretion of the court. A person, firm or corporation, which has in its employ a minor who fails to attend a part-time or continuation school or class as required herein, shall immediately discontinue the services of such minor upon receiving from the school authorities written notice of the failure of such minor to attend such part-time or continuation school or class, and a person, firm or corporation violating this provision of law shall be subject to a fine of fifty dollars for each offense. Employers.

Enforcement. j. The board of education of each city or district having a population of five thousand or more inhabitants is hereby required to enforce the provisions of this law and the commissioner of education is hereby charged with the duty and vested with necessary authority to supervise the enforcement and administration of this act.

* * * * *

Schools in districts. SEC. 602. The board of education of any union free school district shall also establish, acquire, and maintain general industrial schools, unit trade and technical schools, schools of agriculture, mechanic arts and home making, and practical arts or home-making schools, and evening vocational schools for like purposes whenever such schools shall be authorized by a district meeting. The trustees or board of trustees of a common school district may establish a school or a course in agriculture, mechanic arts, and home making when authorized by a district meeting. * * *

CHAPTER 544.—*Weekly day of rest—Factory, etc., regulations—Elevators.*

[This act amends subdivision 1, section 8-a, chapter 31, Consolidated Laws, by requiring elevator operators to have a weekly day of rest, as provided in that subdivision.

Subdivision 2 of section 93 of the same chapter is amended in so far as it relates to elevator operation by substituting the words "male minor" for the word "child" and the word "person" where those words occurred, so that this section shall not relate to the employment of females of any age employed as elevator operators. A new article, 12-A, is added relating to the employment of females as operators of elevators, as follows:]

Females under 18. SECTION 175. No female minor under the age of eighteen years shall be employed or permitted to have the care, custody, or management of or to operate an elevator, either for freight or passengers, in any building or place within the State. A female of the age of eighteen years or upward shall be deemed a woman within the meaning of this article.

Hours of labor. SEC. 176. 1. No woman shall be employed or permitted to work in caring for, having the custody or management of, or operating any such elevator more than six days or fifty-four hours in any one week or more than nine hours in any one day.

Night work. 2. No woman shall be so employed or permitted to work before seven o'clock in the morning or after ten o'clock in the evening of any day, except that if the elevator be used in connection with a business or industry in which the employment of women between six and seven o'clock is not prohibited, a woman may begin work at the employment prescribed in this section not earlier than six o'clock in the morning.

Seats. SEC. 177. Suitable seats shall be provided and maintained for any woman employed in caring for, having the custody or management of, or operating any such elevator. Such employee shall be allowed the use thereof at such times and to such extent as may be necessary for the preservation of their health.

Time for meals. SEC. 178. Not less than forty-five minutes shall be allowed for the noonday meal of women employed in caring for, having the custody or management of or operating any such elevator, unless the commission shall permit a shorter time. Such permit shall be kept conspicuously posted in the elevator or over or near the main or ground floor opening leading thereto. The permit may be revoked at any time. Whenever any such employee is employed or permitted to work after seven o'clock in the evening, such employee shall be allowed at least twenty minutes to obtain lunch or supper between five and seven o'clock in the evening.

Notice to be posted. SEC. 179 A printed notice, in a form which shall be furnished by the commission, stating the number of hours per day for each day of the week required of women employed in caring for, having the custody or management of or operating any such elevator; and the time when their work shall begin and end, shall be kept

posted in a conspicuous place in the elevator or over or near the main or ground floor opening thereto. Such employees may begin their work after the time for beginning and stop before the time for stopping such work, but they shall not otherwise be employed, permitted, or suffered to work in such employment, except as stated in the notice. The terms of the notice shall not be changed after the beginning of labor on the first day of the week without the consent of the commission.

SEC. 180. There shall be provided and maintained for the use of all employees, whether men, women, or children, adequate and convenient wash rooms or washing facilities and a sufficient number of suitable and convenient water-closets. Where the elevator is used in or in connection with a factory or mercantile establishment, the provisions of sections eighty-eight, eighty-eight-a, one hundred and sixty-eight-c, and one hundred and sixty-eight-e shall apply to wash rooms, washing facilities, and water-closets for employees mentioned in this section; and where the elevator is used in any other building or place, the provision of such sections one hundred and sixty-eight-c and one hundred and sixty-eight-e shall apply to wash rooms, washing facilities, and water-closets for employees engaged in caring for, having the custody or management of, or operating an elevator in such building or place. For the purpose of so applying the sections last referred to, the term "mercantile establishment" as therein used shall be deemed to mean and include a building in which the elevator is located or with which it connects. Where wash rooms, washing facilities, and water-closets not required by this chapter before this article takes effect, shall not have been heretofore provided, the time for installing and providing the same shall be fixed by the commission; but such time shall not be earlier than September first, nineteen hundred and nineteen, nor later than January first, nineteen hundred and twenty.

SEC. 181. The provisions of subdivision two of section one hundred and seventy-six shall not apply to the care, custody, management, or operation of an elevator in a hotel by a woman over twenty-one years of age.

Became a law May 10, 1919.

CHAPTER 545.—*Protection of employees on buildings.*

[This chapter amends sections 19, 20, and 21 of chapter 31, Consolidated Laws, by substituting the word "commission" for the words "commissioner of labor" where the enforcement officer is mentioned, and making the proper changes in pronouns referring thereto; also by extending the operations of the law to towns and villages instead of confining it to cities as heretofore. Section 22, added by chapter 320, Acts of 1913, is renumbered as 23.]

CHAPTER 546.—*Industrial commission.*

[This chapter substitutes the word "commission" for the words "commissioner of labor" and "industrial board" where they occurred in section 59 of chapter 31, Consolidated Laws. It also provides for the extension of mercantile inspection to all cities, and not alone to those of the first and second class.]

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

[This chapter amends subdivision 1 of section 77, chapter 31, Consolidated Laws, by inserting after the word "days" the words or "forty-eight hours," as a limitation of a week's work by a child under sixteen years of age.

Subdivision 2 of section 161 of the same chapter, as amended, is further amended by adding thereto the following:]

Except that females who are engaged or employed as writers or reporters in newspaper offices shall not be affected by the limitations of the hours before seven o'clock in the morning or after ten o'clock in the evening of any day as well as to the period of six days in any one week.

CHAPTER 583.—*Employment of women on street railroads.*

[This chapter adds a new section to chapter 31 of the Consolidated Laws.]

- Age limit. SECTION 161-d. 1. No female, under the age of twenty-one years, shall be employed, permitted, or suffered to work at any time in any of the occupations specified in this section.
- Hours. 2. No female over twenty-one years of age shall be employed, permitted, or suffered to work in or in connection with the operation of any street, surface, electric, subway, or elevated railroad, or to sell or accept fares or admissions in any railroad station, car, or train of any street, surface, electric, subway, or elevated railroad more than six days or fifty-four hours in any one week, nor more than nine hours in any one day, nor before six o'clock in the morning, nor after ten o'clock in the evening of any day.
3. The daily hours of labor of such female employees shall be the period between the time of reporting for duty at the barn, terminal, car, or station and the time when the employee is released for the day. The daily hours of labor shall be consecutive, except that one hour shall be allowed for meals.
- Sanitary provisions. 4. The provisions of section one hundred and sixty-eight-b in relation to drinking water; of section one hundred and sixty-eight-c in relation to wash stands, and section one hundred and sixty-eight-e in relation to water-closets shall also apply to the employments specified in this section. Such facilities shall be provided in all stations, terminals, and car barns where women are employed or report for duty. The provisions of section one hundred and sixty-eight-d, in relation to dressing rooms, shall also apply to the employments specified in this section, and such facilities shall be provided in all terminals and car barns where women are employed or report for duty.
- Time for meals. 5. Not less than one hour in any one day shall be allowed for the meals of the employees specified in this section, unless the State industrial commission shall permit a shorter time. Such permit, if granted, shall be kept posted in the main entrance of the station, terminal, or car barn where such employees are employed or report for duty, but it may be revoked at any time by the State industrial commission.
- Notice to be posted. 6. A printed notice, in a form which shall be furnished by the State industrial commission, stating the number of daily hours of labor for each day in the week of the employees enumerated in this section, and the time when their work shall begin and end, shall be kept posted in a conspicuous place in each terminal station, or car barn where they are employed or report for duty. Such employees may begin their work after the time for beginning or stop before the time for ending such work, as stated in such notice, but shall not be otherwise employed, permitted, or suffered to work in any occupation specified in this section, except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the State industrial commission. The presence of such employees in, or in connection with, the occupations specified in this section at any other hours than those stated in the printed notice, or, if no such notice be posted, before six o'clock in the morning, or after ten o'clock in the evening of any day, shall constitute prima facie evidence of a violation of this section.
- Time book. 7. A time book, in a form to be approved by the State industrial commission, shall be correctly and properly kept, giving the names and addresses of all female employees, and the hours employed in occupations mentioned herein, and the hours worked by each of them on each day and the time of beginning and ending the day's work, and shall be exhibited on the order of the State industrial commission, or on the request of its subordinates promptly, on demand.

Became a law May 12, 1919.

NORTH CAROLINA.

ACTS OF 1919.

CHAPTER 100.—*Employment of children—General provisions.*

SECTION 5. No child under the age of fourteen years shall be employed, or permitted to work, in or about or in connection with any mill, factory, cannery, workshop, manufacturing establishment, laundry, bakery, mercantile establishment, office, hotel, restaurant, barber shop, bootblack stand, public stable, garage, place of amusement, brick yard, lumber yard, or any messenger or delivery service, except in cases and under regulations prescribed by the commission hereinafter created: *Provided*, The employments in this section enumerated shall not be construed to include bona fide boys' and girls' canning clubs recognized by the agricultural department of this State; and such canning clubs are hereby expressly exempted from the provisions of this act. Age limit.

SEC. 5a. It shall be the duty of the county boards of education of each county in the State of North Carolina to cause this act to be published in full in some newspaper published in the county if there be one, and if there be none, then in circular form and distributed over the county at least four weeks prior to the opening of the schools after the first day of July, one thousand nine hundred and nineteen. Publication of law.

SEC. 6. No person under sixteen years of age shall be employed or permitted to work at night in any of the places or occupations referred to in section five of this act, between the hours of nine p. m. and six a. m., and no person under sixteen years of age shall be employed or permitted to work in or about or in connection with any quarry or mine. Night work.

SEC. 7. The State superintendent of public instruction, the secretary of the State board of health, and the commissioner of public welfare of the State of North Carolina are hereby constituted the State child welfare commission, and they shall serve without additional compensation. It shall be the duty of this commission to make and formulate such rules and regulations for enforcing and carrying out the provisions of this act, and of chapter eighty-three of the Public Laws of one thousand nine hundred and thirteen, and chapter eight hundred and fifty-seven of the Public Laws of one thousand nine hundred and nine, as in its judgment it shall deem necessary. Child welfare commission.

SEC. 8. For the purpose of securing the proper enforcement of the provisions of sections five, six, and seven of this act, and of chapter eighty-three of the Public Laws of one thousand nine hundred and thirteen, chapter eight hundred and fifty-seven of the Public Laws of one thousand nine hundred and nine, the said commission, or its duly authorized agents, shall have authority to enter and inspect, at any time, mines, quarries, mills, factories, canneries, workshops, manufacturing establishments, laundries, bakeries, mercantile establishments, offices, hotels, restaurants, barber shops, bootblack stands, public stables, garages, places of amusement, brickyards, lumber yards, and other places of employment; and it shall be unlawful for any person, firm, or corporation to refuse permission to enter, obstruct, or prevent any duly authorized agent of said commission in his effort to make the inspection herein provided for. Powers.

SEC. 9. The said commission shall have authority to appoint and employ such agents for the purpose of enforcing the provisions Agents.

of sections five, six, seven, and eight of this act as may be found to be necessary, and they may use the county superintendent of public welfare or chief school attendance officer or truant officer of the several counties for the purpose of carrying out the provisions of sections five, six, seven, and eight of this act, and they may use the agents specially designated for carrying out the provisions of sections five, six, seven, and eight of this act, to aid in carrying out the provisions of sections one, two, and four of this act in regard to school attendance.

Certificates.

SEC. 10. If the employer of any person under sixteen years of age shall, at the time of such employment, in good faith, procure, rely upon, and keep on file a certificate issued in such form and under such conditions and by such persons as the said commission herein provided for shall prescribe, showing that the person is of legal age for such employment, such certificate shall be prima facie evidence of the age of the person and the good faith of the employer. No person shall knowingly make a false statement or present false evidence in or in relation to any such certificate or application therefor, or cause any false statement to be made which may result in the issuance of an improper certificate of employment.

Expenses.

SEC. 11. The State treasurer shall honor all warrants for necessary expenses incurred by said commission as aforesaid, for meeting the salaries and expenses of any agents employed by said commission in the enforcement of this act, and the necessary expenses incurred by said commission in carrying out the provisions of this act, out of funds not otherwise appropriated, such warrants to be drawn upon the State auditor by the commission hereby created, or its duly authorized agent: *Provided*, That said expenses so incurred shall not exceed the sum of six thousand dollars per annum.

Violations.

SEC. 12. Any person, firm, or corporation violating any of the provisions of sections five, six, seven, eight, nine, and ten of this act, or of the provisions of chapter eighty-three of the Public Laws of one thousand nine hundred and thirteen, or of chapter eight hundred and fifty-seven of the Public Laws of one thousand nine hundred and nine, shall be guilty of a misdemeanor, and punished by fine or imprisonment, or both, within the discretion of the court.

Ratified this 10th day of March, A. D. 1919.

CHAPTER 150.—*Employment of children—School attendance—Relief.*

Scope of law.

SECTION 1. If affidavit shall be made by the parent of a child or by any other person that any child between the ages of eight and fourteen years is not able to attend school by reason of necessity to work or labor for the support of itself or the support of the family, then the attendance officer shall diligently inquire into the matter and bring it to the attention of some court allowed by law to act as a juvenile court, and said court shall proceed to find whether as a matter of fact such parent or parents, or persons standing in locus parentis, are unable to send said child or children to school for the term of a compulsory attendance for the reasons given. If the court shall find, after careful investigation, that the parent or parents have made or are making a bona fide effort to comply with the compulsory attendance act, and by reason of illness, lack of earning capacity, or any other cause which the court may deem valid and sufficient, are unable to send said child or children to school as above mentioned, then the court shall find and state what help is needed for the family to enable the attendance law to be complied with. The court shall transmit its finding to the county board of education of the county, or, in cities, to city school board in which the case may arise, and said county board of education shall, in its discretion, order aid to be given the family from the incidental expense fund of the

county school budget to an extent not to exceed ten dollars per month for such child during the continuance of the compulsory term; and shall at the same time require said officer to see that the money is used for the purpose for which it is appropriated and to report from time to time whether it shall be continued or withdrawn. And the county board of education is hereby authorized in making out the county budget to provide a sum to meet the provisions of this act. Amount of aid.

Ratified this 6th day of March, A. D. 1919.

CHAPTER 274.—*Interference with employment—Enticing employees.*

[Section 3374 of the Revisal of 1905 is amended to prevent the enticing away of "tenants" as well as employees, etc.]

NORTH DAKOTA.

ACTS OF 1919.

CHAPTER 151.—The Industrial Commission—State conduct of business.

SECTION 1. A commission is hereby created and established to conduct and manage, on behalf of the State of North Dakota, certain utilities, industries, enterprises, and business projects, now or hereafter established by law. It shall be known as the Industrial Commission of North Dakota, but may be designated as the industrial commission.

Commission created.
Duties.

SEC. 2. The industrial commission shall consist of three members, namely: The governor, the attorney general, and the commissioner of agriculture and labor, of the State of North Dakota. Two members shall constitute a quorum for the transaction of business. The first meeting of the commission shall be held in the office of the governor, at his call, within twenty days after this act goes into effect. Its meetings thereafter shall be held at such times and places as the governor or a majority of the commission may determine. It shall be provided by the proper authorities with suitably furnished offices at the seat of government.

Members.

SEC. 3. The governor shall be the chairman of the industrial commission, and its attorney shall be the attorney general of the State. In the transaction of its general business it may employ secretaries and other subordinate officers, clerks, and agents, on such terms as it may deem proper, appointing and discharging all persons so engaged when and as, in its judgment, the public interests may require. The commission may require suitable bonds of any such secretary or other subordinate officer, clerk, or agent, and shall fix the amount of the compensation of each. Such compensation, together with other expenditures for operation and maintenance of the general business of the commission, shall remain within the appropriation available in each year for such purpose.

Organization.

SEC. 5. The industrial commission is hereby empowered and directed to manage, operate, control, and govern all utilities, industries, enterprises, and business projects, now or hereafter established owned, undertaken, administered, or operated by the State of North Dakota, except those carried on in penal, charitable, or educational institutions. To that end it shall have the power, in the exercise of its sound judgment, and is hereby directed:

Management of industries.

Power.

(a) To determine the location of such utilities, industries, enterprises, and business projects.

(b) For the State and in its name and behalf, in order to accomplish the purposes of this act, to acquire by purchase, lease, or by exercise of the right of eminent domain, as provided by chapter 36 of the Code of Civil Procedure, Compiled Laws of 1913, all necessary properties and property rights and to hold and possess or to sell the whole or any part thereof; to construct and reconstruct necessary buildings thereon; to equip, maintain, repair, and alter any and all such properties and the improvements thereon; and generally to use the same so as to promote such utilities, industries, enterprises, and business projects.

(c) To appoint a manager, and all necessary subordinate officers and employes, of and for each such utility, industry, enterprise, and business project; to constitute any such manager its general agent in the performance of its duties in the particular utility, in-

Manager.

dustry, enterprise, or business project in which he shall be engaged, but subject, nevertheless, in such agency to the supervision, limitation, and control of the commission; to employ such contractors, architects, builders, attorneys, salesmen, clerks, accountants, and other experts, agents, and servants, as in the judgment of the commission the interests of the State may require; and to define the duties, designate the titles, and fix the compensation and bonds, of all such persons so engaged in each such utility, industry, enterprise, and business project: *Provided, however,* That subject to the control and regulation of the commission the manager of each utility, industry, enterprise, and business project shall appoint and employ such deputies, assistants, and other subordinate, and such contractors, architects, builders, attorneys, salesmen, clerks, accountants, and other experts, agents, and servants as he shall in his judgment deem are required by the interests of the utility industry, enterprise, or business project of which he shall be in charge. The total compensation of such appointees and employees engaged in each several utility, industry, enterprise, and business project, together with other expenditures for the operation and maintenance thereof, shall remain within the appropriation and earnings lawfully available in each year for such purpose.

Employees. (d) To remove and discharge any and all persons appointed in the exercise of the powers granted by this act, whether by the commission or by any manager of any utility, industry, enterprise or business project; and any such removal may be made whenever in the judgment of the commission the public interests require it: *Provided, however,* That all appointments and removals contemplated by this act shall be so made as the commission shall deem most fit to promote the efficiency of the public service.

Prices. (e) To fix the buying price of things bought and the selling price of things sold, incidental to the said utilities, industries, enterprises and business projects, and to fix rates and charges, for any and all services rendered thereby. In fixing such prices, rates and charges, the commission shall make provision for accumulating a fund with which to replace, in the general funds of the State, the amount received by the commission under the appropriation made in this act, as may be directed by the legislative assembly.

Rules. (f) To make rules, regulations, orders and by-laws for the management and operation, and for the transaction of the business, of such utilities, industries, enterprises and business projects.

Funds. (g) To procure the necessary funds for such utilities, industries, enterprises and business projects by negotiating the bonds of the State of North Dakota in such amounts and in such manner as may be provided by law.

Investigations. (h) To conduct investigations of all matters directly or indirectly with, or bearing upon the success of, any of the utilities, enterprises and business projects under its management, and of all matters which may directly or indirectly affect the methods, industries, operations, processes, products or results thereof. In aid of any such investigation the commission shall have the power to summon and compel the attendance of witnesses, and to examine them under oath, which any member thereof shall have the power to administer. It shall have access to, and may order the production of, all books, accounts, papers, and property material to such investigation. Witnesses other than those in the employ of the State shall be entitled to the same fees as in civil cases in the district court. The claim that any testimony or evidence sought to be elicited or produced on such examination may tend to criminate the person giving or producing it, or expose him to public ignominy, shall not excuse him from testifying or producing evidence, documentary or otherwise; but no person shall be prosecuted or subjected to any penalty or forfeiture for and on account of any matter or thing concerning which he may testify or produce such evidence: *Provided,* That he shall not be ex-

empted from prosecution and punishment for perjury committed in so testifying. It shall be the duty of the commission to cause the testimony so taken to be transcribed and filed in the office of the commission, at the seat of government, within ten days after it is taken, or as soon thereafter as practicable, and when so filed it shall be open for inspection by any person. Any person failing or refusing to obey the order of the commission issued under the provisions of this section, or to give or produce evidence when required, shall be reported by the commission to the district court or any judge thereof, and shall be dealt with by the court or judge as for contempt of court.

(i) To make rules and regulations for its own procedure; and to do any and all things necessary or expedient in conducting the business of such utilities, industries, enterprises, and business projects, and in the accomplishment of the purposes of this act.

General powers.

SEC. 6. The industrial commission shall prepare an annual report and file it in the office of the secretary of state not later than the first day of February of each year. The report shall contain an itemized account of its expenditures and a complete and detailed financial statement of each utility, industry, enterprise, and business project under its control, showing fully all items of income and disbursements and liabilities of every nature for the calendar year ending December 31st next preceding. The report shall also set forth a list of all persons in the employ of the commission, with the name of each person drawing a salary under its authority, the amount of the salary and all other emoluments received, and the fund from which drawn.

Reports.

SEC. 7. There is hereby appropriated out of the general funds of the State, not otherwise appropriated, two hundred thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this act. This appropriation is hereby made available immediately upon the passage and approval of this act.

Appropriation.

Approved February 25, 1919.

CHAPTER 168.—*Mine regulations.*

[This act constitutes a coal-mining code for the State. The governor appoints an inspector for a term of two years at a salary of \$2,500 per annum, with clerical help at not above \$1,200 per annum, besides necessary traveling expenses. Inspections of workings, machinery, and appliances are authorized, and the inspector is ex officio sealer of weights and measures. Examinations of mine foremen and mine examiners are provided for, and applicants for these positions must secure a license after examination. Maps showing annual surveys must be furnished. The law requires washhouses for the workers, two means of egress from all mines, guards at tops of shafts, stairways, or cages at escapement shafts, ventilation, means of communication, drainage, regulates blasting, the entering of mines, first-aid supplies, signals, etc. In general, the provisions are those of a standard law.]

CHAPTER 169.—*Railroads—Sufficient crews for trains.*

SECTION 1. It shall be unlawful for any railroad company doing business in the State of North Dakota that operates more than four (4) trains in twenty-four (24) hours, to operate over any of its lines, or any part thereof outside of the yard limits, any freight or mixed trains consisting of more than forty (40) freight or other cars, exclusive of caboose and engine with less than a full train crew consisting of six (6) persons, to wit: One (1) conductor, one (1) engineer, one (1) fireman, two (2) brakemen, and one (1) flagman (such flagman to have at least one year's experience in train service). This section does not apply to any branch or part of road that does not operate more than four (4) trains in any twenty-four (24) consecutive hours.

Freight trains
of 40 or more
cars.

- Other freight trains. **Sec. 2.** It shall be unlawful for any railroad company doing business in the State of North Dakota that operates more than four (4) trains in any twenty-four (24) consecutive hours, to operate over any of its lines or any part thereof outside of the yard limits any freight or mixed trains consisting of less than forty (40) freight or other cars, exclusive of caboose and engine, with less than full train crew consisting of five (5) persons, to wit: One (1) conductor, one (1) engineer, one (1) fireman, one (1) brakeman, and one (1) flagman (such flagman to have at least one year's experience in train service): *Provided, however,* That a light engine may be manned by a crew consisting of not less than one (1) conductor, one (1) engineer, and one (1) fireman.
- P assenger trains. **Sec. 3.** It shall be unlawful for any railroad company doing business in the State of North Dakota that operates more than four (4) trains in any twenty-four (24) consecutive hours to operate over any of its lines or any part thereof outside of the yard limits, any passenger train consisting of more than four (4) passenger or other cars with less than a full train crew consisting of five persons, to wit: One (1) conductor, one (1) engineer, one (1) fireman, one (1) brakeman, and one (1) flagman (such flagman to have at least one year's experience in train service): *Provided,* That said conductor, flagman, or brakeman will not be required to perform any of the duties of train baggage-master, express messenger, porter, or electrician.
- Violations. **Sec. 4.** Any railroad company doing business in the State of North Dakota who shall send out on its road or cause or permit to be sent out or operated on its road, any train which is not manned in accordance with sections one, two, and three of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense, and such company shall be liable in treble damages for any sickness, injury, loss, disability, or accident resulting from or caused by the violation of any of the provisions of this act: *Provided,* That nothing in this act shall apply to relief or wrecking trains when the required number of men are not available: *And provided further,* That in case of an accident or sickness or other unavoidable happening to any member of said crew by said train while en route that it shall not be construed as violation hereof or any of the provisions of this chapter to run said train to railroad division point with less than a full crew.
- Approved February 18, 1919.

CHAPTER 170.—Hours of labor of women.

- Scope of law. **SECTION 1.** No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telephone or telegraph establishment, or office, or in any express or transportation company, in the State of North Dakota more than eight and one-half (8½) hours in any one day or more than six (6) days or more than forty-eight hours in any one week: *Provided, however,* That this act shall not apply to females working in rural telephone exchanges or in villages or towns of less than five hundred (500) population.
- Limit. **Sec. 2.** Any person who violates any provision of this act shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.
- Violations. **Sec. 2.** Any person who violates any provision of this act shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.
- Approved March 6, 1919.

CHAPTER 171.—Labor disputes—Injunctions.

- Injunctions restricted. **SECTION 1.** No restraining order or injunction shall be granted by any court of this State, any judge or judges thereof in any case 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. 2. 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 so to do; or from attending at any place where any person or persons may lawfully be, for the purpose of obtaining or communicating information, or from persuading any such person to work or to abstain from working; or from ceasing to patronize any party to such dispute; or from recommending, advising, or persuading others 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 assembling in a lawful manner, and for lawful purposes; or from doing an act or thing which might lawfully be done in the absence of such dispute by a single person; nor shall any of the acts specified in this section be considered or held to be illegal or unlawful in any court in this State.

Strikes.

Picketing.

Acts held legal.

SEC. 3. In all cases involving the violation of the contract of employment, either by the employer or the employee 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.

Suits at law.

Approved February 14, 1919.

CHAPTER 172.—*Railroads—Shelters for employees on repair tracks.*

SECTION 1. Every company, corporation, person, or receiver engaged in repairing or constructing railway cars, trucks, locomotive engines, or other railroad equipment, shall erect and maintain at every station or other point where five or more persons are regularly employed and engaged in such construction or repairing, suitable buildings or sheds covering sufficient railroad track to accommodate all of the cars, trucks, locomotive engines, or other railroad equipment at any time under construction or repair at that point, and to provide and insure shelter and protection from rain, snow, or inclement weather to all of the men and women so employed and engaged in such construction or repair work: *Provided, however,* That the terms of this act shall not apply to division terminals or other points where it is necessary to make light repairs only on cars, nor to any repair of cars loaded with time or perishable freight, nor to the repair of cars when trains are being held for the movement of said cars, nor to points where less than five persons are regularly employed in such repair service.

Who to provide shelters.

Exception.

SEC. 2. (As amended by ch. 48, Spec. Sess., 1919.) Any company, corporation, person, or receiver violating the provisions of this act and failing to provide for the shelter and protection of its employees as required by the provisions of section 1, shall be guilty of a misdemeanor and shall, on conviction thereof, be punished by a fine of not less than one hundred (\$100) dollars, nor more than five hundred (\$500) dollars for the first offense, and for each subsequent offense by a fine of not less than five hundred (\$500) dollars nor more than ten thousand (\$10,000) dollars, and shall pay in addition to the fine imposed the costs of prosecution.

Violations.

Approved February 18, 1919.

CHAPTER 174.—*Minimum wages for women and minors.*

SECTION 1. That when used in this act the term "bureau" means the workmen's compensation bureau.

Definitions.

The term "commissioner" means a member of the workmen's compensation bureau.

The term "minor" means a person of either sex under age of eighteen years.

The term "women" includes only women eighteen years of age or over.

The term "occupation" includes a business, industry, trade or branch thereof, but shall not include agricultural or domestic service.

**Powers of
bureau.**

SEC. 2. The said bureau is hereby authorized and empowered to ascertain and declare, in the manner hereinafter provided, the following things:

(a) Standards of hours of employment for women or minors and what are unreasonably long hours for women or for minors in any occupation within the State of North Dakota;

(b) Standards of conditions of labor for women or for minors in any occupation within the State and what surroundings or conditions, sanitary or otherwise, are detrimental to the health or morals of women or of minors in any such occupation;

(c) Standards of minimum wages for women in any occupation in the State and what wages are inadequate to supply the necessary cost of living to any such women workers and to maintain them in good health;

(d) Standard of minimum wages for minors in any occupation within the State of North Dakota and what wages are unreasonably low for any such minor workers;

(e) To prepare, adopt, and promulgate rules and regulations for the carrying into effect of the foregoing provisions of this act, including rules and regulations for the selection of members and the mode of procedure of conferences;

(f) To employ any and all necessary help and assistance for the purpose of carrying out the provisions of this act and to fix their compensation and bonds, providing that the total amount of such compensation shall not exceed the amount appropriated therefore by the legislative assembly;

(g) To investigate and ascertain the wages and the hours of labor and the conditions of labor of women and minors in different occupations in which they are employed in the State of North Dakota;

(h) Either through any authorized representative or any commissioner, to inspect and examine any and all books and pay rolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the questions of labor or hours of labor or conditions of labor of any such women workers or minor workers in any of such occupations;

(i) To require from any such employer full and true statements of the wages paid to and the hours of labor and conditions of labor, of all women and minors in such employment.

Hours of labor.

SEC. 3. It shall be unlawful to employ women or minors in any occupation within the State for unreasonably long hours; and it shall be unlawful to employ women or minors in any occupation within the State under such surroundings or conditions, sanitary or otherwise, as may be detrimental to their health, or morals; and it shall be unlawful to employ women in any occupation within the State for wages which are inadequate to supply the necessary cost of living and to maintain them in health; and it shall be unlawful to employ minors in any occupation within the State for unreasonably low wages.

Register.

SEC. 4. Every employer of women or minors shall keep a register of the names of all women and all minors employed by him, and shall, on request, permit any commissioner or any authorized representative of said bureau to inspect and examine such register.

Meetings.

SEC. 5. Said bureau may hold meetings for the transaction of any of its business at such times and places as it may prescribe; and said bureau may hold public hearings at such times and places as it deems fit and proper for the purpose of investigating any of the matters it is authorized to investigate by this act. At any such public hearing any person interested in the matter being investigated may appear and testify. Said bureau or any commissioner shall have power to subpoena and compel the attendance of any witness at any such public hearing or at any session of any

Hearings.

conference called and held as hereinafter provided; and any commissioner shall have power to administer an oath to any witness who testifies at any such public hearing or at any such session of any conference. All witnesses subpoenaed by said bureau shall be paid the same mileage and per diem as are allowed by law to witnesses in civil cases before the district court.

Sec. 6. If, after investigation, said bureau is of the opinion that any substantial number of women workers in any occupation are working for unreasonably long hours or are working under surroundings or conditions detrimental to their health or morals or are receiving inadequate wages to supply them with the necessary cost of living and maintain them in health, said bureau may call and convene a conference for the purpose and with the powers of considering and inquiring into and reporting on the subject investigated by said bureau and submitted by it to such conference. Such conference shall be composed of not more than three representatives of the employers in said occupation and of an equal number of the representatives of the employees in said occupation and of not more than three disinterested persons representing the public and of one or more commissioners. Said bureau shall name and appoint all members of such conference and designate the chairman thereof. Said bureau shall present to such conference all information and evidence in the possession or under the control of said bureau which relates to the subject of the inquiry of such conference; and said bureau shall cause to be brought before such conference any witness whose testimony said bureau deems material to the subject of the inquiry of such conference. After completing its consideration of any inquiry into the subject submitted to it by said bureau, such conference shall make and transmit to said bureau a report containing the findings and recommendations of such conference on said subject. Accordingly as the subject submitted to it may require, such conference shall, in its report, make recommendations on any or all of the following questions concerning the particular occupation under inquiry, to wit:

Conference.

(a) Standards of hours of employment for women workers and what are unreasonably long hours of employment for women workers;

Items.

(b) Standards of conditions of labor for women workers and what surroundings or conditions, sanitary or otherwise, are detrimental to the health or morals of women workers;

(c) Standards of minimum wages for women workers and what wages are inadequate to supply the necessary cost of living to women workers and maintain them in health.

In its recommendation on a question of wages such conference shall, where it appears that any substantial number of women workers in the occupation under inquiry are being paid by piece rates as distinguished from time rate, recommend minimum piece rates as well as minimum time rate and recommend such minimum piece rates as will in its judgment be adequate to supply the necessary cost of living to women workers of average ordinary ability and maintain them in health. Two-thirds of the members of any such conference shall constitute a quorum; and the decision or recommendation or report of such two-thirds on any subject submitted shall be deemed the decision or recommendation or report of such conference.

Recommendations.

Sec. 7. Upon receipt of any report from any conference said bureau shall consider and review the recommendation contained in said report; and said bureau may approve any or all of said recommendations or disapprove any or all of said recommendations; and said bureau may resubmit to the same conference or a new conference any subject covered by any recommendations so disapproved. If said bureau approves any recommendations contained in any report from any conference, said bureau shall publish notice, not less than once a week for four successive weeks in not less than two newspapers of general circulation published in the State, that it will on a date and at a place named in said

Action of bureau.

- 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 bureau 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 employers in the occupation affected thereby to observe and comply with such recommendations and said order. Said order shall become effective in sixty days after it is made and rendered and shall be in full force and effect on and after the sixtieth 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 for longer hours or under different surroundings or conditions or at a lower wage than are authorized or permitted by said order. Said bureau shall, as far as is practicable, mail a copy of 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 bureau shall authorize or permit the employment of any women for more hours per day or per week than the maximum now fixed by law.
- Orders.
- Minors. SEC. 8. Said bureau may at any time inquire into wages or hours or conditions of labor of minors employed in any occupation in this State and determine suitable wages and hours and conditions of labor for such minors. When said bureau has made such determination, it may issue an obligatory order in the manner hereinbefore provided; and, after such order is effective, it shall be unlawful for any employer in said occupation to employ a minor at less wages or for more hours or under different conditions of labor than are specified or required in or by said order; but no such order of said bureau shall authorize or permit the employment of any minor for more hours per day or per week than the maximum now fixed by law or at any times or under any conditions now prohibited by law.
- Enforcement. SEC. 9. Said bureau shall, from time to time, investigate and ascertain whether or not employers in the State are observing and complying with its orders and take such steps as may be necessary to have prosecuted such employers as are not observing or complying with its orders.
- Appeals. SEC. 10. All questions of fact arising under the foregoing provisions of this act shall, except as otherwise herein provided, be determined by said bureau, and there shall be no appeal from the decision of said bureau on any such question of fact; but there shall be a right of appeal from said bureau to the district court of Burleigh County, from any ruling or holding on a question of law included in or embodied in any decision or order of said bureau, and, on the same question of law, from said district court to the supreme court of the State. In all such appeals the attorney general shall appear for and represent said bureau.
- Special licenses. SEC. 11. For any occupation in which the minimum wage has been established the bureau may issue to a female physically defective by age or otherwise or to an apprentice or learner in such occupations as usually require learners or apprentices, a special license authorizing the employment of any such licensee at a wage less than the minimum wage to be fixed by the bureau, such license to be issued under such rules and regulations as the bureau may establish therefor.
- Hours not to be increased. SEC. 12. Nothing in this act shall authorize or empower the bureau to increase the hours of labor for women or in any manner impair or affect the provisions of an act entitled "For an act regulating and fixing the hours of labor for females and providing penalties for the violation thereof." adopted at the sixteenth legislative session of this State.
- Violations. SEC. 13. Any person who violates any of the foregoing provisions of this act shall be deemed guilty of a misdemeanor, and

upon conviction thereof shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars or by imprisonment in the county jail for not less than ten days nor more than three months or by both such fine and imprisonment in the discretion of the court.

SEC. 14. Any employer who discharges or in any other manner discriminates against any employee because such employee has testified, or is about to testify, or because such employer believes that said employee may testify, in any investigation or proceedings under or relative to this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars.

Discharging employee.

SEC. 15. If any woman worker shall be paid by her employer less than the minimum wage to which she is entitled under or by virtue of an order of said bureau, she may recover in a civil action the full amount of her said minimum wage less any amount actually paid her by said employer, together with such attorney's fees as may be allowed by the court; and any agreement for her to work for less than such minimum wage shall be no defense to such action.

Recovery of unpaid wages.

SEC. 16. Said bureau shall, on or before the first day of November of the year 1920 and of each second year thereafter, make a succinct report to the governor and legislature of its work and the proceedings under this act during the preceding two years.

Reports.

SEC. 17. There is hereby appropriated out of the moneys in the State treasury, not otherwise appropriated, the sum of six thousand dollars per annum, or so much thereof as may be necessary per annum, to carry into effect the provisions of this act and to pay the expenses and expenditures authorized by or incurred under this act.

Appropriation.

SEC. 18. That chapter 181 of the Session Laws of North Dakota for the year 1917 and all acts and parts of acts in conflict herewith, are hereby repealed.

Repeal.

Approved March 6, 1919.

ACTS OF 1919—SPECIAL SESSION.

CHAPTER 43.—*Strikes—Coal mines and public utilities—Powers of governor.*

SECTION 1. The governor, as commander in chief of the military and naval forces of this State, is hereby authorized and empowered to take any measure necessary to prevent or avert any pending disaster or calamity which threatens to destroy life or property in this State, or which may entail loss of life or property or result in great suffering or hardship among the people of this State; and in the event of any strike or threatened strike or lock-out or threatened lockout of the employees of any coal mine or public utility threatening to endanger the life and property of the people of this State, in any such event he shall have the power and authority to commandeer and take for use during any such emergency any coal mine or other public utility, together with the machinery, equipment, and appurtenances of any such coal mine or public utility which may be necessary to save life or property; and he shall have power and authority to employ all help necessary for operating any such coal mine or public utility, with power and authority to make and enter into all contracts for the operation of any such coal mine or public utility, and to purchase any and all material necessary for operating any such coal mine or public utility, and with power to sell and distribute the products or services of any such mine or public utility.

Operation of mines, etc.

SEC. 2. The governor is further authorized to use any of the facilities or offices of the State when required to take over and use any such coal mine or public utility, and may command the services of the State militia or the State constabulary.

State militia.

Compensation
of owners.

SEC. 3. The owner of any coal mine or public utility so taken shall be given a receipt therefor and shall be paid for the use thereof and for any damages which may be caused to the same while in the possession of the State; *Provided*, That such compensation shall be determined by the board of railroad commissioners, after notice and hearing to the parties interested therein, such notice to be given and such hearing conducted in the same manner provided by chapter 192 of the Laws of North Dakota for the year 1919 for hearing and determining the rates and charges of public utilities.

Approved, December 11, 1919.

OHIO.

ACTS OF 1919.

Industrial commission.

[Page 58.]

[This act amends section 871-1 of the General Code of 1910, so as to require the advice and consent of the senate for the appointment of the members of the commission. The act was passed over the governor's veto.]

Mine regulations—Wash rooms.

[Page 60.]

[This act adds a new section to the General Code, 1910, reading as follows:]

SECTION 934-1. Every owner, operator, lessee, or agent of a coal mine, where five or more persons are employed, shall provide and keep in repair a wash room, convenient to the principal mine entrance, adequate for the accommodation of the employees, for the purpose of washing and changing their clothes when entering and returning from the mine. Such wash room shall be properly lighted and heated, supplied with warm and cold water and adequate and proper facilities for washing purposes. Who to furnish wash rooms.

Equipment.

Approved April 18, 1919.

Protection of employees on street railways.

[Page 161.]

[This act amends section 12788 of the General Code, 1910, so as to read as follows:]

SECTION 12788. Whoever, being an officer, agent, or employee in authority of a corporation, individual, or association, directs or permits to be operated an electric car, other than a trail car (whether such electric car be a passenger car, a freight car, a sweeper, or other car), unprovided at the forward end with a screen of glass or other material sufficient to completely protect from dust, wind, and storm the motorman or other person or persons stationed there for guiding or operating such car, or who fails to maintain during the entire period succeeding October 31st of each year and ending on each succeeding April 15th, within any electric car so being operated, whether a passenger car, a trail car, or other car (except in freight cars) and (excepting in trail cars) within the space behind any such screen, a temperature at all times of not less than sixty degrees Fahrenheit, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each day during which at any time such a car is operated while so unprovided, or while such temperature is not so maintained. It shall be the duty of the prosecuting attorneys of the various counties of the State of Ohio to enforce the provisions of this act. Screens required.

Heating.

Approved April 22, 1919.

Criminal syndicalism—Sabotage.

[Page 189.]

SECTION 1. That criminal syndicalism is the doctrine which advocates crime, sabotage, which is defined as the malicious injury or destruction of the property of another, violence, or unlawful Definition.

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 is in this act provided.

Offenses.

SEC. 2. Any person who, by word of mouth or writing, advocates or teaches the duty, necessity, or propriety of crime, sabotage, violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform; 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 reform should be brought about by crime, sabotage, violence, or unlawful methods of terrorism; or openly, willfully, and deliberately justifies by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence, or unlawful methods of terrorism with intent to exemplify, spread, or advocate the propriety of the doctrines of criminal syndicalism; or organizes or helps to organize or become a member of, or voluntarily assembles with any society, group, or assemblage of persons formed to teach or advocate the doctrines of criminal syndicalism, is guilty of a felony and punishable by imprisonment in the State penitentiary for not more than ten years, or by a fine of not more than five thousand dollars, or both.

Assemblage.

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 penitentiary for not more than ten years, or by a fine of not more than five thousand dollars, or both.

Permitting assemblage.

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 3 of this act, or who, after notification that the premises are so used, knowingly 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 five hundred dollars, or both.

Approved May 7, 1919.

Factory, etc., regulations—Canneries.

(Page 330.)

Scope of law.

SECTION 1. All commercial vegetable and fruit canneries located within the State of Ohio shall be under the supervision and subject to the regulations of secretary of agriculture. For the purpose of this act a commercial cannery is hereby defined to be a place or building where fruits or vegetables are packed in hermetically sealed containers and sterilized, and the products of which are placed on the market for general consumption as human food; but shall not be held to include private homes where farmers or others pack such fruits and vegetables for their own use and make occasional sales of a surplus thereof. At such times as the secretary of agriculture may deem proper he shall cause to be inspected all such canneries where fruits or vegetables are packed and preserved, and shall require the correction of all insanitary conditions, and may enter and search all places in or about the premises of any such cannery for the purposes of such inspection and investigation.

Inspector.

SEC. 2. The secretary of agriculture shall appoint and assign, upon the passage of this act, an efficient and experienced inspector of canneries who has a thorough knowledge of the canning business, who shall have charge of such inspection, and whose duties it shall be to visit and inspect commercial fruit and vegetable canneries as often as may be required; see that such canneries and the operation thereof shall comply with the provisions of this

act and with the regulations made by the secretary of agriculture hereunder; superintend the work of special inspectors stationed at canneries; and make reports thereof to the secretary of agriculture.

Sec. 3. The secretary of agriculture shall, whenever he deems it necessary, furnish an efficient special inspector to be stationed at a commercial cannery or group of canneries while in operation, who shall see that such canneries and the operation thereof shall at all times comply with the provisions of this act and with such regulation made by the secretary of agriculture. * * *

Special inspect-
ors.

Sec. 6. No commercial cannery shall be located in an insanitary place or one which can not be made sanitary or maintained in a sanitary condition, or where it is impossible to receive the raw material in a cleanly manner without danger or damage or contamination; or where sewage, garbage, and other refuse can not be quickly and effectively removed.

Sanitation.

Sec. 9. Any building used in the preparation or handling of fruits or vegetables intended for canning shall be suitably ventilated and lighted either by artificial or natural means. All floors in such building shall be so constructed as to permit proper washing or cleaning, and sufficient drains, gutters, or sewers provided to insure the proper removal of water and liquid waste. First floors shall be waterproofed in such manner as will prevent the ground below from becoming wet, sloppy, or insanitary.

Ventilation, etc.

Sec. 10. Separate toilet rooms for each sex shall be provided upon the premises of all canneries, said toilets to be completely separated from workrooms by tight partitions and properly lighted and having an opening to the outside air. When outdoor toilets without modern plumbing and sewerage systems are used, such toilets shall be located at least 75 feet from any building, room, or place used in the preparation or canning of fruits and vegetables. All doors, windows, and other openings in toilets, whether same be located within buildings or out of doors shall be screened against flies.

Toilet rooms.

Sec. 11. Wash rooms, wash stations, or lavatories for employees shall be provided in or adjacent to rooms or places used for the preparation or canning of fruits and vegetables, and such rooms or stations must be properly lighted and ventilated and provided with facilities necessary for keeping them in a sanitary condition.

Wash rooms.

Sec. 13. Persons affected with tuberculosis or other communicable or infectious disease shall not be employed in or about any commercial cannery.

Diseased per-
sons.

Sec. 14. All employees who assist in preparing or handling fruit and vegetables intended for canning shall wear clean garments of washable fabrics and all female employees engaged in the same work shall wear clean washable caps covering the hair.

Clothing.

Sec. 21. The secretary of agriculture shall enforce the provisions of this act and shall make suitable rules and regulations for carrying out its provisions.

Enforcement.

Approved May 10, 1919.

Factory, etc., regulations—Explosives.

(Page 344.)

SECTION 18. No employee or other person shall enter or attempt to enter any explosive plant with matches or other flame-producing devices, except electric incandescent flashlights nor shall any employee or other person enter or attempt to enter such premises with narcotics in his or her possession or control, or while under the influence of liquor or narcotics, or to partake of intoxicants or narcotics while within the plant, nor shall any person smoke in a factory building or upon the premises thereof except at such places as shall be designated by the owner or his authorized representative, under penalty of misdemeanor.

Matches in
plant.

The superintendent may authorize in writing any employee or other person to have approved safety matches in his possession or to depart from the other provisions of this section.

It shall be the duty of the superintendent or other person in charge of all plants included within this act to provide safety containers for matches at all entrances to said plants.

Accidents to be reported.

SEC. 21. All persons handling explosives shall report to the industrial commission any fire or explosion occurring in the manufacture, transportation, or storage involving loss of life or causing damage to property in excess of five hundred dollars (\$500). Such report to be made on the same day that the fire or explosion takes place and shall be transmitted to the industrial commission by telephone or telegraph if practicable. If not practical to make such report by telephone or telegraph, a written report shall be made. The expense of transmitting such reports to be borne by the person making the same.

Approved May 10, 1919.

Private employment offices.

[Page 349.]

License required.

SECTION 1. No person, firm, association of persons, or corporation shall engage in the business of an employment agency, for hire, within the State of Ohio, without first obtaining a license so to do from the industrial commission of Ohio, and paying to said industrial commission an annual license fee of one hundred dollars and executing and filing with the said industrial commission a bond as provided in section 6 of this act.

Scope of law.

SEC. 2. A person, firm, association of persons, or corporation who secures, or, by any form of representation or by means of signs, bulletins, circulars, cards, writings, or advertisements, offers or agrees to secure or furnish employment, engagements of help, or information or service of any character concerning or intended or purporting to promote, lead to or consummate employment, shall be deemed an employment agency, and subject to this act governing such agencies.

Definitions.

SEC. 3. The term "hire," as used in this act, shall be deemed to mean and include any charge, fee, compensation, service, or benefit exacted, demanded or accepted, or any gratuity received, for or in connection with any act, service, or transaction comprehended by the term "employment agency," or for or in connection with any transaction or representation which includes matters comprehended by the term "employment agency."

Hire.

Employment.

SEC. 4. The term "employment," as used in this act shall be deemed to mean and include every character of service rendered or to be rendered and every engagement undertaken, for wages, salary, commission, or other form of remuneration whatsoever.

Exemptions.

SEC. 5. Bona fide educational, religious, charitable, fraternal, and benevolent organizations in which no fee, commission, or other charge is made for services rendered other than the ordinary membership dues; bona fide labor organizations undertaking to secure, or securing work for their own members; and bona fide employers' organizations undertaking to secure, or securing help for their own members shall not be subject to the provisions of this act.

Applications for licenses.

SEC. 6. Licenses shall be granted only upon written application, which shall be upon blanks prescribed and furnished by the industrial commission of Ohio. The application shall be accompanied by the annual license fee of one hundred dollars payable to the industrial commission and by a sufficient bond payable to the State of Ohio, in the penal sum of one thousand dollars (\$1,000), to the satisfaction of the industrial commission, conditioned for the observance of the provisions of this act and of the lawful orders of the industrial commission issued thereunder, and an action may be brought thereon by the industrial commission for violation of the provisions of this act or lawful orders issued thereunder. And such bond shall be liable for all injuries accruing to any person or

Bond.

persons on account of the violation of the provisions of this act, or lawful orders of the industrial commission by such licensee or his representatives, and an action may be brought thereon by the party injured in his own name for such recovery.

SEC. 7. Upon approval of the application for license and bond by the industrial commission a license, which shall be effective for one year from the date thereof, unless revoked as provided herein, shall be issued by the industrial commission. The license shall contain the name or names of the applicant, location of office, name of person who is to have general management of the business, name under which business is to be carried on, the number of the license, and the date of issuance and date of expiration of the license. Term, etc., of
license.

SEC. 8. The industrial commission of Ohio may refuse to issue a license to an applicant if, in its judgment, such applicant or its officials or members are not of good moral character or have violated the laws or orders of the industrial commission of Ohio relating to employment agencies, or have violated laws of Ohio or ordinances of any city or village thereof, which, in the judgment of the industrial commission, renders such persons improper persons for such license. If the industrial commission refuses to grant a license, the license fee and bond shall be returned to the applicant by the said industrial commission. Refusal.

SEC. 9. If the industrial commission of Ohio, as herein provided, shall find a licensee, or representative, partner, or employee of such licensee has been convicted in any court of the State of Ohio of violating any of the provisions of this act or orders of the industrial commission, or if such licensee, or representative, partner, or employee of such licensee has been guilty of violating any of the provisions of this act or orders of the commission or is found by the industrial commission to be not of good moral character, said industrial commission may revoke said license, which shall thereupon become null and void, and said industrial commission shall immediately notify such licensee of such revocation, whereupon such licensee may, within ten days after the issuance of such notice, petition the industrial commission of Ohio for a hearing in the same manner as is provided for employers or other persons specified in section 27 of the industrial commission act approved March 18, 1913 (103 O. L., 95). Revocation.

SEC. 10. Each license shall become void upon the date of its expiration as set forth in the license and it shall be returned immediately to the industrial commission of Ohio. Expiration.

SEC. 11. No licensee shall change the location of his business to any place other than that specified in the license without first obtaining the written consent of the industrial commission, and no license shall be effective for any place of business other than that designated therein. Location.

SEC. 12. Each licensee shall post his license in a conspicuous place in his waiting room and a copy of the law and the orders relating to its enforcement adopted by the industrial commission of Ohio in each room used for business purposes. Posting license.

SEC. 13. Every licensee shall keep a true and correct record in the English language of the business transactions of his office upon such forms only as are prescribed or approved by the industrial commission of Ohio. Such records shall be open at all reasonable hours to the inspection of the industrial commission of Ohio or any of its authorized representatives. On or before the fifth day of each month every employment agency shall mail to the industrial commission of Ohio, upon a form prescribed and furnished by said industrial commission, a report covering the work of the preceding calendar month. Records.

SEC. 14. The following restrictions are placed on the operations of licensed employment agencies: Restrictions.

(a) No applicant for employment shall be sent to a house of ill-repute, or other place resorted to for prostitution or gambling.

(b) No prostitute, gambler, intoxicated person, procurer, or other bad character shall be allowed to remain in the office or place of business.

(c) No applicant for employment shall be sent or directed to any fictitious job or position and no employment agency shall knowingly or negligently make any false representation concerning any matter within the scope of the business of the employment agency, and the nonexistence of any such job or position or the falsity of any such representation shall constitute prima facie evidence of the violation of this section.

(d) No employment agency shall knowingly or negligently send an applicant to any place where a strike or lockout exists or is impending without notifying the applicant of such condition in writing, and the existence of a strike or lockout shall constitute prima facie evidence of the violation of this section.

(e) No person conducting an employment agency shall connive with any employer or his agents or employees to secure the discharge of an employee; nor shall an employer or any one in his employ or representing it, give or receive any gratuity, divide or offer to divide, or share directly or indirectly, any fee, charge, or compensation received from any applicant for employment.

(f) No person conducting an employment agency shall circulate any false information by advertisements, signs, letters, posters, cards, or in any other way; or make any false statements or misrepresentations to any person seeking employment, or to any employer seeking an employee.

(g) No person conducting an employment agency shall make any false entry or statement in any record or in any receipts or other document used in his business.

(h) No person conducting an employment agency shall use any name or designation in his business unless such name has been approved by the industrial commission of Ohio.

(i) No employment agency shall be conducted in connection with any place in which intoxicating liquors are sold in or in any room adjacent thereto.

Fees.

Sec. 15. Employment agencies may charge such registration fees as shall be fixed by the industrial commission of Ohio. The schedule of maximum fees, charges, and commissions for actually securing employment of help shall be fixed by the industrial commission of Ohio and such fees shall be graded according to nature of business, length of employment, and wages. These schedules of registration fees and of other fees, charges, and commissions shall be posted in a conspicuous place in every room in which business is conducted by the employment agency.

Regulations.

Sec. 16. The industrial commission of Ohio shall enact regulations providing conditions under which the licensee shall refund registration fees and other fees, charges, and commissions, and under which the licensee shall pay expenses incurred when applicants are sent outside the city in which the employment agency is located to alleged jobs or positions which did not exist or to jobs or positions where conditions were misrepresented.

Receipts.

Sec. 17. A receipt, in such form as the industrial commission of Ohio shall prescribe or approve, shall be given to every person paying a fee or other commission to an employment agency.

Violations.

Sec. 18. Whoever violates section 1 of this act shall be guilty of a misdemeanor and shall be fined for the first offense not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) and costs of prosecution; and for the second or any subsequent offense, he shall be fined not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000) and costs of prosecution.

Same.

Sec. 19. Whoever violates any provision of this act relating to employment agencies or orders of the industrial commission of Ohio, issued thereunder, except as otherwise provided in section 18 shall be fined for the first offense not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500) and costs of

prosecution; and for the second or any subsequent offense, he shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) and costs of prosecution.

SEC. 20. All fines collected under the provisions of this act shall be paid, one-half to the county in which the prosecution is had and one-half to the industrial commission of Ohio, and all moneys received by the industrial commission from license fees, bonds recovered, or fines, as provided by this act, shall be paid by the industrial commission into the State treasury.

SEC. 21. The industrial commission of Ohio shall have full power, exclusive supervisory jurisdiction, and authority to administer the provisions of this act, as provided in section 22, subsection 9, of the industrial commission act, approved March 18, 1913 (103 O. L., 95); and to issue all necessary orders for carrying into effect this act, as provided in sections 25 and 41 of the industrial commission act.

SEC. 22. At all trials for offenses against the provisions of this act and orders of the industrial commission issued thereunder, a certificate of the custodian of the records of the industrial commission of Ohio, attested by the secretary of said industrial commission, to the effect that the records do not disclose that the defendant in such proceeding was the holder of a license at the time of the commission of the offense charged, shall constitute prima facie evidence in said case that the defendant was not authorized to engage in the business of an employment agency.

SEC. 23. In the prosecution for conducting an employment agency for hire without being licensed, it shall be competent to allege and prove any number of transactions or particulars coming within the scope of the term "employment agency," but a single transaction shall be deemed engaging in the business of an employment agency.

SEC. 24. The owner or manager or other person in control of an employment agency shall be liable for all violation of laws or lawful orders of the industrial commission of Ohio committed by any agent, representative, or employee of said agency within the scope of the business of the agency, as well as all parties personally participating in such violations.

SEC. 25. Justices of the peace, police judges, judges of municipal courts, and mayors of cities and villages shall have final jurisdiction coextensive with the county in all cases for violation of provisions of this act or of orders of the industrial commission issued thereunder, and the procedure provided by law for such courts shall extend to all such cases.

SEC. 26. 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 cost, such cost 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.

SEC. 27. The sections of this act and every part of such sections are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void or ineffective shall not affect any other section or part thereof.

SEC. 28. Sections 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, and 896 of the General Code be, and the same are hereby repealed.

Approved May 15, 1919.

Protection of employes on buildings—Ventilation.

(Page 419.)

SECTION I. Whoever uses or causes or permits to be used an open salamander or coke burner or other outfit or receptacle of any

Fines.

Enforcement.

Evidence.

Single transaction.

Owners liable.

Jurisdiction.

Costs.

Provisions severable.

Repeal.

Use of salamanders, etc.

kind in which charcoal, coke, coal, or any other fuel or combustible substance is burned or in process of combustion so as to give off obnoxious gases or gases detrimental to health, in any enclosed residence or enclosed building under construction while a person or persons work or are employed therein without providing a proper pipe, chimney, or enclosure to carry said gases from said open salamander, coke burner, outfit, or receptacle to the outside of said enclosed building or residence, shall be guilty of a misdemeanor, and, on conviction, for the first offense shall be fined not more than one hundred dollars, and for a second or subsequent offense, shall be fined not less than one hundred dollars nor more than two hundred dollars, and in each case he shall stand committed until such fine and the costs are paid or until he is otherwise discharged by due process of law.

Approved May 19, 1919.

Employment of children.

[Page 532.]

[This act amends sections 12996, 13007-11, and 13007-12 of General Code, 1910, so as to read as follows:]

- Work time.** SECTION 12996. No boy under the age of sixteen and no girl under the age of eighteen years shall be employed, permitted, or suffered to work in, about, or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) or more than forty-eight hours in any one week, (3) nor more than eight hours in any one day, (4) or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein.
- Boys under 18.** No boy under the age of eighteen years shall be employed, permitted, or suffered to work in, about, or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than fifty-four hours in any week, (3) nor more than ten hours in any one day, (4) or before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening.
- Girls under 21.** No girl under the age of twenty-one years shall be employed, permitted, or suffered to work in, about, or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than fifty hours in any week, (3) nor more than nine hours in any one day, except Saturday, when the hours of labor in mercantile establishments may be ten hours, (4) or before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening. In estimating such periods, the time spent at different employments or under different employers shall be considered as a whole and not separately.
- Violations.** SEC. 13007-11. Every employer who fails to secure and keep on file employment certificates for all males employed between fifteen and sixteen years of age, and all females employed between sixteen and eighteen years of age, or to return the same as provided by section 12995 of the General Code, or who fails to keep and post lists of the notice, as provided in section 12998 of the General Code, shall be fined not less than twenty-five dollars nor more than one hundred dollars.
- Obstructing inspectors.** SEC. 13007-12. Any person, firm, or corporation, or any manager, foreman, superintendent, or agent of the owner or proprietor of any establishment, who (1) hinders or delays any female visitor or district deputy or any other officer charged with the enforcement of any of the provisions of this act in the performance of his or her duties, or (2) refuses to admit or locks out any such inspector or officer from any place where said inspectors or officers are authorized to inspect, or upon request therefor refuses to give full and complete information regarding any matter proper

to be investigated by any such inspector or officer; shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

Approved June 5, 1919.

Employment of women.

[Page 540.]

[This act repeals sections 13007-6 and 1008 of the General Code, 1910, and section 1008 is reenacted and a new section 1008-1 is added, reading as follows:]

SECTION 1008. Every person, partnership, or corporation employing females in any factory, workshop, business office, telephone or telegraph office, restaurant, bakery, millinery or dressmaking establishment, mercantile or other establishments shall provide a suitable seat for the use of each female so employed, and shall permit the use of such seats when such female employees are not necessarily engaged in the active duties for which they are employed and when the use thereof will not actually and necessarily interfere with the proper discharge of the duties of such employees, such seat to be constructed, where practicable, with an automatic back support and so adjusted as to be a fixture, but not obstruct employees in the performance of duty, and shall further provide a suitable lunch room, separate and apart from the workroom, and in establishments where lunch rooms are provided, female employees shall be entitled to not less than thirty minutes for meal time: *Provided*, That in any establishment aforesaid in which it is found impracticable to provide a suitable lunch room, as aforesaid, female employees shall be entitled to not less than one hour for meal time during which hour they shall be permitted to leave the establishment.

Seats to be provided.

Lunch rooms.

Time for meals.

Hours of labor.

Females over eighteen years of age shall not be employed or permitted or suffered to work in or in connection with any factory, workshop, telephone or telegraph office, millinery or dressmaking establishment, restaurant, or in the distributing or transmission of messages, or in or on any interurban or street railway car, or as ticket sellers or elevator operators, or in any mercantile establishment located in any city, more than nine hours in any one day, except Saturday, when the hours of labor in mercantile establishments may be ten hours, or more than six days, or more than fifty hours in any one week, but meal time shall not be included as a part of the work hours of the week or day: *Provided, however*, That no restriction as to hours of labor shall apply to canneries or establishments engaged in preparing for use perishable goods, during the season they are engaged in canning their products.

Sec. 1008-1. The employment of females in the following occupations or capacities is hereby prohibited, to wit: As crossing watchman, section hand, express driver, moulder, bell hop, taxi driver, jitney driver, gas or electric meter reader, ticket seller, driver between the hours of six o'clock a. m. and ten o'clock p. m., as workers in blast furnaces, smelters, mines, quarries, except in the offices thereof, shoe-shining parlors, bowling alleys, pool rooms, bar rooms and saloons, or public drinking places which cater to male customers exclusively, and in which substitutes for intoxicating liquors are sold or advertised for sale, in delivery service on wagons or automobiles, in operating freight or baggage elevators, in baggage handling, freight handling, and trucking of any kind, or in employments requiring frequent or repeated lifting of weights over twenty-five pounds. Any violations of the provisions of this section shall be punished as provided in section 1011 of the General Code.

Employments prohibited.

Approved June 5, 1919.

1757°-21-17

Railroads—Sufficient crews for trains.

(Page 687.)

- [This act amends section 12556 of the General Code so as to read as follows:]
- Freight trains. SECTION 12556. Whoever, being a superintendent or other employee of a railroad company, sends or causes to be sent out on main track, a through freight train with less than one engineer, one fireman, one conductor, and two brakemen, or a light engine without cars, to a point more than three miles distant from original starting point, with less than one engineer, one fireman, and one conductor or flagman, shall be fined not less than one hundred dollars for each offense.
- Enforcement. SEC. 2. The public utilities commission shall be empowered to enforce the foregoing sections and prosecute any violations thereof.
- Passed May 7, 1919.

Mine inspectors.

(Page 923.)

- SECTION 1. Section 905 of the General Code is amended to read as follows:
- Salaries. SEC. 905. The chief inspector of mines shall receive three thousand dollars per annum and each district inspector of mines shall receive two thousand one hundred dollars per annum. The chief inspector of mines, and each district inspector of mines, shall receive, in addition to the salaries herein provided for, all necessary and legitimate expenses incurred by them in the discharge of their duties, to be approved by the chief inspector of mines, itemized statements of which expenses shall be filed with the auditor of State. * * *
- Expenses.
- Passed June 18, 1919.

OKLAHOMA.

ACTS OF 1919.

CHAPTER 59.—Employment of children—School attendance.

[This chapter amends section 7930, Revised Laws of 1910, so as to read as follows:]

Sec. 7930. It shall be unlawful for any parent, guardian, or custodian, living in the State of Oklahoma, to neglect or refuse to cause or compel any person or persons who are or may be under his control as children or wards to attend and comply with the rules of some public, private, or other schools unless other means of education are provided, for sixty-six and two-thirds per cent of the term the schools of the districts are in session, which shall apply to all children of the district over the age of eight and under the age of eighteen, unless they are prevented by mental or physical disability, the question of disability to be determined by the school district board or board of education upon a certificate of a duly licensed and practicing physician: *Provided, however,* That this requirement shall not apply to a child between the ages of sixteen and eighteen years who is (1) regularly and lawfully employed and has satisfactorily completed the work of the eighth grade of public schools or its equivalent, or (2) who has satisfactorily completed the full course of instruction provided by the public schools of the district where he resides.

Attendance required.

Exemption.

Approved April 4, 1919.

CHAPTER 70.—Criminal syndicalism—Sabotage.

SECTION 1. Criminal syndicalism is hereby defined to be the doctrine which advocates crime, physical violence, arson, destruction of property, sabotage, or other unlawful acts or methods as a means of accomplishing or effecting industrial or political ends, or as a means of effecting industrial or political revolution, or for profit.

Definition.

Sec. 2. Sabotage is hereby defined to be a malicious, felonious, intentional or unlawful damage, injury to or destruction of real, or personal property of any employer or owner by his or her employee or employees, or any employer or employers or by any person or persons at their own instance, or at the instance, request, or instigation of such employees, employers, or any other person.

Same.

Sec. 3. Any person who, by word of mouth or writing advocates, affirmatively suggests, or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest, or teach the duty, necessity, propriety, or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any book, pamphlet, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, affirmatively suggesting, or teaching crime, criminal syndicalism, sabotage, the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting, or bring-

Offenses.

ing about any industrial or political ends or change, or as a means of accomplishing, effecting, or bringing about any industrial or political revolution, or for profit; or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act, with the intent to exemplify, spread, or teach or affirmatively suggest criminal syndicalism; or who organizes, or helps to organize or becomes a member of or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety, or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or affecting any industrial or political ends, change or revolution, or for profit, is guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment in the State penitentiary for a term not to exceed ten years, or by a fine of not more than five thousand dollars, or by both such fine and imprisonment: *Provided*, That none of the provisions of this act shall be construed to modify or affect section 3764, chapter 42, of the Revised Laws of Oklahoma, 1910.

Permitting assemblage.

SEC. 4. The owner, lessee, agent, superintendent, or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by the provisions of section 3 of this act, or who after notification by authorized public or peace officers that the place or premises, or any part thereof, is or are so used, permits such use to be continued, is guilty of a misdemeanor and punishable upon conviction thereof by imprisonment in the county jail for not less than sixty days or for not more than one year, or by a fine of not less than one hundred dollars or more than five hundred dollars, or by both such fine and imprisonment.

Approved March 15, 1919.

CHAPTER 146.—*Inspection of boilers.*

Official duty.

SECTION 1. It shall be the duty of the State factory inspector, and assistant factory inspectors, under the direction of the commissioner of labor, to supervise the work of inspecting and testing of steam boilers throughout the State and wherever possible, to supervise the installation of new boilers.

Boilers to be inspected.

SEC. 2. All steam boilers operated in this State, except boilers under the jurisdiction of the United States, boilers of railroad locomotives, and boilers not exceeding fifteen (15) pound gauge pressure, shall be subject to the provision of this act, and shall be inspected at least once each year. They shall be inspected internally and externally, given the hammer test and hydraulic test, when deemed necessary by the inspector: *Provided*, This act will not apply to threshing engines during the threshing season.

Unsafe boilers.

SEC. 3. Any boiler which is found to be unsafe shall be repaired as may be directed by the State factory inspector, or any inspector authorized under the provisions of this act subject to the approval of the State commissioner of labor, and if repairs will not overcome the defects, the future use of the boiler shall be prohibited, and no person shall thereafter cause or permit the use of such boiler. The use of any boiler, subject to the provisions of this act, may be temporarily prohibited until repairs are made as provided for in this act.

Reports.

SEC. 4. Reports of all inspectors shall conform to the requirements of the State factory inspector and shall be made upon forms required by the commissioner of labor.

The labor commissioner is hereby empowered to accept the inspection of any inspector working for or under direction of the insurance companies who insure such boilers.

Sec. 5. The State factory inspector, under the direction of the commissioner of labor, is hereby authorized and empowered to promulgate such rules and regulations as in his judgment are necessary for the positive safety of steam boilers, and he may issue orders, either directly or through any State factory inspector's recommendations, to carry into effect such rules and regulations. In adopting rules and regulations and issuing orders, the State factory inspector shall have complete jurisdiction over the entire boiler, appurtenances and the boiler room.

Rules.

Sec. 6. No person, firm or corporation shall in any manner interfere with the performance of the official duties of any inspector authorized by this act.

Interfering in-
spections.

Sec. 7. Any person, firm or corporation, owning or operating steam boilers in this State, who shall violate any of the provisions of this act, or the orders, rules or regulations of the State factory inspector shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or by imprisonment in the county jail not to exceed six (6) months, or by both such fine and imprisonment.

Violations.

Approved April 5, 1919.

CHAPTER 149.—*Protection of employees on buildings.*

[Section 3775, chapter 42, article 5, Revised Laws 1910, is amended to read as follows:]

SECTION 3775. Any contractor or other person having charge of the erection, construction, repairing, alteration, removal or painting of any building, bridge, viaduct, steel tank, standpipe, or other structure, within the provisions of the three preceding sections, shall comply with the terms thereof, and any such contractor or other person violating any of the provisions of the three preceding sections shall, upon conviction thereof, be fined not less than \$50 nor more than \$200 or imprisoned for not less than thirty days nor more than one year, or both such fine and imprisonment, in the discretion of the court. In addition to the penalties herein provided, in the event of refusal or neglect of any person, firm or corporation, or his or its agents, to comply with the provisions of the three preceding sections, the use of any such scaffold, hoist, crane, stays, ladder, support, or other mechanical contrivance, or the erection, repairing, alteration, removal or painting of any building, bridge, viaduct, steel tank, or other structure, may be prohibited by the labor commissioner, or inspector deputized by him, and a notice to that effect shall be posted upon the premises. Such notice shall not be removed until such scaffold, hoist, crane, stays, ladder, support or other mechanical contrivance or temporary floorings are properly and safely constructed.

Noncompliance.

Use may be pro-
hibited.

Approved April 3, 1919.

CHAPTER 163.—*Employment of women—Hours of labor.*

[This act amends chapter 148, Acts of 1915, so as to read as follows:]

SECTION 1. No female shall be employed or permitted to work in any manufacturing, mechanical, or mercantile establishment, laundry, bakery, hotel, or restaurant, office building or warehouse, telegraph or telephone establishment, or office, or printing establishment, or book bindery, or any theater, show house, place of amusement, or any other establishment employing any female more than nine (9) hours in any one day, nor more than fifty-four (54) hours in any one week.

Nine-hour day.

Hours per week.

SEC. 2. The hours of work may be so arranged to permit the employment of females at any time so that they shall not work more than nine (9) hours within twenty-four (24) hours, of any one day: *Provided, however,* That in time of great disaster, calamity, or epidemic, telephone establishments may work their

Emergency.

operators, with their consent, for a greater number of hours in any one day than above stated, said operators to be paid not less than double their regular compensation for such extra time: *Provided*, That this act shall not apply to females who are registered pharmacists, or employed as nurses or those engaged in agricultural or domestic service: *And provided further, however*, That in case of emergency in hotels and restaurants, females may work to a maximum of ten hours during the twenty-four with their consent; such females to be paid not less than double their regular compensation for such extra time: *And provided further*, That this act shall apply only to towns and cities containing a population of five thousand (5,000) or more, as shown by the last Federal census or any Federal census hereafter taken: *Provided, however*, That the provisions of this act shall apply to any of the establishments mentioned in section one of this act, where five or more females are employed, and located outside of the incorporated limits of any city or within the limits of any city, town, or village of less than five thousand (5,000) population.

Act applies, where,

Toilets and seats.

SEC. 3. Every employer in any manufacturing, mechanical, or mercantile establishment, or workshop, laundry, printing office, dressmaking or millinery establishment, hotel, restaurant, or theater or telegraph or telephone establishment and office, or any other establishment employing females, shall provide adequate and suitable toilet facilities for such employees and shall provide suitable seats for all female employees and permit them to use such seats when not engaged in the active performance of the duties of their employment.

Violations.

SEC. 4. Any employer, overseer, superintendent, foreman, or other agent of such employment, who shall require or permit any female to work in any of the places mentioned in sections one, two, and three, more than the number of hours provided for in this act, during any day of twenty-four (24) hours, or who shall fail, neglect, or refuse to so arrange the work of females employed in said places mentioned in sections one and two so that they shall not work more than the number of hours provided for in this act during any one day of twenty-four (24) hours or the number of hours prescribed in this act in any one week, or who shall fail, neglect or refuse to provide adequate and suitable toilet facilities and seats as provided in section three of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) or imprisoned in the county jail not less than five (5) or more than thirty (30) days, or by both such fine and imprisonment.

CHAPTER 235.—*Employment of children—Continuation schools.*

Schools to be established.

SECTION 1. Whenever in any school district in the State there shall be employed twenty or more minors over sixteen years of age and less than eighteen years of age the board of education of such district shall establish and maintain part-time schools or classes for not less than one hundred and forty-four hours per year.

Attendance required.

SEC. 3. No minor over sixteen (16) years of age and less than eighteen (18) years of age may be employed except under conditions which shall permit the attendance of such minor upon a part-time school or class whenever any such part-time school or class shall have been established in the district in which such minor is employed. Whenever any person, firm, or corporation shall employ a minor in violation of this act he shall be subject to a fine of not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50) for each separate offense: *Provided, however*, That the provisions of this act shall not apply to minors over sixteen years of age who have completed a common school education and in addition thereto at least two years of high school.

SEC. 4. The parent, guardian, or other persons responsible for the custody of any minor or minors over sixteen years of age and under eighteen years of age shall be responsible for the attendance of such minor or minors upon part-time schools or classes whenever such part-time schools or classes have been established in the school district in which such minors are employed and the failure to compel such attendance shall be subject to the same penalties as are imposed for failure to compel attendance of children over eight and under sixteen years of age upon public, private, or other school.

SEC. 5. Public officials responsible for the attendance upon public, private, and other schools of children over eight and under sixteen years of age shall be in like manner charged with the duty of the enforcement of the attendance of minors over sixteen and under eighteen years of age upon part-time schools or classes whenever such part-time schools or classes shall have been established in the district in which said minors are employed.

Approved April 4 1919.

Duty of parents.

Enforcement.

OREGON.

ACTS OF 1919.

CHAPTER 12.—Criminal syndicalism—Sabotage.

SECTION 1. Criminal syndicalism is hereby defined to be the doctrine which advocates crime, physical violence, arson, destruction of property, sabotage, or other unlawful acts or methods as a means of accomplishing or effecting industrial or political ends, or as a means of effecting industrial or political revolution, or for profit.

Definition.

SEC. 2. "Sabotage" is hereby defined to be malicious, felonious, intentional, or unlawful damage, injury, or destruction of real or personal property of any employer or owner, by his or her employee or employees, or any employer or employers, or by any person or persons, at their own instance, or at the instance, request, or instigation of such employees, employers, or any other person.

Same.

SEC. 3. Any person who, by word of mouth or writing, advocates, affirmatively suggests or teaches the duty, necessity, propriety, or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest or teach the duty, necessity, propriety, or expediency of doing any act of violence, the destruction of, or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, affirmatively suggesting or teaching crime, criminal syndicalism, sabotage, the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting, or bringing about any industrial or political ends, or change, or as a means of accomplishing, effecting, or bringing about any industrial or political revolution, or for profit, or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of physical violence, the destruction of, or damage to, any property, the injury of any person, or the commission of any crime, or unlawful act, with the intent to exemplify, spread, or teach, or affirmatively suggest criminal syndicalism, or organizes, or helps to organize, or become a member of, or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety, or expediency of doing any act of physical violence, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit, is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State penitentiary for a term of not less than one year nor more than ten years, or by a fine of not more than \$1,000, or by both such imprisonment and fine.

Offense.

SEC. 4. The owner, lessee, agent, superintendent, or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by the provisions of section 3 of this act, or who, after notification by authorized public or peace officers that the place or premises, or any part thereof, is or are so used, permits such use to be continued, is guilty of a misdemeanor and

Permitting assemblage.

punishable upon conviction thereof by imprisonment in the county jail for not less than sixty days nor for not more than one year, or by a fine of not less than \$100, nor more than \$500, or by both such imprisonment and fine.

Approved February 3, 1919.

CHAPTER 24.—*Payment of wages at termination of employment.*

[This act amends section 5067, Lord's Oregon Laws, 1910, so as to read as follows:]

Wages to be paid.

SECTION 5067. Whenever an employer discharges an employee, or where such employment is terminated by mutual agreement, all wages earned and unpaid at the time of such discharge shall become due and payable immediately. When any such employee, not having a contract for a definite period, shall see fit to quit or resign his employment, all wages earned and unpaid at the time of such quitting or resignation shall become due and payable immediately: *Provided*, Such employee shall have given not less than three days' notice of his intention to quit his employment, and if such notice has not been so given then such wages shall be due and payable three days after such employee shall have so quit his employment; but when any number of employees enter upon a strike, the wages due such striking employees at the time of entering upon such strike shall not become due and payable until the next regular pay day after the commencement of such strike: *Provided*, That the time between the commencement of the strike and such next regular pay day does not exceed a period of thirty days, and if such time does exceed the period of thirty days then such wages shall be due and payable thirty days after the commencement of such strike.

Approved February 7, 1919.

CHAPTER 47.—*Employment of women—Minority.*

[This chapter amends section 7099, Lord's Oregon Laws, 1910, so as to read as follows:]

Effect of marriage, etc.

Subject to law.

SECTION 7099. All female persons shall be deemed to have arrived at the age of majority upon their being married, according to law, or, for the purpose of consenting to the adoption of an illegitimate child when it is shown in the court in which such proceedings are pending that such female person is the mother of said illegitimate child: *Provided, however*, That in the enforcement of the laws regulating the hours of labor of minor children any female under the age of eighteen years shall be regarded as a minor and subject to the labor laws applying to minor children.

Approved February 15, 1919.

CHAPTER 54.—*Attorney's fees in suits for wages.*

[This act amends section 5068, Lord's Oregon Laws, 1910, so as to read as follows:]

Suits for wages.

Fee.

SECTION 5068. In any action for the collection of any such order, check, memorandum, or other acknowledgment of indebtedness, or in any action for the collection of wages, if it is shown that such order, check, memorandum, or other acknowledgment of indebtedness, or said wages were not paid for a period of forty-eight hours after proper demand for the payment thereof, the court shall, upon entering judgment for the plaintiff, include in such judgment, in addition to the costs and disbursements otherwise prescribed by statute, a reasonable sum for attorney's fees for prosecuting said action, unless it shall appear that such employee has willfully violated his contract of employment: *Provided*, In case of an employee voluntarily quitting an employment, such employee shall have given not less than three days' notice of his intentions to quit his employment.

Approved February 17, 1919.

CHAPTER 178.—*Conciliation and arbitration—State board.*

SECTION 1. A board is hereby created which shall be known as the State Board of Conciliation and shall consist of three commissioners. Immediately upon taking effect of this act the governor shall appoint two of such commissioners, one to be selected from a list of five names to be submitted by the Employers' Association of Portland, and one from a list of five names to be submitted by the State Federation of Labor; and the third member of said board shall be chosen by the commissioners appointed by the governor, within ten days from the date of their appointment. If the two commissioners appointed by the governor shall be unable to agree upon the third member of the board within ten days from the date of their appointment, then the governor shall appoint such third member of the board. The commissioners appointed by the governor shall be appointed for the term expiring on the first Monday in January, 1922, and the first Monday in January, 1923, and the term of the third commissioner shall expire on the first Monday in January, 1921; and thereafter the commissioners shall be appointed, in the same manner and from the same classes as hereinbefore provided, for terms of four years, respectively.

Board created.

Appointments.

SEC. 2. The governor may, at any time, remove any commissioner for inefficiency, neglect of duty or malfeasance in office. Before such removal he shall give such commissioner a copy of the charges against him and shall fix the time when he can be heard in his own defense, which shall not be less than ten days thereafter, and such hearing shall be open to the public. If such commissioner shall be removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and his findings thereon, with a record of the proceedings. Such power of removal shall be absolute, and there shall be no right of review by any court on any condition whatsoever. Upon the removal of such commissioner a successor shall be appointed to fill out the unexpired term, and shall be selected in the same manner and from the same class as the commissioner so removed was selected from. Before entering on the duties of his office each commissioner shall take and subscribe to an oath or affirmation that he will support the constitution of the United States and of this State, and to faithfully and honestly discharge the duties of such office of commissioner, which oath or affirmation shall be filed in the office of the secretary of state.

Removal.

Oath.

SEC. 3. The board shall meet at the State capitol and shall organize by the election of one of its members as chairman and another member as secretary. As soon as practicable after its organization the board shall establish such rules of procedure as may be necessary to conduct the business of the board. Suitable rooms at the capitol shall be provided by the State for the use of the board.

Organization,
etc.

SEC. 4. Each member of the board shall receive five dollars (\$5) for each day of actual service, and his necessary traveling and other expenses. Each month the chairman of the board shall certify the amount due each member of the board for service rendered and expenses incurred in the performance of his official duties hereunder, and on presentation of a claim therefor the secretary of state shall audit same in the manner provided by law and draw his warrant on the State treasurer out of the moneys appropriated therefor.

Compensation.

SEC. 5. The board shall possess all the powers and authority in respect to administering oaths, subpoenaing witnesses and compelling their attendance, preserving order during the sittings of the board, punishing for contempt, and requiring the production of books, papers and writings, and all other powers and privileges, in their nature applicable and necessary in conducting its business, in the same manner as is conferred by law on all the judges of the Circuit Court of the State of Oregon in the trial of any cause, and shall have access to any reports, documents,

Powers.

or records filed with or in the custody of any officer in the State of Oregon.

Procedure.

SEC. 6. When a controversy or difference, not involving a question which may be the subject of an action or proceeding in a court of this State, exists between an employer and his employees, or whenever it shall come to the knowledge of the board that a strike or lockout is seriously threatened in the State, involving an employer and his employees, if he is employing not less than fifty persons, the board shall immediately put itself in communication with such employer and employees and ascertain the cause of such difference, strike or lockout, and endeavor to persuade such employer and employees to adjust the same. If such employer and employees are unable to adjust the difference existing between them, then either of the parties to the controversy, or the officials of the city in which such strike or lockout may exist, or the officials of the county in which the same may be, if outside of any incorporated city or town, may request the board to make an investigation of the cause or causes of such strike or lockout.

Investigation.

SEC. 7. Upon receiving such request to investigate a strike or lockout, the board shall immediately proceed to such city or county and make such investigation by a public hearing, and shall issue notice of the time and place and purpose of such hearing to said employer and to said employees. The board may issue subpoenas requiring the attendance of such witnesses and the production of such records, books, and papers as it may deem necessary to make a thorough investigation of the merits and cause or causes of such strike or lockout. Subpoenas may be signed and oaths administered by any member of the board. Said notices and subpoenas shall be delivered to the sheriff of the county in which the board is holding its investigation, and shall be served in the same manner as similar process is served in the Circuit Court of the State of Oregon.

Findings.

SEC. 8. The board shall proceed with due diligence to complete the investigation of such strike or lockout, and shall make such findings and recommendations to the respective parties as it may deem just. If either or both of the parties are not satisfied with such findings and recommendations, then either party may make written application to the board to have such controversy or difference submitted to a board of arbitration. The application shall contain a concise statement of the grievances complained of, and an agreement to abide by such award as the board of arbitration may make.

Arbitration.

SEC. 9. The board of arbitration shall consist of three arbitrators. Such board may be mutually agreed upon, or the employer may designate one arbitrator and the employees or their duly authorized agent another, and the arbitrators so designated shall select a third, who shall be chairman of the said board. If the two arbitrators shall be unable to agree upon the third member within two days from the date of their appointment, then the State board of conciliation shall appoint such third arbitrator. The board of arbitration shall have all the powers and authority conferred upon the State board of conciliation, as provided in section 5 of this act, in investigating such controversy, strike, or lockout.

Refusing conciliation.

SEC. 10. If either of the parties shall refuse to accept the findings and recommendations of the State board of conciliation, or shall refuse to consent to the appointment of a board of arbitration and agree to accept and abide by the award of such board of arbitration, then the State board of conciliation shall prepare written findings, and determine therein the party who is responsible for the existence or continuance of such strike or lockout; and shall deliver a copy of such findings to each of the parties to the controversy, and file one copy with the clerk of the county court of the county in which such investigation was held, and one copy in the office of the commissioner of labor of the State of Oregon, which last two copies shall be public documents.

SEC. 11. Each witness summoned by the State board of conciliation, or by the board of arbitration, shall receive \$2 for each day's attendance, and 5 cents for each mile necessarily traveled in going to and from the place of such hearing. The chairman of the State board of conciliation or the chairman of the board of arbitration, as the case may be, shall certify the amount due each witness and file the same with the clerk of the county court in the county in which such hearing is being held, and such claim shall be audited by the county court and allowed in the same manner as witness fees in criminal actions in the circuit court.

Witness fees.

SEC. 12. Each member of a board of arbitration shall receive from the county in which the controversy exists the sum of \$5 for each day of actual service, not exceeding twenty days, for any arbitration, to be certified to the clerk of the county court by the chairman of the board; and such claim shall be audited and allowed by the county court in the same manner as witness fees in criminal actions in the circuit court.

Pay for arbitrators.

SEC. 13. The board of arbitration shall file a copy of its findings and award with each of the parties to the controversy, a copy with the clerk of the county court of the county in which such hearing is held, a copy with the State board of conciliation, and a copy with the commissioner of labor of the State of Oregon within ten days from the date of the final hearing: *Provided*, That the State board of conciliation may allow an extension of time to file such findings and award, not to exceed twenty days. No claim for services shall be allowed any member of the board of arbitration until the findings and award shall have been filed as herein provided.

Findings.

SEC. 14. On the thirty-first day of July of each year the State board of conciliation shall make a report to the governor, containing such statements, facts, and explanations as will disclose its methods and work, with such suggestions as to legislation conducive to the adjustment of disputes between employers and employees as it may deem proper.

Reports.

Filed in the office of the secretary of state February 27, 1919.

CHAPTER 181.—*Factory, etc., regulations—Lighting.*

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

(a) The phrase "place of employment" shall mean and include every place, whether indoors or out, or underground, and the premises appurtenant thereto, whether either temporarily or permanently any industry, trade, or business is carried on, or where any process or operation, directly or indirectly, relating to any industry, trade, or business is carried on, and where any person is directly or indirectly employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed in private domestic service or agricultural pursuits which do not involve the use of mechanical power.

Definitions.

(b) The term "owner" shall mean and include every person, firm, corporation, State, county, town, city, village, manager, representative, officer or other person having ownership, control, or custody of any place of employment or of the construction, repair, or maintenance of the buildings of any such place of employment or who prepares the plans for the construction of any place of employment.

SEC. 2. All passageways and other portions of places of employment, and all moving parts of machinery which are not so guarded as to prevent accidents, where, on or about which persons work or pass or may have to work or pass in emergencies, shall be kept properly and sufficiently lighted during working hours. The halls and stairs leading to the workrooms shall be properly and adequately lighted, and a proper and adequate light shall be kept burning by the owner or lessee in the public hallways near the stairs, upon the entrance floor, and upon the other floors on every workday in the year, from the time when the building is open for

Lighting required.

- use in the morning until the time it is closed in the evening, except in times when the influx of natural light shall make artificial light unnecessary. Such lights shall be so arranged as to insure their reliable operation when through accident or other cause the regular factory or workshop lighting is extinguished.
- Workrooms.** SEC. 3. All workrooms in any place of employment shall be properly and adequately lighted during working hours. Artificial illuminants 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 so as to prevent unnecessary strain on the vision, or glare in the eyes of the workers.
- Schedule.** SEC. 4. Working or traversed spaces in all places of employment as defined in this act shall be supplied during the time of use with artificial light in accordance with a schedule of minimum values which shall be determined as hereinafter specified, and when the natural light is less than the intensity so determined, the artificial light must be used.
- Lamps.** SEC. 5. Lamps must be so located or suitably shaded as to minimize glare.
- Distribution of light.** SEC. 6. All lamps and lighting appliances must be so installed in regard to height, spacing, reflectors or other accessories as to secure a good distribution of light on the work, avoiding objectionable shadows and sharp contrasts of intensity. Emergency lamps shall be provided in the main aisles and in all stairways, passageways and exits so as to afford sufficient guidance to provide the safe exit from said places of employment in case of emergency. Such lamps shall be in operation concurrently with the lighting and independent thereof.
- Switch apparatus.** SEC. 7. The switching and controlling apparatus shall be so placed that at least pilot or night lights may be turned on at the main points of entrance.
- Power of commissioner of labor.** SEC. 8. The commissioner of labor and inspector of factories and workshops of the State of Oregon is hereby authorized to establish certain minimum values for lighting, which shall be deemed proper and adequate in accordance with the conditions set forth in this act. In arriving at what values shall be used in this schedule of minimum lighting, and such other rules as shall determine definitely what shall constitute compliance with the provisions of this act, he shall be guided by the best engineering practice as set forth in the recommendations of the illuminating engineering society. Before such schedule and rules, however, shall become effective, the commissioner of labor must, upon his own motion, appoint a commission of three persons, one to represent the manufacturing interests, one to represent the operating electrical workers, and one must be an electrical engineer. Notice of the public meetings of such commission shall be published in the leading newspapers of each county in the State, giving the time, place, and purpose of such meetings. The commission shall have power, after holding these public meetings, to establish, to rearrange or to readjust the schedule of lighting values and rules as above set forth. These rulings or readjustments shall then become effective, thirty days after they have been made, and the commissioner of labor shall serve notice, in writing or by publication in the leading newspapers of each county in the State, of the rulings thus made and of the date upon which they become effective.
- Violations.** SEC. 9. Any person, firm, or corporation who violates or does not comply with the provisions of this act or who shall fail or neglect to provide the necessary and proper illumination herein provided, within thirty (30) days after receiving written notice so to do by the commissioner of labor and inspector of factories and workshops, is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding the sum of fifty dollars (\$50), and that for the purposes of this act each day that such violation continues, or for each day such refusal continues, shall constitute a separate and distinct violation of this act.

Filed in the office of the secretary of state February 27, 1919.

CHAPTER 270.—*Protection of employees in buildings—Injuries due to violations.*

[This act amends subsection 4, section 5057a, Lord's Oregon Laws 1910, so as to read as follows:]

4. If there shall be any loss of life by reason of the neglects or failures or violations of the provisions of this act by any owner, contractor, or subcontractor, or any person liable under the provisions of this act, the widow of the person so killed, his lineal heirs or adopted children, or the husband, mother, or father, as the case may be, shall have a right of action, without any limit as to the amount of damages which may be awarded: *Provided*, That if none of the persons entitled to maintain such action reside within the State of Oregon, then the executor or administrator of such deceased person shall have a right to maintain such action for their respective benefit in the order above named. Right of action.

Filed in the office of the secretary of state March 3, 1919.

CHAPTER 313.—*Employers' advances—Fraudulent representations.*

SECTION 1. Every person who, with intent to defraud, shall sign for and accept or receive transportation to or in the direction of a place of employment provided by or at the instance or expense of the proposed employer, or who shall knowingly or with intent to defraud, accept or receive the benefit of any other pecuniary advancements made by or at the instance or expense of his employer, as advances against wages for labor to be performed, and who shall neglect or refuse to render service or perform labor or pay in money equal in value to such transportation or other benefits accepted or received, shall be guilty of a misdemeanor and shall be fined not exceeding \$100 or imprisoned not exceeding sixty days, or both such fine and imprisonment at the discretion of the court; and the failure or refusal of any such person to render service, perform labor, or pay in money for such transportation or other benefits, shall be prima facie evidence of his or her intent to defraud: *Provided*, That at or prior to the time of advancing such transportation or other benefits the employer shall have delivered directly to such laborer or shall have filed in duplicate with the employment agency through which any such laborer is secured, one copy of which shall be delivered to such laborer, a written or printed statement setting forth the wages to be paid, the character of the work to be performed and the living and working conditions: *Provided further*, That such wages to be paid, the character of the work to be performed, and the living and working conditions must be as in such written or printed statement represented. Offenses.

Sec. 2. Every employer of labor who shall directly or through any agent, knowingly and with intent to deceive, file with any employment agency as a preliminary to securing labor, a false written or printed statement of wages to be paid, work to be performed, or living and working conditions, shall be guilty of a misdemeanor and shall be fined not to exceed \$100 or imprisoned not to exceed sixty days, or both such fine and imprisonment at the discretion of the court; and the failure or refusal of such employer to employ any laborer, to whom such written or printed statement has been delivered, shall be prima facie evidence of intent to deceive. False statements.

Filed in the office of the secretary of state March 4, 1919.

CHAPTER 324.—*Employment of children—Continuation schools.*

SECTION 1. The district school board of any school district in which there shall reside or be employed, or both, not less than fifteen children between the ages of fourteen and eighteen years, who have entered upon employment, shall establish part-time Schools to be established.

- schools or classes for such employed children, excepting under the conditions hereinafter provided.
- Nature of school.** SEC. 2. A part-time school or class established in accordance with the terms of this act shall provide an education for children who have entered employment which shall be either supplemental to the work in which they are engaged, or which shall continue their general education, or shall promote their civic and vocational intelligence.
- Attendance.** SEC. 3. All children between the ages of sixteen and eighteen years must be in school or legally employed. If employed, they must attend the part-time schools herein provided not less than five hours per week or 180 hours per year, unless they have already acquired the ordinary branches of learning taught in the first eight years of the public schools or are attending an evening school for an equivalent time.
- Certificate.** SEC. 4. The district school board of any school district, or the county school superintendent, shall issue to any child between the ages of fourteen and eighteen years, applying for the same, or to the board of inspectors of child labor, a certificate giving the age of the child as it appears upon the register of the school which he has been attending, the grade which he has attended, and his place of residence, and shall keep on file a duplicate copy of such certificate. This certificate shall be signed by the district school clerk, giving also his address and district number, or by the county school superintendent, and shall be filed with the board of inspectors of child labor. Upon receipt of this certificate, the board of inspectors of child labor shall issue to the child presenting the same, if all requirements of the child labor act have been fulfilled, an age and schooling certificate which he shall present to his employer before engaging in any work. Districts of the first class shall be required to deliver duplicate copies of the registration blanks signed in original by the parents, guardian, or custodian of each child of school age in attendance once each year, to the board of inspectors of child labor, upon request.
- Duty of employers.** SEC. 5. The employer of any minors under eighteen years of age shall keep a list of minors so employed and shall keep on file the certificate issued by the board of inspectors of child labor, which board shall notify the county school superintendent or the school board of the district in which the child last attended school of such employment within five days after the beginning of such employment. When such minor shall cease his employment, the employer shall within five days return the age and schooling certificate to the board of inspectors of child labor. Within five days from the receipt of said age and schooling certificate the board of inspectors of child labor shall notify the district school clerk or county school superintendent that the child is no longer employed.
- Districts excused, when.** SEC. 6. Whenever any school board shall deem it inexpedient to organize part-time schools or classes for employed minors, it shall state the reason for such inexpediency in a petition to the State superintendent of public instruction and when the State superintendent shall judge such reasons as valid, the school board shall be excused from the establishment of such part-time schools or classes.
- Time.** SEC. 7. Part-time schools or classes established in accordance with the provisions of this act shall be in session not less than five hours a week between the hour of 8 a. m. and 6 p. m., during the number of weeks which other public schools are maintained in the district establishing such part-time schools or classes.
- Counted as work time.** SEC. 9. Whenever the number of hours for which a child between the ages of fourteen and eighteen [years] may be employed shall be fixed by Federal or State law, the hours of attendance upon a part-time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by Federal or State laws.
- Duty of parents.** SEC. 10. Every parent, guardian, or other person in the State of Oregon having control of any child or children between the ages of

sixteen and eighteen [years] who has not already acquired the ordinary branches of learning taught in the first eight grades of the public schools, shall be required to send such child or children to a part-time school or class, whenever there shall have been such part-time school or class established in the district where the child or children reside or may be employed.

SEC. 11. In case any parent, guardian, or other person in the State of Oregon having control or charge of any child or children between the ages of sixteen and eighteen [years], or any school officer or other person upon which a duty is placed by this act, shall fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be subject to a fine of not less than \$5 nor more than \$25, or by imprisonment in the county or city jail not less than two nor more than ten days, or by both such fine and imprisonment, at the discretion of the court.

Violations.

SEC. 12. Any person, firm, or corporation employing a child between the ages of fourteen and eighteen years, shall permit the attendance of such child upon a part-time school or class whenever such part-time school or class shall have been established in the district where the child resides or may be employed, and whenever such child has not acquired the ordinary branches of learning taught in the first eight grades of the public schools; and any such person, firm, or corporation employing any child between the ages of fourteen and eighteen [years] contrary to the provisions of this act, or in any way failing to carry out the duties placed upon him by the provisions of this act, shall be subject to a fine of not less than \$10 nor more than \$25 for each separate offense.

Same.

SEC. 13. The truant officer appointed by the district boundary board of each county shall be charged with the responsibility of the enforcement of the attendance upon part-time schools and classes of children between the ages of fourteen and eighteen [years] in accordance with the terms of this act.

Enforcement.

Filed in the office of the secretary of state March 4, 1919.

CHAPTER 346.—*Labor organizations—Injunctions.*

SECTION 1. It shall be lawful 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.

Unions lawful.

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 employee or between employer 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 rights must be described with particularity in the application, which must be in writing and sworn to by the applicant or his agent or attorney.

Restriction on injunctions.

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;

Strikes.

- Picketing. or from recommending, advising, or persuading others by peaceful or 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 shall any of the acts specified in this section be considered or held to be illegal or unlawful in any court of the State.
- Status of labor. 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 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 on the property, personal rights, or property rights of either, no injunction shall be granted, but the parties shall be left to their remedy at law.
- No indictment, etc. 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 the wages or bettering the conditions of working men and women, or for any act done in pursuance thereof, unless such act is in itself forbidden by law if done by a single individual.
- Provisions severable. SEC. 6. If any part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, nor invalidate the remainder of this act, but shall be confined in its operation to the particular part thereof directly involved in the controversy wherein such judgment shall have been rendered.

Filed in the office of the secretary of state March 4, 1919.

CHAPTER 435.—*Vocational rehabilitation of injured workers.*

- Hospital fund. SECTION 1. That the State industrial accident commission is hereby authorized and directed to set aside, out of the industrial accident fund, a sum of money not exceeding \$400,000 for the purpose of constructing and equipping an industrial and reconstruction hospital.
- Purposes. SEC. 2. Said industrial accident commission is further authorized and empowered, when deemed advisable by it, to construct and equip an industrial and reconstruction hospital for the purpose of caring for and reconstructing workmen injured in industrial pursuits, and for such other purposes as may be deemed advisable by the commission, and to use in the construction and equipment of said hospital the sum of \$400,000 set aside by section 1 of this act, or so much thereof as is necessary.
- Equipment. SEC. 3. The State industrial accident commission is further authorized and empowered to purchase and use such equipment for the reconstruction and rehabilitation of injured workmen as it may deem advisable, prior to the construction of such industrial and reconstruction hospital, all of the equipment so purchased to become part of the equipment of the industrial and reconstruction hospital when such hospital is constructed, such purchases to be made from the fund set aside in section 1 hereof.
- Cooperation. SEC. 4. It is further provided that, in case the State board of control should be authorized by vote of the people to construct a reconstruction hospital, the State industrial accident commission is empowered to join with the State board of control in the construction and equipment of such hospital, the total cost of which shall not exceed \$500,000, of which amount the fund hereby set aside from the industrial accident fund shall bear not more than one-half.

Filed in the office of the secretary of state March 4, 1919.

PENNSYLVANIA.

ACTS OF 1919.

Act No. 13.—*Payment of wages due deceased employees.*

{This act amends subsection (f) of section 49 of Act No. 193, Acts of 1917, so as to read as follows:

(f) It shall be lawful for any employer in this Commonwealth, at any time not less than thirty days after the death of his employee, to pay all wages due to such deceased employee to the wife, children, father or mother, sister or brother (preference being given in the order named) of the deceased employee, without requiring letters testamentary or of administration to be issued upon the estate of said deceased employee, where such wages do not exceed one hundred and fifty dollars in amount. If such deceased employee shall not leave a wife or any of said relatives surviving him, then it shall be lawful for the employer in like manner to pay such wages to the creditors of the decedent, as follows: Undertaker, physician, boarding-house keeper, and nurse, each his or her pro rata share, upon affidavit of fact furnished. The payment of such wages as aforesaid shall be a full discharge and release to the employer from any further claim for such wages.

Payment to wife, etc.

Amount.

Approved the 26th day of March, 1919.

Act No. 63.—*Department of labor and industries—Transfer of bureau of statistics.*

SECTION 1. Pursuant to the requirements of the constitution, there is hereby established within the department of internal affairs of the Commonwealth a bureau of statistics and information.

Bureau established.

SEC. 3. The bureau shall collect, compile, and publish all statistics and useful data and information relating and pertaining to labor, coal mining, oil and gas production, manufacturing industries, commercial operations, public service companies (except transportation companies, which are collected, compiled, and published by the bureau of railways in the department of internal affairs), and other business interests of the State; and in order to facilitate the duties herein imposed, all corporations, firms, or individuals, engaged in business as herein described, within this Commonwealth, are hereby required to furnish such statistical information as the secretary of internal affairs or the chief of such bureau may require. The secretary of internal affairs shall have a complete summarized and systematized report of the statistics and information collected and compiled by the bureau published annually, and shall otherwise provide means for making such information available for the use and benefit of the public as he may find necessary. All records, files, work in course of completion, and such equipment and supplies, as may be necessary in the work of said bureau, now in the possession of the production division of the bureau of statistics and information in the department of labor and industry are hereby transferred to the bureau hereby established, and are to be delivered to the secretary of internal affairs when this act goes into effect. This act shall be in effect on the first day of June, one thousand nine hundred and nineteen.

Duties.

Transfer of records, etc.

Approved the 18th day of April, 1919.

ACT No. 164.—*Factory, etc., regulations—Toilet rooms.*

[Sections 1 and 2 of Pamphlet Law 673 of Acts of 1911, as amended by Act No. 32, Acts of 1913, are further amended to include "any rolling mill, boiling mill, heating mill, or finishing mill."]

ACT No. 202.—*Factory, etc., regulations—Sprinkler systems.*

[Section 1 of Act No. 357, Acts of 1917, is amended to require, in addition to the present provisions, that all factories, workshops, etc., "shall be equipped with either an automatic sprinkler system or with an automatic fire-alarm system to be approved by the commissioner of labor and industries."]

ACT No. 325.—*Inspection and regulation of bakeries.*

DEFINITIONS.

- Bakery.** A. The word "bakery," as used in this act, shall mean and include all buildings or parts of buildings, cellars, and basements, wherein labor is employed and which are used for the mixing and other preparation of all ingredients entering into the manufacture, as well as the manufacture and handling of all bakery products intended for sale.
- Products.** B. The word "products," as used in this act, shall mean and include macaroni, bread, cakes, crackers, biscuits, pies, crullers, rolls, pretzels, and all other things usually manufactured in a bakery and intended for human consumption, as well as all ingredients entering into their manufacture.
- Person.** C. The word "person," as used in this act, shall mean and include all persons, firms, partnerships, associations, and corporations. It shall also include the masculine, feminine, and neuter gender, as well as the singular and plural.
- Department.** D. The word "department," as used in this act, shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania.
- Drainage.** SECTION 1. All bakeries shall be drained and plumbed in the manner as is now or may hereafter be prescribed by law and the rules and regulations promulgated by the proper authority in pursuance of law.
- Light and air.** SEC. 2. All bakeries shall be well lighted, and shall be so constructed that at least two hundred cubic feet of fresh air per minute will be admitted to that part of the bakery where one and not more than three persons are employed in the manufacture of such products. If more than three persons are so employed therein, then for each such person over three, spending three hours or more at a time therein, the quantity of air admitted shall be increased by at least sixty-six cubic feet. If, to produce the ventilation herein required it becomes necessary, in any particular instance, to install mechanical means for that purpose, such means shall be of a permanent, practical, and substantial nature, capable of producing the ventilation herein required, and shall be approved by the department: *Provided, however,* That where, in bakeries established at the time of the passage of this act, compliance with the provisions of this section requires alterations or additions, or where such mechanical means become necessary, their completion or installation shall not be required prior to the first day of July, one thousand nine hundred and twenty, or within such additional period of time as the department may specify.
- Floors.** SEC. 3. All bakeries shall have tight floors, constructed of cement, wood, or tiles laid in cement, free from crevices or open joints. The inside walls, except partitions, shall be plastered or otherwise hard and smooth surfaced. All inside walls, including partitions and overhead space, shall be kept free from crevices and open joints, and shall be painted or lime washed.

SEC. 7. All doors, windows, and other openings, leading into or out of bakeries, shall be screened, and shall be so constructed and maintained as to admit the most light and air reasonably possible under the circumstances. Doors and windows.

SEC. 9. Reasonably adequate toilet and washing facilities shall be provided in the building wherein a bakery is located. The use of washing facilities shall be strictly observed by all persons employed or permitted to work in bakeries, before beginning and during work, as well as after every use of the toilet. Such facilities, and all rooms used for living or sleeping purposes by persons employed therein, shall be kept in a clean and sanitary condition, and all living and sleeping rooms shall be separate from the portion of the building used as a bakery. Toilets and washrooms.

SEC. 10. Every person while engaged in the course of the manufacture of such products shall wear special suitable outer clothing of a readily washable and closely woven material, which shall be thoroughly boiled and cleansed at least once each week. No clothes or other personal apparel shall be kept in such bakery. Every employer shall provide suitable clothes closets in the premises, separate from that portion used as a bakery. Clothing.

SEC. 14. No person who is afflicted with any communicable disease or skin affection shall be employed or permitted to work in such bakery anywhere in the process of the manufacture of such products. Every person so employed or permitted to work shall obtain a certificate from a duly licensed physician, certifying that such person is free from any communicable disease or skin affection, and no person shall be employed or permitted to work as aforesaid in such bakery without having first obtained such a certificate. Said certificate shall be kept on file in the premises at all times while the person to whom the certificate refers is employed or permitted to work therein. The certificate shall be valid for a period of six months, and may be revoked at any time prior thereto if the condition of such person warrants it. Diseased persons.

SEC. 15. The department of labor and industry, acting through its duly constituted agency and proper agents, shall be charged with the enforcement of the provisions of this act. It shall have exclusive power to institute proceedings to punish violations hereof, except as to sections one, eleven, and fourteen of this act, the provisions of which may be enforced and proceedings for the violation of which may be instituted by the proper State or local authorities. All orders of the department must be complied with within ten days after receipt of written notice thereof or within such additional period of time as the department may specify. Enforcement.

Approved the 9th day of July, 1919.

Act No. 354.—*Mothers' pensions.*

SECTION 1. In each county of the Commonwealth which by the action of its county commissioners accepts the provisions of this act, the governor shall appoint a board of trustees, composed of not less than five and not more than seven women, residents of the county, to be called the board of trustees of the mothers' assistance fund. All trustees heretofore appointed for the several counties by the governor for such purposes shall continue to act, and shall constitute the boards to administer the provisions of this act; and all counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act, and shall be entitled to the benefits thereof. County boards.

SEC. 2. The governor shall appoint a State supervisor, qualified by training and experience, who shall be a woman. The State supervisor shall receive an annual salary of two thousand four hundred dollars, and necessary traveling and office expenses. The State supervisor shall, with the approval of the governor, appoint an assistant State supervisor, at a salary of one thousand State supervisor.

- six hundred dollars per annum, and a clerk, at a salary of one thousand two hundred dollars per annum. In addition to their salaries, the assistant State supervisor and the clerk shall receive their necessary and actual expenses.
- Beneficiaries.** SEC. 6. It shall be the duty of the board of trustees to provide, from the funds made available under the provisions of this act, as aid in supporting their children in their own homes, assistance to poor and dependent mothers of proved character and ability, who have children under the age of sixteen years, and whose husbands are dead, or permanently confined in institutions for the insane.
- Residence.** SEC. 7. In order to prevent the alienation of the citizenship of those who may receive the benefits of this act, no family shall be a beneficiary thereunder unless the mother has been a resident, continuously, of the State for a period of two years, and of the county in which she applies for assistance for a period of one year. No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom, but any such family shall, if it returns to the county in which it was entitled to receive assistance within said year, be immediately entitled to assistance in such county.
- Conditions.** SEC. 8. The trustees of the various counties shall in no case recommend payment to any mother until they are satisfied that she is of proper character and ability, and that for the proper maintenance of her children in her own home monthly payments are necessary. For such purpose the board of trustees shall cause to be made proper investigations. No payment shall be made on account of any child of proper age and physical ability unless satisfactory report has been made by the teacher of the school in which such pupil is enrolled, stating that such child is attending school.
- Amounts.** SEC. 9. The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars per month for the first child, and ten dollars per month for each additional child. A mother shall be entitled to assistance under this act for an unborn child, in like manner as for other children, if she has one or more children living which entitle her to the benefits of this act.
- Term.** SEC. 11. All payments made under the provisions of this act shall continue at the will of the trustees, but not beyond the time when any child under the provisions of the law may secure employment, excepting where the child is physically unable to earn wages, or is at school with a satisfactory record of attendance and scholarship, in which case such payment shall continue until such child has reached the age of sixteen years.

Approved the 10th day of July, 1919.

Act No. 366.—*Inspection of boilers.*

[This act amends section 19 of Act No. 226, Acts of 1905, by adding thereto the following proviso:]

Provided further, That no boiler used exclusively in connection with the operation of an oil well shall be taken, deemed, or construed as an establishment.

Approved the 12th day of July, A. D. 1919.

Act No. 418.—*Vocational rehabilitation of injured workmen.*

Definitions. SECTION 1. (a) The term "bureau" as used in this act, shall mean bureau of rehabilitation.

(b) The term "commissioner" shall mean the commissioner of labor and industry.

(c) The term "physically handicapped person" or "persons," wherever used in this act, shall mean any resident or residents of the Commonwealth of Pennsylvania whose capacity to earn a living is in any way destroyed or impaired through industrial accident occurring in the Commonwealth.

(d) "Rehabilitation" shall mean the rendering of a physically handicapped person fit to engage in a remunerative occupation.

SEC. 2. A bureau of rehabilitation is hereby established in the department of labor and industry. The central office of the bureau shall be located in the city of Harrisburg. Bureau of re-
habilitation.

SEC. 3. The commissioner, with the approval of the governor, shall appoint a chief of the bureau of rehabilitation, who shall be subject to the direction and supervision of the commissioner, and shall fix his salary, which, when so fixed, shall be paid out of the sums hereinafter appropriated. Chief.

SEC. 4. It shall be the duty of the chief of the bureau of rehabilitation to direct, as hereinafter provided, the rehabilitation of any physically handicapped person: *Provided*, That said duty of the chief of the bureau shall not be construed to apply to aged or helpless persons requiring permanent custodial care, or to blind or deaf persons under the care of any State or semi-State institution, or to any epileptic or feeble-minded person, or to any person who may not be susceptible to such rehabilitation. Duties.

SEC. 5. The chief of the bureau of rehabilitation shall have power with the approval of commissioner: Powers.

(a) To establish relations with all public and private hospitals to require prompt and complete reports of any physically handicapped persons under treatment in such hospitals. The persons thus reported may be promptly visited by representatives of the bureau of rehabilitation, who shall make record of their condition, and report to the chief of the bureau, who shall then determine whether the person is susceptible to rehabilitation. Such persons as may be found susceptible shall be acquainted by the chief of the bureau with the rehabilitation facilities offered by the State and the benefits of entering upon remunerative work at an early date. Any physically handicapped person who chooses to take advantage of these rehabilitation facilities shall be registered with the chief of the bureau, and a record kept of every such person, and the measures taken for his or her rehabilitation. The chief of the bureau shall proffer to any such person counsel regarding the selection of a suitable occupation and of an appropriate course of training, and shall initiate definite plans for beginning rehabilitation as soon as the physical condition of the person permits. Hospital re-
ports.

(b) To receive applications of any physically handicapped persons for advice and assistance regarding their rehabilitation. The persons thus known to be physically handicapped may be visited, examined, and advised in the same manner and for the same purposes as specified in clause (a) of this section. Applications.

(c) To make a survey to ascertain the number and condition of physically handicapped persons within the Commonwealth. The persons thus known to be physically handicapped may be visited, examined, registered, and advised in the same manner and for the same purpose as specified in clause (a) of this section. Survey.

(d) To arrange for such therapeutic treatment as may be necessary for the rehabilitation of any physically handicapped persons who have registered with the chief of the bureau. Treatment.

(e) To procure and furnish at cost to physically handicapped persons who have registered with the chief of the bureau limbs and other orthopedic and prosthetic appliances, to be paid for in easy installments, when such appliances can not be otherwise provided: *Provided, however*, That if it be shown that any physically handicapped person is unable to pay for such artificial limbs or other appliances, the chief of the bureau may direct, with the approval of the commissioner, that such limbs or appliances shall be supplied to such physically handicapped person and the cost thereof paid out of the funds appropriated for the rehabilitation activities of the bureau: such payments to be made by the State treasurer on the warrant of the auditor general or requisition of the commission of labor and industry. Appliances.

- Training.** (f) To arrange with the superintendent of public instruction for training courses in the public schools in the Commonwealth in selected occupations for physically handicapped persons registered with the chief of the bureau.
- (g) To arrange with any educational institution for training courses in selected occupations for physically handicapped persons registered with the chief of the bureau.
- (h) To arrange with any public or private organization or commercial, industrial, or agricultural establishment for training courses in selected occupations for physically handicapped persons registered with the chief of the bureau.
- Maintenance.** (i) To provide maintenance costs during the prescribed period of training for physically handicapped persons registered with the chief of the bureau: *Providing*, That when the payment of maintenance costs is authorized by the chief of the bureau, with the approval of the governor, it shall not exceed fifteen dollars (\$15) per week, and the period during which it is paid shall not exceed twenty weeks, unless an extension of time is granted by the commissioner; said payments to be made by the State treasurer on the warrant of the auditor general on requisition of the commissioner of labor and industry.
- Social service.** (j) To arrange for social service, for the visiting of physically handicapped persons registered with the chief of the bureau and of their families in their homes, during the period of treatment and training and after its completion, to give advice regarding any matter that may affect rehabilitation.
- Placement.** (k) To conduct investigations and surveys of the several industries located in the Commonwealth to ascertain the occupations within each industry in which physically handicapped persons can enter upon remunerative employment under favorable conditions, and work with normal effectiveness, and to determine what practicable changes and adjustments in industrial operations and practices may facilitate such employment.
- Reports.** (l) To make such studies and reports as may be helpful for the operation of this act.
- Cooperation.** (m) To cooperate with any department of the Federal Government or of the government of this Commonwealth or with any private agency in the operation of this act.
- Employees.** SEC. 6. The commissioner, with the approval of the governor, shall appoint such officers, physicians, clerks, stenographers, and other employees, as shall be necessary to carry out the purposes of this act. He shall determine their duties, and shall fix their salaries, which when so fixed shall be paid out of the sums hereinafter appropriated. The board of public grounds and buildings shall furnish suitable accommodations for the use of the bureau.
- Appropriation.** SEC. 7. The sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, is hereby appropriated to carry out the purposes of this act.
- Reports.** SEC. 8. A report on the activities of the bureau of rehabilitation authorized by this act shall be submitted biennially to the governor, together with a statement of the sum necessary to conduct said activities during the ensuing two years.
- Provisions severable.** SEC. 10. If any section or provision of this act be decided by the courts to be unconstitutional or invalid, the same shall not effect the validity of this act as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.
- Approved the 18th day of July, 1919.
- ACT No. 430.—*Commissioner of labor and industry—Salary.*
- Amount.** SECTION 1. The salary of the commissioner of labor and industry is hereby fixed at ten thousand dollars (\$10,000) per annum, payable semimonthly by warrant of the auditor general on the State treasurer in the usual manner.
- Approved the 21st day of July, 1919.

PORTO RICO.

ACTS OF 1919.

Act No. 19.—Emigration of laborers.

SECTION 1. The commissioner of agriculture and labor is hereby authorized to intervene, either in person or through his agents, in all matters concerning emigration of laborers from Porto Rico. Intervention authorized.

SEC. 2. It shall be the duty of said commissioner, upon information that an emigration of laborers from Porto Rico is about to take place, to inquire into, inspect, intervene in, and regulate such propositions, promises, conditions, or offers made to native laborers in cases of emigration; to procure, subscribe, and enforce such contracts as may be entered into by natural or artificial persons residing within or without Porto Rico, whether in any State of the American Union or in foreign countries, and to see that the stability or repatriation of such laborers as may be out of Porto Rico, shall be secured. Measures to be taken.

SEC. 3. The Government of Porto Rico shall have no obligation in any emigration to protect or enforce the rights of such persons as shall leave this country, unless the contracts entered into and between emigrants and the State contracting them shall have been approved by the commissioner of agriculture and labor: *Provided*, In case of emigration from this island, when such contracts are made by natural or artificial persons of foreign countries, whether or not residents of Porto Rico, compliance therewith shall be guaranteed by the government of such State, unless the contracting party furnishes sufficient guaranty to secure the rights of the emigrants. Obligation of government.

SEC. 4. It shall be the duty of any natural or artificial person in charge of contracting for emigration of laborers from Porto Rico, whether as principal or agent, to report to the commissioner of agriculture and labor all matters relative to such emigration, and to furnish him with all the data in his possession which may be necessary for the purpose of complying with the provisions of this act. Reports.

SEC. 5. The emigration of native laborers under sixteen years of age or over seventy is hereby absolutely prohibited, unless accompanied by their parents or legal guardians, or by their children or members of their families. What emigration prohibited.

SEC. 6. Any natural or artificial person who without authority shall contract or induce another to contract, in person or through agents or representatives, for emigration from Porto Rico, or shall violate the provisions of this act, shall be deemed guilty of misdemeanor, and upon conviction shall be punished by a fine not exceeding five hundred (500) dollars or by confinement in jail for a term not to exceed six months, or by both penalties in the discretion of the court. Violations.

Approved May 29, 1919.

Act No. 36.—Mediation and conciliation—Insular commission.

SECTION 1. A mediation and conciliation commission is hereby created which shall have exclusive authority to intervene, under the conditions hereinafter established, in all industrial and agricultural controversies between laborers and employers. Commission created.

SEC. 2. The mediation and conciliation commission shall consist of five members who shall be citizens of the United States and Members.

bona fide residents of Porto Rico and shall be appointed by the governor, for a term of four years, in the manner following: Upon the taking effect of this act, the governor shall request from bona fide labor organizations who shall have regularly and continuously sustained their social activities in Porto Rico, for the two years immediately preceding and from employers established in the island or from associations of employers a list of the names of persons qualified to constitute the said commission. From the persons so proposed he shall designate two from among such as are proposed by the labor organizations and two from among those proposed by the employers or associations of employers, which said persons shall be appointed on behalf of the interest of laborers and employers, respectively; and as to the fifth member, who shall be president of the commission, the governor shall appoint him freely, on behalf of the people in general. Vacancies occurring in the said commission shall be filled in the same manner as herein provided for the appointment of the members thereof.

Duties.

SEC. 3. Said mediation and conciliation commission shall consult the governor as to the best manner of discharging their duties as mediators and conciliators, and shall have power to recommend legislation. It shall also prepare a list of persons who may be called upon to serve as arbitrators and mediators. It shall be called together by the chairman every time that a dispute or controversy between laborers and employers occurs or may occur. It shall be organized and shall have such adequate regulations as the commission may adopt and shall elect its own secretary. The members of the mediation and conciliation commission shall receive a per diem of five (5) dollars for each meeting which they attend, and shall receive their traveling and other expenses necessary better to discharge their duties. A majority of members of the mediation and conciliation commission shall constitute a quorum for the transaction of business and their resolutions shall be valid and lawful.

Secretary.

SEC. 4. The mediation and conciliation commission shall have power to appoint, remove, and fix the compensation of the secretary, which shall never exceed fifteen hundred (1,500) dollars a year. It shall likewise have power to appoint other temporary officers, such as examiners, investigators, assessors, technical personnel, experts, paymaster, clerks, and such other employees as it may need temporarily; such employees to be designated from among competent persons in accordance with the requirements of the civil service; and should there be no such persons meeting these conditions, the commission shall prepare and hold special examinations, for which it shall make announcements in due time, on such subjects as may be deemed necessary to ascertain the capacity of the candidates, and shall fill these positions with persons who satisfactorily pass such examinations.

Employees.

Action on request.

SEC. 5. When a controversy occurs or threatens to occur between laborers and employers relative to the conditions of labor, the mediation and conciliation commission may intervene only when required to do so by the governor, a mayor, or a municipal council, or when any of the parties interested in the controversy shall appeal to the chairman of the mediation and conciliation commission requesting their services in reaching an amicable settlement of such controversy. But the chairman of the commission shall have power to offer the services of the mediation and conciliation commission to the interested parties: *Provided*, That in cases of industries affecting the public service, such as railroads, street railways, steamship lines, docks, and bakeries, it shall be the duty of the mediation and conciliation commission, as soon as it learns of the intention of the employers to declare a lockout, or of the laborers to go on strike, to intervene and do everything within their power to prevent by its good offices the carrying out of such purpose. In any case where the efforts of the commission to reach an amicable settlement are unfruitful, the commission shall im-

On own motion.

mediately, if possible, endeavor to induce the parties to submit their differences to arbitration.

SEC. 6. If the parties to the controversy are unwilling to submit their differences to arbitration, and should such controversy threaten an interruption of the business of the employers and laborers with detriment to the public interests, the commission shall have authority to require both parties to consent to the creation of an arbitration board. Should the consent of both parties be secured, then the mediation and conciliation commission, from a list requested and prepared for the purpose, in accordance with the parties to the controversy, shall appoint a board of three members. Of the three members of the special arbitration board, one shall be chosen by the employers, another by the employees, and the third on recommendation of the two so chosen. If because of any circumstance the parties should fail to recommend the third member, or should fail to reach an agreement, the commission, upon the expiration of a determined period which it shall fix, shall appoint such third member. The aforesaid appointments shall be made by the mediation and conciliation commission in accordance with the list prepared for the purpose by the employers and laborers interested in the controversy whose settlement is sought.

Arbitration.

SEC. 7. When the board of arbitration shall have been so appointed and constituted, it shall do everything in its power to reach a settlement of the controversy. But should the intervention be without effect, and should any of the parties refuse to accept the conclusions of the board, then the mediation and conciliation commission shall have power to make an investigation of the controversy, and shall require the special arbitration board to submit a full report of the controversy to the commission including such recommendations as said board may deem advisable for the solution of such controversy. The commission shall have power to give adequate publicity to the report and to the recommendations submitted.

Power.

Investigation.

SEC. 8. The mediation and conciliation commission shall have power, in case of the need of an investigation, to administer oaths, to issue summons, and to compel the appearance of witnesses and oblige them to testify, and to compel the production of books, papers, documents, etc., and to conduct the investigation and hearings and to exercise such other similar powers as may be necessary, but in no case shall it impose penalties for strikes, stoppage of work, or lockouts: *Provided*, That the proper district court shall have power to punish any disobedience of any lawful order of the commission as contempt of court.

Powers as to oaths, etc.

SEC. 9. The commissioner of agriculture and labor shall have power to bring to the attention of the mediation and conciliation commission any industrial dispute in which the intervention of the commission may be desirable. The commissioner of agriculture and labor, or any officer whom he may designate, shall be also authorized to appear before the mediation and conciliation commission, and before the special arbitration boards, at their request, as amicus curie, to establish facts in connection with labor conditions.

Commissioner of agriculture and labor.

SEC. 10. If after such efforts the intervention of the mediation and conciliation commission should be useless, after informing the public in detail of the efforts made, so that public opinion may judge the party on whom responsibility for the industrial disturbance rests, the commission shall recommend and enforce strict compliance with such laws as guarantee the rights of citizens, and which may be applicable to these cases, and shall endeavor to prevent any act of partiality or extralimitation of the public authorities, so that the controversy may be ended by the proper and guaranteed effort of the parties involved therein.

Failure of intervention.

SEC. 11. The term "controversy," as used in this act, shall be understood to mean any dispute between employers and laborers over differences in wages, hours of labor, or their special conditions as to rights, duties, and privileges of employers and laborers,

Definitions.

when, by reason of such disputes, interruption or threatened interruption occurs in the labors in which they are engaged.

The term "lockout," as used in this act, shall be understood to mean the act of closing any place where laborers are employed, or the suspension of the work of any or all their laborers as a result of a controversy as above defined, or discrimination against any laborer in giving work for reasons other than personal ability or capacity, with the object of forcing their laborers or those of other employers to accept such labor conditions as it may be desired to impose upon them.

The term "strike," as used in this act, shall be understood to mean the stopping of work by a number of laborers combined, due to any controversy as above defined, when said strike is carried on as a means of forcing the employer to accept the labor conditions demanded of him.

Appropriations. SEC. 12. To carry out the provisions of this act, the sum of fifteen thousand (15,000) dollars is hereby appropriated from any funds in the treasury not otherwise appropriated.

Approved June 3, 1919.

ACT No. 45.—*Minimum wages for females.*

Wages to be paid. SECTION 1. It shall be unlawful for any employer of women, girls inclusive, in industrial occupations, or commercial or public-service undertakings in Porto Rico, to pay them wages lower than those specified in this section, to wit:

Amounts. Women under 18 years of age at the rate of four (4) dollars a week, and over said age at the rate of six (6) dollars a week. The first three weeks of apprenticeship shall be exempt from the provisions of this section. The provisions of this act shall not be applicable to agriculture and agricultural industries.

Violations. SEC. 2. Any employer paying any woman, girls included, wages lower than those specified in section 1 shall be guilty of misdemeanor, and upon conviction shall be punished by fine not to exceed fifty (50) dollars nor less than five (5) dollars.

Enforcement. SEC. 3. The bureau of labor shall be intrusted with the enforcement of this act.

Approved June 9, 1919.

ACT No. 73.—*Employment of women and children—General provisions.*

Night work. SECTION 1. No woman shall be employed or allowed to work at any lucrative occupation during the hours between ten o'clock at night and six o'clock in the morning, nor more than eight hours during any natural day, nor more than forty-eight hours during any week: *Provided, however,* That the limitation of eight hours may be extended not to exceed nine hours during any natural day: *Provided,* That any woman so employed for wages during more than eight hours in any natural day shall be paid for work done during such extra time at a rate double the rate paid her for the preceding eight working hours; but in no case shall a woman be employed or allowed to work over forty-eight hours during any week.

Exemptions. This section shall not be applicable to women over sixteen years of age employed as telephone operators, telegraphers, artists, nurses, or domestics.

Schedules to be posted. SEC. 2. Every employer shall post in a conspicuous place in every department where women are employed, or in the office of the farm or rural property where they work, a printed announcement stating the number of hours of labor required of women on each day of the week, the hours of commencing and quitting work, and the hours at which periods for meals commence and end: *Provided,* That no woman shall work in each period for more than four hours, and the time allowed for meals shall not be less than one hour.

An announcement equal to that hereinbefore described, stating the daily hours of labor required of children, shall be posted in a conspicuous place: *Provided*, That no child shall work more than three and one-half hours during each period of labor.

In industrial establishments, farms, or rural properties where women and children are employed during alternate hours each day of the week a special announcement shall be posted, showing the name of each woman and child, and the hours they work during each day of the week.

The hours stated in the announcement posted for women and children shall be prima facie evidence that such hours of labor in each industrial establishment, farm, or property shall constitute the allotment of the legal working day.

It shall be the duty of all employers of women and children to apply for printed forms for said announcements, which shall be furnished free of cost by the bureau of labor.

SEC. 3. Any employer employing or permitting women, or children under sixteen years of age, to work, shall notify the bureau of labor of the fact, stating the number of women and children employed, their occupation, and the regular hours of work during which they are employed.

Report.

SEC. 4. Any employer employing women in any establishment shall direct the placing of appropriate chairs convenient to the place where such employees ordinarily work, or near such place. Said chairs, which shall be comfortable, shall be for the use of female employees, who shall have free access to the same at all times save when occupied in duties which they can not discharge while seated.

Seats.

No woman under sixteen years of age shall be employed in any establishment where she must stand constantly.

SEC. 5. The employment of children under fourteen years of age in any occupation injurious to the health or morals, or endangering their lives or limbs, is hereby prohibited.

Children under 14.

SEC. 6. No child under fourteen years of age, who has not received from the department of education a certificate showing that he has done the work necessary for admission to the fourth grade of the public rural schools of the island, or that he has passed the sixth grade of the public graded schools of Porto Rico, according to whether the child resides in the country or in town, or that he has finished studies equivalent to said grades of the school course, shall be employed in any lucrative occupation during the hours that such schools are open: *Provided*, That this section shall not comprise any child residing in a locality where there is no school that could admit him within a distance of two kilometers, nor any orphan child, or child who, for any other reason, depends on his own labor for support, nor any child whose parents are invalids, and depend solely on the child's labor for support. But in such case a certificate shall be obtained from the mayor of the municipality where said child resides, stating the fact that such state of things or such necessity exists, and authorizing the employment of the child. Copy of such permit shall be forwarded to the bureau of labor within the ten days following the issue thereof: *Provided further*, That if said child resides at a distance of two kilometers from a night school under the direction of the department of education of Porto Rico, said certificate shall be in effect only during such time as attendance by said child at said night school shall be certified monthly by the teacher of the school unless just cause prevents the child from attending said school.

Employment during school hours.

Exceptions.

Every employer employing children of whom certificates are required pursuant to the provisions of this act shall file such certificates subject to inspection by the officers of the department of education and the inspectors of the bureau of labor. At the end of such employment the certificate shall be returned to the child in whose name they shall have been issued.

SEC. 7. No child under the age of sixteen years shall be employed or permitted to work in any establishment for more than seven

Hours of work.

hours a day or more than forty-two hours a week, nor on any farm for more than eight hours a day or more than forty-eight hours a week, nor in any lucrative occupation during the period comprised between six o'clock in the evening and eight o'clock in the morning.

Children under
12.
Certificates.

No child under twelve years of age shall be employed or permitted to work in any lucrative occupation.

SEC. 8. No child under sixteen years of age shall be employed unless his employer obtains and keeps, subject to the inspection of the officers of the department of education and of the agents of the bureau of labor, a certificate of his age issued by the municipal secretary of the town where such child was born or resides. Should there be no record of the birth of said child in the civil register of the town where the child was born or resides, the municipal secretary shall issue a certificate showing the child's age, based on an affidavit of one of the parents of the child, or of his legal representative or nearest relative, or in default thereof, on the affidavit of two persons of good repute having knowledge of the fact and who can testify as to the child's age. No fee whatever shall be charged for issuing such certificates.

Street trades.

SEC. 9. No boy under twelve nor girl under sixteen years of age shall sell newspapers, candies, or other merchandise on any street or public plaza, nor work as a bootblack in such places during school hours of the public schools of Porto Rico.

Employments
forbidden.

SEC. 10. No parent, employer, or other person having under his care a child under fourteen years of age shall under any circumstances permit or allow said child to engage in—

1. Asking or receiving alms or other form of mendicity.
2. Any heavy work or dangerous exhibition, or exhibition injurious to health or morals.
3. Manufacturing, utilizing, or selling malt or alcoholic liquors.

Air space.

SEC. 11. No room or department where women or children under eighteen years of age work, shall be of such capacity that the space corresponding to each employee shall be less than four hundred cubic feet; and except in cases where a written permit is obtained from the chief of the bureau of labor, the amount of air corresponding to each employee shall not be less than two hundred and fifty cubic feet.

Sanitation.

SEC. 12. Every employer or head of an establishment where women or children under eighteen years of age work, shall direct and see that there shall be in each working department of said establishment appropriate and sufficient means of ventilation, potable water, and sanitary cups. If, during the course of the day's work, excessive heat, vapor, gases, dust, or other impurities obnoxious to health are produced, the department shall be ventilated in such manner as to put in good condition in accordance with the health laws.

Walls.

SEC. 13. Every establishment where women or children under eighteen years of age work in dust-producing occupations, shall be whitewashed and painted at least once every twelve months, of which the bureau of labor shall be notified.

Floors.

The floors of the rooms of such establishments shall be perfectly washed with soap and water at least once a month, and all dressing and toilet rooms of said establishments shall be properly washed every day.

Violations.

SEC. 14. Any employer violating this act or any of its provisions, shall be guilty of a misdemeanor and punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars. For any violations of this act or any of the sections or provisions thereof subsequent to the commission of the first violation, the employer shall be guilty of a misdemeanor and punished by a fine of not less than one hundred (100) dollars, nor more than (1,000) dollars: *Provided*, That no complaint for a violation of this act shall be dismissed on the plea of multiplicity of offenses nor because of defect of form: *Provided*, The offense or offenses complained of are comprised within the provisions of this act.

SEC. 15. In this act, unless otherwise deduced from the text, the following definitions of words and phrases herein used shall be accepted.

Definitions.

“Employer” includes all natural or artificial persons, and the manager, superintendent, foreman, overseer, or representative of said natural or artificial persons.

“Lucrative occupation” includes all works or all work in factories, mills, *centrales*, machine shops, or establishments, or places of any kind where a factory or mechanical enterprise exists; and in storehouses, stores, establishments, or places of any kind where mercantile transactions are carried on; and on farms, plantations, rural properties, or places of any kind where agricultural, horticultural, or pasturing pursuits are followed; and in all mining and fishing undertakings.

“Establishment” includes every building, factory, shop, store, or place of like nature where any lucrative occupation is engaged in.

“Plantation” includes every hacienda, rural estate, or other parcel of land where any lucrative occupation is engaged in.

SEC. 16. The bureau of labor is hereby authorized to carry out the provisions of this act, to prosecute violations of the same, to summon witnesses, to take oaths and testimony, to compel the production of books, documents, and any other evidence, and to visit and examine through his chief or his assistants, the building of any establishment or property referred to herein.

Enforcement.

Approved June 21, 1919.

RHODE ISLAND.

ACTS OF 1919.

CHAPTER 1737.—*Vocational rehabilitation of injured workmen.*

SECTION 1. The commissioner of public schools, with the approval of the State board of education, upon application may appoint any crippled, disabled, or injured person, being a resident of this State, crippled, disabled, or injured in any Rhode Island manufacturing establishment, or in the pursuit of any other occupation in this State, who shall appear to said commissioner to be a fit subject for such rehabilitation and education, as a State beneficiary at any suitable institution or school now established, or that hereafter may be established, either within or without the State, for such period as he may determine, but not to exceed the limit of one year: *Provided*, That he may upon especial recommendation of the management of the institution at which a beneficiary has been appointed, and with the approval of the State board of education and the governor, extend that period, and that he shall have the power to revoke any appointment at any time for cause.

Scope of act.

SEC. 2. The board of education are hereby clothed with the duty and responsibility of supervising the rehabilitation and education of all such beneficiaries, and no beneficiary appointed under the provisions of this act shall be withdrawn from any institution or school except with their consent or the consent of the governor; and said board shall annually report to the general assembly their doings under the provisions of this act, with such recommendations and further information in relation to the several institutions at which these beneficiaries have been placed as may be deemed desirable.

Board of education.

SEC. 3. The general assembly shall annually appropriate such sum as it may deem sufficient and advisable for the purpose of carrying out the provisions of this act; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of any sum appropriated for the purposes of this act, or so much thereof as may from time to time be required, upon receipt by him of proper vouchers signed by the commissioner of public schools and approved by the governor.

Funds.

SEC. 4. The commissioner of public schools may, in his discretion, also, out of the appropriations made under the provisions of this act, provide to beneficiaries under the provisions of this act, artificial limbs, wholly or partially free of charge, or at cost, to be repaid by said beneficiaries in installments to be fixed by said commissioner, and all moneys collected from such installment repayments shall be turned into the State treasury, and such money is hereby reappropriated for the purposes of this act.

Artificial limbs.

SEC. 5. For the purpose of carrying out the provisions of this act during the fiscal year ending December 31, 1919, the sum of five thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of said sum, or so much thereof as may from time to time be required, upon receipt by him of proper vouchers signed by the commissioner of public schools and approved by the board of education and by the governor.

Appropriation.

Approved April 19, 1919.

CHAPTER 1741.—*State board of labor—Commissioner.*

SECTION 1. The office created and established under the provisions of section 1 of chapter 80 of the General Laws, entitled "Of the Commissioner of Industrial Statistics," under the name

Title changed.

1757—21—19

and title of commissioner of industrial statistics, shall from and after the passage of this act be known and described under the name and title of commissioner of labor and the person holding said office of commissioner of industrial statistics at the time of the passage of this act shall thereafter be known and described as the commissioner of labor and shall be vested with all the power and authority and subject to all the duties and liabilities now vested in and imposed upon the commissioner of industrial statistics. In any general law, public law or resolution of the general assembly, and in any document, record, instrument or proceeding authorized by any such law or resolution, unless the context or subject matter otherwise require, the words "commissioner of industrial statistics" shall be construed to mean the commissioner of labor.

Deputy commissioner.

SEC. 2. There shall be a deputy commissioner of labor, who shall receive an annual salary of eighteen hundred dollars, and the sum of eighteen hundred dollars is hereby annually appropriated for the purpose of paying such salary. Upon the passage of this act the governor by and with the advice and consent of the senate shall appoint a deputy commissioner of labor who shall be a representative of labor, and the deputy commissioner so appointed shall hold office until the first day of February, A. D. 1922, and in the month of January, A. D. 1922, and in the month of January of every third year thereafter, the governor by and with the advice and consent of the senate shall appoint a deputy commissioner to succeed the deputy commissioner whose term expires. Any vacancy which may occur in said office of deputy commissioner shall be filled by the governor by and with the advice and consent of the senate, if the senate be in session, and if the senate should not then be in session shall be filled by the governor until the next session of the general assembly, when with the advice and consent of the senate he shall appoint a proper person to fill such vacancy. Said deputy commissioner shall act as agent to the labor commissioner in the conduct of investigations of labor conditions, ordered by the labor commissioner and shall perform such other duties as said labor commissioner may direct. He shall act as secretary to the State board of labor as provided in the following section. He shall, under the direction of the said State board of labor, aid and assist any board of mediation and conciliation appointed by said State board of labor under the provisions of section 4 of this act.

Board of labor.

SEC. 3. There shall be a State board of labor consisting of the labor commissioner, who shall be chairman of the board, and four other members, two of whom shall be representatives of employers of labor in the State and two of whom shall be representatives of labor in the State, to be appointed as hereinafter provided. Upon the passage of this act the governor, by and with the advice and consent of the senate, shall appoint as members of said board two citizens of the State to hold office until the first day of February, A. D. 1922, and two to hold office until the first day of February, A. D. 1925, and in the month of January, A. D. 1922, and in the month of January in every third year thereafter the governor, by and with the advice and consent of the senate, shall so appoint two members of said board to succeed the members whose term will next expire, and the persons so appointed shall hold office until the first day of February in the sixth year after their appointment. Any vacancy which may occur in said board when the senate is not in session shall be filled by appointment by the governor until the next session thereof, when the governor, by and with the advice and consent of the senate, shall appoint some citizen to fill such vacancy for the unexpired term. The board shall meet at least once a month and at such other times as the commissioner of labor may direct.

Monthly conferences.

SEC. 4. The commissioner of labor shall report to the board of labor at each of its monthly meetings such matters relating to the interests of labor as may have come to his attention in the

discharge of the duties of his office, and it shall be the duty of the board to advise and confer with the commissioner in relation to the administration of the laws of the State relating to labor. The board shall report to the general assembly at its January session and present in such report any recommendations it may deem advisable in regard to the administration of such laws, and suggest any changes or amendments to such laws as it may deem desirable. It shall be the duty of the board to do all in its power to promote the voluntary mediation and conciliation of controversies and disputes between employers and employees, and to avoid resort to strikes, lockouts, boycotts, blacklists, discriminations, and legal proceedings in or arising out of such controversies and disputes and matters of employment. In pursuance of this duty, said board may, whenever it deems advisable, but subject to the approval of the governor, appoint a board of mediation and conciliation for the consideration and settlement of such controversies and disputes. The said board shall prescribe rules of procedure for such mediation and conciliation, and the said mediation and conciliation boards shall have the power to conduct investigations, to hold hearings, and to summon witnesses.

Annual reports

Labor disputes.

SEC. 5. For the purpose of carrying this act into effect during the fiscal year ending December 31, 1919, the sum of \$1,800 or so much thereof as may be necessary, be and the same hereby is appropriated out of any money in the treasury not otherwise appropriated; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of such sums as may be from time to time required upon receipt by him of proper vouchers.

Appropriation.

Approved April 23, 1919.

CHAPTER 1770.—*Inspection of steam boilers.*

SECTION 1. In this act, unless the context otherwise requires: "Inspector" means the inspector of boilers appointed under the provisions of this act;

Definitions.

"Deputy" means any deputy inspector of boilers appointed under the provisions of this act;

"Boiler" means any boiler, fuel economizer or pressure vessel used for generating or storing steam or hot water for purposes of power or heating;

"Owner" means any person owning, operating or in charge or control of any boiler as herein defined;

"Safety device" means any valve, plug or appurtenance attached to any boiler for the purpose of diminishing the danger of accident;

"Code of rules" means the standard code of rules formulated and adopted by the inspector of boilers under the provisions of this act.

SEC. 2. Within thirty days after the passage of this act, and in the month of January in every sixth year thereafter, the governor shall, with the advice and consent of the senate, appoint some suitable person to be inspector of steam boilers for the State of Rhode Island. No person shall be eligible to such appointment who shall not have had at least ten years' actual experience in the manufacture or operation of steam engines, steam boilers, or steam machinery. The inspector shall hold his office until the first day of February in the sixth year after his appointment and thereafter until his successor shall be appointed and qualified. The governor shall, in his discretion, with the advice and consent of the senate, appoint one deputy inspector of boilers, who shall hold office during the pleasure of the governor, and shall perform such duties and make such inspection as shall be assigned by the inspector. All fees received by said inspector and deputy shall be paid over by them monthly to the general treasurer. The inspector shall have an office in the State house and the State house commission is hereby directed to provide a suitable room for such purpose. The governor may, upon written complaint and after hearing, remove any inspector

Inspector.

Deputy.

or deputy for cause found by him to be sufficient. Any vacancy which may occur, either through removal or otherwise, shall be filled by the governor, with the advice and consent of the senate, for the remainder of the term; and any vacancy which may occur, either through removal or otherwise, when the senate is not in session, shall be filled by the governor until the next regular session thereof, when he shall, with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term.

Duties.

SEC. 3. The inspector or a deputy shall inspect all boilers within this State except such as are exempted as hereinafter set forth.

Annual inspections.

SEC. 4. Every owner of a boiler within the State, which is subject to inspection under the provisions of this act, shall, within thirty days after this act shall become effective, notify the inspector. Said inspector or a deputy shall make the required inspection of each such boiler at least once in each year, and oftener if he shall deem it necessary, and make a thorough and complete examination thereof by hydrostatic test or by internal or external examination or any or all of these methods as he shall deem best. He shall satisfy himself as to the pressure at which each such boiler may safely be used. The owner of any boiler, whether or not subject to inspection under the provisions of this act, shall allow the inspector free access to the same at all reasonable times. The owner of any boiler subject to inspection shall have said boiler ready for inspection at such time as shall be fixed by the inspector upon being given not less than two weeks' written notice of the day so fixed; and in fixing such day, the inspector shall comply with the convenience and business requirements of such owner as far as he reasonably can do. The inspector or a deputy may, in his discretion, make any inspection on Sunday. The inspector or deputy shall consult with the engineer or other person in charge of each boiler as to the condition and operation thereof, and if he shall thereby discover or in any manner learn of any defect or imperfection in said boiler, or of any dereliction or carelessness on the part of the engineer or other person in charge of said boiler relative thereto, or to the operation thereof, he shall as soon as may be, give notice thereof to the owner of such boiler. If as a result of such inspection the inspector or deputy shall determine that any such boiler is in any such condition as to be unsafe, and that the danger is imminent, he shall order the operation of such boiler to be stopped forthwith, and thereupon such operation shall be stopped until such boiler or the defective part or parts thereof shall be repaired or renewed and put in safe condition and a certificate thereof issued by the inspector; where there is no immediate danger, such inspector or deputy shall notify the owner to remedy the defect or defects within such reasonable time as he may prescribe, and if such defect or defects are not remedied within such prescribed time, the use of such boiler shall be discontinued at the expiration thereof until it is put in safe condition and a certificate thereof is issued by the inspector.

Unsafe boilers.

Code.

SEC. 5. The inspector shall as soon after his appointment as may be formulate and adopt a standard code of rules for the construction, equipment, installation, and inspection of boilers, which standard and rules shall be based upon the standard code of rules published and enunciated by the American Society of Mechanical Engineers; and said inspector shall amend such standard code of rules from time to time, basing such amendment on any amendment made by the American Society of Mechanical Engineers in the standard code of rules published and enunciated by said society. The inspector of boilers shall have in his office and open during business hours for public inspection, a copy of the standard code and rules formulated and adopted by him.

Safety devices.

SEC. 6. No boiler shall be erected within the limits of this State after the first day of September, A. D. 1919, unless it shall be constructed and equipped with safety devices in compliance with the standard and rules set forth in the code of rules; and any person erecting or installing any boiler after said date shall forth-

with notify the inspector thereof, and said inspector shall thereupon satisfy himself either by inspection or by certificate from the manufacturer, or other evidence satisfactory to him, that such boiler complies with the requirement of this act. And upon being so satisfied such inspector shall, without charge, furnish to the owner of such boiler a certificate thereof. In case any boiler shall, after the first day of September, A. D. 1919, be so damaged or injured as to require repairs to the extent of fifty per centum of the value thereof, the inspector or deputy may, in his discretion, require that said boiler be so repaired and so equipped with safety devices as to comply with the provisions of the code of rules.

SEC. 7. Whenever the inspector or a deputy shall have inspected any boiler and shall have found it safe for operation; or whenever any repairs required by him to be made in any boiler shall have been completed to his satisfaction; or whenever, in the case of any boiler hereafter installed he shall have satisfied himself by inspection or otherwise that it may be safely operated; or whenever, in the case of any boiler erected after the first day of September, A. D. 1919, he shall have satisfied himself that such boiler complies with the standard and code of rules set forth in the code of rules, he shall, upon payment of the required fee, issue to the owner of such boiler his certificate, authorizing the operation of such boiler and stating the limit of pressure at which such boiler may be used, and stating the date of the issue of such certificate, which shall be valid for one year from such date. Each such certificate shall be conspicuously posted by the owner of such boiler in the engine room or boiler room of the boiler to which it refers.

Certificate.

SEC. 8. For every such inspection made under the provisions of this act, the owner shall pay to the inspector or deputy the sum of five dollars for each boiler inspected, which shall be paid forthwith upon the conclusion of such inspection, and before certificate is issued: *Provided, however,* That no such fee shall be paid by any city, town, or fire district.

Fee.

SEC. 9. In case any owner of any boiler shall be dissatisfied with the decision of the inspector in any matter, he may, within two days after such decision demand in writing an arbitration of the subject matter thereof, and thereupon within five days after such demand the inspector shall appoint one arbitrator and such owner shall appoint another arbitrator, and the two so chosen shall appoint a third, and if, within five days after their appointment they shall be unable to agree upon the appointment of such third arbitrator, then such arbitrator shall be appointed by any justice of the superior court to whom application shall be made by such owner after two days' written notice to the inspector. If no such application shall be made within fifteen days after the decision of the inspector, the demand for arbitration shall be deemed to be withdrawn and the decision of the inspector shall become final and binding upon the parties. The said arbitrators shall hear the parties, and the award of any two shall be final and binding, which award shall be filed in the office of the inspector and the notice thereof given to said owner. The arbitrators shall be entitled to receive the sum of ten dollars each for each such arbitration, one half thereof to be paid by such owner and the other half to be paid by the State. The decision of the inspector shall remain in force until the award of arbitrators shall be made.

Arbitration.

SEC. 10. Any person who shall refuse to have inspected any boiler requiring inspection under the provisions of this act, or who shall permit such boiler to operate at a greater pressure than is allowed by the certificate, or shall use any such boiler requiring inspection under the provisions of this act before a certificate shall be issued or after such certificate shall expire or after the use of such boiler has been forbidden by the inspector of boilers, or shall use any boiler newly erected or installed before a certificate shall be furnished by the inspector, and any person who shall refuse to allow the inspector free access to any boiler at any reasonable time, whether or not said boiler is subject to inspec-

Violations.

tion under the provisions of this act, and any owner of a boiler within the State, which is subject to inspection under the provisions of this act, who shall not, within thirty days after this act becomes effective, notify the inspector, shall be fined not more than five hundred dollars or imprisoned not more than three months, or both, in the discretion of the court. The inspector may make complaint to the justice or clerk of any district court within whose jurisdiction any violation of the provisions of this act shall occur, and shall not be required to give surety for costs.

Enforcement.

SEC. 11. The superior court shall have jurisdiction to enforce compliance with the provisions of this act upon petition being filed by the inspector and notice being given to the person or persons charged with a violation of the provisions of this act, and it may issue such process of injunction, mandamus, or otherwise as in the opinion of the court shall be necessary to enforce compliance with the provisions hereof, but no *ex parte* restraining order shall be issued unless upon a showing satisfactory to the court that danger to life or property is imminent, and in such case citation to the defendant shall be returnable not more than five days after such *ex parte* restraining order shall be entered.

Exemptions.

SEC. 12. The following boilers shall be exempt from the provisions of this act and not subject to inspection: Boilers on motor vehicles, self-propelled boilers, ditching machines, cranes, pile drivers, wreckers and steam shovels owned or used by railroads or railways, boilers on steam locomotives, boilers on vessels within the waters of the State, boilers under the jurisdiction of the United States, boilers carrying a pressure of fifteen pounds or less per square inch steam or thirty pounds or less per square inch water, and boilers which are inspected and insured by companies chartered for the purpose of insuring steam boilers and authorized to do business within the state during the time that such insurance remains in force, provided due evidence of such inspection and insurance shall be furnished to said inspector either by the company furnishing such insurance or by the person or persons insured.

Reports.

SEC. 13. The inspector shall make a report to the general assembly in January, A. D. 1920, and biennially thereafter, setting forth the number of boilers inspected by him or the deputy and the number of boilers reported to him and exempted from such inspection under the provisions hereof, so far as he shall be able to determine such number; and also making such recommendations as he shall see fit for the promotion of public safety. He may, in his discretion, make more frequent reports to the general assembly and may by the governor be required to make report to him at any time as to any matters pertaining to the duties of his office.

Ordinances.

SEC. 14. No city or town shall have power to make any ordinance, by-law, or resolution concerning, or to provide for the inspection, or to license the erection, installation, or operation of any boiler within the limits of such city or town, and any ordinance, by-law, or resolution heretofore made or passed of or concerning any of the matters aforesaid, shall be void and of no effect.

Salaries.

SEC. 15. The inspector and deputy shall devote their entire time to the duties of their respective offices and shall receive in full compensation for their services annual salaries of eighteen hundred dollars for the inspector and twelve hundred dollars for the deputy. The inspector may incur such expenses for clerical assistance and office supplies as may be necessary not exceeding in the aggregate the sum of one thousand dollars annually, and the sum of four thousand dollars shall annually be appropriated for the purpose of paying such salaries and for said expenses.

The general assembly shall annually appropriate such sum or sums as it may deem necessary and sufficient for traveling and other necessary expenses and for the payment of arbitrators as provided in section 9 of this act; and the State auditor is hereby directed to draw his orders on the general treasurer for the payment of such sums within the amount appropriated as may be from time to time required upon vouchers approved by the inspector.

Approved April 24, 1919.

SOUTH CAROLINA.

ACTS OF 1919.

Act No. 20.—Payment of wages on termination of employment.

[This act amends Section 3812, Vol. I., Code of laws, 1912, so as to read as follows:]

SECTION 3812. When any corporation carrying on any business in this State in which laborers are employed, whose wages, under the business rule or custom of such corporation, are paid monthly or weekly on a fixed day beyond the end of the month or week in which the labor is performed, shall discharge any such laborer, the wages which have been earned by such discharged laborer shall become immediately due and payable. And if not so paid within twenty-four hours after written demand therefor, then such laborer shall recover in addition thereto a penalty of as much per day for the time said wages shall remain unpaid, not exceeding thirty days, as he was receiving at the time of his discharge.

Wages to be paid.

Penalty.

Approved the 14th day of February, A. D. 1919.

Act No. 87.—Conciliation and arbitration—State board.

[This act adds a new section, 9-a, to Act No. 545, Acts of 1916, reading as follows:]

Sec. 9-a. Any person, firm, or corporation violating the provisions of this act shall, upon conviction, be fined not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars, or sentenced to not more than thirty (30) days upon the county chain gang.

Violations.

Approved the 13th day of March A. D. 1919.

Act No. 135.—Employment of children—School attendance.

SECTION 1. Every parent, guardian, or other person having charge of any child between eight and fourteen years of age, must send such child to a public, private or parochial, or to a competent tutor, subject to the approval of the county superintendent of education, school for four consecutive months, or eighty days during the scholastic year, that the school attended is in session. *Provided*, That in case the term of any school is less than four months or eighty days attendance for the full term of such school shall be sufficient to meet the requirements of this act except as hereinafter provided.

Attendance required.

Sec. 2. Upon the written petition of a majority of the qualified electors residing in any school district requesting the attendance of pupils on school throughout the full term, the county board of education shall order such attendance hereunder. This act shall not shorten the period of school attendance in any district where a longer school term than four months is now maintained and attendance is required under the local option law.

Full term attendance.

Sec. 6. The county board of education shall appoint such attendance officer or officers as the needs of the public schools of the county may require: *Provided*, That the board of trustees of any district containing an incorporated town or city of two thousand inhabitants may nominate to the county board of education the attendance officer for their district and may fix his com-

Attendance officers.

pensation from the special tax funds of their district. The duties of such attendance officer shall be to take annually a school census of all the children in each district between the ages of six and fourteen years, and to file with the county board of education a report giving by school districts the name of each such child, the race, the sex, and the names and local addresses of each child's parents. This census shall be taken during the months of July and August. Any child ineligible to attend the public school shall be reported by the attendance officer to the county superintendent, who shall transmit such report to the executive head of the proper State school for such special child.

Same. SEC. 7. Women shall be eligible for employment as district or county attendance officers.

Exemptions. SEC. 12. In the case of a widowed mother or of a crippled father any child above twelve years of age whose labor may be necessary for the support, in whole or in part, of any person, may be excused. The children of parents unable to purchase the necessary books for attendance upon a public school shall, upon the order of the county board of education, be furnished these books out of the public funds of their district. The county boards of education shall be the competent judges of such cases.

Aid. SEC. 14. No child under fourteen years of age shall be employed in any factory, work shop, or mercantile establishments, or in any place or manner, during the usual school hours in said district, unless the person employing such child shall first procure a certificate from the superintendent or teacher of the school said child last attended, stating that the child attended school for such current year for the period required by law, or has been excused from attendance as provided by the third section hereof, and it shall be the duty of said superintendent or teacher to furnish such certificate on application of the parent, guardian, or other person having control of such child entitled to same.

Employment. SEC. 14. No child under fourteen years of age shall be employed in any factory, work shop, or mercantile establishments, or in any place or manner, during the usual school hours in said district, unless the person employing such child shall first procure a certificate from the superintendent or teacher of the school said child last attended, stating that the child attended school for such current year for the period required by law, or has been excused from attendance as provided by the third section hereof, and it shall be the duty of said superintendent or teacher to furnish such certificate on application of the parent, guardian, or other person having control of such child entitled to same.

Approved the 1st day of March, 1919.

SOUTH DAKOTA.

ACTS OF 1919.

CHAPTER 134.—*Child welfare commission—Employment conditions.*

SECTION 1. The superintendent of public instruction, the superintendent of the State board of health, the president of the woman's board of investigation, the parole officer of the State board of charities and corrections, and one citizen of the State to be appointed by the governor to serve for two years shall constitute the child welfare commission, and each shall serve without compensation. Members.

Sec. 2. The child welfare commission shall investigate the condition of children and advise pertaining to their care and instruction; it shall examine into the condition of children employed in the industries of this State, and shall advise employers pertaining to the most favorable conditions for such labor in such employment; and shall enforce the laws of the State for the protection of children so employed and shall biennially report its doings and recommendations to the governor, which report shall be published as are the reports of other State officers and boards. Duties.

Sec. 3. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be necessary in carrying out the purposes of this act during the ensuing biennium, to be paid upon the warrant of the auditor upon vouchers duly approved by the superintendent of public instruction. Appropriation.

Approved March 11, 1919.

CHAPTER 190.—*Private employment offices.*

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 industrial commissioner, and the license fee shall be ten dollars (\$10) per annum, payable in advance on the first day of May each year, or at the time of application for license, 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 removable to another location during the period covered by such license, the industrial commissioner 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 teachers' agencies. License re-

Sec. 2. The industrial commissioner shall require with each application for a license a surety bond in the penal sum of two thousand dollars (\$2,000), to be approved by said industrial commissioner, and conditioned that the obligor will not violate any of the duties, terms, and conditions, provisions, or requirements of this act. The industrial commissioner 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 industrial commissioner is hereby empowered to administer oaths, subpoena witnesses, take depositions, compel the attendance of witnesses, and the production of books, accounts, papers, records, documents, and testimony. Bond.

- Canceling li-
cense. **SEC. 3.** In case of refusal of any person to comply with the order of the industrial 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 industrial commissioner may cancel the license held by such person, firm, or corporation refusing to comply with the orders of the industrial commissioner: *Provided*, That the orders of the industrial commissioner be in accord with the provisions of this act. When such license shall be so cancelled it shall not be reissued to said person, firm, or corporation for a period of six months from the date of said cancellation.
- Signs. **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 U. S. Employment Service.
- Register. **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 industrial commissioner or his agent, and a copy of such facts shall be filed with the industrial commissioner not later than the tenth day of each succeeding calendar month.
- Receipts. **SEC. 6.** Every licensed agency shall issue a receipt in triplicate 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 petition, 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.
Said receipt shall be made upon forms prescribed by the industrial commissioner 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 industrial commissioner as prescribed in section 5.
- Registration. **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 industrial commissioner upon forms prescribed by him, showing all registrations for employment or help.
- Fee. **SEC. 8.** The fee for procuring employment or help shall in all cases be clearly set out in the receipt as provided in section 6, and shall be in no case of a larger amount than shall be scheduled by the industrial commissioner. The receipt shall plainly show the amount of the fee, all commissions and expenses or compensation whatsoever to such licensed agency for procuring employment or help. In case the party paying such fee fails to obtain the employment specified and such failure shall not be the fault of such applicant for employment, such licensed agency shall repay the same to such person upon demand being made therefor: *Provided*, That in cases where the person seeking employment is sent beyond the limits of the city in which such employment agency operates, such licensed agency shall repay in addition to the above any actual expenses incurred by reason of failure to receive employment, in all cases when it shall appear that the employment agency made false representations.
- Dividing fees. **SEC. 9.** Any licensed agency, or agent thereof, who shall be guilty of dividing fees with any superintendent, manager, foreman, or other employees of any person, company, corporation, or association, for whom employees are furnished shall be guilty of misdemeanor and shall be fined not less than fifty dollars (\$50) or be imprisoned in the county jail for a period not exceeding three months at the discretion of the court.

Sec. 10. No agency shall knowingly send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes. Immoral resorts.

Sec. 11. No such licensed agency shall publish or cause to be published any false information, make any false promise concerning or relating to work or employment to any one who shall register for employment, and no licensed agency shall make any false entries in the register to be kept as herein provided. False state -
ments

Sec. 12. It shall be the duty of the industrial commissioner to enforce this act. When informed of any violation thereof it shall be his duty to investigate same, as hereinbefore provided, and he may institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act not otherwise provided for, shall be guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for each offense or be imprisoned in the county jail for a period not to exceed three months or both such fine and imprisonment at the discretion of the court. *Provided*, That any person or persons who shall send any female help or servant to any place of bad repute, house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes, shall be punished by imprisonment for not less than thirty days nor more than three months and no license to operate an employment agency shall be again issued to such party. Enforcement.

Sec. 14. The term employment or work, whenever used in this act, shall be construed to mean manual or mechanical labor, clerical, domestic, or professional service. Employment.

Sec. 15. Any person, firm, or corporation who for hire or with a view to profit shall undertake to secure employment or help 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. Agency.

Sec. 16. In case for any reason, any paragraph or any provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision of this act. Provisions sev-
erable.

Approved March 12th, 1919.

CHAPTER 259.—*Inspector of mines—Stone quarries.*

SECTION 1. It shall be the duty of the inspector of mines to visit and inspect the commercial stone quarries of this State and all the provisions of sections 8705 to 8718 inclusive of the South Dakota Revised Code of 1919 relating to mine inspection shall apply to commercial stone quarries. Whenever the word "mine" or "mines" is used in said sections it shall be construed to include stone quarries. Quarries to be
inspected.

Approved March 5, 1919.

CHAPTER 263.—*Mothers' pensions.*

[This chapter amends sections 10023 and 10025 of the Revised Code of 1919 (sections 1 and 3 of chapter 275, acts of 1913) so as to read as follows:]

SEC. 10023. For the partial support of any woman whose husband is dead, whose husband becomes permanently disabled for work by reason of physical or mental infirmity, or whose husband is a prisoner in the State penitentiary, or any woman who has been divorced from her husband in this State for a period of one year or more, when such woman has a child or children under Allowance pro-
vided.

the age of sixteen years whom she is unable to support, and such mother and child or children have had a residence in this State for one year and in the county for six months before making application therefor, such county shall have authority and be required to make an allowance to such woman, upon petition and notice as provided in this chapter, which petition and notice shall be prepared by the State's attorney of the county without charge to the petitioner of the county, as follows: Not to exceed fifteen dollars per month when such woman has but one child under the age of sixteen years, and if she has more than one child under the age of sixteen years, it shall not exceed fifteen dollars per month for the first child and not to exceed seven dollars per month for each of the other children under the age of sixteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period the judge of the county court may, from time to time, extend such allowance for a period of six months or less, if the court is satisfied that such order for extension is proper.

Amount.

Termination. SEC. 10025. Whenever any child shall reach the age of sixteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The county judge may, in his discretion, at any time before such child reaches the age of sixteen years, discontinue or modify the allowance to any mother and for her child.

Approved February 19, 1919.

CHAPTER 297.—*Payment of wages—Semimonthly pay day—Railroads.*

Time of pay- SECTION 1. Every person, firm, or corporation operating a public
ment. service railroad in the State of South Dakota, shall, on or before the first day of each calendar month, pay all their employees engaged in the performance of either manual or clerical labor the wages earned by them during the first half of the preceding month ending with the fifteenth day thereof, and shall, on or before the fifteenth day of each calendar month, pay such employees the wages earned by them during the last half of the preceding month: *Provided, however,* That if at any time of payment an 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, such person shall be entitled to said payment at any time thereafter upon demand upon the proper paymaster at the place where wages are usually paid and where such pay is due: *Provided,* Nothing herein contained shall be construed to interfere with the daily or weekly payment of wages.

Violations. SEC. 2. Any person, firm, or corporation violating any of the provisions of this act shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Approved March 12th, 1919.

TENNESSEE.

ACTS OF 1919.

**CHAPTER 110.—Bureau of workshop and factory inspection—
Regulations.**

SECTION 1. There is hereby created a bureau to be known as the "bureau of workshop and factory inspection of the State of Tennessee," to be under the general control and direction of the chief mine inspector of the State of Tennessee, which is to have its office with the mining department of the State of Tennessee.

Bureau created.

SEC. 2. The present chief inspector of workshops and factories, and the three deputy inspectors, shall be chief inspector and deputy inspectors respectively under this act for the duration of their present term of office. At the expiration of their respective terms of office, the chief mine inspector, by and with the written consent and approval of the governor, shall appoint a chief inspector of workshops and factories, who shall hold office for a term of two years from the date of his appointment and until his successor is appointed and qualified. The chief mine inspector shall also by and with the written consent and approval of the governor, appoint four deputy inspectors of workshops and factories, three male and one female, each of whom shall hold office for a term of two years from the date of their appointment and until their successors are appointed and qualified. The chief mine inspector may also appoint with the approval of the governor a clerk at a salary of not exceeding \$1,800 per annum, and a stenographer at not exceeding \$1,200 per annum. Such help to be employed only if their services become necessary.

Staff.

Appointments.

Salaries.

SEC. 3. The chief inspector of workshops and factories shall be a competent and practical mechanic of not less than 5 years of practical experience, and shall give his entire time and attention to the duties of his office. He shall enforce the provisions of all laws relating to workshops and factories and prosecute violations thereof, and shall enforce the provisions of all other laws which have heretofore, by statutory provisions, been enforced by the department of workshop and factory inspection of the State of Tennessee, and shall perform such other duties as are required of him by law. Each male deputy inspector of workshops and factories shall be a competent and practical mechanic and each deputy inspector must devote his or her whole time and attention to the duties of the office.

Qualifications.

Duties.

SEC. 4. The chief inspector of workshops and factories, under the direction of the chief mine inspector, shall divide the State into districts and make such assignments of deputy inspectors therein as they may see fit, and prescribe such rules and regulations for their government as the service may require. Each deputy inspector of workshops and factories shall visit the shops and factories of the district assigned to him as often as practicable, see that the laws relating to workshops and factories are enforced, performing such other duties pertaining to the department of workshops and factory inspection as the chief inspector may direct.

Districts.

SEC. 5. Each deputy inspector of workshops and factories assigned to a district for the inspection of workshops and factories therein shall carefully inspect the sanitary conditions, systems of sewerage, situation and condition of water-closets, systems of heating, lighting and ventilating rooms where persons are em-

Inspection.

ployed at labor, and means of exit in case of fire or other disasters within, or connected with, such workshops and factories. They shall examine the belting, shafting, gearing, elevators, drains, and machinery in and about such workshops and factories, and see that they are not so located as to be dangerous to employees when engaged in their ordinary duties, and as far as practicable, securely guarded; that they shall see that each vat, pan, or structure, filled with molten lead or hot liquor is surrounded by proper safeguards for preventing accident or injury to persons employed at or near them. For the purpose of inspection or examination required of them by law, the chief inspector of workshops and factories, and each deputy inspector, at reasonable hours may enter any workshop or factory in the State.

Records.

Sec. 6. The inspector shall make an accurate record of all examinations and inspections of the workshops and factories inspected by each, showing the date inspected, the condition in which such workshops or factories are found, the extent to which laws relating thereto are observed or violated, the progress made in the improvement of the workshops and factories, and the conditions to insure the preservation of life and health by the provisions of this act and other laws, the enforcement of which are under the direction of the bureau of workshops and factory inspection, the number of accidents or injuries received in and about such workshops and factories, with full details of each, the number of men, women, and children employed in and about such workshops and factories, the number of shops and factories in the district of each inspector, together with all other facts and information of public interest concerning the condition of the workshops and factories of the State. The data thus collected shall be forwarded to the office of the chief factory inspector on the blanks prepared for that purpose on or before the third day of each month or as the chief factory inspector may require, covering the work of the previous month. The chief mine inspector shall make a complete record of such inspections and shall forward to the comptroller of the treasury each month a report showing all workshops and factories inspected by the various inspectors during the previous month, the number of persons employed in each, and the inspection fee to be collected by the comptroller for the inspection of each. The chief mine inspector shall make an annual report to the governor as soon as practical after the close of each calendar year, in which shall be included all data collected under the provisions of this section, with such other information as may be deemed of public interest.

Authority.

Sec. 7. In the performance of his duties pertaining to his office, the chief inspector of workshops and factories, and each of the deputy inspectors, shall have the authority of a notary public to administer oaths and take affidavits in the administration of the duties thereof, and any false swearing shall be deemed perjury and punishable as such.

Scope.

Sec. 8. The term "workshops and factories," as used in this act, shall include the following: Manufacturing, mills, mechanical, electrical, mercantile, art, and laundering establishments; printing, telegraph, and telephone offices; department stores, or any kind of establishment wherein labor is employed or machinery used.

Ventilation.

Sec. 9. Every factory, workshop, association, or other establishment in which five or more persons are employed shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to become injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, as far as practicable, all gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein.

Fans, etc.

Sec. 10. Every factory, workshop, association, or other establishment where a work or process is carried on by which dust,

filaments, or injurious gases are produced or generated, that are liable to be inhaled by persons employed therein, the person, firm, or corporation by whose authority the said work or process is carried on shall cause to be provided and used in said workshop, factory, association, or establishment, exhaust fans, conveyors, receptacles, or blowers with pipes and hoods extending therefrom to each machine, contrivance, or apparatus by which dust, filaments, or injurious gases are produced or generated; or provide other mechanical means to be maintained for the purpose of carrying off or receiving and collecting such dust, filament, devitalized air, or other impurities as may be detrimental to the health of those in, about, or in connection with such place as herein mentioned: *Provided*, That if natural ventilation sufficient to exclude the harmful elements above enumerated be provided, the requirement of this section shall have been complied with by such firm, corporation, association, or other establishment as herein mentioned. Said fans, blowers, pipes, and hoods shall be properly fitted and adjusted and of power and dimensions sufficient to effectually prevent the dust, filaments, or injurious gases produced or generated by said machines, contrivances, or apparatus from escaping into the atmosphere of the room or rooms of said factory, workshop, or other establishment where persons are employed.

SEC. 11. Not less than two hundred and fifty (250) cubic feet of air space shall be provided for each employee or operative at work in a room or place within the meaning of this act between the hours of six o'clock in the morning and the hours of six o'clock in the evening, and not less than four hundred (400) cubic feet of air space for each person so employed between the hours of six o'clock in the evening and six o'clock in the morning.

Air space.

SEC. 12. In places of amusement wherein five or more employees are engaged in duties that appertain thereto, the owners, managers, proprietors, or other persons in charge, shall provide that such places shall be well ventilated and that adequate and sufficient fire protection shall be maintained, and that all exit doors of such amusement places shall be opened outward wherein in addition to the said five employees fifty or more patrons might be congregated.

Fire protection.

SEC. 13. No person shall hire, employ, or contract with another to manufacture, alter, repair, or finish any article in any room, apartment, or tenement unless said room, apartment, or tenement shall be well lighted and ventilated and shall contain at least five hundred (500) cubic feet of air space for every person working therein: *Provided*, That where children under the age of sixteen years live in such room, apartment, or tenement, they shall not engage in any work above specified without first obtaining a permit so to do from the bureau of workshop and factory inspection.

Work in tenements, etc.

SEC. 14. The chief or deputies of the bureau of workshop and factory inspection shall have authority to ascertain the average week by [weekly] wages of all employees other than officers, and that the failure or refusal on the part of any manager, owner, foreman, or other person in charge of any industry under inspection or investigation to furnish such information or answer any question pertaining to any inspection or investigation, shall constitute a violation of this act, and said manager, owner, foreman, or other person found guilty thereof shall be punished as provided for herein.

Wages.

SEC. 15. Any owner, manager, foreman, or other person who may refuse, fail, or neglect to comply with the orders issued by said chief or deputies shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty (50) dollars, nor more than one hundred (100) dollars, and in addition thereto a fine of five (5) dollars for each day after the time limit elapsed until said order is carried out acceptably to said bureau chief or said deputies.

Violations.

Any fine thus imposed shall through the county court be paid to the State treasurer and be credited to the bureau of workshop and

factory inspection, and shall be used in paying the incidental expenses of said bureau.

Removing safe-
guards.

SEC. 16. No person shall remove or make ineffective any safeguard around or attached to any machinery, vats, pans, or apparatus, except for the purpose of making repairs thereon, and all safeguards so removed shall be replaced promptly: *Provided*, When the machine or any part thereof is found to be in dangerous condition a notice shall be attached thereto, and such notice shall not be removed until the machinery is made safe, and the required safeguards are provided, and in the meantime, such unguarded or dangerous machinery shall not be in use.

Fees.

SEC. 17. Every person, firm, or corporation operating a factory, workshop, or other establishment, required to be inspected under the provisions of this act, where there is installed and used machinery or mechanical devices or apparatus, the use and operation of which are calculated to be hazardous in any degree, shall pay to the comptroller of the State of Tennessee for the use of the State, an inspection fee for each inspection made by the chief inspector of workshops or factories or any of his deputies according to the following schedule:

Industries employing not less than 5 nor more than 9 persons.....	\$5. 00
Industries employing not less than 10 nor more than 24 persons.....	7. 50
Industries employing not less than 25 nor more than 49 persons.....	15. 00
Industries employing not less than 50 nor more than 99 persons.....	25. 00
Industries employing not less than 100 nor more than 249 persons.....	35. 00
Industries employing not less than 250 nor more than 499 persons.....	50. 00
Industries employing not less than 500 nor more than 999 persons.....	75. 00
Industries employing more than 1,000 persons.....	100. 00

Collecting fees.

SEC. 18. No person, firm or corporation shall be required to pay more than one inspection fee under the provision of this act, during any one year. The inspection fees herein prescribed shall be paid to the comptroller of the State at the end of each year, and for the purpose of collecting the same, the persons, firms, and corporations liable to pay the fee, as provided in section 1, shall prepare a sworn report and file same with the comptroller of the State of Tennessee, on the first day of January of each year, beginning with January 1, 1920, showing the monthly average number of employees, of every character employed by the person, firm or corporation making such report during the preceding year or any part thereof; and said report shall also contain the number of inspections made by the chief inspector of factories and workshops, or his deputies during that year.

The inspection fees, payable as provided in section 17 of this act, shall be paid to the comptroller with the report herein required.

Report.

The chief mine inspector shall also make a report to the comptroller of the State on the first day of January of each year, containing the same information required to be contained in the reports to be filed by operators of factories, workshops, etc.

In the event of the failure or refusal of any persons, firm or corporation to pay the fees as prescribed herein, it shall be the duty of the comptroller to collect said fees by distress warrants or otherwise.

Salaries.

SEC. 19. The salary of the chief inspector of workshops and factories shall be two thousand (\$2,000) dollars per annum, payable monthly on the warrant of the comptroller, as other salaries are paid. The salary of each deputy inspector shall be

fifteen hundred (\$1,500) dollars per annum, payable monthly on the warrant of the comptroller as other salaries are paid.

Sec. 20. The mining statistician shall, in addition to the duties now imposed upon him by law, act as statistician and chief clerk of the bureau of workshop and factory inspection, and as such shall perform such duties as may be assigned him by the chief mine inspector.

Chief clerk.

Approved April 11, 1919.

CHAPTER 119.—*Mothers' pensions.*

SECTION 1. The county courts of each county shall have authority as hereinafter provided to make provisions for partial support of women whose husbands are dead, or whose husbands are prisoners, confined to the State penitentiary, or asylum, when such women are poor and are mothers of children under the age of fifteen (15) years, and such mothers and children reside in such counties.

Who to have aid.

Sec. 2. The allowance of each such woman shall not exceed ten dollars (\$10) per month when she has but one child under the age of fifteen (15) years; and if she has more than one child under the age of fifteen (15), it shall not exceed the sum of \$10 per month for the first child and \$5 per month for each of the other children under the age of fifteen years.

Amount.

Sec. 3. Such allowance shall be made by the county court and only on the following conditions:

Conditions.

(1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

(2) The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children and when by means of such allowance she will be able to remain at home with her children.

(3) The mother must in the judgment of the county court, be a proper person, physically, mentally, and morally, for the bringing up of her children.

(4) Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect.

(5) No person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years before the making of such application for such allowance: *Provided*, That the provisions of this act shall not apply to any child which has its own property sufficient for its support.

Sec. 4. The county court in each county may levy a tax, not to exceed two mills on the dollar annually, on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and to be known as the mothers' pension fund and kept separate from all other taxes.

Funds.

Sec. 5. Whenever any child shall reach the age of fifteen (15) years any allowance made to the mother of such child for the benefit of such child shall cease.

Termination.

The county court may, in its discretion, at any time before such child reaches the age of fifteen (15) years, discontinue or modify the allowance to any mother and for any child. If such husband has been confined to the Tennessee State penitentiary, such allowance shall cease on his discharge or parole, and whenever any woman on whose account any allowance shall have been made under the provisions of this act shall marry, such allowance shall cease.

Sec. 6. A woman whose husband is dead, or whose husband is confined in the Tennessee State penitentiary, may file an application for assistance under this act, provided such woman is a citizen of the United States of America and has a previous residence of two years in the county where such application is made and is

Application.

the mother of a child or children under fifteen (15) years old at the time of making application.

Allowance.

SEC. 7. Such allowance shall be made by the county court upon a verified petition made by such poor woman, or by some member of the court of said county, or by any other charitable organization within such county. Upon presentation of such petition to the court, the court shall proceed to investigate and shall make such allowances only upon hereinbefore mentioned conditions.

Fraud.

SEC. 8. Any person or persons fraudulently attempting to obtain a pension for a person not entitled thereto shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50) or by imprisonment for a period of not to exceed thirty (30) days, said imprisonment in discretion of the county court.

Approved April 11, 1919.

CHAPTER 143.—*Employment of children—School attendance.*

[This chapter amends section 1 of chapter 9, Acts of 1913, by requiring school attendance of children from seven to sixteen during the entire school term instead of from eight to fourteen for eighty consecutive days.]

TEXAS.

ACTS OF 1919.

CHAPTER 106.—*Department of labor.*

[This chapter amends article 5243, Revised Civil Statutes of 1911, so as to read as follows:]

SECTION 1. Article 5243. The commissioner of the bureau of labor statistics shall receive a salary of \$3,000 per annum, payable monthly, and he shall be allowed a secretary at a salary of \$1,800 per annum, an assistant secretary and stenographer at a salary of \$1,500 per annum, a chief deputy at a salary of \$2,000 per annum, six deputies at a salary of \$1,800 each per annum, a chief of the woman's division at a salary of \$2,000 per annum, and two women inspectors at a salary of \$1,800 each per annum—each to be appointed by him—and such assistants and employees as the legislature may at any time in the future authorize, within the limits of the appropriations made therefor. The commissioner shall also be allowed necessary postage, stationery, printing, and other expenses to transact the business of the bureau, within the limits of the appropriation made therefor, and the salary shall be paid as in the case of other State officers and employees. In addition to his salary, the commissioner and any employee of the bureau shall be allowed his actual necessary traveling expenses while in the performance of duties required by this act, and within the limits of the appropriations made therefor.

Salaries.

Woman's division.

SEC. 2. That for the purpose of enabling the commissioner of the bureau of labor statistics to more efficiently perform the duties imposed upon the bureau under the laws, by employing the additional assistants and employees provided for in the foregoing section, and paying salaries commensurate with the services rendered, there is hereby apportioned out of any funds in the State treasury not otherwise appropriated a sum of \$10,800, or so much thereof as may be necessary for the remainder of the fiscal year, beginning March 1, 1919, and ending August 31, 1919, to be expended according to the following apportionments, to wit:

Appropriation.

Additional salary of commissioner.....	\$300
Additional salary of secretary.....	150
Salary of assistant secretary and stenographer.....	750
Salary of chief deputy.....	1,000
Salary of two additional deputies.....	1,800
Salary of chief of woman's division.....	1,000
Salary of two women inspectors.....	1,800
Traveling expenses.....	4,000
Total.....	\$10,800

Approved March 24, 1919.

CHAPTER 152.—*Protection of employes on buildings.*

SECTION 1. Hereafter any building three or more stories in height, in the course of construction or repairs, shall have the joists, beams, or girders of each and every floor below the floor level where any work is being done, or about to be done, covered with planking laid close together, said planking to be of not less than one and one-half inches in thickness in buildings that have steel framework, and what is commonly known as one-inch plank in all others where joists are set on two-foot centers or less, to protect

Floors.

- the workmen engaged in the erection or construction of such buildings from falling through joists, girders, and from falling planks, bricks, rivets, tools, or other substances whereby life and limb are endangered. Where any scaffolding is placed on the outside of any of said buildings, over any public street or alley where persons are in the habit of passing, then said scaffolding shall be so constructed as to prevent any material, tools, or other things from falling off and endangering the life of passers-by.
- Scaffolding.**
- Removal of floor.** SEC. 2. Such flooring shall not be removed until the same is replaced by a permanent flooring in such building.
- Hoistways.** SEC. 3. If elevators, elevating machines, or hod-hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractor or owners, or the agents of the owners, shall cause the shafts or openings in each floor to be inclosed or fenced in on all sides, two sides of which must be at least six feet, and two sides where material is to be taken off or on shall be protected by automatic safety gates.
- Duty of contractor.** SEC. 4. It shall be the duty of the general contractor having charge of the erection and construction of such building to provide for the flooring as herein required, and to make such arrangements as may be necessary with the subcontractor in order that the provisions of this act may be carried out.
- Owner.** SEC. 5. It shall be the duty of the owner, or the agent of the owner, of such building to see that the general contractor or subcontractors carry out the provisions of this act.
- Same.** SEC. 6. Should the general contractor or subcontractors of such building fail to provide for the flooring of such buildings as herein provided, then it shall be the duty of the owner or the agent of the owner of such buildings to see that the provisions of this act are carried out.
- Violations.** SEC. 7. Failure upon the part of the owner, agent of the owner, general contractor, or subcontractors to comply with the provisions of this act shall be deemed a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars nor more than two hundred dollars, and each day of such violation shall constitute a separate offense.

Approved March 31, 1919.

CHAPTER 160.—*Industrial welfare commission—Minimum wages, etc.*

- Commission established.** SECTION 1. There is hereby established a commission to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of three persons as follows: The head of the bureau of labor statistics, who shall be chairman of the commission, the representative of employers of labor on the industrial accident board, and the State superintendent of public instruction. Two members of the commission shall constitute a quorum, the concurrence of two members shall be necessary to determine any question that may arise for decision, and a vacancy on the commission shall not impair the right of the remaining members to perform all the duties and exercise all the powers and authority of the commission.
- Employees.** SEC. 2. The commission may employ a secretary and two (2) investigators to carry out the purpose of this act, and shall fix the compensation of such employees, not to exceed the sum of \$1,800 per annum for each one, and all necessary traveling expenses, within the appropriation made therefor.
- Duties of commission;** SEC. 3. (a) It shall be the duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of Texas, and to make investigations into the comfort, health, safety, and welfare of such women and minors.

(b) It shall be the duty of every person, firm, and corporation employing labor in this State—

1. To furnish to the commission, at its request, any and all reports or information which the commission may require pertaining to the working conditions and wages paid women and minors to carry out the purpose of this act; such reports and information to be verified by the 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 requested by the commission or any member thereof.

Of employers.

Reports.

2. To allow any member of the commission, or its secretary or any of its duly authorized employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making an investigation authorized by this act, relating to the working conditions and wages of women and minors.

Inspection.

3. To keep a register of the names, ages, and residence addresses of all women and minors employed.

Register.

(c) For the purpose of this act, a minor is defined to be a person of either sex under the age of fifteen years.

Sec. 4. The commission may specify times to hold public hearings, at which time employers, employees, or other interested persons may appear and give testimony as to the matter under consideration. The commission or any member thereof, or the secretary or any investigator employed by said commission, shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fee and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the commission or any member thereof or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of any district court or the judge thereof, to whom application is made, on the application of a member of the commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and proper rules of practice and procedure and shall not be bound by technical rules of evidence.

Hearings.

Sec. 5. (a) The commission shall have further power, after a public hearing before any member of the commission, or before any investigator employed by said commission, and upon its own motion or upon petition, to fix:

Fixing wages, etc.

1. A minimum wage to be paid to women and minors engaged in any occupation, trade, or industry in this State, which shall not be less than a wage adequate to supply such women and minors the necessary cost of proper living, and to maintain the health and welfare of such women and minors.

2. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade, or industry in this State.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in the county where the hearing is to be held, and by mailing a copy of said notice to the county clerk of such county where the hearing is to be held, and to the individual, firm, or corporation to be investigated, which notice shall state the time and place of such hearing to be held, which shall not be earlier than ten days from the date of publishing and mailing such notice.

Notice of hearing.

(c) After such public hearing the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women and minors in the occupation in question and the standard con-

Orders.

ditions of labor for said women and minors: *Provided, however, That no such order shall become effective until November 1st, 1919.*

- Publication. Such order shall be published in at least one newspaper in the cities of Dallas, Houston, San Antonio, Ft. Worth, El Paso, and Austin, and a copy thereof mailed to the county clerk of each county in the State, and such copy shall be recorded without charge, and copies shall be mailed to each employer in the occupation in question, and each employer in the occupation in question shall be required to post a copy of such order in a conspicuous place in the building in which the women or minors affected by the order are employed. Failure of the employer to receive such notice shall not relieve the employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to the county clerk shall be conclusive to the service.
- Revision. SEC. 6. Whenever wages or conditions of labor have been so made mandatory in any occupation, trade, or industry, the commission may at any time in its discretion upon its own motion or upon petition of either employers or employees, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter, or amend any prior order. Any order rescinding a prior order shall have the same effects as herein provided for in an original order.
- Special licenses. SEC. 7. For any occupation in which a minimum wage has been established the commission may issue to any person subject to this act a special license authorizing the employment of such person for a period of six months for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person: *Provided, That at no time shall the special licenses exceed ten per cent of the total number of employees in said industry. Any such license may be renewed for a like period of six months.*
- Statistics. SEC. 8. Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered and investigation made, as the commission may require pertaining to the wages and working conditions of women and minors.
- Discrimination. SEC. 9. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this act, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, or by imprisonment in the county jail of not more than thirty days, or by both such fine and imprisonment.
- Failure to pay wage. SEC. 10. The minimum wage for women and minors fixed by said commission as in this act provided, shall be the minimum wage paid to such employees, and the payment to such employees of a less wage than the minimum wage so fixed shall be unlawful, and every employer or other person who, either 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 ten (\$10) dollars nor more than one hundred (\$100) dollars, or by imprisonment of not more than thirty days in the county jail, or by both such fine and imprisonment.
- Prosecutions. SEC. 11. 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 living wage required herein to be paid women and minors. The finding of facts made by the commission acting within its powers shall, in the absence of fraud, be con-

clusive; and the determinations made by the commission shall be subject to review only in a manner and upon the grounds following: Within thirty days from the date of determination, any party aggrieved thereby may commence action in the district court in and for the county in which the aggrieved party resides, or in the district court of Travis County, against the commission for review of such determination. In such action a complaint which shall state the grounds upon which a review is sought shall be served with the summons. Service upon the secretary of the commission or upon any member of the commission shall be deemed a complete service. The commission shall file its answer within twenty days after the service of the complaint. With its answer, the commission shall make a return to the court of all documents and papers on file in the matter, and of all testimony and evidence which may have been taken before it and of its findings and determinations in the matter. The action may thereupon be brought on for hearing before the court upon such record by either party on ten days' notice to the other. Upon such hearing the court may confirm or set aside such determination, but the same shall be set aside only upon the following grounds:

(1) That the commission acted without or in excess of its powers, on insufficient grounds.

(2) That the determination was procured by fraud.

Upon the setting aside of any determination the court may recommit the controversy and remand the record in the case to the commission for further proceedings. The commission or any party aggrieved, by a decree entered upon the review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said district court.

SEC. 12. Any employee receiving less than the 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, and an additional amount for attorneys' fees; notwithstanding any agreement to work for such lesser wage.

SEC. 13. Any person or persons for whom the commission may have established a living wage may register a complaint with the commission that the wages paid to him or them are less than that rate, and the commission shall thereupon investigate the matter and take all proceedings necessary to enforce the payment of such established wage.

SEC. 14. The commission shall biennially make a report to the governor and the State legislature of its investigations and proceedings.

SEC. 15. There is hereby appropriated out of the moneys of the State treasury, not otherwise appropriated, the sum of five thousand (\$5,000) dollars, or so much thereof as may be necessary, to be used by the commission in carrying out the provisions of this act to August 31, 1919, and the comptroller is hereby directed from time to time to draw warrants upon presentation of properly itemized, verified, and approved vouchers on the general fund in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.

SEC. 16. The commission shall not act as a board of arbitration during a strike or lockout.

SEC. 17. (a) Whenever this act, or any part or section thereof is interpreted by a court, it shall be liberally construed by such court.

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

Appeal.

Recoveries.

Enforcing payment.

Reports.

Appropriation.

Restriction.

Construction.

Provisions severable.

Scope.

SEC. 18. The provisions of this act shall apply to and include women and minors employed in any occupation, trade, or industry and whose compensation for labor is measured by time, piece, or otherwise, except those engaged as domestic servants, nurses, student nurses, farm or ranch labor, and students in schools and colleges while actually attending such schools and colleges during their session or in vacation and who are working their way through such school or college, either in whole or in part.

Approved April 3, 1919.

UTAH.

ACTS OF 1919.

CHAPTER 35.—*Employment of children.*

[This act amends section 15 of chapter 144, Acts of 1911 (section 1874 of the Compiled Laws of 1917), so as to read as follows:]

Section 1874. The industrial commission of the State of Utah is hereby given jurisdiction in all cases arising under this chapter. Enforcement of laws.

Approved March 13, 1919.

CHAPTER 45.—*Inspection of coal mines.*

[This chapter repeals section 2515, Compiled Laws of 1917, which allowed a fee of ten dollars for the inspection of each coal mine.]

CHAPTER 70.—*Employment of women—Hours of labor.*

[This act amends chapter 133, Acts of 1911 (sections 3677, 3678, Compiled Laws of 1917). Section 1 (sec. 3677) is amended so as to read as follows:]

Section 3677. No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, restaurant, or telegraph or telephone establishment, hospital or office, or by any express or transportation company in this State more than eight hours during any one day (said eight hours to be worked in not more than two working periods and within twelve consecutive hours), or more than forty-eight hours in any one week, except in cases of emergency where life or property is in imminent danger: *Provided, however,* That this act shall not apply to persons or corporations engaged in the packing or canning of perishable fruits or vegetables, nor to the manufacturers of containers of the same during the packing season.

Scope.
Eight hours.
Exemptions.

[Section 2 (sec. 3678) is changed so as to conform to the shorter workday.]

Approved March 13, 1919.

CHAPTER 71.—*Payment of wages.*

SECTION 1. Whenever an employer discharges an employee, the wages earned and unpaid at the time of such discharge shall become due and payable immediately. When any such employee not having a contract for a definite period quits or resigns his employment the wages earned and unpaid at the time of such quitting or resignation shall be due and payable at the employee's next regular pay day.

Payment on discharge.
Resignation.

SEC. 2. All wages, other than those mentioned in section 1 of this act, earned by any person, shall be due and payable at least twice in each month, and no person, firm, or corporation for whom such labor has been performed shall withhold from any such employee any wages so earned or unpaid for a longer period than ten days after such wages become due and payable: *Provided, however,* That nothing herein shall in any way limit or interfere with the right of any employee to accept from any person, firm, or corporation wages earned and unpaid for a shorter period than ten days.

Semi-monthly pay day.

SEC. 3. In the event that an employer shall fail to pay, without abatement or authorized deduction, than the same shall become

Penalties.

- due under the provisions of section 1 of this act, any wages of an employee who is discharged or who resigned or quits, as in said section 1 provided, then, as a penalty for such nonpayment, the wages of such servant or employee shall continue from the due date thereof at the same rate until paid: *Provided*, That in no case shall such wages continue for more than ten days: *And provided further*, That no such employee who secretes or absents himself to avoid payment to him, or refuses to receive the same when fully tendered, shall be entitled to any benefit under this act for such time as he so avoids payment. In the happening of any strike, the unpaid wages of striking employees earned prior to the strike shall become due and payable upon the employer's next regular pay day, and, if then paid or tendered, the provisions of this section shall have no application.
- Strikes. Sec. 4. All wages or compensation of employees in private employments shall be due and payable semimonthly; that is to say, all such wages or compensation earned and unpaid prior to the first day of any month shall be due and payable not later than the tenth day of the month following; and all wages or compensations earned and unpaid prior to the sixteenth day of any month shall be due and payable not later than the twenty-fifth day of the same month. The words "private employments" as used in this act, shall mean and include all employments other than those mentioned in section 8 hereof and those under the direct management, supervision, and control of the State of Utah, any county, city and county, incorporated city or town, or other municipal corporation or political subdivision of the State of Utah, or any officer or department thereof. But nothing contained herein shall be construed as prohibiting the payment of wages at more frequent periods than semimonthly.
- Times of pay- Medium. Sec. 5. The payment of wages or compensation of employees ment. in the employments defined herein shall be made in lawful money of the United States, or by a time check which is paid when presented at the office or by a good and valid negotiable check or draft, payable on presentation thereof at some bank or other established place of business, located in this State, without discount, in lawful money of the United States, and not otherwise.
- Absent employ- Sec. 6. In case an employee in any said employment shall be ces. absent from the usual place of employment at the time said payment shall be due and payable as hereinabove provided, he shall be paid the wages or compensation within five days after making demand therefor.
- Violations. Sec. 7. Any person or any agent of any person, copartnership, association, or corporation, who shall willfully refuse to pay the wages due and payable when demanded, as herein provided, or shall falsely deny the amount or validity thereof, or that the same is due, with intent to secure, for himself or any other person, any discount upon such indebtedness, or with intent to annoy, or harass, or oppress, or hinder, or delay, or defraud the person to whom said indebtedness is due, shall be guilty of a misdemeanor: *Provided*, That in any prosecution under this section any judgment rendered in a civil action brought to recover wages claimed to be due shall not be admitted in evidence as proof of said intent.
- Exemptions. Sec. 8. None of the provisions of this act shall apply to the State, or to any county, city and county, incorporated city or town, or other municipal corporation, or to employers and employees engaged in farm, dairy, agricultural, viticultural, or horticultural pursuits, banks, and mercantile houses (or other employment where an agreement exists between an employer and employee providing for different terms of pay), in stock or poultry raising, or in household domestic service.
- Enforcement. Sec. 9. The State industrial commission shall enforce the provisions of this act.

Approved March 13, 1919.

CHAPTER 77.—*Mothers' pensions.*

[This chapter amends chapter, 90, Acts of 1913 (sections 3960 to 3963, compiled laws, 1917), so as to read as follows:]

SECTION 3960 (as amended by chapter 12, special session, 1919), Funds.
It shall be the duty of the county commissioners of each county in the State, and they are hereby authorized and empowered to provide, annually, funds in an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of \$10,000: *Provided*, That in the counties containing a population of 100,000 or more the amount of such funds shall be \$50,000 annually, such funds to be expended for the partial support of widowed mothers who are dependent upon their own efforts for the maintenance of their children. No part of the funds above provided for shall be expended for administration or purposes other than the partial support of widowed mothers.

SEC. 3961. The allowance to each of such dependent widowed Amount of al-
lowance.
mothers shall not exceed \$40 a month, whether she has but one child or more than one child under the age of sixteen years, the amount and manner and time of payment shall be determined by the board of county commissioners.

SEC. 3962. Such allowance shall be made by the county com- Conditions.
missioners only upon the following conditions:

1. The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

2. The allowance shall be made only when in the absence of such allowance, a widowed mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children.

3. The widowed mother must, in the judgment of the county commissioners, be a proper person morally, physically, and mentally for the bringing up of her children.

4. Such allowance shall, in the judgment of the county commis- sioners, be necessary to save the child or children from neglect.

5. No person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such appli- cation.

6. No person shall receive the benefit of this act who has re- ceived support from public funds, within one year, before taking up her residence in the county in which such application is made.

7. 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 of sixteen years of age, or any person or persons not of the immediate family of such applicant, and such child or persons are not contributing their proportionate individual share of such household expense, the county commis- sioners shall not, for and during such time, grant nor render to such applicant any assistance hereunder.

8. The county commissioners shall not give assistance under the provisions of this act unless monthly accounts are rendered to the county commissioners by applicant, which accounts shall be so rendered before further assistance is given, and the county com- missioners shall decide as to the sufficiency of these reports and may require more complete to the applicant.

SEC. 3963. Whenever any child shall reach the age of sixteen Termination.
years, any allowance made the widowed mother of such child for the benefit of such child shall cease. The county commissioners may, in their discretion, at any time before such child reaches the age of sixteen years, discontinue or modify the allowance to any widowed mother and for any child.

SEC. 3964. Should the fund herein authorized be sufficient to Selection of
cases.
permit an allowance to only a part of the persons coming within the provisions of this law, the county commissioners shall select those cases in most urgent need of such allowance.

- Scope. Sec. 3965. The provisions of this law shall not apply to any widowed mother who is not dependent upon her own efforts for the maintenance of her children.
- Records. Sec. 3967. In each case where allowance is made to any widowed mother under the provisions of this act, an order to that effect shall be entered upon the records of the county commissioners making such allowance and it shall be the right of any tax-paying citizen at any time to file a motion to set aside, or modify such allowance; and on such motion the county commissioners shall hear evidence and make a new order granting or refusing or modifying such allowance.
- Appeals. Sec. 3968. In each case where an allowance is made or refused to any widowed mother, under the provision of this act, by the county commissioners, an appeal may be taken from such decision by any tax-paying citizen; such appeal shall be subject to the same provision of law as in the case of appeal from justice courts.
- Payments ex- Sec. 3. All moneys given any person under the provision of this act shall be exempt from attachment and execution.
- empt.
- Definition. Sec. 4. The words "widowed mothers" as used in this act shall be construed to include only those mothers widowed by death.
- Approved March 13, 1919.

CHAPTER 92.—*Employed children—Continuation schools.*

- Who to attend SECTION 1. Every parent, guardian, or other person having control of any minor between sixteen and eighteen years of age or school. any minor under sixteen years of age who has completed the eighth grade, shall be required to send such minor to a regular public or private school at least thirty weeks each school year, unless such minor is legally excused to enter employment; and if such minor is legally excused to enter employment; and if such minor is so excused, the said parent, guardian, or other person shall be required to send such minor to a part-time school or a continuation school at least 144 hours per year: *Provided*, That in each year such parent, guardian, or other person having control of such minor may be excused from such duty by the district board of education for any of the following reasons:
- Excuses. 1. That such minor has already completed the work of a senior high school.
2. That such minor is taught at home the required number of hours.
3. That such minor is in such physical or mental condition (which must be certified by a competent physician if required by the board) as to render such attendance inexpedient or impracticable.
4. That no such school is taught the requisite length of time within two and one-half miles of the residence or the place of employment of the minor, unless free transportation is provided.
- The evidence of the existence of any of these reasons for non-attendance must be in each case sufficient to satisfy the superintendent of the district in which the child resides; and the superintendent, upon the presentation of such evidence, shall issue a certificate stating that the holder is exempted from attendance during the time therein specified.
- Certificate.
- Parents to com- Sec. 2. Any parent, guardian, or other person having control of ply. any child who comes within the provisions of this act who willfully fails to comply with its requirements shall be guilty of a misdemeanor.
- Administration. Sec. 4. The State board for vocational education shall establish rules and regulations governing the organization and administration of part-time schools or classes, and shall expend from the funds appropriated for the promotion of vocational education such sums of money as are necessary for the proper enforcement of this act.
- Hours as work Sec. 5. Whenever the number of hours for which a child who time. comes within the provisions of this act may be employed shall be fixed by Federal or State law, the hours of attendance upon a part-

time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by Federal or State law.

Sec. 6. Any person, firm, or corporation employing a child who comes within the provisions of this act shall permit the attendance of such child upon a part-time school or class whenever such part-time school or class shall have been established in the district where the child resides or may be employed, and any person, firm, or corporation employing any such child contrary to the provisions of this act shall be guilty of a misdemeanor. Duty of employers.

Sec. 7. The truant officer appointed by the school district shall be charged with the responsibility for the enforcement of the attendance upon part-time schools and classes of children who come within the terms of this act. Enforcement.

Sec. 8. A part-time school or class established in accordance with the terms of this act shall provide an education for children who have entered employment which shall be either supplemental to the work in which they are engaged, continue their general education, or promote their civic and vocational intelligence. Part-time schools or classes established in accordance with the provisions of this act shall be in session not less than four hours a week between the hours of 8 a. m. and 6 p. m. Nature of school.

Sec. 9. The board of education of any district in which there shall reside or be employed, or both, not less than fifteen minors who come within the provisions of this act and who have entered upon employment, shall establish part-time schools or classes for such employed minors. Time.

Sec. 10. Whenever any board of education shall deem it inexpedient to organize part-time schools or classes for employed minors, it shall state the reason for such inexpediency to the State board for vocational education, and when the State board for vocational education shall judge such reasons as valid, the district board of education shall be excused from the establishment of such part-time schools or classes. Establishment.

Sec. 11. The employer of any minors under eighteen years of age shall keep a list of minors so employed and shall keep on file the certificates issued by the superintendent of schools, and shall notify the board of education of the district in which the child last attended school of such employment within five days after the beginning of such employment. Upon the termination of service of any such employed minor, the employer shall return within five days the age and schooling certificate to the superintendent of schools issuing such certificate. Exceptions.

Approved March 11, 1919.

CHAPTER 127.—*Criminal syndicalism—Sabotage.*

SECTION 1. Criminal syndicalism is hereby defined to be the doctrine which advocates crime, violence, force, arson, destruction of property, sabotage, or other unlawful acts or methods, or any such acts, as a means of accomplishing or effecting industrial or political ends, or as a means of effecting industrial or political revolution. Duty of employers.

Sec. 2. Sabotage is hereby defined to be malicious, felonious, intentional or unlawful damage, injury, or destruction of real or personal property, or any form whatsoever, of any employer or owner by his or her employee or employees, or by any employer of employers or by any person or persons, at their own instance, or at the instance, request or instigation of such employees, employers, or by any other person. Definition.

Sec. 3. Any person who by word of mouth or writing, advocates, suggests, or teaches the duty, necessity, propriety, or expedience of crime, criminal syndicalism, or sabotage, or who shall advocate, suggest, or teach the duty, necessity, propriety, or expedience of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accom- Sabotage.

plishing such ends, or as a means of effecting industrial or political revolution, shall be guilty of a misdemeanor. Offenses.

plishing or effecting any industrial or political ends, change, or revolution, or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, hand-bill, poster, document, or written or printed matter in any form whatsoever, containing, advocating, advising, suggesting, or teaching crime, criminal syndicalism, sabotage, the doing of any act of violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting, or bringing about any industrial or political ends, or change, or as a means of accomplishing, effecting or bringing about any industrial or political revolution, or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of violence, the destruction of or damage to any property, the injury of any person or the commission of any crime or unlawful act, with the intent to exemplify, spread, or teach, or suggest criminal syndicalism, or organizes, or helps to organize or become a member of or voluntarily assembles with any society, or assemblage, or persons formed to teach or advocate, or which teaches, advocates, or suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety, or expediency of doing any act of violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State prison for a term of not less than one year or more than five years, or by a fine of not less than \$200 or not more than \$1,000 or by both such fine and imprisonment.

Assembling.

SEC. 4. Whenever two or more persons assemble or consort for the purpose of advocating, teaching, or suggesting the doctrine of criminal syndicalism, as defined in this act, or to advocate, teach, suggest, or encourage, sabotage, as defined in this act, or the duty, necessity, propriety, or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, it is hereby declared unlawful, and every person voluntarily participating therein, or who by his presence aids or instigates, is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State prison for not less than one year or more than five years, or by a fine of not less than \$200, or more than \$1,000, or by both such imprisonment and fine.

Permitting assemblage.

SEC. 5. The owner, lessee, agent, superintendent, or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by the provisions of section 4 of this act, or who after notification that the place or premises, or any part thereof, is or are so used, permits such use to be continued, is guilty of a misdemeanor and punishable upon conviction thereof by imprisonment in the county jail for not less than sixty days or for not more than one year, or by a fine of not less than \$100, or more than \$500, or by both such imprisonment and fine.

Approved February 17, 1919.

CHAPTER 130.—*Employment of labor—Foremen, etc., accepting fees.*

[This act amends section 1 chapter 52, Acts of 1909 (section 8328, Compiled Laws of 1917.) so as to read as follows:]

Scope of law.

SECTION 8328. Any person or persons employed in or about any industrial plant, railroad, construction camp, foundry, factory, mine, smelter, mill, or other industrial concern in the State of Utah, or who acts as agent, or interpreter for or in connection with the employment of any laborer, or other person for any

such concern, is hereby prohibited from soliciting, accepting, receiving, or causing to be solicited, accepted or received, any compensation or gifts of money or any other consideration, directly or indirectly, for or on account of the employment or the continuance of the employment of any laborer or other person in or about any such concern or for any service rendered or influence used in connection with the employment of any laborer or other person in or about any such concern. Any person violating this section or any provision hereof shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment for not less than thirty days nor more than six months.

Fees forbidden.

Penalty.

For the purposes of this section any person who has paid or has been solicited to pay any compensation or who has made any gifts of money or any other consideration for or on account of his employment or the continuance of his employment or for any service performed in connection with his employment shall not be deemed an accomplice.

Accomplices.

Sec. 2. Any person employed or seeking employment by any industrial plant, railroad, construction camp, foundry, factory, mine, smelter, mill, or other industrial concern in the State of Utah, is hereby prohibited from paying or giving, directly or indirectly any consideration or gift to any person employed by or acting as interpreter for such concern, for the purpose of securing employment by or continuing in the employment of such concern. Any person violating this section or any provision hereof shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of \$25 or by imprisonment for thirty days or by both such fine and imprisonment.

Interpreters.

Sec. 3. Every employer as defined in section 1 hereof shall post and maintain notices, printed or written in plain type or script in at least two conspicuous places where said notices can be seen by said employees as they go to and from their work, setting forth the provisions of this act in language understood by the employees, said printed notices to be furnished by the industrial commission of Utah upon request of the employer. Failure to comply with the provisions of this section shall constitute a misdemeanor.

Notice to be posted.

Approved March 8, 1919.

ACTS OF 1919—SPECIAL SESSION.

CHAPTER 19.—*Labor disputes—Picketing.*

SECTION 1. Picketing is hereby defined to be guarding or patrolling by any person or persons whomsoever, for the purpose of intercepting or persuading, or otherwise urging any person or persons whomsoever, from patronizing any duly and regularly licensed business within the State of Utah.

Definition.

Sec. 2. Every person convicted of picketing, as defined by section 1 of this act, shall be deemed guilty of a misdemeanor.

Misdemeanor.

Approved October 9, 1919.

VERMONT.

ACTS OF 1919.

Act No. 160.—*Employment of women and children—Hours of labor—Suspension of laws.*

Suspension au- **SECTION 1.** The commissioner of industries, with the approval
thorized. of the governor, may suspend part or all of the provisions of chapter two hundred and forty-two of the General Laws for a period not to exceed two months in any one year in the case of a manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto.

Approved March 12, 1919.

VIRGINIA.

ACTS OF 1919—SPECIAL SESSION.

CHAPTER 54.—*Antitrust law—Labor organizations exempt.*

Exemptions. **SECTION 8.** This act shall not 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; nor 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, trusts, or monopolies under the provisions of this act.

Approved September 9, 1919.

WASHINGTON.

ACTS OF 1919.

CHAPTER 3.—*Criminal syndicalism—Sabotage.*

[This act is repealed by chapter 174, below.]

CHAPTER 103.—*Mothers' pensions.*

SECTION 1. Section 1 of chapter 135, Laws of 1915 shall be amended to read as follows:

Section 1. In every county it shall be the duty of the county commissioners to provide out of the moneys of the county treasury an amount sufficient to meet the purposes of this law for the support of mothers who, by reason of destitution, insufficient property or income, or lack of earning capacity, are unable to support their children under the age of fifteen years. **Who to receive aid.**

Approved March 13, 1919.

CHAPTER 111.—*Employment of labor on public works—Aliens.*

SECTION 1. It shall be unlawful for any officer or agent of, or any contractor with, the State of Washington, or any county, city, town, or municipal corporation to knowingly employ any alien, whether a declarant or otherwise, who claimed and was granted exemption from military service in the war with Germany and her allies, under the provisions of the "Act of Congress, May 18, 1917," or any acts amendatory thereof, on the ground that he was not a citizen of the United States. **Certain aliens to be rejected.**

SEC. 2. It shall be unlawful for any such alien to accept employment with any officer or agent of, or any contractor for, the State of Washington, or any county, city, town, or municipal corporation thereof. **Not to accept employment.**

SEC. 3. Every contractor shall, upon demand of the executive officer of the State or municipal corporation with which he has contracted, furnish a list of his employees which shall set forth whether they are citizens of the United States. **Duty of contractors.**

SEC. 4. Every person violating the provisions of this act shall be guilty of a misdemeanor. **Misdemeanor.**

Approved March 13, 1919.

CHAPTER 130.—*Protection of workmen—Safety regulations—Inspection.*

[This chapter adds certain sections to Remington and Ballinger's Annotated Codes and Statutes, as follows:]

Sections 6604-48 to sections 6604-120, inclusive, shall apply to all and only those establishments, those employers, and those workmen who are or shall be under the jurisdiction of the industrial insurance department. **Scope of law.**

SEC. 6604-49. The phrase "place of work" 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, or business is carried on, or where any process or operation directly or indirectly relating to any industry, trade, work, or business is carried on, including all construction work. **Place of work.**

SEC. 6604-50. The terms "safe" and "safety," as applied to an employment or place of work, "safeguard" or "safety device," shall mean such freedom from danger to the life or safety of workmen as the nature of the case will reasonably permit; and the two latter terms **Safety devices.**

- shall be given a broad interpretation so as to include any reasonably practical method of mitigating or preventing danger.
- Standards.** Sec. 6604-51. For the purposes of this act it shall be the duty of every employer to furnish a place of work which shall be as safe for workmen therein as may be reasonable and practicable under the circumstances, surroundings, and conditions, and to furnish and use such safety devices and safeguards and to adopt and use such practices, means, methods, operations, and processes as under the circumstances, surroundings, and conditions are reasonable and practical in order to render the work and place of work safe, and to comply with such standards of safety of place of work and such safety devices and safeguards and such standards and systems of education for safety as shall be from time to time prescribed for such employer by the State safety board, or by statute, or by the State mining board.
- Cooperation by workmen.** Sec. 6604-52. For the purposes of this act it shall be the duty of every workman to cooperate with his employer in all efforts for safety in respect of a safe place to work, safety devices, and safeguards, and for educational safety work, and to on his part comply with all standards of safety established for his work by the State safety board, or by statute, or by the State mining board, and not to remove, displace, damage, or destroy any safety device or safeguard so established, nor interfere in any way with the use thereof by any other workman, nor interfere with the use of any method or process adopted or prescribed for the protection of the workmen in any place of employment. Any employer or workman who shall knowingly remove, displace, damage, or destroy, or cause to be removed, displaced, damaged, or destroyed, any such safety device or safeguard shall be guilty of a misdemeanor.
- Safety board.** Sec. 6604-53. For the purpose of enforcing in all industries (other than coal mining) the performance of the duties prescribed in sections 6604-51 and 6604-52, there is hereby created a State safety board, consisting of two members, to wit: The two members of the State medical aid board other than the chairman thereof.
- Advisory members.** Sec. 6604-54. The commissioner of labor and the State mine inspector shall act as advisory members of the State safety board, but in such advisory capacity only, and shall not be entitled to vote on any question coming before the State safety board. They shall not be included in the designation "State safety board" wherever used.
- Duties.** Sec. 6604-55. For all other work than coal mining, the State safety board, in accordance with the principles laid down in sections 6604-50, 6604-51, and 6604-52, shall make, and may from time to time modify, and shall promulgate standards of safety, to wit:
- (1) To make safe the place of work of workmen, same to be termed "safe place standards."
 - (2) Of safety devices and safeguards to make safe machines, tools, apparatus, and appliances, same to be termed "safety device standards."
 - (3) Of educational systems for the education and training of employer and workman in the appreciation and avoidance of danger and in the maintenance and use of safe place and safety device standards. The State safety board shall make, and may from time to time modify, and shall promulgate rules and regulations for the enforcement of the use of such standards of safety
- Coal mining code.** Sec. 6604-56. The safe place standards and safety device standards for the coal mines of the State, employer, and workman, shall be those prescribed by chapter 36 of the Session Laws of 1917, approved March 2, 1917, as it may be amended from time to time. Such chapter and its amendments are hereinafter referred to as the "Coal Mining Code."
- Educational standards.** Sec. 6604-57. The educational standards for coal mines and coal mining shall be prescribed by a board hereby created to be known as the "State mining board," consisting of two members, to be appointed by the State safety board.
- Members of mining board.** Sec. 6604-58. One member of the State mining board must be a mine manager or superintendent or mine safety engineer, mine safety inspector or stockholder of a mining corporation, and one member must be a workman in a coal mine in the State.
- Nominations.** Sec. 6604-59. Any association of coal mine employers of the State whose organization purposes include or shall be made to include the

making of such nominations and whose membership is open to all coal-mine employers in the State, or if there be more than one such organization, a combination of them, may nominate to the State safety board two nominees for appointment to the State mining board, and the State safety board shall appoint one of them.

SEC. 6604-60. Any association of coal mine workmen of the State whose organization purposes include or shall be made to include the making of such nominations and whose membership is open to all coal mine workmen in the State, or if there be more than one such organization, a combination of them, may nominate to the State safety board two nominees for appointment to the State mining board, and the State safety board shall appoint one of them. Workmen's representative.

SEC. 6604-61. The first nominations under sections 6604-59 and 6604-60 shall be made within thirty days after this section shall go into effect, and nominations to fill a vacancy shall be made within thirty days following the creation of the vacancy, and nominations for succession shall be made within a period of sixty days, thirty days preceding and thirty days following the expiration of the term of office of the member to be succeeded. Time for nominations.

SEC. 6604-62. If either nominating body shall fail to make nominations as and within the time provided in sections 6604-59, 6604-60, and 6604-61, the State safety board shall make the appointment without precedent nomination. Appointments.

SEC. 6604-63. The term of office of each member of the State mining board shall be six (6) years, and until his successor shall have been appointed. Term of office.

SEC. 6604-64. Each member of the State mining board shall receive his actual traveling expenses incurred in the performance of his duties and compensation for each day's attendance at a meeting of his board at the rate of ten dollars per day. Salaries.

SEC. 6604-65. Any coal-mine employer or workman, or association of either, or any joint committee of such employers and workmen, or the State mine inspector appointed under the provisions of the coal mining code, or any of his deputies, shall be authorized to make recommendations to the State mining board of educational standards or amendments of the same or modifications thereof. The making of the original educational standards shall be withheld for a period of thirty (30) days following the organization of the State mining board, to await the receipt of such recommendations. Who may make recommendations.

SEC. 6604-66. The State mining board shall have power to make changes in its educational standards from time to time. Powers of board.

SEC. 6604-67. Standards of safety established by the State safety board shall be, as near as possible and practicable, uniform for each class or for each class subdivision of a class, which has been or may be divided into subdivisions by statute or by the industrial insurance commission, but such standards of safety and the educational standards established by the State mining board may vary between different localities, different classes or class subdivisions of industry, and different establishments in any class or class subdivision, where in the opinion of the board establishing same the working conditions warrant such differentiation, and where in the opinion of such board there are such differences as to render impracticable, inoperative, or unjust a uniform standard or standards. Standards to be uniform.

SEC. 6604-68. Any employer, or workman in any industry (other than coal mining), or association of either, or any joint committee of such employers and workmen, or the State labor commissioner, shall be authorized to make recommendations to the State safety board of safety standards, or amendments therein, or modifications thereof. The making of the original standards of safety by the State safety board shall be withheld for a period of thirty days following the organization of that board to await the receipt of such recommendations. Who may make recommendations.

SEC. 6604-69. Standards of safety having uniform application throughout a class or class subdivision shall be known as "general standards." Standards of safety which shall not be of uniform application to any class or class subdivision shall be known as "special standards." General and special standards.

- Public hearings.** SEC. 6604-70. At any time after the expiration of thirty days after the organization of the State mining board or the State safety board, respectively, and from time to time thereafter as new standards or changes or modifications of existing standards are proposed, the State safety board or the State mining board, as the case may be, shall call a public hearing or hearings for the purpose of the consideration and establishment of standards of safety within its jurisdiction. At every such hearing the employers and workmen interested shall be privileged to attend and be heard in person or by their committee or committees or representatives.
- Notice.** SEC. 6604-71. In advance of every such hearing, the board which is conducting the hearing shall cause a notice of the time and place of such hearing to be published at least once in a daily newspaper of general circulation, published and circulated in the community in, or as near as may be to the place where the establishment or establishments to be affected are located. If the subject of the hearing affects industries throughout the State, such publications shall be in a daily newspaper published in each city of the first class in the State, and such other cities as the board giving the notice shall select.
- Same.** SEC. 6604-72. Written notice of every such hearing shall also be mailed under the direction of the board which is to conduct such hearing to each employer whose class, class subdivision, or establishment is affected. It shall be the duty of each employer receiving such a notice to forthwith post the same at his establishment for the information of his workmen.
- Defects, etc.** SEC. 6604-73. No defect, inaccuracy, or informality in any such notice or in the publication thereof, nor the omission of notice by mail to any employer, shall invalidate any order or standard of safety established pursuant to such hearing, but no special standard of safety shall be valid unless written notice of the hearing shall have been mailed to the employer or employers of the establishment or establishments affected thereby. For hearings affecting a special standard only, publication of notice may be omitted.
- Approval standards.** SEC. 6604-74. No standard of safety which conflicts or is inconsistent with any safety device, safeguard, or safety standard, or rule heretofore established by statute, shall be established by the State safety board without the written consent of both members of the State safety board and the written approval of the same by the industrial insurance commission, the commissioner of labor, and the State mine inspector.
- State mine inspector.** SEC. 6604-75. The State mine inspector shall have sole charge of the enforcement of the standards of safety for coal mining and of the inspection incident thereto.
- Deputy inspectors.** SEC. 6604-76. For the purpose of the enforcement of standards of safety for mining, the State mine inspector shall have such number of deputy mine inspectors as he shall deem necessary, not to exceed three in all, including the one provided for by the Coal Mining Code.
- Duties.** SEC. 6604-77. The duties of the deputy mine inspectors shall be to inspect the coal mines of the State, to ascertain and report compliance or noncompliance with safety standards, and to recommend improvements of safety standards.
- Appointment.** SEC. 6604-78. The new deputy mine inspectors provided by section 6604-76 shall be appointed in the manner and shall be subject to the tests as to qualifications provided by the Coal Mining Code for deputy mine inspectors.
- Salary of chief mine inspector.** SEC. 6604-79. The State mine inspector shall receive a monthly salary of one hundred dollars (\$100) per month for the performance of his duties in enforcing the use of safety standards and inspecting and certifying the same. This monthly salary shall be in addition to the salary which is provided for him by the Coal Mining Code.
- Salaries of deputy mine inspectors.** SEC. 6604-80. Deputy mine inspectors other than the one provided by the Coal Mining Code shall receive a monthly salary of two hundred and fifty dollars (\$250).
- State labor commissioner.** SEC. 6604-81. The State labor commissioner shall have, under the supervision and control of the State safety board, sole charge of the enforcement of safe place and safety device standards (other than for the mining of coal) and of inspection and certification thereof.

SEC. 6604-82. For the purpose of enforcement of safe place and safety device standards, other than for coal mining, the State labor commissioner shall appoint such number of deputy inspectors as may from time to time be authorized by the State safety board, and may from time to time remove any such deputy.

Deputy inspectors in-

SEC. 6604-83. Deputies of the State labor commissioner appointed under the provisions of section 6604-82 shall receive such compensation as may be determined from time to time by the State safety board.

Salaries.

SEC. 6604-84. After the expiration of four fractional or full calendar months after this section shall take effect payment of any inspection fee by any employer for inspection of his establishment as to safe place or safety device standards shall not be required.

No inspection fee.

SEC. 6604-85. Each executive member of the State safety board shall receive for the performance of his duties as a member of that board a monthly salary sufficient in amount, when added to his compensation under section 6604-38, to make a total monthly salary of four hundred dollars (\$400).

Salaries of members of State safety board.

SEC. 6604-86. For the performance of his duties under section 6604-81 the State labor commissioner shall receive a salary of one hundred and fifty dollars per month in addition to his salary as State labor commissioner.

Salary of State labor commissioner

SEC. 6604-87. The State is hereby divided into three local aid districts, numbered and described as follows:

Local aid districts.

Local aid district No. 1. That portion of the State lying east of the summit of the Cascade Mountains. Of this district the head office shall be at the city of Spokane.

Local aid district No. 2. King, Kitsap, Snohomish, Skagit, Whatcom, Island, San Juan, and Clallam Counties, and that portion of Jefferson County lying east of the west line of Mason County extended northward. Of this district the head office shall be at the city of Seattle.

Local aid district No. 3. The remaining portion of the State of Washington. Of this district the head office shall be at the city of Tacoma.

SEC. 6604-88. In each local aid district there shall be a local aid board, consisting of two members to be appointed by the State safety board. One member of each local aid board shall be a resident workman (other than a coal miner). The other member of each local aid board shall be a resident representative of the employers in that district (other than coal mine employers). Any association of the workmen resident in any local aid district whose organization purpose shall include, or be made to include, the making of such nominations, and whose membership is open to all classes of workmen, may nominate to the State safety board two of its members, and the State safety board shall appoint one of them. Any association of the employers whose establishments are located in any local aid district and whose organization purposes shall include or be made to include the making of such nominations, and whose membership is open to all classes of such employers, may nominate to the State safety board two men, and the State safety board shall appoint one of them. The term of office of each member of a local aid board shall be six years and until his successor is appointed. After the expiration of terms and to fill vacancies the same method of nomination and appointment shall obtain. If and so far as the original or substitute nominations are not made within thirty or forty days, as the case may be, following the date of organization of the State safety board, and if and so far as original or substitute nominations to fill vacancies or for succession shall not be made within thirty or forty days, as the case may be, following the creation of the vacancy or end of the term to be succeeded, the State safety board shall make the appointment or appointments without precedent nominations.

Qualification of members.

Term.

SEC. 6604-89. It shall be the duty of the State safety board to examine into the qualifications of all nominees or applicants for appointment to the positions of members of the local aid boards and their assistants (other than clerical assistants) by conducting a thorough examination as to the knowledge of the nominee or applicant [applicant] of (a) sections 6604-1 to section 6604-120 of Remington and Ballinger's Annotated Codes and Statutes of Washington and the amendments thereof;

Examination of applicants.

(b) the principles and practice of medical and surgical first aid to injured workmen; and (c) safety standards prescribed by the State safety board or by statute relating to extrahazardous work (other than coal mining). The examination of nominees and applicants shall be in writing, and the manuscripts thereof shall, after completion, be filed with the industrial insurance commission as public documents. No nominee or applicant shall be appointed whose average of accuracy in the examination shall be less than seventy-five per cent. If both nominees for appointment as member of local aid board for any district made by any organization shall fail to qualify as above provided upon the examination, notice shall be given to the nominating body, and that body shall be privileged to make substitute nominations within ten days. If both such substitute nominees fail to qualify upon the examination, then in such event the State safety board shall make an appointment for the case without precedent nomination. Examinations for appointment of assistants to the local aid board shall be made at such times, upon such notice, and in such manner as the State safety board shall by resolution prescribe.

- Assistants.** SEC. 6604-90. Each local aid board shall have the power to appoint such number of assistants as may be authorized for its district by resolution of the State safety board, but no assistant to a local aid board (other than clerical assistants) shall be qualified for appointment as such assistant unless he shall have received from the State safety board a certificate of competency after examination as provided in section 6604-89. Each local aid board shall have power to remove any assistant in its discretion.
- Branch offices.** SEC. 6604-91. Each local aid board shall have power to establish such branch offices in its district and incur such office expenses as may have been previously authorized by resolution of the State safety board.
- Salaries.** SEC. 6604-92. Each member of a local aid board shall receive a salary of three hundred dollars (\$300) per month.
- Sam.** SEC. 6604-93. Salaries of assistants of local aid boards shall be as fixed by resolution of the State safety board.
- Duties of State mine inspector.** SEC. 6604-94. It shall be the duty of the State mine inspector, either in person or by deputy, to inspect every coal mine in the State not less than once every four months, for the purpose of ascertaining whether the safety standards applicable thereto are being complied with, and at the end of each calendar year it shall be the duty of the State mine inspector to certify to the State industrial insurance commission the compliance or noncompliance with the safety standards on the part of each coal mine employer in the State during said year. A duplicate of each certificate shall be delivered by him to the State safety board.
- Duties of State labor commissioner.** SEC. 6604-95. It shall be the duty of the State labor commissioner, either in person or by deputy, to inspect the establishment or work of every employer engaged in extrahazardous work in the State (other than coal mines) as often as directed by the safety board, but not less than once every four months, for the purpose of ascertaining whether the safe place and safety device standards applicable thereto are being complied with, and at the end of each calendar year it shall be the duty of the State labor commissioner to certify to the State industrial insurance commission the compliance or noncompliance with such standards as to each such employer during the said year. A duplicate of each certificate shall be delivered by him to the State safety board.
- Rebate for merit.** SEC. 6604-96. Each employer who shall be certified to the industrial insurance commission to have continuously for any calendar year maintained in his plant, works, system, or place where his workmen work, the safe place standards applicable to the same, shall at the end of such calendar year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained.
- Cost rate.** SEC. 6604-97. By the term "cost rate" is meant the rate of premium which the employers of any class, or, as the case may be, of any class subdivision, actually pay into the accident fund for any year period as distinguished from the basic rate for such class or class subdivision specified by statute or by the industrial insurance commission.

SEC. 6604-98. Each employer who shall be certified to the industrial insurance commission to have failed to put into effect in any establishment the safe place standards applicable to his class, class subdivision, or establishment, as the case may be, within a reasonable time after notification thereof, such reasonable time to be fixed by the State mine inspector for coal mines and by the State safety board for other industries, and such notification, including notice of the time so fixed, to be served personally or by registered mail, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the industrial insurance commission, in addition to the amount he would otherwise have paid for such calendar year into the accident fund, on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to five per cent of that amount.

Penalty for noncompliance.

SEC. 6604-99. Each employer who shall be certified to the industrial insurance commission to have continuously for any calendar year maintained in his plant, works, system, or place where his workmen work the safety device standards applicable thereto shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year for the class or class subdivision in which such standards have been so certified to have been maintained.

Rebate for merit.

SEC. 6604-100. Each employer who shall be certified to the industrial insurance commission to have failed to put into effect in any establishment the safety device standards applicable to his class, class subdivision or establishments, as the case may be, within a reasonable time to be fixed, and after notification thereof given as in section 6604-98 provided, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the industrial insurance commission, in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system in respect to which such default shall occur, a sum equal to five per cent of that amount.

Penalty.

SEC. 6604-101. Each employer who shall be certified to the industrial insurance commission to have for any calendar year maintained at his establishment and among his workmen the educational standards established for the same, shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of ten per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained.

Educational standards.

SEC. 6604-102. Each employer who shall be certified to the industrial insurance commission to have failed to put into effect at his establishment and among his workmen the educational standards established for his class, class subdivision, or establishment, as the case may be, within a reasonable time to be fixed, and after notification thereof given as in section 6604-98 provided, or who having put such educational standards into effect shall be certified to have failed to maintain the same during any calendar year period, shall pay into the accident fund upon demand of the industrial insurance commission, in addition to the amount he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to ten per cent of that amount.

Failure to maintain.

SEC. 6604-103. The State safety board shall organize a statistical department by which shall be compiled for each calendar year, beginning with the year 1915 for the accident fund, and with the year 1917 for the medical aid fund, statistics showing the amount contributed by each employer in each class or class subdivision to the accident fund, and by each employer and his workmen to the medical aid fund, and the disbursements in comparison to each contribution respectively from each of said funds on account of injuries to and medical treatment of his workmen and showing by percentage the relation of the same for each year to the cost rate of each class or class subdivision to which the employer is a contributor.

Statistical department.

- Department records.** SEC. 6604-104. To accomplish the work provided by section 6604-103, the State safety board shall have access in the office of the industrial insurance commission to the records of the industrial insurance department and shall employ such number of statisticians and clerks at such salaries, and shall procure such books of records and office appliances, as to the State safety board shall seem proper for that purpose.
- Merit rating.** SEC. 6604-105. Each employer who shall be certified to the industrial insurance commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case, and who shall be certified by the State safety board to the industrial insurance commission to be shown by the experience tables provided by section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years between fifty per cent and seventy-six per cent of the average cost rate for said aggregate five-year period of each class or class subdivision to which he is contributing shall, at the end of that calendar year, be entitled to receive and shall receive a refund of five per cent of the cost rate for his class or class subdivision for that year.
- Additional rebate.** SEC. 6604-106. Each employer who shall be certified to the industrial insurance commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case and who shall be certified by the State safety board to the industrial insurance commission to be shown by the experience tables provided in section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years fifty per cent or less of the average cost rate for said aggregate five-year period of each class or class subdivision to which he is contributing, shall, at the end of that calendar year, be entitled to receive and shall receive a refund of ten per cent of the cost rate for his class or class subdivision for that year.
- Penalty.** SEC. 6604-107. Each employer who shall be certified to the industrial insurance commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State safety board to the industrial insurance commission to be shown by the experience tables provided by section 6604-103 to have cost for that year and the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred per cent but not more than one hundred and twenty-five per cent of the average cost rate for said aggregate five-year period of such class or class subdivision shall pay into the accident fund upon demand of the industrial insurance commission in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system in respect to which such excess cost shall have occurred a sum equal to five per cent of the cost rate for that year of such class or class subdivision.
- Additional penalty.** SEC. 6604-108. Each employer who shall be certified to the industrial insurance commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State safety board to the industrial insurance commission to be shown by the experience tables provided by section 6604-103 to have cost for that year and for the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred and twenty-five per cent of the average cost rate for said aggregate five-year period of such class or class subdivision, shall pay into the accident fund upon demand of the industrial insurance commission, in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system in respect to which such excess cost shall have occurred, a sum equal to ten per cent of the cost rate for that year of such class or class subdivision.
- Two or more establishments.** SEC. 6604-109. For the portion of any fraction of calendar year remaining after the expiration of four fractional or full calendar months after this section shall go into effect or after the establishment and notification of any standard of safety by the State safety board or the State mining board, or if for any reason any employer shall cease or sus-

pend operation for any portion of any period of calendar year, the credits and penalties in sections 6604-96, 6604-98, 6604-99, 6604-100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, and 6604-108 provided shall be calculated and applied in the proportion of time which the period of operation shall bear to the calendar year. If any employer during any calendar year shall have more than one establishment or shall be a contributor to more than one class or class subdivision accident fund, awards shall be made to him under sections 6604-96, 6604-99, 6604-101, 6604-105, or 6604-106, or penalties imposed upon him under sections 6604-98, 6604-100, 6604-102, 6604-107, or 6604-108 on the basis of each establishment, class or class subdivision separately so that he may be rewarded concurrently as to one or more and/or penalized as to another or others of such establishments, classes or class subdivisions, and in such cases the computation of rewards or penalties shall be calculated upon pay rolls separately.

Sec. 6604-110. Any refund provided for in sections 6604-96, 6604-99, 6604-101, 6604-105, or 6604-106 may, except in case of permanent cessation of work, be made by giving credit to the accident fund account of the employer entitled thereto instead of making the payment of such refund in cash. How refunds made.

Sec. 6604-111. Any employer or workman dissatisfied with any certificate or order of the State labor commissioner or any certificate of any local aid board relating to educational safety standards may appeal therefrom to the State safety board. Proceedings for such an appeal shall be informal except that the State labor commissioner or the local aid board, as the case may be, shall be entitled to notice of the appeal and the appellant shall be entitled to notice of the time and place of the hearing of his appeal. The State safety board shall have power to affirm, reverse, or modify any certificate or order so appealed from. Appeals.

Sec. 6604-112. Any employer or workman feeling aggrieved by any order of the State mining board establishing an educational standard or by any order, certificate, or ruling of the State safety board, including its orders or rulings establishing, changing, or modifying safety standards, or by any certificate issued by or any order made by the State mine inspector or the State labor commissioner, or by any order, ruling, or act of the industrial insurance commission allowing or refusing to allow a credit, or imposing or failing to impose a penalty, may have the same reviewed by the courts in accordance with the procedure, so far as applicable, established by section 6604-20. In any such court review the findings or determination of the officer or tribunal from which the appeal is taken on any question of fact shall be conclusive and binding upon the court. Court review.

Sec. 6604-113. It shall be the duty of the members of the State safety board to devote all of their time during the office hours of each day to the performance of their duties as members of that board and of the State board. Full-time duty.

Sec. 6604-114. It shall be the duty of all members of local aid boards, all deputy mine inspectors who are provided by section 6604-76, all deputies of the State labor commissioner who are provided by section 6604-82, and all assistants of local aid boards, to devote all their time during the office hours of each day to the performance of the duties of their respective offices. All of them must be citizens of the United States. Same.

Sec. 6604-115. In addition to their salaries, the deputy mine inspectors provided by section 6604-76, the State safety board, the members of the local aid boards and their assistants, the State labor commissioner and his deputies provided by section 6604-82, shall be paid their actual traveling expenses incurred in the performance of their respective duties. Travel expenses.

Sec. 6604-116. All bills for traveling expenses incurred under section 6604-115 and under section 6604-64 shall be paid by warrants issued by the State auditor upon presentation of proper vouchers approved by the State safety board. Vouchers.

Sec. 6606-117. The expenses authorized by sections 6604-64, 6604-71, 6604-79, 6604-80, 6604-83, 6604-85, 6604-86, 6604-91, 6604-92, 6604-93, 6604-104, 6604-112, and 6604-115, and the cost of necessary record books, stationery, and office appliances for the State mining Expenses.

board and the State safety board shall be paid one-half out of the general fund of the State and one-half out of the medical aid fund, and all bills for same not covered by section 6604-116 shall be paid by warrants drawn by the State auditor upon vouchers approved by the State safety board.

- Safety standards.** SEC. 6604-118. No safety regulation or practice prescribed by any municipal ordinance affecting the safety of workmen is hereby repealed, but in so far as any such regulation or practice shall be inconsistent with any safety standard established by the State safety board it shall be superseded thereby forthwith upon the delivery by the State safety board to the clerk of the municipality which shall have enacted such ordinance of a copy of a notice in writing of the establishment of such inconsistent safety standard.
- Provisions severable.** SEC. 6604-119. Adjudication of invalidity of any of sections 6604-48 to 6604-120, inclusive, or any part of any section shall not impair or otherwise affect the validity of any other of said sections.

Approved March 15, 1919.

CHAPTER 151.—*Employed children—Continuation schools.*

- Terms used.** SECTION 1. For the purpose of this act the person or persons designated by the board of school directors in districts of the first class and of the second class and the county superintendent of schools or person or persons designated by him acting for districts of the third class shall be known as permit officers. The State board for vocational education shall be referred to as the State board and the Federal Board for Vocational Education shall be referred to as the Federal board.
- Attendance required.** SEC. 2. All minors of the State residing or employed in school districts of the State in which part-time schools are maintained as hereinafter provided, shall attend school until the age of eighteen (18) years unless (1) they are graduates from a four-year high-school course or its equivalent, (2) they are in a part-time school and are employed in accordance with the terms of any State or Federal act regulating the employment of such minors under the age of eighteen (18) years, (3) shall have been excused from school attendance in accordance with the provisions of this act.
- Permit to work.** SEC. 3. Any minor fourteen years of age and under eighteen years of age who has completed the eighth grade or who, in the judgment of the superintendent of schools for districts of first and second class or of the county superintendent for districts of the third class can not profitably pursue further regular school work as evidenced by statements filed with such superintendent; and any minor fifteen years of age and under eighteen years of age may apply to the board of school directors or the permit officer for the district where such minor resides for permission to leave school and to enter upon employment, and if upon investigation said board of school directors or permit officer finds that the needs of the family or the welfare of such minor require it, and if in the judgment of such board of school directors or permit officer such minor may legally engage in such employment the said board of school directors or permit officer shall issue an employment permit which shall state the age of the minor as shown by the school register, the grade attained in school, and the person, firm, or corporation which is to employ the minor. The board of school directors or the permit officer shall have power, and in all cases of reasonable doubt, it shall be their duty to require additional proofs of the age of minors seeking permission to leave school and enter upon employment. The term "employment" as used in this act shall be interpreted to include such home occupation, home study, or private instruction under the supervision and direction of a responsible parent or guardian as may be approved by the board of school directors or permit officers.
- Duty of employers.** SEC. 4. Any person, firm, or corporation employing any minor under the age of eighteen years, except during vacation, shall require the permit as set forth in section 3 of this act from the

minor it proposes to take into its employment and shall keep such permit on file during the employment of such minor and shall within ten (10) days after the beginning of such employment, report to the board of school directors or the permit officer upon blanks furnished by him or them, the fact of such employment, and upon the termination of the employment of such minor shall return such permit to the proper school authorities within ten (10) days after the termination of such employment.

Sec. 5. For districts of the first and second class the boards of school directors or person or persons designated by them and for districts of the third class the county superintendent shall keep a record of all permits issued and the data contained in such permits and shall submit to the superintendent of public instruction duplicate copies of such records on the first day of October, January, April, and July of each year and the superintendent of public instruction shall in turn furnish a copy of such records to the State commissioner of labor.

Records.

Sec. 6. Boards of school directors in all organized school districts, upon the written request of twenty-five (25) or more adult bona fide residents of such districts, may, within one year from date of such request, establish part-time schools or classes when there are fifteen (15) or more minors over fourteen years of age and under eighteen years of age resident or employed in such districts and who are not in attendance upon a regular full-time school and who would, by the provisions of this act, be required to attend such part-time schools or classes. All part-time schools or classes established under this act shall be held at least four hours per week during the weeks when the public schools of the district are in session, and such schools or classes shall be conducted between the hours of eight a. m. and five p. m. on school days, or between the hours of eight a. m. and twelve-thirty p. m. on Saturdays. It shall be the duty of the board of school directors in organizing part-time schools or classes which are to participate in federal funds available for the encouragement of vocational education to provide equipment, instruction, and courses of study in accordance with the plans of the State board approved by the Federal board.

Establishment of schools.

Sec. 7. Whenever a part-time school or class is established and maintained in accordance with this act by the district in which any minor under eighteen years of age resides or in which he is employed, the parent, guardian or other person having control or charge of such minor shall cause him or her to attend such part-time school or class at least four hours per week during the time the public schools of the district where such school or class is located are in session, unless (1) such minor is in attendance upon a regular full-time day school supported by either public or private funds, or (2) shall have completed a four-year high school course, or its equivalent, or (3) is in attendance upon a part-time school maintained in accordance with the provisions of this act, and approved by the State board although not qualifying for reimbursement, or (4) shall have been excused by the board of school directors or permit officer for the district in which such minor resides upon a certificate of a reputable physician or the recognized medical authority of the district stating that such attendance upon the part-time school or class would be injurious to the health of such minor, or (5) shall have been excused under the provisions of section 3 of this act. Any parent, guardian, or other person having control or charge of any such minor and failing to comply with the provisions of this act shall be liable, upon conviction, to be punished by a fine of not less than five dollars (\$5), or more than twenty-five dollars (\$25) for each such offense, or by imprisonment in the county or city jail not less than one day nor more than ten days or both such fine and imprisonment at the discretion of the court.

Duty of parents.

Sec. 8. Whenever the number of hours for which minors less than eighteen years of age may be employed shall be fixed by

Hours as work time.

Federal or State law the hours of attendance upon a part-time school or class organized in accordance with the terms of this act shall be counted as a part of the number of hours fixed for legal employment by Federal or State law.

Duty of employers.

SEC. 9. Any person, firm, or corporation employing a minor less than eighteen years of age, except during vacation, shall permit the attendance of such minor upon a part-time school or class for at least four hours per week whenever such part-time school or class shall have been established in the district where such minor resides or may be employed, and any person, firm, or corporation employing any minor less than eighteen years of age contrary to the provisions of this act shall be subject to a fine of not less than ten dollars (\$10) and not more than five hundred dollars (\$500) for each offense, or by imprisonment in the county or city jail not less than one day and not more than ten days, or by both such fine and imprisonment at the discretion of the court.

Enforcement.

SEC. 13. The officer charged by law with the responsibility for enforcement of attendance upon regular public schools of children over eight (8) years of age shall also be charged with the responsibility for the enforcement of attendance upon part-time schools or classes of minors over fourteen (14) and under eighteen (18) years of age in accordance with the provisions of this act.

Approved March 18, 1919.

CHAPTER 173.—*Sabotage.*

Obstructing production, etc.

SECTION 1. Whoever, with intent that his act shall, or with reason to believe that it may, injure, interfere with, or obstruct any agricultural, stock-raising, lumbering, mining, quarrying, fishing, manufacturing, transportation, mercantile, or building enterprise wherein persons are employed for wage, shall willfully injure or destroy, or attempt or threaten to injure or destroy, any property whatsoever, or shall willfully derange, or attempt or threaten to derange, any mechanism or appliance, shall be guilty of a felony.

Unlawful possession.

SEC. 2. Whoever, with intent to supplant, nullify, or impair the owner's management or control of any enterprise described in the preceding section, shall unlawfully take or retain, or attempt or threaten unlawfully to take or retain possession or control of any property or instrumentality used in such enterprise, shall be guilty of a felony.

Offenses.

SEC. 3. Whoever shall

(1) Advocate, advise, or teach the necessity, duty, propriety, or expediency of doing or practicing any of the acts made unlawful by the two preceding sections, or

(2) Print, publish, edit, issue, or knowingly sell, circulate, distribute or display any book, pamphlet, paper, handbill, document, or written or printed matter of any form, advocating, advising, or teaching such necessity, duty, propriety, or expediency, or

(3) By word of mouth or writing justify any act or conduct with intent to advocate, advise, or teach such necessity, duty, propriety, or expediency, or

(4) Organize or help to organize, give aid to, be a member of, or voluntarily assemble with, any group of persons formed to advocate, advise, or teach such necessity, duty, propriety, or expediency,

Shall be guilty of a felony.

Construction.

SEC. 4. This act shall not be construed to repeal or amend any existing penal statute.

Approved March 19, 1919.

CHAPTER 174—*Criminal syndicalism.*

Offenses.

SECTION 1. Whoever shall

(1) Advocate, advise, teach, or justify crime, sedition, violence, intimidation, or injury as a means or way of effecting or resisting any industrial, economic, social, or political change, or

(2) Print, publish, edit, issue or knowingly sell, circulate, distribute or display any book, pamphlet, paper, handbill, document, or written or printed matter of any form, advocating, advising, teaching, or justifying crime, sedition, violence, intimidation, or injury as a means or way of effecting or resisting any industrial, economic, social, or political change, or

(3) Organize or help to organize, give aid to, be a member of, or voluntarily assemble with any group of persons formed to advocate, advise, or teach crime, sedition, violence, intimidation, or injury as a means or way of effecting or resisting any industrial, economic, social, or political change,

Shall be guilty of a felony.

SEC. 2. Any owner, lessee, agent, occupant, or person in control of any property who shall knowingly permit the use thereof by any person or persons engaged in doing any of the acts or things made unlawful by the preceding section, shall be guilty of a gross misdemeanor.

Owners, etc.

SEC. 3. Chapter 3 of the Laws of 1919 is hereby repealed. This act shall not be construed to repeal or amend any other penal statute.

Construction.

Approved March 19, 1919.

CHAPTER 184.—*Industrial code commission.*

SECTION 1. As soon as practicable after the passage of this act the governor shall appoint a commission consisting of five citizens of the State of Washington, one of whom shall be a member of the State senate and one a member of the house of representatives of the legislature of 1919, to be known as the "Industrial code commission." Each commissioner shall receive a compensation of ten dollars (\$10) for each day actually employed in the work of such commission, and shall be allowed his necessary expenses incurred in the actual performance of his duties. The commission shall organize as soon as practicable after their appointment and select one of their number as chairman and one as secretary, and may employ such persons as they deem necessary to assist them in the performance of their duties under this act.

Commission to be appointed.

SEC. 2. It shall be the duty of the industrial code commission to investigate the evils existing in industrial life and the means and methods of remedying the same, and to prepare and present to the legislature of the State of Washington at its next regular session a proposed act, or acts, upon all such subjects, including an act for the prevention of strikes, lockouts, and boycotts, and the orderly settlement of industrial disputes.

Duties.

SEC. 3. Each commissioner shall have power to administer oaths and to issue subpoenas for the attendance of witnesses and the production of books and papers in any inquiry, investigation, or hearing in any part of the State.

Powers.

The superior court of the county in which any such inquiry, investigation, or hearing may be had shall have power to compel the attendance of witnesses and the production of books and papers and testimony as required by such subpoena. Such superior court shall have power to punish in cases of failure to appear in testimony as in cases of contempt. Witnesses shall be entitled to such fees and mileage as is provided in the case of witnesses in the superior court.

SEC. 4. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the general fund the sum of twenty-five thousand dollars (\$25,000).

Appropriation.

Approved March 19, 1919.

CHAPTER 185.—*Labor organizations—Injunctions.*

SECTION 1. It shall be lawful 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

Unions lawful.

the conditions of the members of such organizations; or carry out their legitimate purposes by any lawful means.

Injunctions re-
stricted.

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 employee or between employer 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 damage to property or to a personal right or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such petition must be in writing describing such damage or injury feared by the applicant, and sworn to by the applicant or his agent or attorney. No such restraining order or injunction shall prohibit any such 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 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 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 section be considered or held to be illegal or unlawful in any court of the State.

Status of labor.

SEC. 3. 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 except in violation of contract is a legal 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 done to the property, personal rights or property rights of either, no injunction shall be granted, but the parties shall be left to their remedy at law.

Indictments for-
bidden.

SEC. 4. No person shall be indicted, prosecuted, or tried in any court of this State for entering into or carrying on any lawful arrangement, agreement, or combination between themselves made with a view of lessening the number of hours of labor or increasing wages or bettering the conditions of working men and women, or for any lawful act done in pursuance thereof.

Approved March 19, 1919.

CHAPTER 191.—*Employment of labor—Seasonal employment.*

Definition.

SECTION 1. For the purpose of this act the term "seasonal labor" shall include all work performed by any person employed for a period of time greater than one month and where the wages for such work are not to be paid at any fixed interval of time, but at the termination of such employment, and where such person is hired within this State for work to be performed outside the State and the wages earned during said employment are to be paid in this State at the termination of such employment: *Provided*, That this act shall not apply to wages earned by seamen or other persons where the payment of their wages is regulated by Federal statutes.

Contracts.

SEC. 2. Every contract for seasonal labor shall be in writing and signed by the employer and the employee, and may provide for advances of moneys to be earned under such contract or for the furnishing of supplies to the employees before the wages are earned, and for the payment of money or the furnishing of supplies during the season.

Fraud.

SEC. 3. Every employee who with intent to defraud shall have secured advances of money or supplies under a contract for seasonal labor and who with intent to defraud shall willfully fail to perform sufficient labor to compensate for such advances and supplies made under such contract shall be guilty of a gross misdemeanor.

Disputes.

SEC. 4. Upon the written petition of either the employer or the employee setting forth in ordinary and concise language the facts

and questions in dispute, the commissioner of labor shall, in person or by his duly authorized deputy, and is hereby authorized to hear and determine all disputes concerning wages earned at seasonal labor, and allow or reject deductions made from such wages for moneys advanced or supplies furnished before the wages are earned for money paid or supplies furnished during the season or for money paid to third persons upon the written order of the employee.

Sec. 5. Upon the filing of any such petition, the commissioner of labor shall notify the other party to the dispute of the time and place when and where such petition will be heard, and may set said petition for a hearing before a regularly appointed deputy at such place in the State as he shall determine is most convenient for the parties, and the commissioner or his deputy shall have power and authority to issue subpoenas to compel the attendance of witnesses and the production of books, papers, and records at such hearing, and to administer oaths. Obedience to such subpoena shall be enforced by the courts of the county where such hearing is held.

Hearings.

Sec. 6. The commissioner of labor, or his deputy holding the hearing shall, after such hearing, determine the amount due from the employer to the employee, and shall make findings of fact and an award in accordance therewith, which findings and award shall be filed in the office of the commissioner of labor, and a copy thereof served upon the employer and upon the employee by registered mail directed to their last known post-office address.

Findings.

Sec. 7. Any person feeling himself aggrieved by the finding or award of the commissioner of labor may, as in the preceding section provided, have the right of appeal therefrom to the superior court of the county in which the hearing by the commissioner of labor or his deputy was held, by filing a notice of appeal therefrom in the office of the commissioner of labor within thirty days from the date of the findings and award and, upon the filing of any such notice of appeal, the commissioner of labor shall transmit to the clerk of the superior court to which the appeal is taken the original petition and all exhibits and written evidence filed at the hearing and the original findings and award of the commissioner, and such appeal shall be set down for hearing and shall be heard de novo by the court as appeals from justices of the peace are heard, and the clerk of the court shall notify the parties to the dispute, by mail addressed to their last known place of residence, of the time and place of such trial upon appeal.

Appeal.

Sec. 8. In case no appeal is taken from the award of the commissioner and suit shall be brought upon the contract for seasonal labor in any court of competent jurisdiction, the findings and award of the commissioner made in any proceeding under this act at a hearing at which both parties to such suit shall have appeared may be introduced in evidence in such suit, for the information of the court in which the suit is pending, and may, in the discretion of the court, be submitted to the jury as a part of the evidence in the case; but such findings and award shall not be conclusive or binding upon the court or the jury in any such case.

Suits.

Approved March 20, 1919.

CHAPTER 201.—*Mine regulations.*

[This act amends chapter 36, Acts of 1917.

The first amendment affects section 7, and merely grants the deputy mine inspector a salary of \$3,000, instead of \$2,400.

Section 36 requires the main fan at gaseous mines to be operated continuously, day and night, unless operations are definitely suspended; and the amendment adds "for a period of one week or more."

Section 46 is the next amended, the changes permitting openings to be separated by a distance of not less than 50 feet, instead of 75 feet as formerly.

Section 47 is amended by permitting coal to be loosened and removed within the prohibited distance on approval by the mine inspector and the issue of a written permit.

Section 107 is added to by a paragraph directing that workmen shall not re-enter a gaseous mine after the fan has been stopped until the fan has been running for at least 12 hours, and an inspection has shown that it is safe.

Section 200 directed the printing of the rules in a number of languages other than English. This is amended so that they may be printed only in English, and workmen who can not read this language must procure an interpreter at their own expense.

Section 221 limited the act to mines employing 5 men or more underground on one shift. This section is stricken out so that the act applies to coal mines without reference to the number of employees.]

WEST VIRGINIA.

ACTS OF 1919.

CHAPTER 2.—Employment of children—School attendance.

[This act amends certain sections of chapter 45 of Barnes' Code, 1916. Sections 122, 126, 128, and 129 now read as follows:]

SECTION 122. Every person who has legal or actual charge of a child or children not less than seven nor more than fourteen years of age shall cause such child or children each year to attend a free day school for the full school term of the district or independent district in which such person resides: *Provided, however,* That such person shall be exempt from the foregoing requirement for any of the following causes:

* * * * *

(e) Extreme destitution of parents or other person or persons in legal or actual charge of child or children. Exemption for this cause shall not be allowed when such destitution is relieved through public or private means.

SEC. 126. Any person who induces or attempts to induce any child unlawfully to absent himself from school or who harbors or employs any child of compulsory school age while the school which he is required to attend is in session, or employs such child within the term of said school without the written permission of the county, district, or city superintendent of schools shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50), or may be confined in jail not less than five days nor more than thirty days.

SEC. 128. Every child over fourteen and under sixteen years of age who is not engaged in some regular employment or business for at least six hours per day or who has not received written permission from the superintendent of schools of the city or county in which he resides, to engage in profitable employment at home, shall attend a public day school or other day school approved by the board of education of his school district or independent school district during the entire time the public schools are in session, subject to such exemptions as are provided for in section one hundred twenty-five of this act, except that no child over fourteen and under sixteen years of age shall be exempt from school attendance as herein required for the reason that he has completed an eight-years' course of study in the elementary and grammar school or junior high schools of the State, if a high school or other school of advanced grades is provided within two miles of his home.

SEC. 129. Every child over fourteen and under sixteen years of age who is engaged in regular employment or business for six or more hours during the day shall attend an evening school, part-time day school or other continuation school for at least five hours per week for a period of twenty weeks, or for such period as such school is in session, if it is in session less than twenty weeks: *Provided,* There is an evening school, part-time day school or other continuation school approved by the board of education of the district in which such child resides, within two miles of such child's home or temporary place of residence.

Individuals, firms, and corporations employing children over fourteen and under sixteen years of age shall, if necessary to enable such children to attend an evening school, part-time day school, or other continuation school as herein required, release

such children from work for at least five hours per week for a period of not less than twenty weeks each year. All children over fourteen and under sixteen years of age shall be included as a separate class in the enumeration list required in section ninety-five of this act. The requirements of this section shall be enforced by the persons and in the manner prescribed by the enforcement of the requirements of sections one hundred twenty-five to one hundred thirty-one, inclusive, of this act.

CHAPTER 17.—*Employment of children—General provisions.*

Age limit.

SECTION 1. No child under fourteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation except agriculture or domestic service: *Provided*, That boys twelve years of age or over may be employed in mercantile establishments and business offices outside of school hours; *Provided*, That they obtain a special work permit from the school authorities as hereinafter provided.

It shall be unlawful for any person, firm, or corporation to employ, permit, or suffer any child under fourteen years of age to work in any business or service whatever during any of the hours when the public schools of the school district in which the child resides are in session.

Dangerous occupations.

SEC. 2. No child under the age of sixteen years shall be employed, permitted, or suffered to work in any occupation dangerous to the life or limb, or injurious to the health or morals of such child. The State commissioner of labor, the State commissioner of health, or the State superintendent of free schools may from time to time, after hearing duly had, determine whether or not any particular trade, process of manufacture, or occupation in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture, or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted, or suffered to work in [any] occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the supreme court of appeals from any such determination.

No child under the age of sixteen years shall be employed, permitted, or suffered to work in any mine, quarry, tunnel, or excavation. No child under the age of sixteen years shall be apprenticed, given away, let out, or otherwise disposed of to any person or company to engage in the occupation or service of rope or wire walker, gymnast, contortionist, circus rider, acrobat, or clown, nor in any indecent, obscene, or immoral exhibition or practice; and it shall be unlawful for any person, firm, or corporation to take, receive, or employ such child for any of the purposes or occupations mentioned in this paragraph.

Work permits.

SEC. 3. No child between the ages of fourteen and sixteen years shall be employed, permitted, or suffered to work in any gainful occupation, unless the person, firm, or corporation by whom such child is employed, permitted, or suffered to work, obtains and keeps on file and accessible to officers charged with the enforcement of this act, a work permit issued by the superintendent of schools of the city or county in which such child resides, or person authorized by him in writing. The superintendent of schools or person authorized by him in writing shall issue such work permit only upon receipt of the following documents:

PROOF OF PROSPECTIVE EMPLOYMENT.

A written statement signed by the person for whom the child expects to work, that he intends legally to employ such child and agrees to return the work permit to the issuing officer within two days of the termination of such child's employment.

PROOF OF AGE.

(a) A birth certificate or attested transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births.

Evidence.

(b) Or a record of baptism, or a certificate, or attested transcript thereof showing the date of birth and place of baptism of the child.

(c) Or a bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the records of the births of the family of the child are preserved, or other documentary evidence approved by the State commissioner of labor, such as a passport showing the age of the child, 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: *Provided*, That such other satisfactory documentary evidence has been in existence at least one year prior to the time it is offered in evidence: *And provided further*, That a school record or parent's, guardian's, or custodian's affidavit, certificate, or other written statement of age alone shall not be accepted.

(d) A certificate signed by the public health physician or a public school physician specifying what in the opinion of such physician is the physical age of the child; such certificate shall show the height and weight of the child and other facts concerning its physical development revealed by examination and upon which the opinion of the physician as to the physical age of the child is based. In determining such physical age the physician shall require that the school record or the school census record showing the child's age be submitted as supplementary evidence.

The issuing officer shall require first the proof specified in subdivision (a) and shall not accept the proof designated in any subsequent subdivision until he shall have been convinced that the proof specified in the preceding subdivision can not be obtained.

PROOF OF SCHOOLING.

A certificate signed by the principal of the school last attended showing that the child can read and write correctly simple sentences in the English language, and that he has satisfactorily completed the studies covered in the first six yearly grades of the elementary public schools, or their equivalent; in case such certificate can not be obtained, then the officer issuing the work permit shall examine such child to determine whether he can meet the educational standard specified and shall file in his office a statement setting forth the result of such examination.

PROOF OF PHYSICAL FITNESS.

A certificate signed by a medical inspector of schools or public health officer stating that the child has been examined by him and in his opinion has reached the normal development of a child of its age, and is in sound health and physically able to be employed in the occupation in which the child intends to engage: *Provided*, That the superintendent of schools, or person authorized by him in writing shall have authority, and is hereby empowered, to issue a vacation work permit to children fourteen years of age or over without requiring a statement that the child has completed the sixth grade of the elementary course of study, or its equivalent, as hereinbefore provided. Such vacation work permit shall be different in form and color from the regular work permit, and shall be valid only during the time when the public schools of the district in which the child resides are not in session. Every vacation work permit shall be null and void on the day the public schools open for regular session: *Provided further*, That the superintendent of schools or person authorized by him in writing, shall have authority and is hereby empowered to issue a special work permit to any boy twelve years of age or over to work in

Vacation permits.

- business offices and mercantile establishments outside of school hours without requiring a statement that he has completed any school grade whatsoever.
- Vacation permits.** Sec. 4. The work permit mentioned in the foregoing section shall set forth the full name, the date, and place of birth of the child with the name and address of his parent, guardian, or custodian, and shall certify that the child has appeared before the officer issuing the permit and submitted the proofs of age, physical fitness, schooling, and prospective employment required in the foregoing section. Printed forms for these permits and certificates shall be prepared and furnished by the State commissioner of labor to the superintendent of schools in the cities and counties of the State. A copy of each permit issued shall be forwarded to the State commissioner of labor within four days of its issuance, and there shall be kept in the office of the issuing officer a record of all permits granted and of all applications denied, as well as all certificates of age, schooling, physical fitness, and prospective employment submitted by the applicants for permits. The State commissioner of labor may at any time revoke a permit if, in his judgment, it was improperly issued, and for this purpose he is authorized to investigate into the true age of any child employed, to hear evidence, and to require the production of relevant books or documents; if the permit be revoked the issuing officer and the person employing the child at the time shall be notified of such action, and the child shall not thereafter be employed or permitted to labor until a new permit has been legally obtained.
- Forms.**
- Issue to employers.** Sec. 5. Upon the request of any employer who is desirous of employing a child who represents his or her age to be sixteen years or over, the local officer charged with the issuance of work permits shall require of such child the proof of age specified in section three of this act, and upon receipt thereof, if it be found that the child is actually sixteen years of age or over, shall issue to such employer a certificate showing the age and date and place of birth of such child. Such age certificate, when filed in the office of the employer, shall be accepted by the officer charged with the enforcement of this act as evidence of the age of the child in whose name it was issued. Any officer charged with the enforcement of this act may inquire into the true age of a child apparently under the age of sixteen years who is employed, permitted, or suffered to work in any gainful occupation and for whom no work permit or age certificate is on file, and if the age of such child be found to be actually under sixteen years the presence of such child in such establishment shall be deemed a violation of the provisions of this act. The State commissioner of labor may at any time revoke any such age certificate if in his judgment it was improperly issued, and for this purpose he is authorized to investigate into the true age of any child employed, as in the case of work permits. The issuance of work permits and of age certificates shall be under the supervision of the State superintendent of free schools, who shall seek at all times to standardize this work.
- Certificates.**
- Days and hours of labor.** Sec. 6. No child under the age of sixteen years shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation except agriculture or domestic service for more than six days in any one week, nor more than forty-eight hours in any week, nor more than eight hours in any one day; nor before the hour of six o'clock in the morning, nor after the hour of seven o'clock in the evening of any day. Every employer shall post and keep posted in a conspicuous place in every room where any child between the ages of fourteen and sixteen years is employed, permitted, or suffered to work a printed notice setting forth the maximum number of hours such person may be required or permitted to work each day of the week, the hours beginning and ending work each day, and the time allowed for meals; the printed form of such notice shall be furnished by the State commissioner of labor, and the employment of such child for a longer time in any day than so stated or at any time other
- Schedule.**

than as stated in said printed notice shall be deemed a violation of the provisions of this section.

SEC. 7. It shall be the duty of the State commissioner of labor, his assistants, factory inspectors, school truancy officers, and accredited agent of the humane society to enforce the provisions of this act: *Provided, however,* That the provisions relating to the employment of children in mines shall be enforced by the State department of mines, said department to make complaint against any person, firm, or corporation violating any of the provisions of this act, and to prosecute the same before any magistrate or court of competent jurisdiction.

SEC. 8. Any person or agent or representative of any firm or corporation who violates any of the provisions of this act, or any parent, guardian, or custodian of any child who permits or suffers such child to work in violation of any of the provisions of this act, or any superintendent of county or city schools who illegally issues a work permit to a child, or any person who furnishes false evidence in reference to the age or birthplace or educational qualifications of a child, shall, for a first offense, be punished by fine of not less than twenty dollars or more than fifty dollars; for a second offense, by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; for a third or subsequent offense, by a fine of not less than two hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Approved February 13, 1919.

CHAPTER 30.—*Factory, etc., regulations—Payment of wages.*

[This chapter amends certain sections of chapter 15-h of the Code of 1916, and adds four new sections, as follows:]

SECTION 6. All rooms, buildings, and places in this State where labor is employed, or shall hereafter be employed, in any factories, mercantile establishments, mills, or workshops shall be so constructed, equipped and arranged, operated, and conducted in all respects, as to provide reasonable and adequate protection for the life, health, safety, and morals of all persons employed therein. For the carrying into effect of this provision, and the provisions of all the laws of this State, the enforcement of which is now or shall hereafter be intrusted to or imposed upon the bureau of labor, the commissioner of labor shall appoint not more than four factory inspectors who shall be under the supervision of the commissioner of labor. The commissioner of labor may at any time divide the State into inspection districts as to him may seem advisable, and assign the inspectors to the districts as the good of the service requires. The salary of a factory inspector shall be eighteen hundred dollars per annum, and actual traveling and hotel expenses. The commissioner of labor shall appoint a chief clerk, whose salary shall be twenty-four hundred dollars per annum, an assistant clerk who shall be a stenographer, at a salary of eighteen hundred dollars per annum, and a statistical clerk whose salary shall be twelve hundred dollars per annum. The salary of the commissioner of labor provided for in this act, shall be three thousand six hundred dollars per annum, and he shall be allowed his actual traveling and incidental expenses.

SEC. 59. All power-driven machinery, including all saws, planers, wood shapers, jointers, sandpaper machines, iron mangles, emery wheels, ovens, furnaces, forges, and rollers of metal; all projecting set screws or moving parts; all drums, cogs, gearing, belting, shafting, fly wheels, and flying shuttles; all laundry machinery, mill gearing, and machinery of every description; all vats or pans and all receptacles containing molten metal or hot or corrosive fluids in any factory, mercantile establishment, mill or workshop, shall be so located, whenever possible, as not to be dangerous to employees, or where possible, be

Enforcement.

Violations.

Construction,
etc., of work
places.

Inspectors.

Guards for dan-
gerous machin-
ery.

properly inclosed, fenced or otherwise protected. All dangerous places, in or about mercantile establishments, factories, mills, or workshops, near to which any employee is obliged to pass or to be employed, shall, where practicable, be properly inclosed, fenced or otherwise guarded. No machine in any factory, mercantile establishment, mill or workshop, shall be used when the same is known to be dangerously defective, and no repairs shall be made to the active mechanism or operative part of any machine, when the machine is in motion.

Removing guards.

SEC. 60. No person shall remove or make ineffective any safeguard required by this act, during the active use or operation of the guarded machine or device, except for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced. In every factory, mercantile establishment, mill, or workshop, effective means shall be provided for immediately disconnecting the power, so that in case of need or accident, any particular machine, group of machines, room, or department can be properly and effectively shut down. Where machines require to be started and stopped frequently, they shall, wherever practicable, be provided with tight and loose pulleys, clutch, or other effective disengaging device. When provided with tight and loose pulleys, the shifting of the belt shall be accomplished by the use of a belt shifter, placed within easy reach of the operator. When a clutch or other disengaging device is used, an effective means for throwing such device into or out of engagement shall be provided, and shall be placed within easy reach of the operator. Where machines are directly connected with the prime mover (electric motor, steam, gas, or gasoline engine, or other source of power), a switch, throttle, or other power-controlling device shall be furnished and shall be placed within easy reach of the operator or his coworker. Where machines are arranged in groups, rooms, or departments, and power is supplied by a prime mover, located within the confines of such group, room, or department, a switch, throttle, or other controlling device shall be furnished, and shall be placed within easy reach of the operators affected, so that all shafting, transmitting machinery, and machines of such group, room, or department can be simultaneously shut down. Where machines are arranged in groups, rooms, or departments and are supplied by power through the use of main or line shafts, receiving power from some prime mover, located without the group, room, or department, the power-receiving wheel or such main or line shaft, shall, wherever possible, be provided with a friction clutch, or other effective power-disengaging device, with suitable means for operating the clutch, or power-disengaging device, and these means shall be placed within the confines of such group, room, or department, and within easy reach of employees or operatives affected, so that all machines, shafting, and other transmission machinery within such group, room, or department can be simultaneously shut down.

Communication.

In addition to such safeguard, communication consisting of speaking tubes, electric bells, electric colored lights, or other approved and effective means shall be provided in all cases covered by this paragraph between each such group, room, or department, and the room in which the engineer, or prime mover, is located, so that in case of need or accident the motive power of such group, room, or department can be promptly stopped or controlled.

Hoistways, etc.

SEC. 61. All hoistways, hatchways, elevator wells, and wheel holes in factories, mercantile establishments, mills, or workshops, shall be securely fenced, enclosed, or otherwise safely protected, and due diligence shall be used to keep all such means of protection closed, except when it is necessary to have the same open, in order that the said hatchways, elevators, or hoisting apparatus may be used. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some device whereby the car or cab may be held in the event of accident to the shipper rope, or hoisting machinery, or controlling apparatus. If any elevator, machine, electrical apparatus, or system of wiring, or any

part of parts thereof in any factory, mercantile establishment, mill, or workshop, are in an unsafe condition, or are not properly guarded, where reasonable to guard the same, the owner or lessee, or his agent, superintendent, or other person in charge thereof, shall, upon notice from the commissioner of labor or factory inspector, remedy such unsafe condition within a reasonable time after receiving such notice.

Sec. 62. No employee shall take or be allowed to take food into any room or apartment in any factory, mercantile establishment, mill or workshop, where white lead, arsenic, or other poisonous substances, or injurious, or noxious fumes, dusts, or gases under harmful conditions are present, as the result of the business conducted by such factories, mercantile establishments, mills, or workshops, and notice to this effect shall be posted in each room or apartment. Employees shall not remain in any such room or apartment during the time allowed for meals, and suitable provisions shall be made and maintained by the employer, when practicable, for enabling the employees to take their meals elsewhere in such establishment.

Food in certain work places.

Sec. 63. Every person, firm, or corporation employing females in any factory, mercantile establishment, mill, or workshop in this State, shall provide a reasonable number of suitable seats for the use of such female employees, and shall permit the use of such seats by them when they are not necessarily engaged in active duties for which they are employed, and shall permit the use of such seats at all times when such use would not actually and necessarily interfere with the proper discharge of the duties of such employees, and where practicable, such seats shall be made a permanent fixture and may be so constructed or adjusted that when seats are not in use, they will not obstruct such female employee when engaged in the performance of her duties.

Seats for females.

Sec. 64. In all factories, mercantile establishments, mills, or workshops, sufficient and reasonable means of escape in case of fire shall be provided, and such means of escape shall at all times be kept free from any obstruction and shall be kept in good repair and ready for use, and shall be plainly marked as such. The commissioner of labor or factory inspector may order fire escapes erected on the outside of buildings used as factories, mercantile establishments, mills, or workshops which are two or more stories in height, whenever deemed by commissioner of labor or factory inspector to be necessary.

Fire escapes.

Sec. 65. In all factories, mercantile establishments, mills, or workshops, proper and substantial hand rails shall be provided on all stairways, and the treads thereon shall be so constructed as to furnish a firm and safe foothold. A proper light shall be kept burning by the owner or lessee in all main passageways, main hallways, at all main stairs, main stair landings and shafts, and in front of all passenger or freight elevators, upon the entrance floors, and upon other floors, on every workday of the year, from the time that the building is open for use until the time when it is closed, except at times when the influx of natural light shall make artificial light unnecessary. No floor space or any work room in any factory, mercantile establishment, mill, or workshop, shall be [so] overloaded with machinery or other material as thereby to cause serious risk to or endanger the life or limb of any employee, nor shall there be permitted in any such establishment, a load in excess of the safe sustaining power of the floors and walls thereof, machines must not be placed so closely together as to be a serious menace to those that have to pass between them. Passageways must be of ample width, well lighted, and free from obstruction.

Stairways.

Lights.

Loading floors.

Sec. 66. Every factory, mercantile establishment, mill, or workshop, shall be provided with a sufficient number of water-closets, and whenever both male and female persons are employed, said water-closets shall be provided separate and apart for the use of each sex, and plainly marked by which sex they are to be used; and no person or persons shall be allowed to use the

Water-closets.

closets assigned to the opposite sex; and such water-closets shall be constructed in an approved manner and properly enclosed, and at all times kept in a clean and sanitary condition. The closets, where practicable, shall be located so that they shall have direct ventilation with the outside air; where it is impracticable to locate the closets so as to have direct ventilation with the outside air, they shall be placed in an inclosure, and every such closet shall be properly and effectively disinfected and separately ventilated, and shall be properly lighted by artificial light, except when the influx of natural light makes artificial light unnecessary.

Wash rooms. SEC. 67. In all factories, mercantile establishments, mills, or workshops, adequate washing facilities shall be provided for the employees, where necessary. When the labor performed by the employees is of such a character as to make customary or necessary a change of clothing by the employees, there shall be provided sanitary and suitable dressing room or rooms, and both such dressing rooms and washing facilities shall be separately maintained for each sex.

Smoking. SEC. 67-a. Every person who shall light a pipe, cigar, or cigarette in, or who shall enter with a lighted pipe, cigar, or cigarette, any factory, mercantile establishment, mill, or workshop in which is posted in a conspicuous place over and near each principal entrance a notice in plain English letters, stating that no smoking is allowed in such building, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty dollars nor more than one hundred dollars for each separate offense. The commissioner of labor or factory inspector shall have authority to inspect steam boilers in this State, and any person owning or operating steam boilers shall provide the same with steam gauge, safety valve, and water gauge, and keep the same in good order. Any person neglecting so to do, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty nor more than one hundred dollars.

Payment of wages. SEC. 67-c. Whenever any employer of labor shall hereafter discharge his or its employees, without first paying them the amount of any wages or salary then due them in cash, lawful money of the United States, or its equivalent, or by check or draft, within seventy-two hours after demand, or shall fail or refuse to pay them in like money, or its equivalent or by check or draft, the amount of any wages or salary at the time the same becomes due and owing to them under their contract of employment, whether employed by the hour, day, week, or month, each of his or its employees so discharged may charge and collect wages in the sum agreed upon in the contract of employment for each day his employer is in default, until he is paid in full, without rendering any service therefor: *Provided, however,* He shall cease to draw such wages or salary thirty days after such default. Every employee shall have such lien and all other rights and remedies for the protection and enforcement of such salary or wages as he would have been entitled to had he rendered service therefor in manner as last employed. This section shall not apply in case of bankruptcy, assignment, or other legal disability of the employer to pay for any wages so due and owing, or in case of shut down or other cessation of operations.

Violations. SEC. 67-d. Any person, firm, or corporation who shall, or any agent, manager, or superintendent of any person, firm, or corporation, who, for himself or for such person, firm, or corporation, shall violate any of the provisions of this act, or who omits or fails to comply with any of the foregoing requirements of this act, or who disregards any notice of the commissioner of labor or State factory inspector when said notice is given in accordance with the provisions of this act; or who obstructs or interferes with any examination or investigation being made by the commissioner of labor or a State factory inspector, under this act, or any employee in any such factory, mercantile establishment, mill, or workshop, who shall remove or interfere with any guard or protective or

sanitary device required by the provisions of this act, except as hereinbefore provided, or who shall violate any of the other provisions of this act, where penalties are not otherwise provided, shall be punished for the first offense by a fine of not less than ten dollars, nor more than fifty dollars; and upon conviction of the second or subsequent offense, shall be fined, not less than twenty-five dollars, nor more than two hundred dollars. A justice of the peace shall have concurrent jurisdiction with the circuit court and other courts having criminal jurisdiction in his county for the trial of offenses under this act. Those portions of all coal mining properties and operations now under the supervision of the department of mines are excepted from the provisions of this act.

Sec. 67-e. The commissioner of labor, inspectors, and chief clerk shall make and keep full and proper record of all their expenses, and of inspections and statistics as to conditions, changes, and improvements made for the safety and welfare of employees affected by this act, and the commissioner of labor shall submit a proper report thereof to each biennial session of the legislature.

Approved February 18, 1919.

CHAPTER 32.—*Inspection of mines—Department of mines.*

SECTION 1. There is hereby created an executive department to be known as the "department of mines" which shall have for its purpose the supervision of the execution and enforcement of all State laws pertaining to the inspection of mines, heretofore and hereafter enacted for the safety of persons employed within or at the mines within this State, and the protection of mine property and other property used and in connection therewith; and the said department of mines shall be in charge of an official to be known as the "chief of the department of mines," who shall have full charge of said department, and who shall superintend and direct the inspection of mines as herein provided and as provided by any other State law not in conflict with this act.

Sec. 2. On or before March the first, one thousand nine hundred and nineteen, the governor shall, with the consent of the senate, appoint a chief of the department of mines, who shall continue in office until December thirty-first, one thousand nine hundred and twenty-one, or until his successor shall be duly appointed and qualified, unless sooner removed as provided by law; and the governor of the State shall, with the consent of the senate, appoint a chief of the department of mines, whose term of office shall begin January first, one thousand nine hundred and twenty-two, and shall continue for four years, or until his successor shall be duly appointed and qualified; and the governor, with the consent of the senate, shall each four years thereafter appoint a chief of the department of mines for the term of four years, or until his successor be appointed and qualified.

Sec. 4. The chief of the department of mines shall be a male citizen of West Virginia, and shall be a competent person, having had at least eight years' experience in the working, ventilation, and drainage of coal mines in this State, and having a practical and scientific knowledge of all noxious and dangerous gases found in such mines. He shall devote all of his time to the duties of his office, and shall not be directly or indirectly interested in a financial way in any coal mine in this State. The salary of the chief of department of mines shall be five thousand dollars per annum, and traveling expenses, which shall be paid monthly out of the State treasury upon requisition upon the State auditor, properly certified by the chief of department of mines.

Sec. 7. As soon as practicable after this act becomes a law, the chief of the department of mines, by and with the approval of the governor, shall divide the State into nineteen mining districts, in such manner as to equalize as far as practicable the work of each inspector the chief of the department of mines shall appoint one inspector for each mining district within the State, whose term of office shall expire the thirty-first day of December, one thousand

Records.

Department created.

Chief.

Appointment.

Qualifications.

Districts.

nine hundred and twenty-one, unless sooner removed as provided by law; and he shall direct and prescribe in which of the said districts each of the said inspectors shall serve. After December thirty-first, one thousand nine hundred and twenty-one, appointments of all inspectors shall be for a term of four years, except those appointments made to fill out unexpired terms.

District inspec-
tors.

Sec. 9. Every person appointed to the office of district mine inspector shall be a citizen of West Virginia, having a practical knowledge of mining and the proper ventilation and drainage of mines, and a knowledge of the gases met with in coal mines, and must be a miner of at least six years' experience in coal mines, or having otherwise been engaged as an employee for six years within coal mines, and he shall not while in office be interested as owner, operator, stockholder, superintendent, or engineer of any coal mine, and he shall be of good moral character and temperate habits. His term of office shall expire on December thirty-first, one thousand nine hundred and twenty-one, or when his successor is appointed and qualified, unless sooner removed as provided by law. An inspector of mines shall be removed from office by the chief of department of mines for incompetency, neglect of duty, drunkenness, malfeasance, or for other good cause. The salary of each district mine inspector shall be three thousand dollars per annum, and actual traveling expenses; such salary and expenses shall be paid monthly out of the State treasury upon approval of the chief of department of mines: *Provided*, That before payment of such expenses shall be made to the inspector he shall file an account of such expense, verified by his affidavit, showing they accrued in the discharge of his official duties.

All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved February 18, 1919.

EXTRAORDINARY SESSION—1919.

CHAPTER 12.—*Department of public safety—Promotion of industrial peace.*

Duties of sup-
erintendent.

SECTION 29. The superintendent of the department of public safety is authorized from time to time to collect statistics and distribute information throughout the State, and in this cooperate with the State superintendent of public schools and other educational agencies of the State, to secure the naturalization and Americanization of all foreign-born inhabitants; to employ all agencies in his power to secure a harmonious feeling and understanding between the employers of labor and their employees; and to secure this end he may call upon the educational and other State institutions for public speakers and is authorized to hold public meetings at any point in the State where, in his judgment, such meetings will be of advantage to carry out the spirit of this law.

Approved March 31, 1919.

WISCONSIN.

ACTS OF 1919.

CHAPTER 160.—*Free employment offices—Farm labor.*

SECTION 1. A new section is added to the statutes to read:

Section 2394-96. The clerk of every city, town, and village, in which there is no licensed or public employment agency as provided in section 2394-86 of the statutes, shall solicit, receive, and record applications of persons seeking employment on farms for any period of time, and of persons desiring to employ such labor, and every such employer shall pay to any such clerk twenty-five cents for each time he assists in furnishing such labor. The clerk of every city, town, and village, serving under the terms of this act, shall, on or before the first day of each month, report all placements made by him to the industrial commission, to be by them compiled as part of the general employment statistics of the State.

Duty of town,
etc., clerks.

Fee.

Approved May 13, 1919.

CHAPTER 178.—*Private employment offices.*

[This act amends section 2394-92 of the Statutes by inserting after the first sentence: "No license shall be issued to such applicant unless such fees and such rules or regulations are reasonable. Such fees and such rules or regulations may be changed only with the approval of the industrial commission, and when changed shall be filed with the commission."]

Section 2394-93 is amended by directing that employment agencies "operated by the United States, the State, or by the municipality or by two or more thereof jointly" shall be considered in determining the need of a new agency.

Section 2394-94 is amended so as to give to the industrial commission power "to ascertain and fix reasonable classifications of employments or positions and to fix a reasonable scale of fees to be charged by said employment agent or agents for each such classification under the restrictions contained in sections 2394-82 to 2394-95, inclusive, of the statutes."]

CHAPTER 211.—*Labor organizations—Antitrust laws—Injunctions.*

[This chapter adds the following two new sections to the Statutes:]

SECTION 1747ee. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, 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 the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws. The labor of a human being is not a commodity or article of commerce.

Exemptions

SEC. 1747ff. 1. Working people may organize themselves into or carry on labor unions and other associations or organizations for the purpose of aiding their members to become more skillful and efficient workers, the promotion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and conditions of labor, the protection of their individual rights in the prosecution of their trade or trades, the

Unions lawful.

- raising of funds for the benefit of sick, disabled, or unemployed members, or the families of deceased members, or for such other object or objects for which working people may lawfully combine, having in view their mutual protection or benefit.
- Injunctions restricted.** 2. No restraining order or injunction shall be granted by any court of this State, or a judge or judges thereof, in any case between an employer and employees, or between employers 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.
- Strikes.** 3. 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 any 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 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 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 any laws of this State.
- Picketing.**
- Boycott.**
- Other acts.**

Approved May 23, 1919.

CHAPTER 217.—*Hours of labor on public works.*

[This chapter amends subsection 1 of section 1729m of the Statutes so as to read as follows:]

- Stipulation in contract.** SECTION 1729m. 1. Each and every contract hereafter made for the erection, construction, remodeling, or repairing of any public buildings or works, to which the State or any officer or agent thereof, or to which any county having a population of two hundred fifty thousand or more is a party, which may involve the employment of laborers, workmen, or mechanics, shall contain, or if not actually incorporated therein shall be construed as containing, a stipulation that no laborer, workman, or mechanic in the employ of the contractor, subcontractor, agent, or other person doing or contracting to do all or a part of the work contemplated by the contract, shall be permitted to work more than eight hours in any one calendar day, except in cases of extraordinary emergencies.
- Eight-hour day.**

Approved May 23, 1919.

CHAPTER 354.—*Employment of children—Street trades.*

[This chapter amends sections 1728p and 1728q of the Statutes so as to read:]

- Definition.** SECTION 1728p. The term "street trade" as used in section 1728p to 1728ze, inclusive, shall mean any business or occupation of distributing, soliciting, selling, displaying, or offering for sale of any articles, or goods, or merchandise, handbills, circulars, newspapers, magazines, or periodicals, or employment as a bootblack, in any street, alley, court, square, or other public place.
- Employment limited.** SEC. 1728q. No boy under fourteen years of age, shall, in any city of the first class, work at any time, or be employed or per-

mitted to work at any time at any street trade, excepting the distribution and sale of newspapers, magazines, or periodicals as hereinafter provided.

Sec. 2. Section 1728r of the statutes [forbidding the employment of girls under 18 in street trades] is repealed. **Repeal.**

Sec. 3. A new section is added to the statutes to read:

Section 1728p. 1. No boy under the age of twelve years and no girl under the age of eighteen years shall in any city of the first class, work at any time or be employed or permitted to work at any time in any street trade as defined in section 1728p. **Employment forbidden.**

Approved June 11, 1919.

CHAPTER 432.—*Employment of children—Certificates.*

[This chapter amends subdivision 2 of subsection 2 of section 1728a-3 of the statutes so as to read as follows:]

SECTION 1728-3 (2). A certificate of the superintendent of schools or the principal of the school last attended by the child or in the absence of both of the aforementioned persons a certificate of the clerk of the school board, showing that such child is more than fourteen years of age, and stating also the date of the birth of such child, and the number of years such child has attended school. Such certificate shall contain the further statement, prior to July 1st, 1920, that such child has passed successfully the sixth grade in the public school or in some school having a substantially equivalent course, or that it has attended school for at least seven years, and after July 1st, 1920, that such child has passed successfully the seventh grade in the public school, or in some school having a substantially equivalent course, or that it has attended school for at least eight years. It shall be the duty of such superintendent, principal, or clerk to issue such certificate upon receipt of any application in behalf of any child entitled thereto. **Contents.** **School attendance.**

Approved June 26, 1919.

CHAPTER 530.—*Mediation and arbitration—State board.*

SECTION 1. A board of conciliation is hereby created to consist of three members, one of whom shall be a skilled employee, but not having employing or discharging power, one of whom shall be an employer of labor, and one of whom shall have a general knowledge of manufacturing and labor conditions. Immediately after the passage of this act, the governor, by and with the advice and consent of the senate, shall appoint such members, but no member so appointed shall act until so confirmed. The term of the first such appointee shall terminate on the first Monday of February, 1920; the term of the second such appointee shall terminate on the first Monday of February, 1921; and the term of the third such appointee shall terminate on the first Monday in February, 1922. In January, 1920, and annually thereafter, there shall be appointed and confirmed in the same manner, one member for the term of three years from the first Monday in February in such year. Each member shall hold his office until his successor is appointed and qualified. Any vacancies shall be filled by appointment by the governor for the unexpired term, subject to confirmation by the senate, but such appointment shall be in full force until acted upon by the senate. Each member shall receive five dollars per day when actually and necessarily engaged in the discharge of his duties as a member of such board, together with his actual and necessary traveling expenses. **Board created.** **Terms.**

Sec. 2. Whenever any dispute shall arise between an employer of more than twenty-five persons in a common employment, and his employees, over the wages of such employees, such employer, or any number of such employees more than one-half, working **Pay.** **Procedure.**

- In a common employment, may request the board of conciliation to investigate and report as to what is a fair, equitable, and just wage for such employees under all the circumstances surrounding both such employer and employees. The board may, upon receiving such request, investigate and report as to what, in their opinion, is a fair, equitable, and just wage under all the circumstances and conditions surrounding both such employer and his employees.**
- Public service.** **In the event such dispute shall arise between any public service corporation and its employees of any class, division or grade, and said board of conciliation shall investigate and report thereon as herein provided, and determine the wages, hours of labor, or working conditions to which such employees are reasonably entitled, such determination shall immediately be submitted to the railroad commission of Wisconsin, which railroad commission shall without delay further investigate the said matter and make and file its determination therein, confirming or modifying the report of said board within forty-five days after receiving same. If the earnings of such public service business in which such employees are engaged are found to be sufficient to meet the cost of making the determination of said commission effective without depriving said corporation of a fair return upon the capital employed in such business, as determined by the railroad commission, said railroad commission shall order such public service corporation to make effective the wages, hours of labor, and working conditions so determined by it to be fair, equitable, and just, otherwise the commission shall provide for such a revision of the rates, tariffs, and charges of such public service business as will enable it to meet such cost and yield a fair rate of return upon the capital employed therein, as determined by the railroad commission, which order of the railroad commission shall be subject to review in the manner now provided by law for the review of orders relating to the rates and service of the public service business affected by the order sought to be reviewed.**
- Employees.** **SEC. 3. The board may employ such experts as shall be necessary to assist them in making investigations under this act and such clerks and stenographers as may be necessary to perform the clerical work of the board.**
- Powers.** **SEC. 4. For the purpose of making such investigation and report, the board may issue subpoenas, compel the attendance of witnesses, and the production of books, records, papers, and documents. In case of failure of any person to comply with any order of the board or any subpoena lawfully issued or on the refusal of any witness to testify to any matter regarding which he may be interrogated, it shall be the duty of the circuit court of any county or the judge thereof, on the application of a member of the board, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of subpoena issued in such court or a refusal to testify therein.**
- Same.** **SEC. 5. The board, or any member thereof, or any person employed by the board for that purpose, shall upon demand, have the right to inspect the books, records, and papers of any employer who is under investigation by the board, and to examine under oath any officer, agent, or employee of such employer: *Provided*, That any person other than a member of the board who shall make such demand or conduct such examination shall first produce his authority therefor, signed by the board or a majority thereof.**
- Witnesses to testify.** **SEC. 6. No person shall be excused from testifying or from producing any books, records, papers, or documents before the board on the ground or for the reason that such testimony, books, records, papers, or documents may tend to incriminate him or subject him to a penalty or forfeiture, but no person having so testified or produced such books, records, papers, or documents, shall be prosecuted or subjected to any penalty or forfeiture, for or on account of any transaction, matter, or thing concerning which he may have testified or produced books, records, papers, or documents: *Provided*, That no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying. **Any****

person who shall willfully interfere with the board or any of its employees in conducting any examination or who shall willfully testify falsely to any matter or thing material to the investigation, or who shall, after a proper demand has been made therefor, fail or willfully refuse to produce any book, record, paper, or document which is in his possession or under his control, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred nor more than one thousand dollars for each offense.

SEC. 7. Whenever the board shall have made and compelled an investigation under the provision of this act, it shall make and file its written report thereon as soon as practicable, which report shall be open to the public and the board shall, immediately upon making and filing such report, furnish a certified copy thereof to the employer so investigated and a like certified copy thereof to his employees.

Report.

SEC. 8. There is appropriated from the general fund to the board of conciliation annually such sum as may be necessary to carry out its functions.

Appropriation.

Approved July 9, 1919.

CHAPTER 535.—*Hours of labor on public works.*

[This act amends the same section (1728m 1) as chapter 217. It is of later date, but makes no reference to that chapter, the effect of which it does not regard in its amendment, which merely excludes contracts for the construction or maintenance of public highways and bridges from the operation of the act as it stood prior to the amendment by chapter 217.]

CHAPTER 631.—*Free public employment offices.*

SECTION 1. Paragraph (a) of subsection (9a) and subsection (11) of section 2394-52 of the statutes are amended to read:

(Section 2394-52) (9a) (a) Any county, city, town, or village may enter into an agreement with the Wisconsin industrial commission for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and it shall be lawful for any county, city, town, or village to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be agreed upon: *Provided, however,* That no local free employment office shall be established by the industrial commission in any county, city, town, or village, to be maintained in whole or in part by public funds unless such county, city, town, or village shall jointly or severally agree to furnish as a minimum in the joint enterprise, suitable quarters for such office, which must be approved by the industrial commission, and to pay all expenses for such quarters such as rent, heat, light, furniture, telephone rental, and janitor service. The industrial commission may defray all other expenses in connection with such office.

Local offices.

[The industrial commission shall have power:]

(11) To rent, furnish, and equip, except as provided in subsection (9A) of this section, such offices as may be needed in cities for the conduct of its affairs. All payments arising under this section shall be charged against the proper appropriation for the industrial commission.

Costs.

Approved July 23, 1919.

CHAPTER 643.—*Employment of labor—False advertisements.*

[This chapter amends subsections 1 and 3 of section 1729p-1, added by chapter 457, Acts of 1915, by making the attempt to influence, etc., an offense, as well as the actual influence on workmen to change employment, "or to accept employment in this State."]

CHAPTER 653.—*Weekly day of rest.*

SECTION 1. A new section is added to the statutes to read:

Rest day to be
allowed.

Section 4595f. 1. Every employer of labor, whether a person, partnership, or corporation, who owns or operates any factory or mercantile establishment in this State, shall allow every person, except those specified in subsection 2, employed in such factory or mercantile establishment, at least twenty-four consecutive hours of rest in every seven consecutive days. This section shall not authorize any work on Sunday not now authorized by law.

Exemptions.

SEC. 2. This section does not apply to:

- (1) Janitors.
- (2) Watchmen.
- (3) Persons employed in the manufacture of butter, cheese, or other dairy products, or in the distribution of milk or cream, or in canneries.
- (4) Persons employed in bakeries, flour and feed mills, hotels and restaurants.
- (5) Employees whose duties include no work on Sunday other than—

(a) Caring for live animals.

(b) Maintaining fires.

(6) Any labor called for by an emergency that could not reasonably have been anticipated.

Time book.

SEC. 3. Every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the industrial commission.

Violations.

SEC. 4. Every employer who violates any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of fifty dollars for each offense.

Approved July 25, 1919.

WYOMING.

ACTS OF 1919.

CHAPTER 16.—*Mine regulations—Electric lines.*

SECTION 1. All underground power lines installed and used for the transmission of electric power in the operation of coal mines in this State shall be so constructed and equipped with safety devices as to insure the maximum of safety to the employees in such mines. All wires, whether used as feeder lines or as trolley wires, shall be put as close to the roof as possible and shall follow the entry rib as close as practicable. At all cross-overs, where men have to pass under feed wires, such feed wires shall be protected by being carried in a trench cut above the level of the roof, and where this is not practicable, they shall be properly fenced or carried in suitably constructed conduits. All main feeder wires of high voltage entering the mine which are carried along the manways or traveling ways, shall be protected with a suitable fence to protect employees or others from coming in contact with them; and permanent danger signs shall be posted, warning employees of the danger. Any person or persons, association of persons, corporation, operator, lessee, or owner of any coal mine, or any superintendent, manager, or other agent in charge of any coal mine in this State who shall permit electrical equipment to be installed or to be used in any coal mine in this State in violation of the requirements of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$500 for each and every offense.

Construction.

Fence.

Violations.

Approved February 14, 1919.

CHAPTER 31.—*Commissioner of labor and statistics.*

[This chapter amends chapter 113, Acts of 1917. Section 2 is amended by striking out the provisions that barred officials of labor organizations from appointment as commissioner unless after six months after such service.

Section 4 adds enforcement of laws governing hours of labor, protection of employees in the collection of their wages, and inspection of living accommodations furnished employees to the duties of the commissioner.

Section 14 is amended by increasing to \$2,500 the salary of the commissioner, and adding a deputy at \$1,800. The allowance for expenses found in sec. 15 is increased from \$1,800 to \$2,500.]

CHAPTER 59.—*Private employment offices.*

SECTION 1. No person, firm, or corporation shall open, operate, or maintain in this State any employment office or an agency for the purpose of furnishing employers with persons seeking employment at manual labor or in clerical, industrial, commercial, or business pursuits, or for the purpose of securing employment for such described persons, or where a fee, commission, or other consideration is charged or exacted or received from applicants either for employment or for help, without first obtaining a license for the same from the commissioner of labor and statistics. The uniform fee for such license in cities of five thousand (5,000) inhabitants and over shall be twenty-five (25) dollars per annum, and, in cities containing less than five thousand inhabitants, ten (10) dollars per annum. Every license shall contain a designation of the city, street, and number of the building in which such office

License required.

or agency is conducted, and such license, together with a copy of this act, shall be posted in a conspicuous place in each and every employment agency.

Bond.

SEC. 3. The commissioner of labor and statistics shall require with each application for a license a bond in the sum of five hundred (500) dollars with one or more sureties to be approved by said commissioners, and conditioned that the obligors will not violate any of the duties, terms, conditions, provisions, or requirements of this act, or of other laws germane to this act. For any violation of the conditions of said bond, the said commissioner is authorized to commence and prosecute an action or actions on said bond or bonds in the name of the State of Wyoming, through the attorney general or other proper prosecuting officer.

Revocation.

SEC. 4. Whenever a written complaint shall be filed with the commissioner of labor and statistics stating that any party so licensed as aforesaid, shall have violated any of the provisions of this act, he shall give to said licensee notice of such complaint and appoint a day for a hearing thereon. If after a full and fair hearing, the commissioner finds that the party licensed has violated any of the provisions of this act, said commissioner is authorized to revoke the license theretofore issued to said party.

Register.

SEC. 5. It shall be the duty of every licensed agency to keep a register in which shall be entered with dates the name and address of every person who shall make application for help or servants, and the name and nature of such employment for which such help shall be wanted. Such register shall, at all reasonable hours be kept open to the inspection and examination of the commissioner of labor and statistics or his deputy.

Fee.

SEC. 6. Where a registration fee is charged for receiving or filing application for employment of help, such fee shall in no case exceed the sum of one dollar, unless the salary of wages to be paid shall be more than three dollars per day, in which case a fee of not more than two dollars may be charged. A duplicate receipt shall be given for such fee (one copy to be kept by the employee and the other by the employer), in which receipt there shall be stated the name and address of the applicant, the date of such application, the amount of the fee, and the nature of the work to be done or the situation to be procured. In the event that the said applicant shall not obtain a situation or employment through such licensed agency, then after the expiration of three days from the time of registration such licensed agency shall repay and return to such applicant, upon demand being made therefor, the full amount of the fee paid or deposited by said applicant to such licensed agency.

False advertising.

SEC. 7. No 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 any one who shall apply for employment, and no licensed agency shall make any false entry in the register to be kept as herein provided.

Enforcement.

SEC. 8. It shall be the duty of the commissioner of labor and statistics, or his deputy, when informed of any violation of this act, to file complaint of such violation with the attorney general or with the county attorney of the county in which such violation is alleged to have occurred and it shall be the duty of the official informed to institute proceedings for the enforcement of the penalties.

Violations.

SEC. 9. 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 fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment as the court may direct.

Exemptions.

SEC. 11. Free employment bureaus now organized or established, or which may hereafter be organized or established, in this State, shall not be subject to the provisions of this act.

Approved February 22, 1919.

CHAPTER 73.—*Payment of wages—Semimonthly pay day.*

SECTION 1. Every person, firm, or corporation, engaged in the operation of any railroad, mine, refinery, and work incidental to prospecting for, or the production of, oil and gas, or other factory, mill or work shop, within the State of Wyoming shall, on or before the third 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 eighteenth day of each month pay the employees thereof the wages earned by them during the last half of the preceding 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 on the proper paymaster or at the place where such wages are usually paid.

Scope of law.

Pay day.

SEC. 2. Whenever an employee quits the service or is discharged therefrom, such employee shall be paid, whatever wages are due him or her in lawful money of the United States of America, or by check or draft which can be cashed at a bank, and said wages shall be paid within a reasonable time thereafter.

Termination of employment.

SEC. 3. Every 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 punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each offense.

Violations.

Approved February 22, 1919.

CHAPTER 76.—*Criminal syndicalism.*

SECTION 1. Whoever in any manner or by any means incites, advises, advocates, suggests, or encourages crime as a means of coercion or for the accomplishment of any political or industrial reform, change, or purpose in this State or in any foreign State or country, whether the action may follow such incitement or not, shall be deemed guilty of incitement to crime and shall be punished by a fine not exceeding five thousand dollars, or by imprisonment in the penitentiary not exceeding five years, or by both such fine and imprisonment.

Offense.

SEC. 2. Any person who shall be guilty of conduct described in section 1 of this act shall be subject to peace proceedings for the prevention of crime and may be proceeded against upon complaint in writing by any persons having knowledge of the facts, and required to give security for good behavior or be committed in default of such recognizance.

Procedure.

Approved February 22, 1919.

CHAPTER 126.—*Mine regulations.*

[This chapter amends various sections of the mining code of the State relative to coal mines. Many of the changes are of secondary importance, as the substitution of the term "mine foreman" for "mining boss." The terms of State inspectors are made 4 years instead of 2, and the salaries advanced from \$2,000 to \$2,600 per annum. Manways must be provided in slopes and planes where mechanical haulage is used, and a separate current of air supplied for every 50 men at work. Men working where only a safety or electric lamps are used may be searched for matches, etc.; and tools carried on "mantrips" must be carried in a separate car.]

UNITED STATES.

ACTS OF 1919—SIXTY-FIFTH CONGRESS—THIRD SESSION.

No. 254. TITLE XII.—*Employment of children—Tax on products of labor.*

SECTION 1200. Every person (other than a bona fide boys' or girls' canning club recognized by the Agricultural Department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of sixteen years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of fourteen years have been employed or permitted to work, or children between the ages of fourteen and sixteen have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of seven o'clock post meridian, or before the hour of six o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per centum of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

Age.

Hours.
Night work.

Tax.

SEC. 1203. (a) No person subject to the provisions of this title shall be liable for the tax herein imposed if the only employment or permission to work which but for this section would subject him to the tax, has been of a child as to whom such person has in good faith procured at the time of employing such child or permitting him to work, and has since in good faith relied upon and kept on file a certificate, issued in such form, under such conditions and by such persons as may be prescribed by a board consisting of the Secretary, the Commissioner, and the Secretary of Labor, showing the child to be of such age as not to subject such person to the tax imposed by this title. Any person who knowingly makes a false statement or presents false evidence in or in relation to any such certificate or application therefor shall be punished by a fine of not less than \$100, nor more than \$1,000, or by imprisonment for not more than three months, or by both such fine and imprisonment, in the discretion of the court.

Good faith.

False state-
ments.

In any State designated by such board an employment certificate or other similar paper as to the age of the child, issued under the laws of that State, and not inconsistent with the provisions of this title, shall have the same force and effect as a certificate herein provided for.

Certificates of
States.

(b) The tax imposed by this title shall not be imposed in the case of any person who proves to the satisfaction of the Secretary that the only employment or permission to work which but for this section would subject him to the tax, has been of a child employed or permitted to work under a mistake of fact as to the age of such child, and without intention to evade the tax.

Mistake of fact.

SEC. 1204. On or before the first day of the third month following the close of each taxable year, a true and accurate return under oath shall be made by each person subject to the provisions of this title to the collector for the district in which such person has his principal office or place of business, in such form as the Commissioner, with the approval of the Secretary, shall prescribe, setting forth specifically the gross amount of income received or accrued during such year from the sale or disposition of the product of any mine, quarry, mill, cannery, workshop, factory, or man-

Returns.

ufacturing establishment, in which children have been employed subjecting him to the tax imposed by this title, and from the total thereof deducting the aggregate items of allowance authorized by this title, and such other particulars as to the gross receipts and items of allowance as the Commissioner, with the approval of the Secretary may require.

Payment of tax.

SEC. 1205. All such returns shall be transmitted forthwith by the collector to the Commissioner, who shall, as soon as practicable, assess the tax found due and notify the person making such return of the amount of tax for which such person is liable, and such person shall pay the tax to the collector on or before thirty days from the date of such notice.

Inspection.

SEC. 1206. For the purposes of this act the Commissioner, or any other person duly authorized by him, shall have authority to enter and inspect at any time any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment. The Secretary of Labor, or any person duly authorized by him, shall, for the purpose of complying with a request of the Commissioner to make such an inspection, have like authority, and shall make report to the Commissioner of inspections made under such authority in such form as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury.

Any person who refuses or obstructs entry or inspection authorized by this section shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both such fine and imprisonment.

Approved February 24, 1919.

No. 279.—*Vocational rehabilitation of injured soldiers and sailors.*

Use of fund.

The special fund for vocational education, authorized by section seven of the vocational rehabilitation act, approved June twenty-seventh, nineteen hundred and eighteen, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment and for supplementing any or all of the other items of appropriation made by said act.

Approved February 26, 1919.

SIXTY-SIXTH CONGRESS—FIRST SESSION.

No. 7, 8.—*Efficiency and bonus systems.*

[Public Acts No. 7 and No. 8, respectively, appropriate sums for the support of the Army and for the naval service. Each makes the provision found in previous acts forbidding the use of methods of time study on work and the giving of bonuses for work done.]

No. 11.—*Vocational rehabilitation of injured soldiers and sailors.*

[This act amends section 2 of act No. 178, Sixty-fifth Congress (act of June 27, 1918). It now reads as follows:]

Application of act.

SEC. 2. Every person enlisted, enrolled, drafted, inducted, or appointed in the military or naval forces of the United States, including members of training camps authorized by law, who, since April 7, 1917, has resigned or has been discharged or furloughed therefrom under honorable conditions, having a disability incurred, increased, or aggravated while a member of such forces, or later developing a disability traceable in the opinion of the board to service with such forces, and who, in the opinion of the

Federal Board for Vocational Education, is in need of vocational rehabilitation to overcome the handicap of such disability, shall be furnished by the said board, where vocational rehabilitation is feasible, such course of vocational rehabilitation as the board shall prescribe and provide.

The board shall have the power, and it shall be its duty, to furnish the persons included in this section suitable courses of vocational rehabilitation, to be prescribed and provided by the board; and every person electing to follow such a course of vocational rehabilitation shall, while following the same, be paid monthly by the said board from the appropriation hereinafter provided such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons depending upon him, if any: *Provided, however,* That in no event shall the sum so paid such person while pursuing such course be more than \$80 per month for a single man without dependents, or for a man with dependents \$100 per month plus the several sums prescribed as family allowances under section 204 of Article II of the War Risk Insurance Act.

Power of board.

No compensation under Article III of the act entitled "An Act to amend an act entitled 'An Act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,'" approved October 6, 1917, shall be paid for the period during which any such person is being furnished by said board a course of vocational rehabilitation and support as herein authorized: *Provided, however,* That in the event any person pursuing a course of vocational rehabilitation is entitled under said Article III to compensation in an amount in excess of the payments made to him by the said board for his support and the support of his dependents, if any, the Bureau of War Risk Insurance shall pay monthly to such person such additional amount as may be necessary to equal the total compensation due under said Article III of said act.

Compensation.

There is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of \$6,000,000, or so much thereof as may be necessary, to be used by the Federal Board for Vocational Education for the purpose of making the payments prescribed by this section and for defraying the administrative expenses incident thereto.

Appropriation.

Approved July 11, 1919.

No. 23.—Rates of wages in Government Printing Office.

On and after the passage of this act the pay of all printers, printer linotype operators, printer monotype keyboard operators, makers-up, copy editors, proof readers, bookbinders, bookbinder-machine operators, and pressmen employed in the Government Printing Office shall be at the rate of 75 cents per hour for the time actually employed.

Rate per hour.

Approved August 2, 1919.

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