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JAMES J. DAVIS, Secretary  
**BUREAU OF LABOR STATISTICS**  
ETHELBERT STEWART, Commissioner

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**LABOR LEGISLATION OF 1925**



**MARCH, 1926**

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

No. 403

WASHINGTON

MARCH, 1926

## REVIEW OF LABOR LEGISLATION OF 1925

BY LINDLEY D. CLARK

### INTRODUCTION

Legislative sessions occurred in 1925 in all jurisdictions of the United States except six. In all but one<sup>1</sup> of the legislatures meeting, legislation was passed falling under the head of labor laws, though in some cases it was of the border class which has been included by references or abridgment in the first part of this bulletin. The current bulletin is essentially a supplement to Bulletin No. 370, entitled "Labor Laws of the United States, with Decisions of Courts Relating Thereto," embodying all legislation under the head indicated, with the exception of workmen's compensation laws, up to the beginning of the year 1925. As in the larger bulletin certain classes of laws were presented in brief or by a representative or typical law, so in the current bulletin the classification there adopted is retained. This results in two parts, one entitled "Digests and summaries of certain classes of laws affecting labor," and the other, "Text and abridgment of labor laws." In Part II are to be found the laws of more specific interest and less generally standardized, though use is also made of representative laws, as in the case of laws regulating the employment of children and mine regulations, which are quite extensive and in which legislation has been closely formulated along lines generally accepted. It has also frequently occurred that the changes made by amendments of 1925 are briefly stated, instead of the entire section affected being reproduced.

A cumulative index provides references to this and the basic bulletin.

As has been done for some years past, workmen's compensation legislation is treated separately and omitted from the general legislative bulletin. This subject was presented in an article appearing in the Monthly Labor Review for October, 1925 (pp. 106-121), considerable activity being manifest in this field.

In view of the increased use of summary and abridgment, no general analysis of the year's legislation will be made, though it may be of interest to call attention to a few items of legislation and of legislative trend.

Reviewing the entire body of legislation for the year, it is apparent that the total sum is relatively small. Some striking pieces of legislation were enacted, however, though but few of them are of primary importance. A vigorous legislative campaign in Illinois

<sup>1</sup> South Carolina.

secured the enactment of a law restricting the issue of injunctions in labor disputes; while a novel piece of legislation in Wisconsin also received the support of organized labor, the effect of this statute being to require the licensing and bonding of private detectives or "inside shop operatives," employed to report on labor and other conditions. The law of Idaho on criminal syndicalism received a specific industrial aspect by reason of the new definition of sabotage. Contempts in cases of labor disputes were a subject of legislation in New Jersey.

Repeals without new enactment in the field were made of apprenticeship laws in New Mexico and Utah and of antitipping laws in Arkansas and in Tennessee.

Perhaps lying on the borders of labor legislation were a law of California regulating the acceptance of builders' tools as pledges for loans and one of North Carolina requiring certain classes of general contractors to procure licenses. Considerable extension of the idea of licensing occupations occurred in the single field of beauty culture, or the occupation of cosmeticians; on the other hand the Colorado statute relative to licensing horseshoers was repealed.

The subject of the sale of stock to employees received attention in several States, as did also the enactment of a standardized law relative to credit unions with a rather slight relation to industry. The regulation of trade schools is also noted as unusual legislation lying on the fringe of labor legislation; while of social and economic rather than industrial interest is the slowly growing activity with regard to old-age pensions.

There is a steady extension of the idea of retirement for employees in public service, while the cooperation for vocational rehabilitation proposed by the Federal Government continues to gain acceptance, such action now being practically complete throughout the country.

## PART I.—DIGESTS AND SUMMARIES OF CERTAIN CLASSES OF LAWS AFFECTING LABOR

This part embraces such legislation as deals with the subjects presented in Bulletin No. 370 in the corresponding section. The same arrangement of matter is followed, except under the heading, "Examination, licensing, etc., of workmen," where the items are arranged in alphabetical order. The introductory statements of Bulletin No. 370 continue to be applicable, and so are not here repeated.

### APPRENTICESHIP

*New Mexico.*—Ch. 117. Repeals the law of the State without other enactment.

*Utah.*—Ch. 55. Repeals the law of the State without other enactment.

### VOCATIONAL EDUCATION

*Hawaii.*—No. 207. Accepts Federal statute, in accordance with act of Congress of March 10, 1924.

*Montana.*—Erratum. The citation under this head in Bul. No. 370 should be secs. 1311–1317, instead of secs. 3044–3049, which relate to vocational rehabilitation.

*Pennsylvania.*—No. 250. This act amends throughout secs. 5139–5152, Pa. Stats. (secs. 1–11, No. 92, acts of 1913), which provided for a system of vocational education as a part of the public school system of the State. The basic definition of the subject now reads:

"Vocational education" shall mean any form of education of less than college grade, given in school or elsewhere, the purpose of which is to fit an individual to pursue effectively a recognized profitable employment, whether pursued for wages or otherwise.

Divisions are: Vocational industrial, vocational agricultural, vocational commercial, and vocational home economics education. A "general continuation school or class" is also provided for, to meet the needs of minors between 14 and 16 years of age who are required by the child labor law to attend school 8 hours each week. Part-time cooperative training may be arranged for by the coordination of schools and industries; also evening schools. The State is to aid the districts in the maintenance of the various classes of schools.

*Rhode Island.*—Ch. 597. Amends sec. 4, ch. 68, G. L.

*Tennessee.*—Ch. 115, sec. 21. Embodies in a new school code the provisions relative to State and Federal cooperation.

### SCHOOLS FOR EMPLOYED CHILDREN

*Tennessee.*—Ch. 115, secs. 22, 23. Authorizes establishment and maintenance of night schools for persons over 16 years of age, and of part-time schools for children over 14 years of age who have

entered employment. Classes are to be in session not less than 15 hours per week, between 8 a. m. and 6 p. m., during the weeks in which other public schools are maintained. Courses may be supplemental to their work, or a continuation of their general education.

### MOTHERS' PENSIONS

Amending laws on this subject were passed in:

*Illinois*.—P. 185. Amends sec. 307, ch. 23 R. S. Amount of allowance. Fixes 16 instead of 14 as limit for age of children.

*North Carolina*.—Ch. 292. Amends sec. 8, ch. 260, acts of 1923.

*North Dakota*.—Ch. 165. Amends ch. 156, acts of 1923, throughout.

*Rhode Island*.—Ch. 663. Amends sec. 6, ch. 455 [2340], acts of 1923.

### EXAMINATION, LICENSING, ETC., OF WORKMEN

There is an apparent tendency to extend this method of regulating employment in certain fields, the most noticeable recent development being in connection with the operation of beauty parlors.

In Illinois (pp. 574, 577), two general statutes cover the same field, one approved by the governor, the second becoming a law without his signature. The latter is of later date, but the provisions are not much different. The boards for examining workmen as fixed by the latter, to be appointed by the director of the department, represent employers and workmen in the occupation affected. The examining board for horseshoers consists of five persons, and for barbers, three. The approved act provides also for a board of three beauty culturists to conduct examinations in that subject.

### AVIATORS

Growing recognition is being given this occupation, as follows:

*Connecticut*.—Ch. 249. Repeals ch. 176, G. S. and chs. 207, acts of 1921, and 243, acts of 1923. Examination, not over \$25. License fee \$2, annual renewals.

*Massachusetts*.—Ch. 189. Amends sec. 41, ch. 90, G. L. Excludes aviators in the service of the United States.

*Minnesota*.—Ch. 406 (new act). Persons other than members of the State or United States services must have a license from the adjutant general after examination. Fee for license is \$10, for renewal \$2.

### BARBERS

*Minnesota*.—Ch. 252. Amends sec. 11, ch. 424, acts of 1921. Permits under this section do not authorize the holder to conduct a shop, but only to work under the supervision of a licensed barber.

*Oregon*.—Ch. 183. Amends secs. 8268-8271, 8274, 8275, O. L. Registration fee for apprentices is \$10.

*Utah*.—Ch. 122. Amends secs. 367, 368, 370, 371, 374, 376; adds secs. 368x, 368x1, 371x, C. L. Fee for examinations, \$10; same for registration of qualified barber from another State. Apprentice fee, \$5; annual renewal, \$1.50.

*Wisconsin*.—Ch. 28. Amends sec. 158.01, Wis. Stats.

## BEAUTY PARLORS

Several States this year took steps to secure the examination and licensing of proprietors of beauty parlors, or cosmeticians, or cosmetic therapists, as they are variously designated. State boards of examiners and the recognition of schools for the training of practitioners are features of most laws. The scope of the laws is fairly indicated by the provisions of the act of the Arkansas Legislature on the subject, though a more detailed enumeration of processes is found in other laws.

*Arkansas.*—No. 158. Persons to whom the act applies are:

(A) Any person who engages for compensation in any one of the classifications of the following practices, to wit:

Dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similar work upon the hair of any person, by any means, shall be construed to be practicing the occupation of hairdressing.

(B) Any person who, with hands, mechanical, or electrical apparatus, or any other appliances, or by use of cosmetic preparations or antiseptics, engages for a compensation [in] any one or any combination of the following practices, to wit: Massaging, cleansing, manipulating, or similar services upon the scalp, face, neck, arms, bust, and shoulders, manicuring the nails, removing superfluous hair about the body of any person, shall be construed to be practicing the occupation of cosmetic therapy.

Applicants for license must be 16 years of age, have training under a registered operator or instructor, pass examination by a State board of cosmetic therapy (fee, \$10), and pay an annual registration fee of \$5. Apprentice registration fee is \$1.

*Connecticut.*—Ch. 216. Registration of shops is required, fee \$10 per annum. Fee for license of hairdresser or cosmetician, on examination, is \$10; for assistant, \$5. Annual renewal, \$2 for each class.

*Illinois.*—P. 174. Age 16, fee for examination, \$5; registration, \$5. A like sum is charged for examination as to preliminary education. Renewal, \$1 per annum. Registered practitioners from other States may be registered on payment of a fee of \$15.

*Missouri.*—P. 240. Shop registration, \$3 annually if but one person; \$1 additional for each other employee or apprentice. Fee for examination for hairdresser and cosmetician, \$15; for various other branches, different sums. Age 18.

*New Mexico.*—Ch. 141. Age, 18; examination fee, \$5 (apparently includes certificate); registration of managers, \$15; annual renewal for managers, \$15; for operators, \$5.

*Oregon.*—Ch. 75. Age, 18; certificates, \$5; annual renewal, \$2; apparently also a "required fee" for examination; licensed practitioners from other States may register without examination, fee, \$10.

*Utah.*—Ch. 123. Applicants must be 16 years of age. Fee for examination is required, amount not named, and for registration, in addition to examination fee, \$5 for a hairdresser, \$5 for cosmetician or cosmetologist, and \$2.50 for an apprentice.

*Wisconsin.*—Ch. 68. Repeals ch. 159, Wis. Stats., and enacts new law, secs. 159.01-159.16. Managers and itinerants must be 21; license, \$15; annual renewal, \$10. Manicurists (and apparently operators) must be 18; each pay initial and renewal fees of \$2. Apprentice permit, no fee.

**CHAUFFEURS**

Laws under this head are amendatory of existing legislation.

*California*.—Ch. 239. Amends secs. 58, 59, 61, 63, 64, 73, ch. 266, acts of 1923. Persons with certain classes of diseases are excluded.

*Hawaii*.—Nos. 7 (county examiners), 158 (definition), 246 (classes of licenses). Amend secs. 2002, 2003, 2009, R. L.

*Indiana*.—Ch. 213. Repeals earlier law. New act embodies practically the same provisions.

*Massachusetts*.—Ch. 201. Amends sec. 12, ch. 90, G. L., by substituting the word "operator" for the word "chauffeur" in the first sentence.

*Michigan*.—No. 287. Amends sec. 4820, R. L. Age limit and fee unchanged.

*Pennsylvania*.—No. 160. Amends sec. 972, Pa. Stats. Fee is \$2.50 for learners' permit, examination in 60 days, and operators' permit.

*Rhode Island*.—Ch. 670. Amends sec. 6, ch. 98, G. L.

*Vermont*.—No. 70. New motor vehicle act. Provisions as to age, fees, etc., unchanged.

**GENERAL CONTRACTORS**

It is perhaps an extension of the classification to notice the law of North Carolina (ch. 318) which requires general contractors for buildings, highway construction, etc., where the cost of the completed work is in excess of \$10,000, to procure licenses from a State board appointed by the governor. It is, however, a restriction on certain important employers. The law applies only where plans and specifications are used that have been prepared by a licensed architect or registered engineer.

**HORSESHOERS**

*Colorado*.—Ch. 113. Merely repeals secs. 4802-4809, C. L.

**PLUMBERS**

Following is the list of States passing new or amending legislation on this subject in 1925:

*Arkansas*.—No. 166 (new law). Local boards in cities having systems of sanitary sewerage. Examination is required (no fees mentioned). Fee for certificate is \$5, renewable to practicing plumbers after five years, without examination on payment of like sum.

*Florida*.—Ch. 10207. Amends secs. 2251-2256, R. G. S. State board. Examination and registration of master plumbers, \$25, journeymen, \$5; annual renewal, master, \$10, journeymen, \$3. Applies to cities of 10,000 population or above.

*Massachusetts*.—Ch. 348. Adds secs. 36, 37, 38 to ch. 13, G. L., providing for the appointment of a State board of examiners, regular meetings, and salary and expenses. Fee for master's license, \$5, renewal, \$1, for journeyman's license, \$1; renewals not mentioned.

*Oregon*.—Chs. 271, 272. Repeal of secs. 3854-3861, O. L.; new law enacted of general application except to temporary construction camps. Certificate to be obtained from commissioner of labor, fee, \$5. No provision for examination. Incorporated cities and towns may enforce ordinances regulating the business of master plumbers.

## STEAM ENGINEERS, FIREMEN, ETC.

Both stationary engineers and marine service received legislative attention.

## STATIONARY ENGINEERS

*District of Columbia.*—No. 620. Amends act of February 28, 1887, so as to cover other operating engineers, as well as steam engineers. Licenses of other jurisdictions are recognized if reciprocity exists.

## EMPLOYEES ON VESSELS

*New Jersey.*—Ch. 154. Amends sec. 5, ch. 233, acts of 1919, relative to operators of power boats.

*Philippine Islands.*—No. 3177. Amends secs. 1184, 1185, 1189, 1192, and 1198, Administrative Code (act No. 2711), relating to boards of examiners, tests, etc.

## EMIGRANT AGENTS

*North Carolina.*—Ch. 101. License tax fixed at \$500 annually for each county.

## MECHANICS' LIENS

Numerous amendments occur in laws of this class, though but few changes are made within the range of the items noted in the summaries used. The list of laws follows:

*Alaska.*—Ch. 8. Amends sec. 6, ch. 13, acts of 1915. Time of filing miners' lien claims.

Ch. 42. Gives liens to watchmen of real or personal property.

Ch. 49. Amends sec. 5, ch. 13, acts of 1915, relative to interest affected and rank of lien.

*Arizona.*—Ch. 27. Amends sec. 3653 R. S. Adds clearing, ditching, and leveling land; lien to cover work of teams and use of equipment.

Ch. 62. Amends sec. 3672. Adds keepers of garages, repair and service stations to list of persons entitled to liens.

*California.*—Ch. 155. Amends sec. 1192, Code of Civil Procedure. Buildings.

Ch. 308. Adds sec. 1184d, Code of Civil Procedure. Bonds.

*Connecticut.*—Ch. 98. Repeals sec. 5251, G. S. Gives lien for manufacturing, spinning, throwing, printing, etc., cotton, wool, silk, rayon, etc., yarn and goods.

Ch. 130. Amends sec. 5217 G. S. Liens on buildings.

*Georgia.*—P. 217. Gives lien to launderers, cleaners, and dyers for work on clothing, goods, carpets, etc.

*Hawaii.*—No. 139. Amends sec. 2904 R. L. 1925 (No. 131, acts of 1921). Personal property.

*Indiana.*—Ch. 213. Lien for storage, repair, etc., of motor vehicles.

*Kansas.*—Ch. 197. Amends sec. 4996, G. S. 1915. Labor, etc., on gas and oil pipe lines.

*Maine.*—Ch. 171. Amends sec. 56, ch. 96 R. S. Vehicles.

Ch. 210. Amends sec. 2, ch. 295, acts of 1917. Watches, etc.

*Massachusetts.*—Ch. 175. Adds secs. 31A, 31B to ch. 255 G. L., relating to liens for spinning, throwing, bleaching, dyeing, etc., any

goods of cotton, wool, silk, or artificial silk, or of which such materials form a part.

*Michigan.*—No. 304. Amends sec. 14800 C. L.

*Minnesota.*—Ch. 274. Amends sec. 8490 G. S. 1923 (sec. 7020, G. S. 1913), by specifying the placing of soil or sod and the planting of trees, shrubs, etc., as labor for which liens may be had.

Ch. 352. Amends secs. 8524–8528 G. S. 1923 (secs. 7053–7057 G. S. 1913), relating to liens on motor vehicles.

*Montana.*—Ch. 23. Amends sec. 8339, R. C., bringing coal mines within its provisions.

*Nevada.*—Ch. 169. Amends secs. 2217–2223, R. L. Lien attaches for work done at request of subcontractor or contractor, same as of owner.

Ch. 174. Amends sec. 5, ch. 213, acts of 1917 (p. 2839 R. L.), extending limitation period of liens on motor vehicles.

*New Hampshire.*—Ch. 90. Adds secs. 21–23 to ch. 141, P. S., relating to labor, care, etc., bestowed on motor vehicles.

*New Jersey.*—Ch. 33. Amends ch. 312, acts of 1915, relating to liens on motor vehicles.

*North Dakota.*—Ch. 160. Amends secs. 6854–6856, C. L. 1913. Threshers' liens.

*Oklahoma.*—Ch. 108. Liens on coal and other mines, their equipment, franchises, etc., for work or labor in or about such mines.

*Oregon.*—Ch. 129. Amends sec. 10245, O. L. Loggers' liens.

Ch. 176. Amends sec. 10274, O. L. Chattel liens.

Ch. 322. Amends sec. 10277, O. L. Blacksmiths', etc., liens.

*Rhode Island.*—Ch. 606. New act. Liens of spinners, throwsters, etc.

*South Dakota.*—Ch. 216. Liens on personal property. Repeals sec. 1700, R. C., and ch. 217, acts of 1923.

Ch. 221. Amends sec. 1660, R. C.

*Tennessee.*—Ch. 144. Amends sec. 3540, Code. Liens to cover work by any person employed therefor, whether by the contractor or a subcontractor.

*Texas.*—Ch. 17. Gives lien for labor or materials on moneys, bonds, etc., due contractors for public improvements.

*Wisconsin.*—Ch. 26. Amends sec. 289.18. Loggers' lien covers use of tractor or similar motor vehicle.

Ch. 48. Amends sec. 289.50. Corn shredding, etc., placed under provisions of threshers', etc., liens.

*Wyoming.*—Ch. 16. Provides for threshermen's liens.

## PROTECTION OF WAGES OF EMPLOYEES, ETC., OF CONTRACTORS

Legislation in this field, together with its application, is as follows:

*California.*—Ch. 321. Amends secs. 1, 2, ch. 303, acts of 1919. Public works.

*Connecticut.*—Ch. 170. Public construction.

*Florida.*—Ch. 10035. Amends secs. 3533, R. G. S. Public works.

*Indiana.*—Ch. 44. Amends secs. 5901a, 5901b, A. S. Public buildings and other public works.

*Kansas.*—Ch. 198. Amends sec. 60-1413, R. S. 1923 (sec. 7569, G. S. 1915). Public works.

*Michigan*.—No. 384. Amends secs. 14827–14830, C. L., and adds a new section defining the terms “materials,” “supplies,” and “labor.”

*Missouri*.—P. 127. Amends sec. 1040, R. S. Public works.

*Pennsylvania*.—No. 292. Amends sec. 15854 Pa. Stats., so as to make the taking of a bond obligatory on public officials.

*Tennessee*.—Ch. 121. New act. Applies to public works where the contract amounts to \$100 or over.

*Wyoming*.—Ch. 162. Adds sec. 2a to ch. 151, acts of 1921. Public works.

#### ASSIGNMENT OF WAGES—WAGE BROKERS

Legislation on this subject was enacted in:

*Florida*.—Ch. 10177. Small loans act. Not over 10 per cent of wages due may be collected by assignee at any pay day.

*Michigan*.—No. 181. Amends the small loans act of 1921, No. 317 (which repealed secs. 6031–6039, C. L.), secs. 13, 14, 16, and adds sec. 15a.

*Tennessee*.—Ch. 76. Amends secs. 3522a–1, 3522a–14, Code. Provides penalty for violations, and declares provisions severable.

*West Virginia*.—Ch. 91. Small loans act; allows interest on unpaid balances only, not over 3½ per cent per month, not payable in advance. No other charge allowed except law officer's fees. Spouse must sign assignment, order, or chattel mortgage.

#### SUNDAY LABOR

*Connecticut*.—Ch. 105. Amends sec. 3755, G. S., as to operation of trains. Permits trains carrying mails and perishable freight, and other trains as authorized by the public utilities commission.

*Texas*.—Ch. 139. Amends act 303, Penal Code, so as to permit the sale of gasoline or other motor fuels and vehicle lubricants.

#### LEGAL HOLIDAYS IN THE STATES AND TERRITORIES

The following States designated November 11 a legal holiday to be known as Armistice Day:

Delaware, Ch. 191; Idaho, Ch. 80; Kansas, Ch. 180; Oregon, Ch. 124; South Dakota, Ch. 193; Utah, Ch. 37.

April 16 is made a legal holiday in Porto Rico (Act No. 3), to be known as Jose de Diego Day.

#### RAILROADS—SAFETY APPLIANCES, ETC.

*Iowa*.—Ch. 156. Steam locomotives must be equipped with automatic doors to fire boxes, whenever general repairs are made.

*Missouri*.—P. 145. Locomotives to be equipped with a water glass or water glasses so placed that the engineer and firemen can see the water level from their seats, in effect January 1, 1926.

*Tennessee*.—Ch. 133. Requires a rear light of not less than 60 watts power on locomotives, to be used in backing movements at night.

*Wisconsin*.—Ch. 290. Amends sec. 192.45, adding subsection requiring locomotives to have electric classification lights, and the rear of tenders to have electric marker lights; in effect January 1, 1928.

Ch. 309. Amends sec. 192.28, requiring guard rails to be guarded or blocked, as well as frogs; also clamps on main-line switches.

Ch. 409. Adds sec. 192.457, requiring mechanical stokers on locomotives weighing 182,000 pounds or over on the drivers, 25 per cent by January 1, 1926, adding 25 per cent annually until completion by January 1, 1929.

### BAKERIES AND THE PREPARATION AND DISTRIBUTION OF FOOD PRODUCTS

*Connecticut.*—Ch. 127. Regulates manufacture and sale of ice cream. Prescribes outer clothing, forbids the use of tobacco and the employment of persons suffering from communicable diseases. Requires supply of approved toilet and washing facilities.

Ch. 225. Same with regard to dairies. Physical examination of employees required at time of employment and annually thereafter.

*Idaho.*—Ch. 69. Relates to eating rooms, restaurants, etc. Prescribes toilets, washing facilities, supply of cuspidors, etc.

Ch. 91 forbids the employment of diseased persons in public eating places. Requires health certificates which are valid for six months from date of issue.

*New Jersey.*—Erratum. A reference is given in Bulletin No. 370 under this head to a law, pp. 2577, 2578, C. S. Closely paralleling this law is an act of 1912, No. 127, which contains many similar provisions, and adds the production, etc., of macaroni and of ice cream and frozen sweets to the list given in the earlier law. The act of 1912 forbids children under 16 to work in the places named between 7 p. m. and 7 a. m., and limits employment generally to 10 hours per day.

*North Carolina.*—Ch. 286. Amends sec. 5, ch. 173, acts of 1921.

*Pennsylvania.*—Erratum. A typographical error makes the last reference in Bulletin No. 370 under this head secs. 13637–13660, instead of 13631–13660.

An earlier law (secs. 13630, 13630a, Pa. Stats.) prescribes a six-day week, omitting Sunday, for all labor in bakeries, also a maximum of 12 hours per day and 60 hours per week. This provision is said to be “meaningless and absurd, and no indictment upon it can be sustained.” 20 Co. Ct. Rep. 476.

*Rhode Island.*—Ch. 586. Amends sec. 28, ch. 85, G. L.

*South Dakota.*—Ch. 165. Amends sec. 10, ch. 242, acts of 1921.

### RIGHT OF ACTION FOR INJURIES CAUSING DEATH

*Oklahoma.*—Ch. 125. Amends sec. 824, C. S. 1921 (sec. 5281, R. L. 1910). Gives right to “surviving spouse” instead of to widow only.

*Texas.*—Ch. 115. Amends arts. 4703 and 5686, R. S.

### VOCATIONAL REHABILITATION—STATE AND FEDERAL COOPERATION

*Colorado.*—Ch. 156. Original acceptance.

*Montana.*—Ch. 20. Authorizes a monthly maintenance allowance for persons covered by the provisions of secs. 3044–3051, R. C.

*New Hampshire.*—Ch. 18. Original acceptance.

*Oklahoma.*—Ch. 226. Original acceptance.

*Tennessee.*—Ch. 115, sec. 21. Embodies in new school code provisions as to State and Federal cooperation.

#### OLD-AGE PENSIONS

*Alaska.*—Ch. 65. Amends secs. 1, 4, 8, ch. 46, acts of 1923. Items noted in Bulletin No. 370 not affected.

*Massachusetts.*—Ch. 347. See under "Investigative commissions."

*Nevada.*—Ch. 14. Repeals ch. 70, acts of 1923.

Ch. 121. County commissioners are to provide by taxation a fund from which payments may be made to persons 65 years of age or over, who have been citizens of the United States for 15 years and actual residents of the State for 10 years; who do not themselves, or jointly with a wife or husband, own property in excess of \$3,000, or have a child or other person responsible and able to support them; are not at the time inmates of any asylum or correctional institution, and have not deserted wife or husband for 6 months or more within the preceding 10 years, nor been a professional tramp or beggar within the preceding year. Benefits, taken with all other income, may not exceed one dollar per day.

*Pennsylvania.*—No. 374. See under "Investigative commissions."

*Wisconsin.*—Ch. 121. County boards, by two-thirds vote, may establish systems of old-age pensions, available at age 70. Other conditions and the amount of relief correspond to the provisions of the Nevada law. One-third of the amount expended by any county in this behalf is to be credited to it on its quota of State taxes.

#### RETIREMENT OF PUBLIC EMPLOYEES

Following are the jurisdictions in which laws under this head were enacted:

*Connecticut.*—Ch. 215. Retirement of State employees generally after 30 years of service, or if 70 years of age, after 20 years of service; State police, age 60 and 25 years of service. Receive one-half average salary for last 5 years; if 40 years in service of the State, three-fourths pay. Noncontributory.

*Hawaii.*—No. 55. Territorial employees. Contributory.

*Illinois.*—P. 266. County employees (counties of over 500,000 population). Contributory.

*Massachusetts.*—Ch. 244. Amends sec. 5, ch. 32 G. L.

*Minnesota.*—Ch. 200. Provides for payments to widows, etc., of persons retired under the provisions of ch. 522, acts of 1919.

Ch. 335. Amends many sections of ch. 522, acts of 1919.

*New York.*—Chs. 669, 671. Amend secs. 50, 53, 61-63, 65-67, ch. 741, acts of 1920. State and municipal employees.

*Pennsylvania.*—Nos. 106, 107, 108. Amend sections 1, 3, and 6 of No. 331, acts of 1923. State employees.

No. 404. Amends secs. 3922-3924, 3928, 3930, Pa. Stats. Employees of cities of the second class.

*Philippine Islands.*—No. 3189. Amends act No. 2891, relating to time limit for applications for retirement under act No. 2589.

*Porto Rico.*—No. 104. Employees of the Insular government and of municipalities. Contributory.

*South Dakota*.—Ch. 239. Employees of cities of the first class, minimum age 60, service 15 years; contributory. In effect if adopted by vote after petition signed by 20 per cent of the legal voters of the city.

*United States*.—An act of June 20, 1918 (40 Stat. 607) provides for the retirement of officers and employees in the field service or on vessels in the Lighthouse Service of the United States. The system is noncontributory, optional at 65 after 30 years' service and compulsory at 70. A supplemental act of March 4, 1925 (No. 598), extends the privilege of retirement to the same classes of persons without regard to age, after 15 or more years of service, if physically disabled through no fault of their own.

#### COOPERATIVE ASSOCIATIONS

*Connecticut*.—Ch. 227. Amends sec. 3606, G. S., by striking out the provision limiting the holdings of any person to \$1,000.

*Florida*.—Ch. 10097. Amends secs. 4510 and 4514, R. G. S.

*Nebraska*.—Ch. 79. Amends secs. 642-644, C. S.

*Oregon*.—Ch. 237. Amends sec. 6957, O. L.

Ch. 324. Amends secs. 6954-6956, O. L.

*Wisconsin*.—Ch. 181. Amends sec. 185.08, Wis. Stats.

#### CREDIT UNIONS

A closely standardized law providing for the formation of credit unions was enacted in several States. A slight labor aspect is given to this legislation by the provision, common to them all, limiting membership to "groups having a common bond of occupation or association, or to groups within a well-defined neighborhood, community, or rural district." Such laws were enacted in 1925 in Illinois, p. 255; Iowa, ch. 176; Michigan, No. 285; Minnesota, ch. 206; and West Virginia, ch. 36.

#### STATE CONDUCT OF BUSINESS

*South Dakota*.—Ch. 282. Amends secs. 7, 11, 14, ch. 324, acts of 1919, relative to the production and sale of cement.

#### PREFERENCE FOR LOCAL LABOR AND DOMESTIC MATERIALS ON PUBLIC WORKS

*Arizona*.—Ch. 77. Provision of appropriation act; only citizens or wards of United States to be employed; residents of State preferred.

*Hawaii*.—No. 231. Amends sec. 172 R. L. 1925 (sec. 160 R. L. 1915). Citizens only for unskilled labor, if available; if not, then persons eligible to become citizens.

*Minnesota*.—Ch. 189. Adds sec. 2-A to ch. 211, acts of 1915, directing that if cut or dressed stone is used, the work of cutting, dressing, or fabricating such stone shall be done within the State.

#### RATES OF WAGES OF EMPLOYEES ON PUBLIC WORKS

*Hawaii*.—No. 165. Amends sec. 178, R. L. 1925 (No. 218, acts of 1919), fixing a minimum rate of \$2.80 per day.

## SABOTAGE AND CRIMINAL SYNDICALISM

The only legislation under this head is amendatory, as follows:

*Idaho.*—Ch. 51. This act amends sec. 8580, C. S. The industrial aspect is so largely stressed that the section as amended is reproduced in full.

SECTION 8580. *Definition.*—Criminal syndicalism is the doctrine which willfully and maliciously advocates crime, sabotage (sabotage, for the purposes of this chapter is defined to mean damage, injury, or destruction of real or personal property; work done in an improper manner; tampering with or disabling of machinery; improper use of materials; loitering at work; slack work; slowing down work or production; scamped work; waste of property; the publication of trade secrets; or either or any of the foregoing acts), violence or unlawful methods of terrorism as a means of accomplishing industrial or political reform. The advocacy of such doctrine, whether by word of mouth or writing, is a felony punishable as in this chapter otherwise provided.

Approved February 21, 1925.

## INDUSTRIAL POLICE

Following is the legislation under this head:

*Indiana.*—Ch. 159. Railroad companies may ask the governor of the State to appoint designated persons as policemen for and upon the premises of the railroad, or in the discharge of their duties elsewhere; they must give bond, wear badges, and are paid by the company.

*Pennsylvania.*—No. 140. Amends sec. 18548, adding water, water supply and water power companies, electric light, power, and transmission companies, mineral, mining, and quarrying companies, and express companies to the list of companies authorized to employ a police force, the same as railroad companies.

*Wisconsin.*—Railroad police. Section 1861a (now sec. 192.75) provides for the employment by railroad companies of men to act as guards in or about their cars, depots, yards, buildings, or grounds, for whose acts the companies are responsible.

## ABSENT VOTERS

The legislation under this head was chiefly amendatory.

*Arizona.*—Ch. 75. New law repeals ch. 17, acts of 1921.

*California.*—Res., ch. 56. Proposes an amendment to the constitution.

*Hawaii.*—No. 273. Amends No. 263, acts of 1923.

*Illinois.*—P. 377. Amends sec. 558, ch. 46, R. S.

*Michigan.*—No. 351. Ch. X of new election law.

*Minnesota.*—Chs. 277, 289, 388. Amend ch. 68, acts of 1917.

Ch. 278. Registration in cities of more than 50,000 population.

*Missouri.*—P. 203. Registration in counties of more than 100,000 inhabitants.

*Nevada.*—Ch. 36. Extends provisions to all of the municipal elections.

*New Hampshire.*—Ch. 20. New legislation, apparently permits voting outside of State.

*New York.*—Ch. 509. Includes wives of husbands entitled to vote by absentee vote.

*Oregon.*—Ch. 125. Amends sec. 4080, O. L.

*South Dakota.*—Ch. 159. Amends secs. 7226–7229, R. C.

*Utah.*—Ch. 76. Registration.

*Vermont.*—No. 4. Amends No. 7, acts of 1919.

*Wisconsin.*—Ch. 216. Amends secs. 11.54–11.59, Wis. Stats.

#### PROTECTION OF EMPLOYEES AS MEMBERS OF THE NATIONAL GUARD

*New Jersey.*—Ch. 46 (Art. XVII). Forbids discharge from employment or interference with employment or business on account of membership.

#### CONVICT LABOR

*Arkansas.*—Act No. 152. Authorizes hiring of State convicts for labor on highways or for farm labor, always in custody of prison officials. State may lease farm lands.

*Colorado.*—Ch. 141. Manufacture of license number plates and tags for motor vehicles, for the State and for sale to other States.

*Connecticut.*—Ch. 263, sec. 46. Trunk highway construction. Employment of State convicts authorized.

*Hawaii.*—Chs. 22, 250. Authorize the employment of county and Territorial convicts, respectively, in the construction of designated highways.

*Kansas.*—Ch. 28. Employment on public roads, in coal mining for State use, and on State account.

Ch. 30. Manufacture of twine on State account.

Ch. 65. Erection of public buildings (for State fair).

*New York.*—Ch. 457. Amends sec. 182, ch. 43, Con. L., relative to the preparation of road material by State convicts, for use by the State and its subdivisions.

Ch. 496. Amends sec. 93, ch. 11, Con. L., relative to the employment of county convicts. Road material may be used by the State or any subdivision, and not simply locally.

*Oklahoma.*—Ch. 195. Repeals secs. 11015, 11016, C. S. 1921 (secs. 8218, 8219, C. L. 1910), relating to the marking of convict made goods offered for sale in the State.

Ch. 277. Request for board of public affairs to investigate existing contracts.

*Pennsylvania.*—No. 182. Authorizes the department of welfare to employ the inmates of the penal and correctional institutions of the State in the raising and transplanting of forest-tree seedlings.

*West Virginia.*—Ch. 12. Amends sec. 40, repeals sec. 41, ch. 43, Code of 1923 (secs. 40, 41, ch. 112, acts of 1921). Road work by State convicts.

Ch. 17. Repeats provisions of Ch. 12; also amends sec. 48, relative to employment of county convicts on roads or in the preparation of road materials.

*Wisconsin.*—Ch. 386. Amends sec. 56.01. Manufacture of motor vehicle license plates and highway signs and markers for State and for sale to others.

#### INVESTIGATIVE COMMISSIONS

The legislatures of several States provided for the establishment or continuance of commissions or like bodies of a temporary nature,

for purposes of investigation and report. Permanent agencies were charged with similar duties in some cases. Following is a summary of such action:

*Delaware.*—Ch. 247. Joint resolution continuing for two years the commission provided for in 1923 (ch. 263), to study the existing laws of the State relating to children, and to suggest changes or amendments to such laws. The commission represents existing agencies, and no appropriation was made therefor.

*Illinois.*—P. 111. Governor to appoint three mine owners, three coal miners, and three disinterested qualified men to investigate methods and conditions of coal mining in the State with special reference to the safety of human lives and property and the conservation of coal deposits. To report to the governor and to the legislature at its next regular session. Appropriation of \$7,000.

*Massachusetts.*—Ch. 273. Extends the term of service of the commission on necessities of life, provided for in 1921 (ch. 325), and authorizes the governor to designate it as an emergency fuel commissioner, if he so determines, with the approval of the council.

Ch. 347. Makes additional appropriation for the commission on old age and other pensions, authorized by ch. 43, Resolves of 1923.

*Nevada.*—Ch. 65. Industrial commission directed to investigate "existence, prevalence, causes, nature, and extent of occupational diseases in the State of Nevada," and report to the legislature of 1927. Health offices are to cooperate, and physicians, hospitals, etc., are to be asked for information. No appropriation.

*New Jersey.*—J. Res. No. 9. Working conditions of women. Legislative committee to report to next session as to necessary cost of living and wages adequate to maintain women in health and reasonable comfort. Appropriation, \$5,000.

*Oklahoma.*—Ch. 277. See under "Convict labor."

*Oregon.*—H. Con. Res. No. 13. Requests president of State board of health to investigate paint spraying devices in use in the State and report to next legislature.

*Pennsylvania.*—No. 103. Extends the commission on laws relating to children, created by act No. 411, 1923, for a further period of two years; appropriates \$15,000.

No. 374. Governor to appoint a commission of five citizens to make a further study of old-age pensions, with special consideration of a contributory as against a straight pension system. Report in 1927. Expenses to \$20,000 provided.

*Rhode Island.*—Ch. 589. Governor to appoint a commission of nine citizens "to edit and codify the laws of the State which in any manner affect child life," to study the laws of other States, consult experts, etc., and report to the general assembly not later than February 1, 1926; \$5,000 appropriated for expenses.

## PART II.—TEXT AND ABRIDGMENT OF LABOR LAWS

### ALASKA

#### ACTS OF 1925

##### CHAPTER 45.—*Payment of wages*

SECTION 1. *Mode.*—It shall be the duty of every employer of manual labor performing services in Alaska to pay the wages or other compensation for such labor with lawful money of the United States or with negotiable checks, drafts, or orders payable upon presentation without discount by some bank or depository within the Territory of Alaska unless a written valid contract to the contrary shall have been entered into by the employer and employee before such labor was performed, which contract shall state the term of employment, the rate of wages or compensation, and the time, place, and manner of payment, and a duplicate of such contract shall have been delivered to the employee.

SEC. 2. *Payment monthly.*—Every person or corporation employing labor in the Territory shall establish monthly pay days at which time such employer shall pay for all labor performed more than ten days prior to such pay day: *Provided, however,* That where the laborer's services are terminated all wages or other compensation for labor shall then become due and payable immediately, except in event of strikes in which more than ten employees participate, when the payment of moneys earned by such strikers may lawfully be postponed until the first regular pay day thereafter: *Provided, further,* That nothing in this section shall be construed to affect any valid contract entered into by the employer and employee.

SEC. 3. *Violations.*—Any employer who, having sufficient means so to do, or having sufficient property not [sic] exempt from execution so to do, shall willfully or fraudulently, with intent to annoy, harass, oppress, or defraud an employee, refuse to pay such employee upon demand the money due him for labor as provided in this act, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding one thousand (\$1,000) dollars.

SEC. 4. *Repeal.*—Chapter 49 of the Session Laws of Alaska, 1923, is hereby repealed.

Approved April 28, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., liens, chs. 8, 42, 49; Old-age pensions, ch. 65.]

### ARIZONA

#### ACTS OF 1925

##### CHAPTER 83.—INDUSTRIAL COMMISSION

(See page 59)

*Digests, etc.*

[Other legislation is noted in Part I under the headings: Mechanics', etc., liens, chs. 27, 62; Absent voters, ch. 75; Preference for local labor, etc., ch. 77.]

### ARKANSAS

#### ACTS OF 1925

##### No. 232.—*Tips for employees*

[This act simply repeals secs. 2849-2851, Ark. Dig., which prohibited the giving of tips.]

Approved March 27, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Convict labor, No. 152; Examination, etc., of cosmeticians, No. 158; Examination, etc., of plumbers, No. 166.]

## CALIFORNIA

## ACTS OF 1925

CHAPTER 76.—*Payment of wages*

[This act amends sec. 4, ch. 202, acts of 1919, so as to read as follows:]

**SECTION 4. Act to be posted; penalties.**—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, in accordance with the provisions of section two of this act, 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 person, firm, association, or corporation, or agent, manager, superintendent, or officer thereof, who shall violate any of the provisions of this section or of section 2 of this act shall be guilty of a misdemeanor, and any failure to post and keep posted any notice as in this section prescribed shall be deemed prima facie evidence of a violation of this section and of section 2 of this act.

In addition to any other penalty provided, every person, firm, association, or corporation who shall fail to pay the wages of all its employees, as in section 2 of this act provided, shall forfeit to the people of the State the sum of ten dollars for each such failure to pay each employee, to be recovered by the commissioner of the bureau of labor statistics in a civil action. Such action shall be brought in the name of the said commissioner and all money recovered therein shall be forwarded by him to the State treasurer to become a part of the general fund of the State. When action to recover such penalties is brought, no court costs of any nature shall be payable by the said commissioner in connection with same and any sheriff or constable requested by the said commissioner to serve the summons in the said action upon any defendant within his jurisdiction, shall do so without cost to the said commissioner: *Provided, however,* That he must specify, when he returns the summons, what costs he would ordinarily have been entitled to for such service, and such costs and the other regular court cost that would have accrued were the said action not an official action shall be made a part of any judgment recovered by the said commissioner and shall be paid by him out of the first money recovered on said judgment, before any money collected is sent to the State treasurer.

Approved April 16, 1925.

CHAPTER 123.—*Employment of children—General provisions*

[This act amends sec. 7, ch. 259, acts of 1919, in regard to prima facie evidence of violations.]

Approved May 12, 1925.

CHAPTER 141.—*Employment of children—General provisions*

[This act amends sec. 5, ch. 259, acts of 1919, adding provisions relative to children under 12 appearing in entertainments.]

Approved May 15, 1925.

CHAPTER 282.—*Bureau of labor statistics*

[This act amends secs. 9, 10, No. 1828, Gen. Laws, so as to read as follows:]

**SECTION 9. *Appointees.***—The commissioner shall appoint such deputies, attorneys, statisticians, agents, assistants, stenographers, and other employees as he may deem necessary and for such compensation as he may deem proper, subject to the approval of the board of control and civil service commission. Such employees shall devote their full time to the work of the bureau and shall be entitled to receive from the State, in addition to their salaries, their actual necessary expenses while traveling on the business of the bureau. The commissioner shall procure rooms necessary for offices in San Francisco, Los Angeles, Sacramento, San Diego, Oakland, Fresno, San Jose, and in such other places as he may deem necessary, at a reasonable rental.

**Sec. 10. *Salaries, etc.***—The salary of the commissioner shall be five thousand dollars per annum, to be audited by the controller and paid by the State treasurer in the same manner as that of other State officers, and he shall also be entitled to receive his actual necessary expenses while traveling on business of the bureau. There shall also be allowed an amount not to exceed the amount allowed in the biennial budget for salaries of deputies, attorneys, statisticians, agents, assistants, stenographers, and other employees, supplies, service, and expense.

[Sec. 3, ch. 227, acts of 1913, is repealed.]

Approved May 22, 1925.

CHAPTER 311.—*Builders' tools—Acceptance as pledge*

**SECTION 1. *Dealers to keep register.***—Every person, firm, or corporation dealing in second-hand goods, wares, or merchandise, either as pawnbroker or otherwise, who buys or receives as a pledge any builders' tools shall keep a register in which shall be entered the place, date, and hour of the sale or pledge of any such tools, the name, address, and description of the seller or pledger, a description of the tools, including all numbers, letters, names, and other identification marks appearing thereon, and the name and address of the individual to whom such tools were sold or pledged.

**Sec. 2. *Record of shipments.***—Whenever any such person, firm, or corporation shall ship or otherwise transmit any such tools so bought or so received as a pledge as aforesaid, to any place outside the county in which the same were so bought or so received as a pledge, such person, firm, or corporation shall enter in the said register the date on which such tools were so shipped or otherwise transmitted, and the name and the place of business or residence of the person to whom the same were so shipped or transmitted.

**Sec. 3. *Copy of record to be delivered.***—Every such person, firm, or corporation shall each day, except legal holidays, deliver a full, true, and complete copy of the said register to the chief of police, city marshal, town marshal, or other head of the police department of the city, city and county, town, or other municipality or district wherein such tools were so bought or so received in pledge as aforesaid, which said report shall include all such tools bought or received as a pledge or shipped or otherwise transmitted since the preceding report: *Provided, however,* That if there is no police department in the municipality or district in which such tools are bought or received in pledge, or from which they are shipped or otherwise transmitted, such report shall be delivered or mailed each day, except legal holidays, to the sheriff of the county.

**Sec. 4. *Definition.***—Builders' tools, within the meaning of this act, shall include all such tools as are customarily used in the construction, alteration, or repair of buildings.

**Sec. 5. *Penalty.***—Any person, firm, or corporation who violates any of the provisions of this act shall be guilty of a misdemeanor, and shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and such imprisonment.

Approved May 22, 1925.

CHAPTER 394.—*Hours of labor of drug clerks*

[This act amends No. 2665, Gen. Laws, so as to read as follows:]

**SECTION 1. *Hours.***—As a measure for the protection of public health, no person employed by any person, firm, or corporation to sell at retail drugs and

medicines or to compound physicians' prescriptions shall perform any work in any store, dispensary, pharmacy, laboratory, or office for more than an average of nine hours per day or for more than one hundred eight hours in any two consecutive weeks nor on more than thirteen days in such two consecutive weeks.

**SEC. 2. Employer's duty.**—No person, firm, or corporation employing another person to sell at retail drugs and medicines or to compound physicians' prescriptions shall require or permit said employed person to perform any work in any store, dispensary, pharmacy, laboratory, or office for more than an average of nine hours per day, or for more than one hundred eight hours in any two consecutive weeks nor on more than 13 days in such two consecutive weeks: *Provided, however,* That any licentiate or registered assistant pharmacist so employed may be so employed, and may perform such work for the full period of time permitted by this section: *Provided, however,* That the periods of rest to be taken by the employee must be so apportioned that the employee shall be entitled to one complete day of rest during one of such weeks, and to two half-day periods in the other of such weeks; but nothing herein contained shall prevent the employer from granting to the employee a complete day of rest during each of such weeks.

**SEC. 3. Penalty.**—Any person, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished therefor by a fine not less than twenty dollars nor more than fifty dollars or by imprisonment for not exceeding sixty days or by both such fine and imprisonment, at the discretion of the court: *Provided, however,* That the provisions of this act shall not apply in any case of emergency. The word "emergency" as used herein shall be construed as being accident, death, sickness, or epidemic.

**SEC. 4. Enforcement.**—The commissioner of the State bureau of labor statistics is hereby authorized, directed, and empowered to enforce the provisions of this act.

Approved May 23, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, chs. 155, 308; Examination, etc., of chauffeurs, ch. 239; Protection of wages of employees, etc., of contractors, ch. 321; Absent voters, Res., ch. 56.]

## COLORADO

### ACTS OF 1925

#### CHAPTER 134.—*Mine regulations*

[This act amends secs. 3442, 3443, 3445, 3447, 3454-3457, 3459, 3462, 3464, 3467, and 3475, relating to the board of examiners of mine foremen, assistants, and fire bosses; the chief inspector and deputy inspector; examinations and reports. Also secs. 3476-3478, relating to tests and qualifications of mine foremen, assistants, fire bosses, and shot firers.

It also amends secs. 3482, 3506, 3516, 3517, 3525, 3548, 3556-3558, 3567, 3571, 3583, 3587, 3594-3596, and 3605, relating to provisions for safety. Competent foremen must be employed to superintend the ventilation and general operation of mines; places where explosive gases can not be removed must be isolated; danger signals must be placed and maintained where needed, hoisting of men and materials safeguarded, first aid provisions supplied, etc. An inspection fund is to be maintained, supported by a tonnage tax on coal mined.

Secs. 3448-3451, 3458, 3470-3474, relating to appointment of inspectors and deputies, are repealed.]

Approved April 23, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of horseshoers, ch. 113; Convict labor, ch. 141; Vocational rehabilitation, ch. 156.]

## CONNECTICUT

## ACTS OF 1925

CHAPTER 13.—*Factory, etc., regulations—Inspectors*

[This act amends sec. 2343, G. S., by increasing the number of deputy inspectors from 10 to 15, of whom 4 may be women, instead of 3 as formerly.]

Approved March 19, 1925.

CHAPTER 90.—*Factory, etc., regulations—Toilets*

[This act authorizes the commissioner of labor and factory inspection to require every manufacturing, mechanical, and mercantile establishment and public restaurant to provide adequate toilet accommodations for both sexes employed, so arranged as to secure reasonable privacy. Cleanliness, repair, sanitation, etc., are prescribed, and violations are to be reported by the commissioner to the local prosecuting officer. The owner of the building is to make installations, and the occupant must maintain.]

Approved May 6, 1925.

CHAPTER 126.—*Employment of children—Exemption*

[This act exempts work in State trade schools or manual training schools from the operation of secs. 5328 and 5329, forbidding the employment of children to operate designated kinds of machinery.]

Approved May 29, 1925.

CHAPTER 153.—*Employment of women and children—Hours*

[This act amends sec. 5302, G. S., by exempting bowling alleys from its provisions.]

Approved June 23, 1925.

CHAPTER 156.—*Employment of women and children—Night work*

[This act amends sec. 5303, G. S., by exempting bowling alleys from its provisions.]

Approved June 23, 1925.

CHAPTER 158.—*Employment of women and children—Bowling alleys, etc.*

SECTION 1. *Night work.*—No minor between 14 and 16 years of age who is attending school shall be employed or permitted to work in any bowling alley, shoe-shining establishment, or billiard or pool room after 6 o'clock in the afternoon of any day immediately preceding a day when school is in session; and no minor between 14 and 16 years of age and no woman shall be employed or permitted to work after 10 o'clock at night in any such establishment at any time.

SEC. 2. *Hours of labor.*—No minor between 14 and 16 years of age and no woman shall be employed in any such establishment more than 58 hours in any week. The hours of labor of such minors or women shall be conspicuously posted in such establishment in such form and manner as the commissioner of labor and factory inspection shall determine.

SEC. 3. *Enforcement.*—[Enforcement rests with the commissioner of labor and factory inspection.]

SEC. 4. *Violations.*—[Penalty for violations is a fine not to exceed \$100.]

Approved June 23, 1925.

CHAPTER 208.—*Employment of women and children—Hours*

[This act amends sec. 5306, G. S., by adding a provision limiting employment to six days per week.]

Approved June 23, 1925.

CHAPTER 252.—*Employment of children—Certificates*

[This act amends sec. 5323, G. S., relative to the conditions on which certificates will issue. The age (14 years) and schooling (six grades) are not changed; but the local school authorities may require a higher standard, while, on the other hand, a child may be released from the prescribed educational requirements by the secretary or an agent of the State board of education or by local school authorities. The act includes bowling alleys and shoe-cleaning establishments.]

Approved June 24, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., liens, chs. 98, 130; Sunday labor, ch. 105; Bakeries, etc., chs. 127, 225; Protection of wages of employees, etc., of contractors, ch. 170; Retirement of public employees, ch. 215; Examination, etc., of beauty culturists, ch. 216; Cooperative associations, ch. 227; Examination, etc., of aviators, ch. 249; Convict labor, ch. 263.]

**DELAWARE**

ACTS OF 1925

[The only labor legislation of this State for 1925<sup>1</sup> is noted in Part I, under the heading: Legal holidays, ch. 191.]

**DISTRICT OF COLUMBIA**

ACTS OF 1914-25

No. 361.—*Employment of children—School attendance*

SECTION 1. *Attendance*.—[Attendance is compulsory throughout the school year, between the ages of 7 and 16.]

SEC. 2. *Exception*.—Any child between the ages of 14 and 16 years who has completed satisfactorily the eighth-grade course of study prescribed for the public elementary schools of the District of Columbia, or a course of study deemed by the board of education equivalent thereto, may be excused by the superintendent of schools from further attendance at school under the provisions of this act, provided he is actually, lawfully, and regularly employed.

Approved February 4, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the heading: Examination, etc., of steam engineers, No. 620.]

**GEORGIA**

ACTS OF 1925

*Department of Commerce and Labor*

(Page 141)

[This act amends sec. 7, act p. 133, Acts of 1911, as amended 1919, by increasing the salary of the assistant commissioner from \$1,800 to \$2,400 per annum.]

Approved August 27, 1925.

*Employment of children—General provisions*

(Page 291)

SECTION 1. *Age limit*.—No child under the age of 14 years of age shall be employed by or permitted to work in or about any mill, factory, laundry, manufacturing establishment, workshop: *Provided*, That it shall not be construed that this act shall affect domestic employment or agricultural pursuits.

<sup>1</sup> This expression must, of course, be understood as applying to labor laws other than workmen's compensation acts, which are not considered in this bulletin.

SEC. 2. *Hours of work.*—[Children 14 to 16 years of age may not be employed in the occupations named above between the hours of 7 p. m. and 6 a. m. nor unless all the requirements of the compulsory education law have been complied with.]

SEC. 3. *Dangerous occupations.*—[Employment of children under the age of 16 years in specified dangerous occupations is forbidden. Practically the standard list is enumerated (see secs. 3145, 3148, Delaware Code, in U. S. Bureau of Labor Statistics Bul. 370 (pp. 276, 277, or similar list). The State board of health may designate other places or occupations as "dangerous to life or limb or injurious to the health or morals of children under 16 years of age"; but job or cylinder presses operated in connection with charitable or eleemosynary institutions are exempt.]

SEC. 4. *Employment certificates.*—[Employment certificates from the superintendent of schools are required for children from 14 to 16 years of age, showing age, physical fitness, and ability to read and write simple sentences. Evidence of age is prescribed. The employer must furnish a statement as to the nature of the work in which he is willing to employ the child. A certificate signed by a public-health physician or public-school physician, or if neither is available, by a physician designated by the issuing officer, must state the apparent physical age of the child, showing height, weight, and other basis of opinion. On termination of employment the certificate is to be returned to the issuing authority, to be reissued only upon presentation by the child of a new statement for employment. Certificates may be revoked at any time if found to be improperly issued. Certificates are also required in the case of all children between the ages of 16 and 18 years of age before they are allowed to work between 7 p. m. and 6 a. m., or to be employed in any of the occupations named in section 3.]

SEC. 5. *Enforcement.*—[Enforcement is intrusted to the commissioner of commerce and labor and his authorized assistants.]

SEC. 6. *Penalties.*—[Penalties are provided for any violation of the act by any person or agent or representative of a firm or corporation, or by a parent, guardian, or other person in parental relationship; also for violations by a superintendent issuing a certificate knowing its issuance was illegal, or for any person knowingly furnishing untrue evidence as to age or educational qualifications.]

SEC. 7. *Act in effect.*—[The act is to go into effect January 1, 1926.]

SEC. 8. *Repeal.*—[All laws and parts of laws conflicting with the act are repealed.]

Approved August 17, 1925.

## HAWAII

### ACTS OF 1925

#### No. 262.—*Garnishment of wages*

[This act amends sec. 2826 R. L. 1925 (sec. 2803, R. L. 1915), by authorizing the withholding of 25 per cent of the debtor's wages on service made, whether before or after judgment.]

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of chauffers, Nos. 7, 158, 246; Convict labor, Nos. 22, 250; Retirement of public employees, No. 55; Mechanics', etc., liens, No. 139; Rates of wages of employees on public works, No. 165; Vocational education, No. 207; Preference of local labor on public works, No. 231; Absent voters, No. 273.]

## IDAHO

### ACTS OF 1925

[The only labor legislation of this State for 1925 is noted in Part I, under the headings: Sabotage and criminal syndicalism, ch. 51; Legal holidays, ch. 80.]

ILLINOIS  
ACTS OF 1925

*Injunction in labor disputes*

(Page 378)

SECTION 1. No restraining order or injunction shall be granted by any court of this State, or by a judge or the judges thereof in any case involving or growing out of a dispute concerning terms or conditions of employment, enjoining or restraining any person or persons, either singly or in concert, from terminating any relation of employment or from ceasing to perform any work or labor, or from peaceably and without threats or intimidation recommending, advising, or persuading others so to do; or from peaceably and without threats or intimidation being upon any public street, or thoroughfare or highway for the purpose of obtaining or communicating information, or to peaceably and without threats or intimidation persuade any person or persons to work or to abstain from working, or to employ or to peaceably and without threats or intimidation cease to employ any party to a labor dispute, or to recommend, advise, or persuade others so to do.

Approved June 19, 1925.

*Exemption of wages from garnishment*

(Page 427)

[This act amends sec. 14, ch. 62 (erroneously printed 67 in U. S. Bureau of Labor Statistics Bul. 370, p. 359), but makes no substantive changes.]

Approved June 30, 1925.

*Mine regulations—Ventilation*

(Page 465)

[This act amends sec. 14, ch. 93, R. S., making specific requirements as to the opening of crosscuts, instead of allowing discretion (par. (d)); also allowing appeals from orders as to the use of safety lamps (par. (h)).]

Approved June 26, 1925.

*Mine regulations—Inspectors*

(Page 468)

[This act amends sec. 5, ch. 93, R. S., relative to the appointment, powers, and duties of State and county mine inspectors. No essential change appears.]

Approved June 26, 1925.

*Mine regulations—Metal mines*

(Page 472)

[This act amends sec. 17 of an act of 1921, p. 525, relating to the publication of a statistical summary of the work of the inspector of mines other than coal.]

Approved June 30, 1925.

*Mine regulations—Refuge places—Rules*

(Page 473)

[This act amends secs. 15 and 22, ch. 93, R. S., the former by adding a provision for clear landing places where man-trips are operated, and the latter by expanding the rule as to carrying pipes, lights, etc., adding a provision regulating the use of arc welders and blow torches in gaseous mines. Timbers furnished miners must be of suitable lengths. Travel of miners is regulated, and the conveyance of edge tools in the same car with workmen is forbidden.]

Approved June 26, 1925.

*Railroads—Provisions for accidents*

(Page 512)

[This act amends sec. 309, ch. 114 R. S., so as to read as below. Sec. 310 is repealed.]

**SECTION 309. *First aid provisions.***—All railroads or the receiver or receivers of any railroad operating trains, in whole or in part, within the State of Illinois, shall provide a package containing the articles prescribed by the Illinois Commerce Commission, on each train or engine, for first aid to persons who may be injured in the course of the operation of such train or trains.

Approved June 30, 1925.

*Stock for employees of corporations—Railroads*

(Page 513)

[This act adds sec. 13a to ch. 114, R. S., authorizing railroad corporations, with the consent of the stockholders, to issue and sell unissued or additional stock to their employees.]

Approved May 18, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Investigative commissions (mining), p. 111; Examinations, etc., of beauty culturists, p. 174; Mother's pensions, p. 185; Credit unions, p. 255; Retirement of public employees, p. 266; Absent voters, p. 377; Examination, etc., of employees, pp. 574, 577.]

## INDIANA

## ACTS OF 1925

CHAPTER 61.—*Garnishment of wages—Exemptions*

[This act provides for the issue of an execution against the earnings, wages, etc., of a wage earner against whom a judgment for debt has been recovered. On service of such execution it becomes a lien and a continuing levy on 10 per cent of the earnings, salary, or wages of such debtor until the execution and costs are fully satisfied, "notwithstanding any exemption law now in force." The party indebted to such judgment debtor must pay over to the officer the amount named at the rate specified, which shall not exceed 10 per cent of the wages owing, as and when they become due.

Modifications of executions may be had by either party on a proper showing. An outstanding execution is a defense against the issue of another; and if it appears that another party than the one named in the original affidavit is indebted to the judgment debtor, execution may be had against such party. The act does not apply in cases where the debt has been assigned or transferred by the original holder or owner, nor to contracts of sale unless title passes to the purchaser at the time of sale.]

Approved March 6, 1925.

CHAPTER 171.—*Mine regulations*

[This act amends secs. 5, 8, 19, and 25 of ch. 177, acts of 1923. In sec. 5 the first sentence is amended to read as follows:]

**SECTION 5. *Escape shaft; number of workmen.***—It shall be unlawful for any operator where ten (10) or more persons are employed, to allow any person or persons to work in any mine at any one time after five thousand (5,000) square yards have been excavated until a second outlet shall have been made, except a sufficient number of persons may be employed to construct such second outlet.

[Subsection (H) of sec. 5 is amended to read as follows:]

(H) All escape shafts and underground approaches thereto shall be examined at least once each week or oftener if necessary, to keep same in safe condition. A telephone shall be installed at the top and bottom of each mine

and at the main partings therein. Hereafter when any oil or gas well is drilled through any coal seam in this State and shall have been abandoned, any person, firm, or corporation drilling the same, shall properly plug such drill hole above and below each coal seam and file a map showing the exact location of such drill holes with the recorder of the county where such land is located.

[Section 8 is amended by striking out the words "chief inspector of mines" where they occur (3 places), and substituting therefor the words "State commissioner of weights and measures or his deputy." A similar change is made in subsection (E) of section 19.

Section 19 is further amended in subsection (D) final clause, by directing the chief inspector of mines to "give any other information relative to coal mining," etc., instead of to "coal and mining," as in the original act. Another verbal change is the substitution of "time" for "mine" (second occurrence) in subsection (L), so that the employment is forbidden "at any time." An editor's correction is made in subsection (T), the first sentence, last phrase, being now printed, "and to admit [omit] such sprinkling."

Section 25 is amended so as to read as follows:]

SEC. 25. *Application of act.*—The provisions of this act shall not apply to any mine that does not employ ten or more men, except that it shall be unlawful to use or operate any gasoline propelled engine or machinery inside any mine in this State.

Approved March 12, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Protection of wages of employees, etc., of contractors, ch. 44, Mechanics', etc., liens, ch. 213; Industrial police, ch. 159; Examination, etc., of chauffeurs, ch. 213.]

## IOWA

### ACTS OF 1925

#### CHAPTER 29.—*Mine regulations—Wash rooms*

[This act requires the operator of every coal mine in the operation of which more than 20 persons are employed to provide washing facilities, which the district mine inspector must inspect.]

Approved March 9, 1925.

#### CHAPTER 30.—*Mine regulations—Drill holes*

[This act amends sec. 1297, Code of 1924 (sec. 2489-19a, Supp. 1913), by requiring the use of nonsparking metals (copper, brass, etc.), for the ends of tampers, scrapers, etc.]

Approved April 3, 1921.

#### CHAPTER 31.—*Factory, etc., regulations—Elevators*

[This act repeals secs. 1679-1682, 1684, Code 1924 (secs. 2-4, 6, ch. 18, acts of 1923) and amends sec. 1683 (sec. 5 of the act). A new penal section retains the same provisions as before. All passenger elevators must be equipped with interlocking devices of approved form.]

Approved April 3, 1925.

#### CHAPTER 39.—*Private employment offices*

[Two new sections are added to the law governing private employment offices, one limiting the fee to 5 per cent of the first month's wages, this to cover registration and all other incidentals, except in occupations requiring a license; and the other declaring fraudulent and unlawful practices a misdemeanor.]

Approved April 3, 1925.

*Digests, etc.*

[Other legislation appears in Part I, under the headings: Railroads, ch. 156; Credit unions, ch. 176.]

## KANSAS

## ACTS OF 1925

CHAPTER 190.—*Hours of labor of municipal employees*

SECTION 1. *Limit.*—No city of the first class within the State of Kansas shall require any of its employees to work, labor, or be engaged in the discharge of their duties for more than 12 hours in any one day consisting of 24 hours, except in cases of emergency or public danger.

SEC. 2. *Construction.*—This act is in addition to any statutes now in force in the State of Kansas affecting hours of employment, and does not change or modify any of the provisions of existing laws providing for an eight-hour workday for city employees.

SEC. 3. *Penalty.*—[Any official violating this act may be fined not over \$500 or imprisoned not more than 60 days, or both.]

Approved March 9, 1925.

CHAPTER 258.—*Public service commission—Industrial court*

[This act creates a commission of five members, appointed by the governor by and with the advice and consent of the Senate, for terms of 4 years. It succeeds to "the jurisdiction, authority, powers, and duties" of the court of industrial relations, which is abolished. It is authorized to appoint additional deputy factory and mine inspectors, and other employees as necessary to carry on its duties. The act creating the court of industrial relations is repealed.]

Approved March 9, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Convict labor, chs. 28, 30, 65; Legal holidays, ch. 180; Protection of wages of employees, etc., of contractors, ch. 198.]

## MAINE

## ACTS OF 1925

[The only legislation of this State for 1925 is noted in Part I, under the heading, Mechanics' liens, ch. 171.]

## MASSACHUSETTS

## ACTS OF 1925

CHAPTER 47.—*Employment of children—Certificates*

[This act amends sec. 88, ch. 149, G. L., so as to permit the issue of limited employment certificates to children over 14 years of age but without the prescribed educational requirements, for employment only during hours (was days) when school is not in session.]

Approved February 19, 1925.

CHAPTER 151.—*Labor law—Definitions*

[This act amends sec. 1, ch. 149, G. L., by striking out the comma between the words "private" and "domestic" in the paragraph defining the term "employment."]

Approved March 20, 1925.

CHAPTER 165.—*Payment of wages—Weekly pay day*

[This act amends sec. 148, ch. 149, G. L., by adding to the list of employers to whom the law applies "every contractor engaged in the business of grading, laying out or caring for the grounds surrounding any building or structure."]

These words are inserted between the words "pipes or lines" and the words "shall pay weekly."]

Approved March 23, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., liens, ch. 175; Examination, etc., of aviators, ch. 189; Examination, etc., of chauffeurs, ch. 201; Retirement of public employees, ch. 244; Investigative commissions, ch. 273 (necessaries of life), ch. 347 (old age pensions); Examination, etc., of plumbers, ch. 348.]

MICHIGAN

ACTS OF 1925

ACT No. 62.—*Payment of wages*

SECTION 1. *Semimonthly pay day.*—Every employer of labor in the State of Michigan, except employers of farm labor, domestic labor, and employees of the State or any subdivision thereof shall, on or before the first day of each calendar month, pay to each employee engaged in his or its employment, the wages earned during the first half of the preceding calendar month, ending with the fifteenth day thereof, and on or before the fifteenth day of each calendar month to each employee the wages earned by him during the last half of the preceding calendar month: *Provided, however,* That nothing herein shall be construed to prohibit the payment of wages oftener than herein provided. Any employee, leaving his or her employment between the dates of any established pay day hereunder shall be paid the wages earned and due at the time of leaving, within three days after a demand has been made for same. But, any employee, discharged from his or her employment or absent from his or her place of employment on such regular pay day shall be paid the wages earned and due such employee forthwith as soon as the amount due can with the utmost diligence be ascertained: *Provided,* That, unless upon such demand, none of the provisions of this act shall apply to employees working under contract, where the amount due can not be ascertained until the termination of the contract, but in all cases of employees working under contract, the employer shall pay to such employee semimonthly wages earned by such employee as nearly as the same can be estimated, and final and complete payment shall be made at the termination of the contract: *Provided further,* That in the case of a disagreement between an employee and an employer regarding the amount of wages due to an employee, the employer shall be deemed to have complied with the provisions of this act if the payment of the wages claimed to be correct by the employer is paid to the employee on the regular pay day on which such wages are due, and in case the employee proves his claim for more wages due him than has been paid by the employer, the employer shall pay the additional amount due the employee immediately. The payment of such wages and compensation shall be paid in lawful money of the United States or by any 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: *Provided, however,* That nothing in this act shall be construed as to prohibit a deduction from the wages or compensation of any employee, any indebtedness or obligation owed by such employee to the employer, rates or assessments becoming due to any hospital association or to any relief, savings, or other department or association maintained by the employer for the benefit of the employees.

SEC. 2. *Payment in case of death.*—In case of the death of any employee, the employer may pay the 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 of administration to be issued upon the estate of said deceased employee, and if such deceased employee shall not leave a wife, children, father, mother, sister, or brother surviving him, then the employer may pay the wages due such deceased employee, to the creditors of such deceased employee as follows: Undertaker, physician, hospital, boarding house keeper and nurse, each their pro rata share of wages due such employee, upon a sworn statement of the amount due, without letters of administration being issued. And the pay-

ment of such wages shall be a full discharge and release of the employer from the wages so due and paid.

SEC. 3. *Attorney's fees.*—Whenever it shall become necessary for the employee to maintain an action at law, for the recovery or collection of any wages due as provided for by this act, and when a regularly licensed attorney is employed, then such judgment in addition to the legal rate of interest and taxable costs shall include an attorney fee of not less than five dollars nor more than fifteen dollars in the discretion of the court in favor of the successful party to be taxed as part of the costs in the case.

SEC. 4. *Enforcement.*—It shall be the duty of the department of labor and industry to enforce the provisions of this act and upon due notice the prosecuting attorney of any county in which a violation of this act has occurred shall prosecute the same according to law.

SEC. 5. *Violations.*—Any employer, unless prevented by act of God, proceedings in bankruptcy, or orders or processes of any court of competent jurisdiction, or circumstances over which such employer has no control, who shall fail to make payment of the wages due any employee as provided in this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not to exceed one hundred dollars.

SEC. 6. *Provisions severable.*—If any section or part of a section of this act be held invalid for any reason it is hereby declared to be the legislative intent that the remaining provisions of this act would have been enacted without such section or part held to be invalid having been included therein.

Approved April 21, 1925.

#### ACT No. 192.—*Trade schools—License*

SECTION 1. *License required.*—After September first, 1925, no private trade school shall be operated by any person or persons, firm, or any other private organization for the purpose of teaching any trade, occupation, or vocation, unless there is first secured from the State board for vocational education a license issued in such form as said board may direct and in accordance with the provisions of this act. Said license may be revoked at any time if, in the judgment of said board, the person or persons, firm or organization to whom the license has been issued is not complying with the provisions of the law or the rulings of the board. A private trade school as contemplated by this act shall be any plan or method used by said person or persons, firm or organization for giving instruction in any form or manner in any trade, occupation, or vocation for a consideration, reward, or promise of whatever nature, except schools or education and training programs conducted by firms or organizations for their own employees without profit.

SEC. 2. *Issue.*—No license shall be issued under the provision of this act until said board has approved the method and content of the advertising, the standards and the methods of instruction, and the equipment provided. The State board for vocational education is hereby empowered to consult with trade experts as to the equipment provided and standards and methods of instruction offered.

SEC. 3. *Violations.*—[Penalty for violation is a fine, not over \$100, or imprisonment not over 90 days, or both.]

Approved May 5, 1925.

#### ACT No. 255.—*Private employment offices*

SECTION 1. *License; fee.*—[A license must be obtained from the commissioner of labor and industry before any private employment agency is opened. The fee is \$25 in cities of less than 50,000 population; from 50,000 to 100,000, \$50; from 100,000 to 200,000, \$75; and more than 200,000, \$100. Licenses expire with the calendar year, and are not transferable.]

SEC. 2. *Bond.*—[A bond is required, conditioned on observance of the provisions of the act. The sum is \$1,000, except that in cities having a population of 300,000 or more it is \$2,000.]

SECS. 3-5. *Rules; fees.*—[Registers must be kept, giving names and addresses of applicants for positions and for help. Receipts are required for all fees paid, which may not exceed 10 per cent of the first month's wages, except in teacher's agencies. If no position is obtained, through no fault of the applicant, the full fee is returnable. No registration fee may be charged.]

**SECS. 6, 7. Offenses.**—[Fraudulent promises, deceptive advertising, sending persons to places of immoral resort, and maintaining an agency in connection with a hotel or rooming house are forbidden. Violations are punishable by a fine, \$25 to \$200, or imprisonment, 10 to 90 days, or both fine and imprisonment.]

**SEC. 8. Repeal.**—[Sections 5415-5422. Compiled Laws, are repealed.]

Approved May 13, 1925.

**ACT No. 312.—Employment of children—General provisions**

[This act amends section 5331, C. L. The first paragraph now reads as follows:]

**SECTION 5331. Age limit.**—No child under 15 years of age shall be employed, permitted, or suffered to work in or in connection with any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, billiard or pool room conducted for profit, theater, passenger or freight elevator, factory or workshop, quarry, telegraph or messenger service within this State during school hours: *Provided*, This section shall not apply to any child of the age of 14 years or over, working on Saturdays or other days during the school year, outside of school hours or during the established vacation period in preserving perishable goods in fruit or vegetable canning establishments or in any mercantile institutions, store, office, hotel, laundry, manufacturing establishment, factory or workshop, quarry, telegraph or messenger service within this State.

[Employers in the establishments covered must keep a register of all employed persons under 18 years of age. Work permits must be obtained of the school officers for all children under the age of 18 on a showing of schooling, including the sixth grade, except that for limited vacation permits to children over 16 the educational qualification may be waived; record of birth or, if this is not available, a physician's certificate of sound health and physical fitness, is also required. Except on vacation permits, there must be a statement that, in the opinion of the issuing officer, the services of the child are essential to the support of itself or its parents.

False statements, certificates, etc., subject to a fine, \$10 to \$100, or imprisonment, 10 to 90 days, or both. Children under 17 living in a school district maintaining a continuation school under act No. 421, acts of 1919, are subject to that act.]

Approved May 26, 1925.

**ACT No. 351.—Election law—PART V, CHAPTER I.—Offenses and penalties**

**SECTION 3. Protection of employees.**—Any person who shall directly or indirectly discharge or threaten to discharge any person who may be in his employ, for the purpose of influencing his vote at any election or primary election in this State, \* \* \* shall, on conviction, be deemed guilty of a misdemeanor.

Approved May 27, 1925.

**ACT No. 364.—Department of labor—Factory, etc., inspection**

[This act amends section 5339, C. L., by adding State institutions to the places subject to inspection by the State factory inspectors.]

Approved May 27, 1925.

**ACT No. 372.—Insurance of employees—Group insurance**

[This act adds three new sections, dealing with group life insurance of employees, to subdivision 2, ch. II, part 3, act No. 256, acts of 1917, to be numbered 9-a, 9-b, and 9-c. The definition of group life insurance follows:]

**SECTION 9-a. Definition.**—(1) Group life insurance is hereby declared to be that form of life insurance covering not less than 25 employees with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection,

for the benefit of persons other than the employer: *Provided, however*, That when the premium is to be paid by the employer and employee jointly and the benefits of the policy are offered to all eligible employees, not less than 75 per centum of such employees may be so insured.

SEC. 9-b. *Regulations*.—[Policies must be of a form approved by the commissioner of insurance; must be incontestible after two years except for non-payment of premiums or violations of provisions as to military service in time of war; must provide individual certificates for the employees, with provision for continuation of insurance in case of the termination of employment; must provide for the insurance of new employees of the eligible class or classes, etc.]

SEC. 9-c. *Policyholder*.—[The employer is a policyholder within the meaning of the chapter amended, and if entitled to vote at meetings of the company, has a single vote.]

Approved May 27, 1925.

#### ACT No. 377.—*Department of labor and industry*

[This act amends sections 1 and 2, No. 43, acts of 1921. Section 1 is amended by adding to the commission a fourth member, who "shall be an attorney duly licensed to practice in the courts of the State." He and two others are to be designated by the chairman to administer the workmen's compensation act, while the fourth is to administer the other labor laws of the State.

The amendments to section 2 provide for the appointment of a secretary, who, with the deputies, shall receive a salary not to exceed \$4,500 annually. Commissioners are to receive \$5,000 per annum, instead of \$4,000 as formerly.]

Approved May 27, 1925.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the headings: Assignment of wages, No. 181; Credit unions, No. 285; Examination, etc., of chauffeurs, No. 287; Mechanics', etc., liens, No. 304; Absent voters, No. 351; Protection of wages of employees of contractors, No. 384.]

### MINNESOTA

#### ACTS OF 1925

##### CHAPTER 152.—*Railroads—Wires crossing tracks*

SECTIONS 1, 2. *Power of commission*.—[The railroad and warehouse commission is directed to establish standards of construction, maintenance, etc., of electric wires of any kind which "cross on more or less parallel" railroads, interurban railways, or any other public utility, and may pass on special cases on complaint.]

Approved April 8, 1925.

##### CHAPTER 347.—*Private employment offices*

SECTION 1. *Definitions*.—[Agent or agency means any person, firm, etc., engaged for hire or compensation in furnishing employment or securing employees; employer and employee are also defined.]

SECS. 2-12. *License required*.—[License must be procured before commencement of business. Written application must be made stating prescribed facts and giving references as to character and business integrity. Annual fees for offices placing females only are \$75, males only, \$100, and both sexes, \$150. Bond in the amount of \$2,000 is required. Licenses are of three classes, one for labor and domestic service, one for technical, clerical, educational, etc., services, and one for circuses, theatrical performances, and the like. Licenses are not transferable, may be revoked for cause, are valid for only the place named, and must be conspicuously posted or hung in the place of business.]

SECS. 13-15. *Rules*.—[Special regulations apply to agents licensed under classes two and three. Records and receipts are required in all cases. Bona fide orders must be had before sending out any applicant for a position, and if no employment existed, fees and transportation costs must be refunded on

demand. False statements, inducing employed workers to leave employment, sending females to places of immoral resort, placing persons in unlawful employments, and the splitting of fees are forbidden. If a strike is known to exist, notice of such fact must be given.]

Approved April 24, 1925.

CHAPTER 387.—*Garnishment of wages of public employees*

[This act amends sec. 9364, G. S. 1923 (sec. 7867, G. S. 1913). Wages of officers or employees of municipal corporations, school districts, etc., are liable to garnishment except as exempt by law. Such persons have the same right to sell, assign, or transfer their salaries as persons in private employment. The remainder of the section prescribes procedure.]

Approved April 25, 1925.

CHAPTER 426.—*State government*—ARTICLE XII.—*Department of labor and industry*

SECTION 1. *Department continued.*—The department of labor and industry as now created by law is hereby continued in charge of the State industrial commission, which shall have and exercise the rights and powers and perform the duties now prescribed by law, subject to the limitations of this act.

SEC. 2. *Powers and duties.*—The industrial commission shall establish under its direction a division of standards and shall appoint one of its members to act as the head of this division under the title of director of standards. The offices of chief oil inspector, and chief boiler inspector are hereby abolished, and the authority conferred and the duties now imposed by law upon these officers are hereby transferred to, vested in, and imposed upon the director of standards so appointed. \* \* \*

The division of standards, with the approval of the commission, shall adopt and promulgate suitable rules and regulations relating to all State inspection, except grain inspection, the qualifications and activities of State inspectors performing duties under its direction or that of the commission or under the direction of other departments of the State government, and shall have and exercise all inspectional powers not specifically assigned by law to any other State department.

Approved April 25, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Preference for local labor and domestic materials on public works, ch. 189; Retirement of public employees, chs. 200, 335; Credit unions, ch. 206; Examination, etc., of barbers, ch. 252; Mechanics', etc., liens, chs. 274, 352; Absent voters, chs. 277, [278, 289, 388; Examination, etc., of aviators, ch. 406.]

MISSOURI

ACTS OF 1925

*Railroads—Bridges, etc., over tracks*

(Page 323)

SECTION 1. *Clearance.*—[Bridges, tunnels, wires, and other structure over tracks of railroads must have a clearance of not less than 22 feet from the lowest point to the top of the rails unless the public service commission finds such construction impracticable.]

SEC. 2. *Structures near tracks.*—[Platforms, shop buildings, coal bins, industrial plants, and all other structures must be at such distance from or over any railroad track, switch, or siding as the public service commission may by uniform rules prescribe. These provisions do not apply to telegraph and telephone or signal lines or wires.]

SEC. 3. *Violations.*—[Violations are punishable by a fine of not less than \$100 nor more than \$1,000, each day's continuance constituting a separate offense.]

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Protection of wages of employees, etc., of contractors, p. 127; Railroads, p. 145; Absent voters, p. 203; Examination, etc., of cosmeticians, p. 240.]

## MONTANA

## ACTS OF 1925

[The only labor legislation of this State for 1925 is noted in Part I, under the headings: Vocational rehabilitation, ch. 20; Mechanics', etc., liens, ch. 23.]

## NEBRASKA

## ACTS OF 1925

CHAPTER 58.—*Garnishment of wages—Public employees*

[This chapter authorizes officials of the State and its municipalities to accept process for the garnishment of personal earnings of public employees, including employees of municipally owned corporations and of school districts.]

Approved March 19, 1925.

## NEVADA

## ACTS OF 1925

CHAPTER 8.—*Mine regulations—Inspector*

[This act amends sec. 4202, R. L., by directing notice of unsafe conditions to be conspicuously posted in or about the mine, and making neglect to conform with the inspector's requirements a misdemeanor; also sec. 4205 by formal changes; and sec. 4238 by providing penalties against workmen or employees, as well as against owners, etc., who fail to comply with or violate the provisions of the act. Minimum fine is \$50 instead of \$100, and minimum imprisonment 10 days instead of 30.]

Approved February 16, 1925.

CHAPTER 49.—*Factory, etc., regulations—Toilets*

SECTION 1. *Separate provisions.*—It shall be unlawful for any person, firm, association, or corporation, employing in the same building or on the same premises five or more males and three or more females, to fail to provide separate lavatories or toilet rooms for each sex and to fail to plainly designate the same by a printed or painted sign on the door of said lavatory or toilet room so provided.

SEC. 2. *Exemptions.*—This act shall not apply to persons, firms, associations, or corporations located in office buildings where there are lavatories or toilet rooms for each sex reasonably accessible within the building, nor shall it apply to persons employing servants or other domestics in their homes or residences.

SEC. 3. *Violations.*—[Penalties are fine not over \$100, or imprisonment not over 30 days, or both.]

SEC. 4. *Enforcement.*—[The labor commissioner and local peace officers must investigate and report violations.]

Approved March 6, 1925.

CHAPTER 95.—*Commissioner of labor*

[This act amends ch. 203, acts of 1915 (p. 3083, R. L.), in respect of the provision authorizing the commissioner to accept assignments of wage claims by providing for an expense fund. Section 4½ is added, which reads as follows:]

SECTION 4½. *Expense fund.*—For the purpose of paying the expenses of civil actions where claims are assigned to the commissioner of labor as provided in the preceding section, there is hereby created a trust fund to be known as the contingent fund of the commissioner of labor. It is the object of the legis-

lature that this fund shall be self-sustaining, and for that purpose costs shall be allowed to the commissioner of labor by the courts as in other civil cases. In all cases where the amount of the claim exceeds the sum of three hundred (\$300) dollars the prevailing party shall, when a judgment is rendered in his favor, be allowed a reasonable attorney's fee, the same to be fixed by the district judge before whom the case is tried, and the same shall be taxed as costs in addition to other costs in the case. A reasonable percentage of the amount recovered of each assigned claim shall be placed in such fund, the amount to be agreed upon by the claimant and the commissioner of labor or his representative. For the purpose of carrying out the provisions of this section the sum of five hundred (\$500) dollars is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to be placed to the credit of said fund as a temporary loan. Such loan shall be repaid to the State treasurer by applying any accumulation above five hundred dollars which may be found in said fund on the thirty-first day of December, 1925, and annually thereafter until fully repaid.

Approved March 18, 1925.

#### CHAPTER 97.—*Factory, etc., regulations—Smelters*

[This act confers on the inspector of mines the same duties, powers, and authority as regards inspection, accidents, investigations, etc., with regard to smelters and ore reduction plants and mills that he possesses with regard to mines under secs. 4198-4208 R. L. Owners, agents, etc., of such plants are also obligated, the same as in the case of owners, etc., of mines.]

Approved March 18, 1925.

#### CHAPTER 139.—*Payment of wages on termination of employment*

SECTION 1. *Damages for nonpayment.*—Whenever an employer of labor shall hereafter discharge or lay off 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 shall fail or refuse on demand to pay them in like money, or its equivalent, 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 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.

SEC. 2. *Lien.*—Every employee shall have a lien as provided in an act entitled "An act to secure liens to mechanics and others and to repeal all acts in relation thereto," approved March 2, 1875, as amended by chapter 41, Statutes of 1919, 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 services therefor in manner as last employed.

Approved March 21, 1925.

#### CHAPTER 140.—*Suits for wages—Attorney's fee*

SECTION 1. *Fee allowed.*—Whenever a mechanic, artisan, miner, laborer, servant, or employee shall have cause to bring suit for wages earned and due according to the terms of his employment, and shall establish by decision of the court or verdict of the jury that the amount for which he has brought suit is justly due, and that a demand has been made, in writing, at least five days before suit was brought, for a sum not to exceed the amount so found due, it shall be the duty of the court, before which the case shall be tried, to allow to the plaintiff a reasonable attorney fee, in addition to the amount found due for wages and penalties, to be taxed as costs of suit.

Approved March 21, 1925.

#### CHAPTER 145.—*Mine regulations—Inspector*

[This act amends sec. 4199, R. L., by striking out the limitation of \$1,800 for traveling expenses and of \$1,200 for clerk hire and office expenses. It also provides for a clerk at a salary of \$1,500 per annum.]

Approved March 21, 1925.

CHAPTER 160.—*Payment of wages—Semimonthly pay day*

[This act amends sec. 6 of chapter 71, acts of 1919 (p. 2777, G. L.) so as to read as follows:]

**SECTION 6. Forfeiture.**—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 forfeit to the State of Nevada, for the support and maintenance of the office of labor commissioner, a sum not less than fifty (\$50) dollars and not more than three hundred (\$300) dollars, in the discretion of the court trying the same, to be recovered from the said employer in a civil action, prosecuted in the proper court by the district attorney of the county, at the instance of the labor commissioner.

The property of the defendant shall be subject to attachment to secure, and execution to satisfy, any judgment that may be rendered under the provisions of this section, the same as in other civil actions.

Approved March 21, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Old-age pensions, chs. 14, 121; Absent voters, ch. 36; Mechanics', etc., liens, chs. 169, 174.]

## NEW HAMPSHIRE

## ACTS OF 1925

CHAPTER 72.—*Employment of children—Acrobatic, etc., occupations*

[This act amends sec. 2, ch. 265, Pub. Stats., which forbids the employment or exhibition of children under 14 in dancing, singing, rope walking, etc., by adding a provision permitting occasional participation in local public entertainments.]

Approved April 10, 1925.

CHAPTER 150.—*Factory, etc., regulations—Fire escapes*

[This act purports to amend sec. 1, ch. 137, acts of 1907. As this act was repealed by ch. 123, acts of 1915, it may probably be regarded as an amendment to the later act. As relates to factories, it now reads as follows:]

**SECTION 1. When required; exits.**—No building three or more stories in height used or occupied above the second story as a \* \* \* factory, mill, or workshop \* \* \* shall be let, leased, or occupied for such purposes, \* \* \* unless provided with a steel or wrought-iron balcony and stairway fire escape attached to the outer wall in such manner and place as to render egress from said building easy and safe. All windows opening upon such fire escapes or balconies shall be equipped with wired glass. Such fire escapes shall be subject to approval as to location by the board of inspection: *Provided*, That nothing herein shall be deemed to deprive the commissioner of labor, factory inspectors, and other assistants of the commissioner of labor of the power and authority conferred upon them by chapter 183 of the Laws of 1917, as amended. \* \* \* If any such building be of a length greater than 150 feet it shall be provided with another such fire escape for each additional 150 feet or fractional part thereof. Every building in which laborers are employed shall be provided with sufficient means of escape, in case of fire, by more than one exit, each of which shall be at all times free from obstruction and ready for immediate use. Every door leading into any such building shall be so constructed as to open outward when practicable, and shall not be so locked, bolted or fastened during working hours as to prevent free egress. This subdivision shall not apply to buildings which contain an approved sprinkler system and stairways inclosed with fireproof walls, or other means of exit duly approved in writing by said board. It shall not be necessary to secure the approval of said officers for any such building that has been theretofore duly approved by officials authorized at the time of such approval to grant the same.

Approved April 30, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational rehabilitation, ch. 18; Absent voters, ch. 20; Mechanics, etc., liens, ch. 90.]

**NEW JERSEY**  
**ACTS OF 1925**

**CHAPTER 87.—Factory, etc., regulations—Explosives**

[This act is directed chiefly to the protection of the public. License for operation must be obtained from the commissioner of labor. Drivers of vehicles containing explosives may not smoke in, upon, or near such vehicles, nor be under the influence of intoxicants or narcotic drugs, nor drive the vehicle recklessly, nor make unnecessary stops.

No employee may enter the plant with matches or other flame-producing device, or with liquor or narcotics in his possession or control, or while under the influence of the same.]

Approved March 13, 1925.

**CHAPTER 117.—Factory, etc., regulations—Registration**

[This act amends sec. 29, act of March 24, 1904 (sec. 44, p. 3029, Comp. Stats.), so as to read as follows:]

**SECTION 29. Registration required.**—Every person, firm, or corporation which now or hereafter shall engage in any productive industry coming under the supervision of the department of labor as a factory, workshop, mill, newspaper plant, printery, or commercial laundry shall register the same with the commissioner of labor before the commencement of business, giving the legal name, home address, the nature of the business, the maximum number of persons to be employed, and such other data as the commissioner of labor may require.

2. The commissioner of labor shall keep, or cause to be kept, a complete registry of all persons, firms, and corporations that are now or may hereafter conduct such establishments in this State and assign to each a registration number. A notice of such registration shall be kept posted in a conspicuous position in the building or part of building occupied by each registrant.

Any person, firm, or corporation violating any of the provisions of this act shall be liable to a penalty of not less than one hundred nor more than two hundred and fifty dollars for each offense, which penalties shall be enforced and collected in the same manner as is provided for the collection of penalties in the act of which this act is amendatory.

Approved March 13, 1925.

**CHAPTER 119.—Factory, etc., regulations—Foundries**

**SECTION 1. Ventilation, etc.**—All entrances to foundries shall be constructed and maintained so as to minimize drafts. All passageways in foundries, now in operation or hereafter to be built, shall be constructed and maintained of sufficient width to make them reasonably safe for the workmen, and no unnecessary obstruction shall be allowed in such passageway during the hours of casting. Whenever a foundry is so constructed or operated that smoke, steam, dust, or noxious gases are not promptly carried off by the general ventilation, exhaust fans shall be provided. Foundries shall be reasonably well lighted throughout the working hours, and reasonably well heated during the cold and inclement weather.

**SEC. 2. Toilet facilities.**—Suitable washing arrangements, consisting of hot and cold water, supplied in a sanitary manner by means of wash taps and showers, shall be provided in a room separate from the workroom, but connected therewith in such a manner as not to require workmen going into the outer air.

**SEC. 3. Dressing room.**—A suitable dressing room shall be provided and kept heated in such a manner that damp working clothing may be dried therein. Dressing room shall be separate from the workroom, but connected therewith in such a manner as not to require workmen going into the outer air.

SEC. 4. *Pits to be covered; first aid.*—All pits around furnaces in any brass foundry shall be covered with substantial iron gratings. All stairways around such furnaces shall be constructed of iron. There shall be kept on hand at all times in every foundry a reasonable supply of lime water, sweet oil, vaseline, bandages, and absorbent cotton for use by the workmen in case of burns or accident. It is hereby made the duty of each and every State factory inspector to enforce the provisions of this act.

SEC. 5. *Definition.*—Any place or establishment where metal castings or cores are made shall be deemed a foundry within the meaning of this act.

SECS. 6, 7. *Penalties.*—[Violations are punishable by a fine of \$100 for each offense, to be recovered by the commissioner of labor.]

Approved March 13, 1925.

#### CHAPTER 169.—*Contempts—Labor disputes*

SECTION 1. *Venue.*—Whenever any person or persons shall be cited for disobeying any order issued out of the court of chancery; or for contempt of the court of chancery, except such order relate to the specific performance of contracts or enforcement of covenants; or relate to restraining an action of law; or trespass upon land; or restraining waste; or concerning the administration of trusts; or writs of habeas corpus or for the payment of alimony; or concerning other domestic relations relating to care or custody of children; or the relations between husband and wife; then such citation shall be referred for hearing by the chancellor to a vice chancellor other than the one by whom the original order of restraint was issued.

SEC. 2. *Jury trial.*—Whenever such citation shall relate to the disobedience of an order issuing out of the court of chancery, or for contempt of any such order which order relates to a labor dispute, then the person or persons so cited may, at the discretion of the vice chancellor hearing the order, have the facts concerning such dispute determined by a jury. Such jury shall be summoned by the sergeant at arms of the court of chancery from the panel of jurors summoned for duty in the court of common pleas for the term when the alleged violation of the order, or contempt, was committed. The procedure before the vice chancellor in impaneling and selecting the jury, and in admitting evidence, shall be the same as that provided for the trial of feigned issues issuing out of the court of chancery or other civil cases tried in the supreme court.

Approved March 16, 1925.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., lens, ch. 33; Protection of employees as members of the National Guard, ch. 46; Examination, etc., of masters of vessels, ch. 154.]

### NEW MEXICO

#### ACTS OF 1925

#### CHAPTER 77.—*Blacklisting*

SECTION 1. Section 1803, New Mexico Statutes, codification of 1915 hereby is amended to read as follows:

Sec. 1803. *Blacklisting prohibited.*—It shall be unlawful for any person or persons, firm, or corporation, employing labor in this State, after having discharged any person from service, to prevent or attempt to prevent by word, sign, or writing of any kind whatever, any such discharged employee from obtaining employment from any other person or persons, firm, or corporation, and any employer shall give the true reasons for such discharge in the service letter, if requested by the discharged employee, or in writing to any person inquiring, if the inquiry concerns contemplated employment of such discharged employee, or in any written statement demanded by such employee, and any employee, on resignation or other giving up of his employment, not covered by the word "discharged," may demand a written true statement of his rec-

ord during his service, which it shall be the duty of the employer or his or its proper officer or agent to give on such demand.

Approved March 17, 1925.

CHAPTER 79.—*Employment of children—General provisions*

SECTION 1. *Age limit.*—[Employment of children under 14 in any gainful occupation is forbidden during the school term, and during vacation without a permit.]

SEC. 2. *Permit required.*—[Children 14 to 16 years of age can be employed during the school term only if a permit is obtained.]

SEC. 3. *Work time.*—No child under the age of 16 years shall be employed or permitted to labor at any gainful occupation for more than 44 hours in any one week, nor more than 8 hours in any one day, except under special circumstances to be determined by the officer who issued the permit, but in no case shall such child be permitted to work more than 48 hours in any one week nor shall such child begin work before the hour of 7 o'clock in the morning nor continue after the hour of 7 o'clock in the evening of any one day.

SEC. 4. *Act construed.*—The provisions of this act shall not apply to children under 16 years of age working for their own parents or guardians on premises or land owned or occupied by them, and nothing in this act shall be so construed as to authorize any child under 16 years of age to be employed at any gainful occupation dangerous to the life, limb, or health of such child as defined by section 5 of this act; and nothing in this section shall be so construed as to authorize any child under 14 years of age to be employed or permitted to labor during the hours during which the public schools in the district in which the child resides are in session.

SEC. 5. *Dangerous occupations.*—[The employment of children under 16 is forbidden in specified dangerous occupations. For a similar list see secs. 3145, 3148, Delaware Code, pp. 276, 277, in U. S. Bureau of Labor Statistics Bul. 370 (pp. 276, 277).]

SEC. 6. *Children under 18.*—No child under the age of 18 years shall be employed or permitted to labor in any mine or quarry underground or at or about any place where explosives are used.

SEC. 7. *Messenger service.*—[Boys under 16 may not be employed in messenger or delivery service between 8 p. m. and 7 a. m.; nor may females under 21 be thus employed at any time.]

SECS. 8-11. *Certificates.*—[Only school officials may issue work permits, on proof of suitable character of employment and of physical condition, mental development and of age of child. If for employment during school term, the necessity of the income for the support of self or family must also be shown. Permits must be renewed after 6 months. Permits must be kept on file by the employer, and a list of names posted, subject to inspection by representatives of the bureau of child welfare. The bureau may cancel any permit for cause, with the concurrence of the issuing officer; or in case of disagreement, the district court decides.]

SEC. 12. *Evidence.*—[The frequent presence of a child under 16 in any work place is prima facie evidence of unlawful employment, if no permit is shown.]

SECS. 13, 14. *Penalties.*—[Parents or employers violating the act may be fined \$25 to \$300 or imprisoned 5 to 15 days for a first offense, imprisonment not less than 30 days for a second offense, and not less than one nor more than two years for subsequent offenses. District courts have original jurisdiction.]

SEC. 15. *Inspector.*—There is hereby provided for a State child labor inspector, appointed by and subject to the director of the bureau of child welfare. Said inspector must be qualified by special training and experience for this work and must pass a satisfactory examination given by the director of the bureau of child welfare for this purpose.

Approved March 17, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Apprenticeship, ch. 117; Examination, etc., of beauty culturists, ch. 141.]

## NEW YORK

## ACTS OF 1925

CHAPTER 123.—*Work under compressed air*

[This act amends sec. 430, ch. 31, Con. L. The only change made is in the table of shifts and intervals, which now reads as follows:]

*Shifts and intervals of work for each 24-hour period*

Pressure		Hours			
Minimum number of pounds	Maximum number of pounds	Maximum total	Maximum first shift in compressed air	Minimum rest interval in open air	Maximum second shift in compressed air
Normal	18	8	4	$\frac{1}{2}$	4
18	26	6	3	1	3
26	33	4	2	2	2
33	38	3	$1\frac{1}{2}$	3	$1\frac{1}{2}$
38	43	2	1	4	1
43	48	$1\frac{1}{2}$	$\frac{3}{4}$	5	$\frac{3}{4}$
48	50	1	$\frac{1}{2}$	6	$\frac{1}{2}$

The employer may determine the time of each shift when the pressure is less than 18 pounds, provided that the total for the two shifts does not exceed 8 hours.

Became a law March 12, 1925.

CHAPTER 178.—*Sale of stock to employees of corporations*

[This act amends sec. 14, ch. 787, acts of 1923 (which amend ch. 59, Con. L., throughout), providing for the issue of any or all the unissued stock of any corporation to its employees or the employees of subsidiary corporations, with the consent of the stockholders. Payments by installments, and the accumulation of funds from surplus profits in which employees may share, may also be provided for.]

Became a law March 18, 1925.

CHAPTER 523.—*Group life insurance*

[This act amends sec. 101a, ch. 28, Con. L., adding provisions authorizing the insurance of troops or units of the State troopers or State police, and of the members of any labor union. The clause relative to labor unions declares group life insurance to include:]

(c) Life insurance covering the members of any labor union, written under a policy to such union which shall be deemed to be the employer for the purposes of this chapter, the premium on which is to be paid by the union or by the union and its members jointly, and insuring only all of its members who are actively engaged in the same occupation, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or its officials: *Provided, however,* That when the premium is to be paid by the union and its members jointly and the benefits are offered to all eligible members, not less than 75 per centum of such members may be so insured: *Provided further,* That when members apply and pay for additional amounts of insurance, a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations.

Became a law April 9, 1925.

CHAPTER 622.—*Employment of children—Hours*

[This act amends secs. 170, 180, ch. 31, Con. L., by fixing 44 hours as the maximum for a week's work instead of 48 hours.]

Became a law April 11, 1925.

CHAPTER 623.—*Sweatshops*

[This act amends sec. 360, ch. 31, Com. L., relating to the disposition to be made of articles manufactured in tenement houses in violation of law, so as to read as follows:]

SECTION 360. *Unlawfully manufactured articles.*—The commissioner shall conspicuously affix to any article unlawfully manufactured in a tenement house a tag not less than four inches in length bearing in small pica capital letters the words "tenement made" or shall seize and hold such articles until claimed by the owner thereof. Unless the person entitled to the possession of any article so seized shall claim it within 30 days thereafter the said article may be destroyed. No person except the commissioner shall interfere with, remove, or deface any such tag.

Became a law April 11, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Convict labor, chs. 457, 496; Absent voters, ch. 509; Retirement of public employees, chs. 669, 671.]

## NORTH CAROLINA

## ACTS OF 1925

CHAPTER 58.—*Insurance of employees—Group insurance*

[This act authorizes group life insurance of not less than 50 employees under a policy issued to the employer, the premium to be paid either by him alone or jointly with his employees. All or any class or classes of the employees may be insured; but if the premium is paid jointly, and the benefits are offered to all eligible employees, not less than 75 per cent may be insured. Policies must be of standard form, incontestable after two years except for nonpayment of premium, and provision must be made for individual certificates for each employee insured, and for the inclusion of new employees. Policies and proceeds are exempt from attachment, garnishment, etc.]

Ratified February 26, 1925.

CHAPTER 83.—*Exemption of relief funds from garnishment*

[This act adds to insurance benefits exempt from attachment or garnishment under sec. 6510, C. S., benefits payable by any "society or association for the relief of employees, including railroad and other relief associations."]

Ratified February 27, 1925.

CHAPTER 101.—*Emigrant agents—Employment offices*

[This act fixes a license fee of \$500 for each county for emigrant agents, and \$50 for each private employment office.]

Ratified March 10, 1925.

CHAPTER 127.—*Private employment offices*

SECTION 1. *License; fees.*—[Agencies must be licensed by the State commissioner of labor and printing. No initial fee for services may be charged, and for temporary employment (not over 60 days), not more than 10 per cent of the first month's wages, or for permanent employment, not over 15 per cent.]

SEC. 2. *Inspection.*—[The commissioner may inspect the books of any agency at any time, and if he finds the act violated, may rescind the license; also on other evidence after notice and hearing. The fee for a license is one dollar.]

SECS. 3-6. *Violations; application.*—[Persons violating the act are punishable in the discretion of the court, corporations by fines, not less than \$250 nor more than \$1,000. Only agencies holding themselves out for public service are covered by the act, which is not to conflict with the revenue act of 1925 (ch. 101), but is a police measure only.]

Ratified March 6, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Credit unions, ch. 73; Emigrant agents, ch. 101; Bakeries, etc., ch. 286; Mothers' pensions, ch. 292; Examination, licensing, etc., of general contractors, ch. 318.]

## NORTH DAKOTA

## ACTS OF 1925

CHAPTER 164.—*Mine regulations—Maps*

[This act amends sec. 31, ch. 168, acts of 1919, by providing for the employment by the State mine inspector of a surveyer resident in the county, or the one nearest, and fixing his pay at not over \$15 per day.]

Approved March 10, 1925.

CHAPTER 219.—*Employment of women—Hours of labor*

[This act amends chapter 170, acts of 1919, so as to read as follows:]

SECTION 1. *Work time.*—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telephone or telegraph establishment, or an 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 (48) 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, nor to cases of employees in small telephone exchanges where the workmen's compensation bureau after a hearing has determined that the condition of work is so light that it does not justify the application of this act. In such case the workmen's compensation bureau shall make reasonable rules and regulations under which females may be employed in such small exchanges: *Provided, further,* That the above law shall not apply in case of emergency, that at such time female help may be employed 10 hours in one day and 7 days in one week, but not to exceed 48 hours in any one week. An emergency, as herein referred to, is defined to exist in the case of sickness of more than one female employee, in which case a doctor's certificate must be furnished, for the protection of human life, in the case of the holding of banquets, conventions, celebrations, session of the legislature in any city wherein such session is held and during the time such body is in session, or where a female is employed as reporter in any of the courts of the State of North Dakota. In case such an emergency exists the workmen's compensation bureau must be at once notified in writing or by telegraph, such notice to state the full particulars thereof and the probable duration of such emergency and permission must be obtained from such bureau as soon as practical, who shall determine the duration of such emergency.

Sec. 2. *Violations.*—Any person violating any provision of this act, shall upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Approved March 7, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., lens, ch. 160; Mothers' pensions, ch. 165.]

## OHIO

## ACTS OF 1925

*Railroads—Bridges, etc., over tracks*

(Page 43)

[This act amends sec. 8904, G. C., relative to the exceptions allowed to sec. 8903, which fixes an overhead clearance of 21 feet above the tracks, adding provisions relative to cases of the installation of electrification systems, clearance

to be fixed by the company, with the approval of the public utilities commission.]

Approved March 30, 1925.

*Employment of children—General provisions*

(Page 63)

[This act amends several sections of the compulsory education law. The changes made in secs. 7765 and 7766-3 are of secondary importance. In sec. 7766-4 the provisions relating to the issue of certificates to children over 14 years of age who are of retarded development are recast. Such certificates are to be conspicuously marked "nonstandard," and may contain such stipulations as are deemed necessary by the issuing authority "for the good of the child or of the community." No child under 14 years of age so determined to be incapable of profiting substantially by further instruction may be employed more than 4 hours in any one day. A provision is added to sec. 7766-5 requiring certificates issued in one school district to receive local validation before use in another district. Sec. 7766-8 is amended, but without essential change. Sec. 7766-9 as amended applies to both part-time and vacation employment certificates, to permit employment when the schools are not in session or where cooperative part-time classes are maintained for children over 14 years of age. Such certificates are classed as "limited." Sec. 7767, relating to part-time day schools, is not substantially changed.

Supplementary sections are enacted, sec. 7764-3 authorizing the issue of a certificate to a child under 16 who has completed a first-grade high-school course, the same as is provided for children over 16, but not affecting forbidden employments for children under 16.

By sec. 7766-10, enforcement officers may require any child apparently under 14 to discontinue employment until satisfactory proof of lawful age is furnished; while sec. 7766-11 authorizes the issuing authority to revoke an age and schooling certificate for noncompliance with stipulations, the physical condition of the child, or other sufficient cause.

Section 12993 is amended so as to forbid any child under 16 to be employed in the occupations designated "unless he either is employed in irregular service," as designated by section 7765-2, General Code, or is the holder of an age and schooling certificate issued under section 7766-3 ("limited certificates"), or section 7766-4 ("nonstandard" certificates), or section 7766-9 ("part-time and vacation" age and schooling certificates). The occupations in which employment is thus regulated include delivery of messages by boys under 16. No female under 21 may be employed in the personal delivery of messages. No child under 16 may be engaged in school and employed more than 9 hours per day together, and no child under 14 may be employed more than 4 hours per day.]

Approved March 27, 1925.

*Sale of stock to employees of corporations*

(Page 193)

[This act adds sec. 8699-1 to the General Code, authorizing corporations, with the consent of the stockholders, and upon such terms and restrictions as they shall impose, to provide for the issue of any or all their unissued stock for sale to employees of the corporation or of subsidiary corporations. Provision is made for action by dissenting stockholders, and for the purchase of their stock at an appraised valuation.]

Approved April 13, 1925.

*Garnishment of wages—Exemptions*

(Page 383)

[This act amends sec. 10253, G. C., relating to procedure in attachments. The provision fixing exemptions now reads as follows:]

9. \* \* \* No attachment shall issue by virtue of this chapter against the personal earnings of any defendant for services rendered by such defendant within 30 days before the commencement of the action or the issuing of the

attachment, unless the defendant is not the support of a family, or unless the amount of the defendant's earnings for said 30 days exceeds fifty dollars, and then only as to the excess over that amount, or unless the claim is one for work and labor, or necessaries, and then for only 20 per cent of such personal earnings.

[Sec. 10271 is amended so as to permit the payment out of the exempted 80 per cent of the earnings of the sum of \$2 as costs and a garnishee fee not to exceed 50 cents.]

[Sec. 11725 exempts from execution or attachment 90 per cent of the personal earnings of every head of a dependent family or of a widow, and the personal earnings of his or her minor child or children for 30 days, not exceeding \$75, if shown to be necessary for the support of the family. If the claim is for necessaries, 80 per cent is exempt.]

Filed April 21, 1925.

## OKLAHOMA

### ACTS OF 1925

[The only legislation of this State for 1925 is noted in Part I, under the headings: Mechanics', etc., liens, ch. 108; Right of action for injuries causing death, ch. 125; Convict labor, chs. 135, 277; Vocational rehabilitation, ch. 226.]

## OREGON

### ACTS OF 1925

#### CHAPTER 55.—*Factory, etc., regulations—Inspectors*

[This act amends sec. 6750, Oregon Laws, by changing the maximum monthly salary of deputy labor commissioners employed to enforce the act from \$150 to \$200.]

Approved February 14, 1925.

#### CHAPTER 244.—*Private employment offices*

*Fees and bonds.*—[This act amends sec. 6728, Oregon Laws, by fixing the fee for license at \$50 in cities or other localities with a population of 50,000 or less, \$100 in cities of from 50,000 to 100,000 population, and \$250 in larger cities. Bonds are required in sums of \$1,000, \$2,000, and \$3,000 in the respective classes of cities; but offices supplying only female help (see sec. 6725) pay only \$50 fee and give bond in the sum of \$1,000. From the license fees the sum of \$600 annually is set aside to defray the expenses of investigating and adjusting grievances due to violations of the act.]

Approved February 26, 1925.

#### CHAPTER 252.—*Payment of wages*

SECTION 1. Section 6797, Oregon Laws, hereby is amended so as to read as follows:

Sec. 6797. *Use of orders, etc.*—No person, firm, or corporation engaged in any business or enterprise of any kind in this State shall issue, in payment of or as evidence of indebtedness for wages due an employee, any order, check, memorandum, or other acknowledgment of indebtedness, unless the same is negotiable, and is payable without discount in cash on demand at some bank or other established place of business in the county where the same is issued, and where a sufficient amount of funds have been provided and are or will be available for the payment of such order, check, or other acknowledgment of indebtedness when due; and such person or corporation shall, upon presentation and demand, pay any such order, check, memorandum, or other acknowledgment of indebtedness, in lawful money of the United States: *Provided, however,* That nothing herein contained shall in any way limit or interfere with the right of any such employee to accept from any such person or corporation, as an evidence or acknowledgment of indebtedness for wages due him, a negotiable instrument, payable at some future date with interest.

SEC. 2. *Monthly pay day.*—Every person, firm, or corporation owning or operating any mine, smelter, mining mill, sawmill, logging concern, mercantile

establishment, or manufactory, or doing a contracting business, coming under the provisions of this act, shall establish and maintain a regular pay day, notice of which shall be posted in a conspicuous place, at which date all employees shall be paid the wages due and owing to them, and such pay day shall not extend beyond a period of thirty days from the time that such employee or employees entered upon their work, or from the date of the last regular pay day: *Provided*, That nothing herein shall prevent the employer from establishing and maintaining pay days at more frequent intervals: *And provided further*, That nothing contained herein shall be construed to prevent any person, firm, or corporation engaged in any pursuits from entering into an agreement, mutually satisfactory, with his employees, as to the payment of wages at a future date.

SEC. 3. *Violations*.—Any person, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500.

Approved February 26, 1925.

#### CHAPTER 298.—*Factory, etc., regulations—Fire escapes*

[This act is a safety code for the prevention of fire hazards, and is of general application. All buildings other than private residences, three stories or more in height, where the stories above the second are actually used, must have one standard fire escape or exterior stairway for each 10,000 feet of ground space occupied by the building. Details of construction are given, also rules as to firemen's ladders, exit doors and lights, standpipes, etc. Special rules are given for garages, motion-picture booths, theaters, dry-cleaning establishments, etc. Smoking is forbidden in operating rooms in motion-picture theaters, and in the washing, drying, and distilling rooms of dry cleaning establishments.]

Approved February 28, 1925.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of cosmeticians, ch. 75; Legal holidays, ch. 124; Absent voters, ch. 125; Mechanics', etc., liens, chs. 129, 176, 322; Examination, etc., of barbers, ch. 183; Cooperative associations, chs. 237, 324; Examination, etc., of plumbers, chs. 271, 272; Investigative commissions (paint-spraying devices), H. Con. Res. No. 13.]

### PENNSYLVANIA

#### ACTS OF 1925

##### No. 37.—*Passenger elevators*

[This act amends sec. 10097, Pa. Stats. All elevators (title of act says passenger elevators) must be equipped with automatic locking devices approved by the department of labor and industry.]

Approved March 19, 1925.

##### No. 123.—*Mine regulations—Bituminous mines*

[This act amends secs. 15472, Pa. Stats., regulating the use of storage battery locomotives, requiring inclosure of electrical parts as far as practicable.]

Approved April 7, 1925.

##### No. 124.—*Mine regulations—Mine foreman, etc.*

[This act amends sec. 6, No. 266, acts of 1923, relative to the qualifications of mine foremen and assistants, adding five bosses to the classes to which it applies. Five years of experience in the United States, two of them in the mines of Pennsylvania, is required instead of 5 years in the State; graduates of recognized mining courses need work only 3 years, but all in the mines of the State.]

Approved April 7, 1925.

No. 125.—*Mine regulations—Sprinkling—Lights*

[This act amends the second paragraph of sec. 15356, Pa. Stats., so as to permit the use of other substance than water for the prevention of explosibility; also paragraph 3 of sec. 15361, to harmonize therewith.]

Section 15412 is amended so as to permit the use of electric lamps where safety lights are required; but designated workmen and employees must also have approved flame safety lamps for detecting explosive gas. Sec. 15414 is amended to conform thereto.]

Approved April 7, 1925.

No. 126.—*Mine regulations—Maps*

[This act amends sec. 15337, Pa. Stats., adding a provision for interchange of maps between operators working overlying and underlying seams.]

Approved April 7, 1925.

No. 159.—*Factory, etc., regulations—Steam boilers*

[This act amends sec. 13598, Pa. Stats. The only change is with regard to the disposition of fees for inspections and the abolition of payments to the "boiler fund" after June 1, 1927.]

Approved April 23, 1925.

No. 368.—*Sale of stock to employees of corporations*

[Any corporation organized in the State may, with the consent of the stockholders, and according to conditions prescribed, provide for the issue and sale of authorized but unissued stock, at par or above, to the employees of such corporation or of any subsidiary corporation.]

Approved May 13, 1925.

No. 386.—*Badges, etc., of labor organizations*

[This act amends sec. 1050, Pa. Stats., by adding the word "emblem" to the articles whose unauthorized use is prohibited; their display on any vehicle is also forbidden, as well as wearing the same.]

Approved May 14, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Investigative commissions, No. 103 (children's laws), No. 374 (old-age pensions); Retirement of public employees, Nos. 106, 107, 108, 404; Industrial police, No. 140; Examination, etc., of chauffeurs, No. 160; Convict labor, No. 182; Vocational education, No. 250; Protection of wages of employees, etc., of contractors, No. 292.]

## PHILIPPINE ISLANDS

## ACTS OF 1924-25

[The only legislation of this jurisdiction is noted in Part I, under the headings: Examination, licensing, etc., of employees on vessels, No. 3177; retirement of public employees, No. 3189.]

## PORTO RICO

## ACTS OF 1925

No. 6.—*Agriculture and labor—Municipal boards*

SECTION 2. *Boards created.*—A municipal board of agriculture and labor is hereby created for each municipality of Porto Rico.

SEC. 3. *Membership.*—The said board shall be composed of seven members, to wit: The mayor, who shall be president; a grower of cane, coffee, tobacco, or fruits; a grower of minor crops; an agricultural laborer and an artisan, if

possible from recognized labor organizations; a merchant and an inspector or agent of agriculture, or in lieu thereof, an agriculturist designated by the commissioner of agriculture and labor.

SECS. 4-8. *Appointment.*—[Except the mayor and the inspector or agent of agriculture, the members are to be appointed at public conventions, under rules laid down by the commissioner of agriculture and labor. Due notice of such conventions is to be given; terms are four years, subject to termination on account of negligence, bad faith, or immorality, after hearings had; or on account of resignations or removal from the locality.]

SEC. 9. *Secretaries.*—The secretaries of these boards shall be the municipal secretaries.

SEC. 10. *Functions.*—The functions of the municipal boards of agriculture shall be: (a) To work for the constant development of the agricultural wealth of the country as well as for the improvement of the material and social conditions of the workmen of Porto Rico, especially the rural population, lending their decided support and cooperation to the rural improvements act, approved September 21, 1923, and to the department of agriculture and labor in its legal and proper functions for the public welfare, attending to its wise suggestions and to the purposes for which it was created; (b) to cooperate with the Government to the end that the insular and municipal administrations shall be perfect in their organizations and render the greatest benefit to the communities; (c) to work for the establishment of cooperative associations for production and consumption; (d) to watch over and to do everything within their power so that taxation shall be levied, assessed, and collected efficiently with the highest spirit of equity and justice; (e) to intervene as a conciliatory commission in all cases where discord or strikes arise between capital and labor until the mediation and conciliation commission shall take charge of the matter; (f) to look for employment for such persons as desire to secure positions, taking into account their capacity, honesty, and diligence.

SEC. 11. *Meetings.*—The municipal boards of agriculture and labor shall hold regular meetings once each month, and special sessions when required by the governor or by the department of agriculture and labor, or on petition of at least four of their members, who shall deem it advisable.

SEC. 12. *Service without pay.*—The members of said boards shall serve ad honorem.

SEC. 13. *Rules.*—The municipal boards of agriculture and labor shall draft and adopt at their second meeting adequate rules and regulations for their own government.

Approved May 1, 1925.

No. 18.—*Employment of labor—Sundays and holidays—Closing time*

SECTION 1. Section 553 of the Penal Code \* \* \* is hereby amended to read as follows:

Sec. 553. *When establishments are to be closed; exceptions.*—All day Sundays, except when the 24th of December and the 1st and 5th of January fall on Sunday; on the first Monday in September (Labor Day) and the 4th of July; on all legal holidays from 12 a. m.; on all working days from 6 p. m., and on the 24th and 31st days of December, and the 5th day of January of each year, from 10 p. m., commercial and industrial establishments shall remain closed to the public; and one hour after closing no work of any kind shall be permitted the employees of said establishments, except those stated below:

1. Libraries, sugar and alcohol factories, and coffee-cleaning mills.
2. Public markets, printeries, garages, and bakeries: *Provided*, That establishments and stands for the sale of provisions and merchandise in public market places shall not be exempt from the provisions of this act, the products and vegetables of this country not to be considered as such provisions and merchandise.
3. Establishments where refreshments and coffee as a beverage only are sold; restaurants, cafés, hotels, inns, confectionery and pastry stores, and such stands as sell only candies, matches, manufactured tobacco, and newspapers.
4. Casinos, billiard rooms, ice depots, meat stands, and milk depots.
5. Slaughterhouses, dairies, livery stables, piers or docks, and undertaking establishments.
6. Public and quasi-public utilities and works of emergency necessary to prevent danger or considerable financial losses.

7. Theaters, hippodromes, and other places devoted exclusively to amusement or charitable purposes, so far as relates to said purposes.

8. Pharmacies, the closing of which shall be regulated by ordinances enacted by the municipal assemblies: *Provided*, That in no case shall municipalities order the closing of pharmacies between the hours of 7 a. m. and 6 p. m., working days.

SEC. 2. *Weekly day of rest.*—Employees and clerks of enterprises and establishments not exempted by law, and who render services on the basis of an annual, monthly, or weekly, or in any form other than for wages or piece work at a fixed price, shall be entitled to one day of rest for every six days of work, at full salary.

SEC. 3. *Violations.*—All violations of this act shall be punished by a maximum fine of one hundred (100) dollars for the first offense, or by imprisonment for a maximum term of thirty (30) days, and subsequent violations shall be punished by a fine of from twenty (20) to one hundred (100) dollars, or by imprisonment from five (5) to thirty (30) days, or by both penalties in the discretion of the court.

Approved May 20, 1925.

No. 35.—*Department of agriculture and labor*

SECTION 1. *Title.*—This act shall be known and designated as the “Department of Agriculture and Labor Act.”

SEC. 2. *Duties.*—The Department of Agriculture and Labor of Porto Rico shall patronize, encourage, and develop agricultural and industrial interests and the welfare of the laborers, bettering their conditions of labor and promoting their opportunities to obtain lucrative employment.

SEC. 3. *Commissioner.*—The commissioner of agriculture and labor shall have charge of the direction, administration, and general supervision of his department, and shall be the head thereof; \* \* \*

SEC. 4. *Bureaus.*—The department of agriculture and labor shall consist of the following bureaus and services: \* \* \*

(h) Bureau of labor and general employment agency. \* \* \*

SEC. 10. *Statistics.*—The division of statistics shall be in charge of a chief, with such personnel as may be necessary to arrange, classify, and distribute statistics of agriculture, industry, and commerce, and to prepare such other work of like nature as the commissioner may direct.

SEC. 51. *Bureau of labor.*—A bureau to be known as the bureau of labor shall be organized in the department of agriculture and labor under the provisions of an act to reorganize the bureau of labor, approved July 16, 1921, by the Legislature of Porto Rico, and a general employment agency, created by act No. 51, approved July 14, 1923.

Approved June 18, 1925.

No. 42.—*Exemption from taxation—Labor organizations*

[This act amends par. (e), sec. 291, Political Code, by adding buildings and furniture “used or destined exclusively and wholly for labor organizations” to the list of properties exempt from taxation.]

Approved July 7, 1925.

No. 54.—*Employment on public works*

[This act amends sec. 1, No. 11, acts of 1923, so as to read as follows:]

SECTION 1. *Hours and wages.*—In all public works constructed in Porto Rico, whether by contract or by administration, where the Insular Government, any municipality of Porto Rico, or any commission or board approved by virtue of law, is an interested party, and where it may be necessary to employ laborers, workingmen, or mechanics, these shall not be permitted or compelled to work more than eight hours daily in any natural day, excepting in cases of extraordinary emergency caused by fire, inundation, or danger to lives or property; and every laborer, workingman, or mechanic employed in any insular or municipal public work shall receive not less than one (1) dollar for each legal day’s work performed.

Approved July 23, 1925.

No. 64.—*Employment of children—General provisions*

[This act amends secs. 1, 3, 5, 6, and 13, No. 75, acts of 1921. A child is defined as a person under 16 instead of under 18, and the various restrictions are modified accordingly, including those relating to messenger service (sec. 6).]

Sec. 5, relating to dangerous employments, presents such a different list from the standard law that it is reproduced in full.]

**SECTION 5. *Dangerous occupations.***—For the purposes of this act, occupations dangerous to health shall be deemed to be, and no child under 16 years shall be permitted or suffered to work therein, the following: Blacksmith shops, silvering of mirrors, making bread outside of regular hours, perfume and medicine factories (in which poisonous substances are used), pearl factories (excepting work in nitric acid and the polishing with amil acetate, which may not be done by a minor under 18 years of age), shops for the polishing of diamonds, cigar and cigarette factories and tobacco stripping and sorting shops.

Occupations dangerous to health shall be deemed to be, and no minors under 18 years of age shall be permitted or suffered to work therein, the following: Smelters, tanneries, washing and ironing of clothes of persons affected with contagious diseases, acid factories and fertilizer factories, stone crushers, saw-mills, sugar centrals (in work having to do with machinery), pearl factories, at the place where the work is done with nitric acid and the polishing with amil acetate: *Provided*, That in case of the employment of children or minors in shops or factories whose industries are not comprised in this section, the chief of the bureau of labor shall consult with the insular commissioner of health, who shall have power to determine whether or not the occupation is a dangerous occupation within the meaning of this section: *And provided further*, That when the insular commissioner of health shall have determined, pursuant to this act, that the occupation is dangerous to health, he shall issue an order prohibiting the employment of children and minors in the said occupation.

[Sec. 13 is amended by permitting the issue of an employment certificate on the completion of the fifth grade of school, instead of the sixth (fourth grade in rural schools).]

Approved July 31, 1925.

## RHODE ISLAND

## ACTS OF 1925

CHAPTER 591.—*Protection of employees on buildings*

[This act amends secs. 2 and 3, ch. 93, G. L., so as to read as follows:]

**SECTION 2. *Flooring to be laid.***—Where in the case of the construction of a building of three or more stories in height, other than an iron or steel framed building, the floors are required to be double floors, the contractor of the carpenter work or the owner of such building shall lay or cause to be laid the under floor of each story as the building progresses, and if the floors are required to be only single floors, then the contractor or owner shall lay or cause to be laid a safe, permanent or temporary close board floor as the work progresses, so that no construction work shall be done in any case on such building more than two stories above such completed under floor, or such permanent or temporary board floor. Such spaces and openings may be left through the floors, in the construction of the buildings referred to herein and in section one of this chapter, as may be reasonably required for the proper construction of such building, and for the raising and lowering of materials to be used in the construction of such building, or such spaces and openings as may be designated by the plans or specifications for stairways and elevator shafts, but all such spaces and openings shall be enclosed by the contractor or the owner of such building by a double rail barrier not less than four feet from the floor, and not less than two feet from the edge of such space or opening.

**Sec. 3. *Safe rigging, ladders, etc.***—No person employing another to perform labor of any kind in erecting, repairing, altering, or painting any building or other structure 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 which are of such unsound character as to endanger the life of anyone using the same;

or shall use or allow to be used any ropes where acid is or may come in contact with the same; or shall permit the use of any swinging scaffold or stage on the exterior of a building or other structure at a greater height than thirty-five feet from the ground without equipping 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. 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: *Provided, however,* 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. When not in use rigging shall be housed or suitably covered and protected from the weather.

Approved April 8, 1925.

CHAPTER 626.—*Commissioner of labor*

[This act amends sec. 5, ch. 87, G. L., by advancing the salary of the deputy commissioner from \$2,300 to \$2,800.]

Approved April 22, 1925.

CHAPTER 627.—*Inspection of steam boilers*

[This act amends sec. 15, ch. 94, G. L., by advancing the salary of the inspector from \$2,300 to \$2,500, and of the deputy from \$1,700 to \$2,000. Office expenses may amount to \$1,200 instead of \$1,000, and \$5,700 in all is appropriated.]

Approved April 22, 1925.

CHAPTER 638.—*Factory, etc., regulations—Inspection*

[This act amends sec. 4, ch. 85, G. L., by increasing the general expense fund for factory inspectors from \$3,500 to \$4,000, of which not over \$1,200 may be used for clerical assistance, instead of \$900.]

Approved April 24, 1925.

CHAPTER 678.—*Employment of children—School attendance*

[This act amends sec. 1, ch. 76, G. L., by fixing 16 instead of 15 as the maximum age of required school attendance, unless lawfully employed.]

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Bakeries, etc., ch. 586; Investigative commissions (children's laws), ch. 589; Vocational education, ch. 597; Mechanics', etc., liens, ch. 606; Mothers' pensions, ch. 663; Examination, etc., of chauffeurs, ch. 670.]

**SOUTH DAKOTA**

**ACTS OF 1925**

[The only labor legislation of this State for 1925 is noted under Part I, under the headings: Absent voters, ch. 159; Bakeries, etc., ch. 165; Legal holidays, ch. 193; Mechanics', etc., liens, chs. 216, 221; Retirement of public employees, ch. 239; State conduct of business, ch. 282.]

**TENNESSEE**

**ACTS OF 1925**

CHAPTER 90.—*Employment of children—Employment certificates*

[This act amends sec. 4342-a-48, Thompson's Shannon's Code, by inserting as a condition to the issuance of employment certificates a statement by a prospective employer of his intention to employ the child in a designated kind of

work, and a health certificate from a public health officer or public school medical inspector.]

Approved April 11, 1925.

CHAPTER 115.—*Employment of children—Employment certificates*

SECTION 26. [This section of the school code authorizes county and city superintendents of schools to issue employment certificates to children 14 years of age and over, and prescribes the proof of age required—birth certificate or transcript thereof, or certificate of baptism, Bible record, certificate of confirmation, passport, life insurance policy, or physician's certificate, acceptable in the order named. A medical certificate is also required.]

Approved April 16, 1925.

CHAPTER 116.—*Tips for employees*

[This act merely repeals secs. 6888a-31-6888a-35, of the Code, forbidding the giving and receiving of tips.]

Approved April 16, 1925.

CHAPTER 134.—*Private employment offices*

[The State revenue bill for 1925 fixes a privilege tax for employment agencies or intelligence offices at \$50 per annum for cities, towns, or taxing districts of over 50,000 inhabitants, \$30 if from 30,000 to 50,000 inhabitants, and \$10 in smaller places.]

Approved April 16, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Assignment of wages, ch. 76; Vocational education, ch. 115, sec. 21; Vocational rehabilitation, same; Schools for employed children, ch. 115, secs. 22, 23; Protection of wages of employees, etc., of contractors, ch. 121; Railroads, ch. 133; Mechanics', etc., liens, ch. 144.]

TEXAS

ACTS OF 1925

CHAPTER 11.—*Railroads—Height of structures over tracks*

SECTION 1. *Overhead.*—[All bridges, wires, or other structures hereafter built over the tracks of railways must be at least 22 feet from the top of the rails to such wires or the lowest downward projection of bridges or other structures.]

SEC. 2. *Side clearance.*—[Loading platforms, houses, fences, etc., and lumber and other materials must not be erected, placed, or piled less than eight and one-half feet from the center of the line or track, either main, switch, spur, or siding.]

SEC. 3. *Roof projections.*—[Roof projections must be constructed with regard to the above requirements for overhead and side clearance.]

SEC. 4. *Application.*—[This act does not apply to structures, etc., in existence or under erection or contract for erection and for which material has been purchased.]

SECS. 4, 5. *Enforcement.*—[Violations are punishable by a fine, \$100 to \$1,000, each day's continuance constituting a separate offense. The railroad commission is to make rules and regulations in accordance with the act.]

Approved February 18, 1925.

CHAPTER 29.—*Factory, etc., regulations—Passenger elevators*

[This act requires all passenger elevators to be equipped with locking devices, of approved design, that will prevent the moving of the elevator when the gate or door is open. Penalty for violation is a fine, not less than \$5 nor more than \$25 for each day of operation.]

Approved March 4, 1925.

CHAPTER 42.—*Employment of children—General provisions*

**SECTION 1. Age limit.**—Any person, or any agent or employee of any person, firm, or corporation who shall hereafter employ any child under the age of fifteen (15) years to labor in or about any factory, mill, workshop, laundry, or in messenger service in towns and cities of more than fifteen thousand population, according to the Federal census, except as hereinafter provided, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200) or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment: *Provided*, That nothing in this act shall be construed as affecting the employment of children on farms, ranches, dairies, or other agricultural or stock raising pursuits.

**SECS. 2, 3. Prohibited employment.**—[The employment of any child under 17 years of age in mines, quarries, or where explosives are used, or sending such child to a place of immoral resort of which the character could have been known on reasonable inquiry subjects the offender to a fine of not less than \$50 nor more than \$500 or imprisonment not to exceed 50 days or both such fine and imprisonment. Persons employing children under 17 years of age in messenger service must ascertain the nature of the places to which such children are sent.]

**SEC. 4. Work time.**—[Employment of children under 15 is limited to 8 hours per day and 48 per week, with no work between 10 p. m. and 5 a. m. This does not apply to children employed at farm labor.]

**SEC. 5. Children of dependent widows, etc.**—Upon application being made to the county judge of any county in which any child over the age of twelve (12) years shall reside, the earnings of which child are necessary for the support of itself, its mother when widowed, or in needy circumstances, or invalid father, or of other children younger than the child for whom the permit is sought, the said county judge may upon the sworn statement of such child or its parents or guardians, that the child for whom the permit is sought is over twelve (12) years of age, that the said child has completed the fifth grade in a public school or its equivalent, and that it shall not be employed in or around any mill, factory, workshop, or other place where dangerous machinery is used, nor in any mine, quarry, or other place where explosives are used, or where the moral or physical condition of the child is liable to be injured, and that the earnings of such child are necessary for the support of such invalid parent, widowed mother or mother in needy circumstances, or of younger children, and that such support can not be obtained in any other manner, and that suitable employment has been obtained for such child, which sworn statement shall be accompanied by the certificate of a licensed physician showing that such child is physically able to perform the work or labor for which the permit is sought, issue a permit for such child to enter such employment. Every person, firm, or corporation employing any such child between the ages of twelve (12) years and fifteen (15) years shall post in a conspicuous place where such child is employed, the permit issued by the county judge: *Provided*, That no permit shall be issued for a longer period than [than] twelve (12) months, but may be renewed from time to time upon satisfactory evidence being produced that the conditions under which the former permit was issued still exist, and that no physical or moral injury has resulted to such child by reason of its employment. In every case where a permit is sought for any child between the ages of twelve (12) years and fifteen (15) years, the parent, guardian, or other person in charge or control of such child shall appear before the county judge in person with such child for whom a permit is sought before such permit shall be issued. There shall be nothing in this act to prevent the working of school children of any age from June 1 to September 1 of each year except that they shall not be permitted to work in factory, mill, workshop, and the places mentioned in sections 2 and 5 of this act; nor shall their hours of labor conflict with section 4 of this act.

**SEC. 6. Enforcement.**—[The commissioner of labor statistics and his deputies and inspectors must have free access during working hours to all places where children or minors are employed, under penalty of a fine not less than \$25 nor more than \$100.]

**SEC. 7. Exemptions.**—[Nurses, maids, yard servants, and others employed for private homes and families are exempt from the operation of this act.]

Approved March 7, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, ch. 17; Right of action for injuries causing death, ch. 115; Sunday labor, ch. 139.]

## UTAH

### ACTS OF 1925

[The only labor legislation of this State for the year 1925 is noted in Part I, under the headings: Legal holidays, ch. 37; Apprenticeship, ch. 55; Absent voters, ch. 76; Examination, etc., of barbers, ch. 122; Examination, etc., of hairdressers, cosmeticians, etc., ch. 123.]

## VERMONT

### ACTS OF 1925

[The only labor legislation of this State for 1925 is noted in Part I, under the headings: Absent voters, No. 4; Examination, etc., of chauffeurs, No. 70.]

## WEST VIRGINIA

### ACTS OF 1925

#### CHAPTER 87.—*Payment of wages in scrip*

[This act amends sec. 80, ch. 15h, Code of 1923 (sec. 539, Code of 1913), by adding thereto the following:]

*Provided*, That any such corporation, company, firm, person, or association, engaged in any of the businesses aforesaid, at other times than at the regular pay day settlements, upon the faith and to credit of labor to be performed but not to be paid for under the contract of hiring until a future date, may, in payment or part payment therefor, upon request of any employee, issue to such employee, nontransferable orders upon himself or itself, or upon another, payable in merchandise only; or nontransferable coupons or tokens payable and redeemable in merchandise only: *Provided further*, That it be shown upon the face of said order that such employer agrees to pay the employee in lawful money of the United States or by check the unused portion or part, if any, of such order in possession of the holder, or the unused coupons or tokens, if any, of such holder, in his possession, upon demand and surrender thereof by him at such regular settlement day or pay days according to the issuance thereof when the same would be due in cash had not said order or token been issued.

Passed April 23, 1925.

#### CHAPTER 88.—*Mine regulations.*

[This act amends ch. 10, acts of 1915 (secs. 495-1 to 495-87, Supp. 1918), throughout. It is a complete mining code, providing for a technically qualified chief of a department of mines, 25 inspectors for the corresponding districts of the State, provisions for safety, inspection, first aid, the employment of fire bosses, mine foremen, etc. Workmen are to be checked in and out of the mines, accidents are to be reported to the chief of the department by the operator or agent within 24 hours of their occurrence.

The intimidation of workers is forbidden, as follows:]

**SECTION 27. Intimidation.**—Nor shall any person or persons or combinations of persons, by force, threats, menaces of intimidations of any kind prevent or attempt to prevent from working in or about any mine any person or persons who have the lawful right to work in or about the same, and who desire so to work; but this provision shall not be so construed as to prevent any two or more persons from associating together under the name of knights of labor.

or any other name they may desire, for any lawful purpose, or for using moral suasion or lawful argument to induce anyone not to work in and about any mine.

Passed April 22, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Convict labor, chs. 12, 17; Credit unions, ch. 36; Assignments of wages, ch. 91.]

## WISCONSIN

### ACTS OF 1925

#### CHAPTER 27.—*Hours of labor of women*

[This act amends subsections (3) and (4) of sec. 103.02, so as to make their provisions apply only to the employment of females in hotels.]

Approved March 27, 1925.

#### CHAPTER 147.—*Labor organizations—Exemption of property from taxation*

[This act adds to the list of properties exempt from taxation (sec. 70.11), a new subsection (31), which reads as follows:]

(31) Property owned and used exclusively by any labor organization or by any corporation or association formed under the laws of this State, whose members consist of workmen associated according to crafts, trades, or occupations, or their authorized representatives, or associations composed of members of different crafts, trades, or occupations, provided no pecuniary profit results to any individual member.

Approved May 19, 1925.

#### CHAPTER 176.—*Minimum wage*

[This act amends secs. 104.02, 104.03, 104.05, 104.06, and 104.07, and adds a new section, 104.125, as follows:]

**SECTION 104.02. *Living wage.***—Every wage paid or agreed to be paid by any employer to any minor employee, except as otherwise provided in section 104.07, shall be not less than a living wage.

**SEC. 104.03. *Violation.***—Any employer paying, offering to pay, or agreeing to pay any minor employee a wage lower or less in value than a living wage shall be deemed guilty of a violation of sections 104.01 to 104.12.

**SEC. 104.05. *Complaints.***—The industrial commission shall, within twenty days after the filing of a verified complaint of any person setting forth that the wages paid to any minor employee in any occupation are not sufficient to enable such employee to maintain himself under conditions consistent with his welfare, investigate and determine whether there is reasonable cause to believe that the wage paid to any minor employee is not a living wage.

**SEC. 104.06. *Board; powers.***—If, upon investigation, the commission finds that there is reasonable cause to believe that the wages paid to any minor employee are not a living wage, it shall appoint an advisory wage board, selected so as fairly to represent employers, employees, and the public, to assist in its investigations and determinations. The living wage so determined upon shall be the living wage for all minor employees, within the same class as established by the classification of the commission.

**SEC. 104.07. *Special licenses.***—The industrial commission shall make rules and regulations whereby any minor unable to earn the living wage theretofore determined upon, shall be granted a license to work for a wage which shall be commensurate with his ability. Each license so granted shall establish a wage for the licensee, and no licensee shall be employed at a wage less than the rate so established.

**SEC. 104.125. *Oppressive rates prohibited.***—(1) No wage paid or agreed to be paid by any employer to any adult female employee shall be oppressive. Any wage lower than a reasonable and adequate compensation for the services rendered shall be deemed oppressive and is hereby prohibited.

(2) The industrial commission shall make rules and regulations whereby any adult female unable to earn the wage determined by the commission shall be

granted a license to work for a wage which shall be commensurate with her ability. The commission shall also grant to an employer a license to employ adult females at less than the wage so determined if said employer shall satisfactorily establish that he is unable to pay such wage, but the inefficiency of the employer shall not be a ground for granting such license. Each license so granted shall establish a wage for the licensee or licensees, and no licensee shall be employed at and no employer shall pay a wage less than the wage so determined.

(3) The industrial commission shall have the power, and it shall be its duty to investigate, ascertain, and make findings as to the wages which are oppressive and unjust within the meaning of this section and to issue orders based upon such findings. The payment of any wage in violation of any such order of the commission shall be deemed a violation of this section unless it is clearly established that such order was unreasonable.

(4) In the discharge of its duties under this section the industrial commission shall have all the powers conferred upon it in sections 104.01 to 104.12, which sections are made a part of this section in so far as not inconsistent herewith.

Approved May 21, 1925.

#### CHAPTER 187.—*Employment of children—Agricultural pursuits*

[This act amends par. (d) of subsec. (6), sec. 103.05, and adds sec. 103.055, as follows:]

SECTION 103.05 (6), (d). *Exemption.*—Nothing contained in sections 103.05 to 103.15, inclusive, of the statutes, shall be construed to forbid any child from being employed in agricultural pursuits, nor to require a permit to be obtained for such child, except as provided in section 103.055 of the statutes.

SEC. 103.055. *Duty of commission.*—It shall be the duty of the industrial commission and it shall have power, jurisdiction, and authority to investigate, determine and fix, by general or special orders, reasonable regulations relative to the employment of children under 16 years of age in cherry orchards, market gardening, gardening conducted or controlled by canning companies, and the culture of sugar beets and cranberries, for the purpose of protecting the life, health, safety, and welfare of such children. Such investigations and orders and any action, proceeding, or suit to set aside, vacate, or amend any such order of said commission or enjoin the enforcement thereof, shall be made pursuant to the proceeding in sections 101.01 to 101.28, which are hereby made a part hereof so far as not inconsistent with the provisions of this section, and every order of the said commission shall have the same force and effect as the orders issued pursuant to said sections 101.01 to 101.28.

Approved May 22, 1925.

#### CHAPTER 256.—*Employment of children—Age certificates*

SECTION 1. Three new subsections are added in section 103.05 and a new subsection is added to section 20.57 of the statutes to read:

[Sec. 103.05] (6b). *Issue; evidence.*—The industrial commission shall have the power to issue certificates of age of minors under such rules and regulations as it deems necessary. The industrial commission shall also have the power to designate persons to issue such certificates of age. Such a certificate as issued shall be conclusive evidence of the age of the minor to whom it was issued, in any proceeding under any of the labor laws and workmen's compensation act of this State, as to any act or thing occurring subsequent to the date such certificate was issued.

(6c). *Fraud.*—Any person who knowingly offers or assists in offering false evidence of age for the purpose of obtaining an age certificate or who alters, forges, fraudulently obtains, uses, or refuses to surrender upon demand of the industrial commission a certificate of age shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned not to exceed three months.

(6d). *Fee.*—The industrial commission shall have the power and authority to fix and collect a fee not exceeding twenty-five cents for the issuance of each certificate of age under the provisions of this section.

[Sec. 20.57] (3) *Use of funds.*—All moneys received by each and every person for or in behalf of the industrial commission under subsection (6d) of section

103.05 shall be paid into the general fund and are hereby appropriated to the industrial commission for carrying out the provisions of subsection (6b) of said section.

Approved June 9, 1925.

CHAPTER 289.—*Private detectives—Inside shop operatives*

SECTION 1. Section 175.07 of the statutes is repealed.

SEC. 2. A new section is added to the statutes to be numbered and to read:

Sec. 175.07 (1) *License*.—No person shall act or hold himself out as a private detective, private police, or private guard, nor shall any person solicit business or perform any service in this State as a private detective, private police, or private guard or receive any fees or compensation whatever for acting as private detective, private police, or private guard for any person, firm, or corporation, without first having obtained the license and filed the bond provided for in this section.

(2) *Definition*.—The term "private detective" shall include among others those persons known as inside shop operatives, that is, persons who do not undertake direct employment whether in shops or otherwise with the owner of a place of employment but who are engaged by some independent agency to operate or work in such place of employment, and to render reports of activities in such place of employment, to such independent agency, or to the owners of the place of employment under the direction of such independent agency.

(3) *Scope of act*.—The provisions of this section shall apply to copartnerships and corporations, and to the agents, servants, and employees of any copartnership or corporation, or person. Every person, whether acting as a private detective, private police or private guard in his individual capacity or as the agent, servant, or employee of another shall take out the license provided in subsection 5 hereof. This section shall not apply to any detective or police officer of the State, or of any county, city, town, or village, or persons employed by any officer of any village, city, county, or State, in connection with matters affecting the village, city, county, or State, appointed or elected according to law, or to any officer, detective, or watchman employed by railroad companies under the provisions of section 1861a (192.75), or to any watchman privately employed.

(4) *Application*.—Any person intending to act as a private detective, private police, or private guard, for hire or reward, or to conduct the business of a private detective agency, or of any agency supplying private police, private guards, or to advertise or solicit any such business in this State, shall first file with the secretary of state a written application duly signed and verified. In case of an individual such application shall be signed and verified by the applicant for such license; in case of copartnership by all of the individuals composing such copartnership; and in case of a corporation by the president or secretary and manager of such corporation. Said application to receive consideration must be approved by the fire and police commission of the city wherein the applicant proposes to conduct his business or by the chief of police in cities where there is no fire and police commission, and in addition thereto by not less than five reputable citizens, freeholders of the county wherein such city is located. All such approvals shall be in writing and shall be acknowledged before an officer authorized by law to take acknowledgments. Such application shall state the age, residence, present and previous occupation of such applicant, and the name of the city and particular location in such city where the place of business is to be located, and such further facts as will show the good character, competency, and integrity of the applicant. The fire and police commission in those cities where there is a fire and police commission and the chief of police in cities where there is no fire and police commission shall have the right to conduct hearings and make inquiry into the character, competency, and integrity of such applicant before approving any application and may compel, by appropriate notice and subpoena, any person or persons to be present at such hearings, and to give testimony under oath, said oath to be administered by any person authorized to administer oaths in the State of Wisconsin. In the event that any person so subpoenaed shall fail to comply with such subpoena, the said fire and police commission, or chief of police, may certify the matter to the circuit court of the county wherein such hearing is held for disposition or punishment by said circuit court.

(5) *Fees.*—The secretary of state, after the application has been approved as provided in subsection (4), when satisfied from an examination of such application and such further inquiry and investigation as he shall deem proper, of the good character, competency, and integrity of such applicant, shall issue and deliver to the applicant a license, upon payment to the State of a license fee of two hundred dollars in the event that the applicant conducts the business as principal owner, and two dollars in the event the applicant is an agent, servant, or employe of a principal.

(6) *Bond.*—Such license shall not be issued by the secretary of state unless there is executed, delivered, and filed in his office, a bond in the sum of ten thousand dollars by such applicant if a principal owner, and two thousand if an agent, servant, or employe, with two sureties to be approved by a judge of the circuit court of this State, who shall justify in double its amount over and above other debts, liabilities, and exemptions, and who shall be freeholders and residents of the county wherein the applicant resides, or has his principal place of business, conditioned that such sureties will pay all damages that may be recovered against such applicant by any person who has been damaged by reason of such licensee acting as a private detective, private police, or private guard or by reason of the acts or conduct of any of his agents, servants, or associates. Any action to recover damages may be brought directly against such licensee, and his sureties in a joint or several manner, and any judgment obtained shall jointly and severally bind such licensee and his sureties. No license shall be issued for a longer period than one year, and shall be subject to revocation as provided in this section.

(7) *Revocation.*—If at any time a petition shall be presented to the secretary of state, signed by six residents requesting the revocation of a license issued under this section, the secretary of state shall conduct a hearing and upon a proper showing being made shall revoke such license. Whenever any judgment is recovered and docketed against such licensee for malfeasance or against its sureties, the secretary of state shall, upon application of any person, accompanied by a certified copy of such judgment, revoke the license of such licensee.

(8) *Who to furnish bond.*—The bond required by subsection (6) shall be furnished by a surety company authorized to do business in this State.

(9) *One office.*—No person, firm, or corporation to whom a license has been issued under this section shall maintain any office as a detective or a detective agency in any city other than that designated in the license.

(10) *Violations.*—Any person, firm, or corporation, who shall act as a private detective, private police, or private guard, and any person who shall solicit or perform services in this State as a private detective, private police, or private guard without having procured the license and filed the bond required by this section or who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than three months nor more than six months, or by both such fine and imprisonment.

Approved June 10, 1925.

#### CHAPTER 332.—*Employment of labor—Fraudulent advertising*

SECTION 1. A new subsection is added to section 103.43 of the statutes to read:

Sec. 103.43 (1a). *Duration of strike.*—A strike or lockout shall be deemed to exist as long as the usual concomitants of a strike or lockout exist; or unemployment on the part of workers affected continues; or any payments of strike benefits is being made; or any picketing is maintained; or publication is being made of the existence of such strike or lockout.

Approved June 16, 1925.

#### CHAPTER 400.—*Private employment offices*

[This act amends sec. 105.07, Wis. Stats. relating to license fees. It now reads as follows:]

SECTION 105.07. *Licenses.*—(1) Each such license shall expire on June thirtieth next following the date of issue and may be renewed annually. The fee for such license or renewal shall be as follows: One per cent on the first

five thousand dollars of the fees, charges, commissions, or other compensation actually received during the life of the license or renewal by an employment agent for service as such; three-fourths of 1 per cent on the second five thousand dollars of such receipts; and one-half of 1 per cent of all such receipts in excess of ten thousand dollars: *Provided*, That in no event shall such fee be less than twenty-five dollars nor more than one hundred and fifty dollars.

(2) The minimum fee shall be paid before a license or renewal thereof is issued. Each employment agent to whom a license has been issued under this chapter shall file with the industrial commission within the first ten days of July in each year a verified statement showing the actual fees, charges, commission, or other compensation received by him for services as such agent during the preceding year and with such statement shall pay the balance, if any, of such license fee due the State. Such fees shall be paid to the industrial commission and shall be paid by it into the general fund of the State treasury within one week of receipt.

Approved June 26, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics', etc., liens, chs. 26, 48; Examination, etc., of barbers, ch. 28; Examination, etc., of cosmeticians, ch. 68; Old-age pensions, ch. 121; Cooperative associations, ch. 181; Absent voters, ch. 216; Railroads, chs. 290, 309, 409; Convict labor, ch. 336.]

WYOMING

ACTS OF 1925

CHAPTER 11.—*Employment of children*

[This act amends sec. 3, ch. 77, acts of 1915, as amended by ch. 48, acts of 1923. The act forbade the employment of children under 16 years of age in the designated occupations, "except for the purpose of instruction in the public schools without a work permit." The amending act of 1925 strikes out the words "without a work permit."]

Approved February 4, 1925.

CHAPTER 63.—*Mine regulations—Scope of act*

[This act merely repeals sec. 3529 (sec. 4452, C. S. 1920), which limited the chapter (secs. 3505-3529) to mines employing 5 or more persons in the 24 hours.]

Approved February 20, 1925.

CHAPTER 64.—*Mine regulations—Sprinkling*

[This act amends sec. 3534 (sec. 4457, C. S. 1920), relative to cleaning and sprinkling coal mines so as to permit rock dusting instead of sprinkling.]

Approved February 20, 1925.

CHAPTER 66.—*Mine regulations—Ventilation*

[This act amends sec. 3512 (sec. 4435, C. S. 1920). The continuous operation of main fans, day and night, unless the operation of the mine is suspended, is required except in case of necessary repairs. Equipment, etc., are prescribed.]

Approved February 20, 1925.

CHAPTER 67.—*Mine regulations—Shot inspectors*

[This act amends sec. 1 and repeals sec. 3 of ch. 61, acts of 1923. The requirement for the employment of shot inspectors or shot firers in all mines where coal is blasted or shot, where more than 10 men are employed as miners, is absolute, and no longer dependent on petition of the workmen or report of the inspector. Exception is made in case of old mines that are "on the retreat," unless they are gaseous or other conditions make the employment

of shot firers or inspectors necessary. These employees may also be charged with the duty of preparing shots. Blasting may be done only when all except necessary employees are out of the mine.]

Approved February 20, 1925.

**CHAPTER 69.—*Mine regulations—Fire bosses, etc.***

[This act amends sec. 3524 (sec. 4447, C. S. 1920), which requires the employment of only such fire bosses, mine foremen, and assistant mine foremen as have secured certificates of competency from the State examining board, or a temporary permit from the State inspector.]

Approved February 20, 1925.

**CHAPTER 71.—*Mine regulations—Safety lamps***

[This act amends sec. 3513 (sec. 4436, C. S. 1920), by providing that flame safety lamps used in mines must bear the approval of the United States Bureau of Mines. Men working in mines where safety lamps or electric lamps are used exclusively may have no inflammable materials or key or instrument for opening a locked safety lamp.]

Approved February 20, 1925.

**CHAPTER 72.—*Mine regulations—Man trips***

[This act amends sec. 3531 (sec. 4454, C. S. 1920), making added provisions as to the use of an adequate safety cable in connection with trains in mines running on "man trips." If tools are hauled on such trips they must be in separate cars from the workmen.]

Approved February 20, 1925.

**CHAPTER 73.—*Mine regulations—Locomotives***

[Locomotives used in underground haulage must be equipped with efficient gongs and headlights. The use of lights on cars being pushed and on the rear of the train is also regulated.]

Approved February 20, 1925.

**CHAPTER 74.—*Mine regulations—Injuring property***

[This act amends sec. 3516 (sec. 4439, C. S. 1920). It prohibits the carrying of any pipe (the word "lighted" is stricken out), cigar or cigarette, or any match or fire-producing material into any place worked with safety lamps.]

Approved February 20, 1925.

**CHAPTER 75.—*Mine regulations—Use of explosives***

[This act amends sec. 2970 (sec. 3656, C. S. 1920) by describing the type of tamping bar (tipped with wood or copper) that may be used; also requiring the use of clay or other incombustible material for tamping.]

Approved February 20, 1925.

**CHAPTER 79.—*Mine regulations—State inspector***

[This act amends secs. 3536, 3538, 3539, 3541-3544 (secs. 4466, 4468, 4469, 4471-4474, C. S. 1920), and repeals secs. 3537, 3540, 3547, 3548 (secs. 4467, 4470, 4477, 4478, C. S. 1920). The governor is to appoint a single inspector and two deputies for terms of four years each at salaries of \$4,200 for the inspector and \$3,600 for the deputies. Provisions as to expenses, offices, bonds, duties, and reports are contained in the sections amended. The sections repealed relate to the division of the State into two inspection districts, provisions for removal of the inspector, and for the appointment of deputies.]

Approved February 21, 1925.

CHAPTER 80.—*Mine regulations—Examining board*

[This act repeals ch. 101, acts of 1911 (secs. 4444-4446, C. S. 1920), and makes provision for the appointment by the governor of a State board representative of operators and the miners and a mining engineer to examine applicants for the position of State mine inspector or deputy inspector, or as mine foreman, assistant foreman, or fire boss. Times, places, and nature of the examination are specified. The fee for an examination is \$5, and for a certificate \$1.]

Approved February 21, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics, etc., Hens. ch. 16; Protection of wages of employees, etc., of contractors, ch. 162.]

## UNITED STATES

## ACTS OF 1924-25

No. 398.—*Efficiency tests—Place of Work—Navy Department*

[This act reproduces the standard limitation in the naval appropriation act on the use of stop watches, etc. (See U. S. Bureau of Labor Statistics Bul. 370, p. 1192.) Act. No. 413, the appropriation act for the War Department, carries a like provision.]

Approved February 11, 1925.

No. 502.—*Enforcement of antitrust laws—Exemption—Labor organizations*

[The appropriation for the Department of Justice carries the following proviso:]

That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof not in itself unlawful.

Approved February 27, 1925.

No. 502.—*Public employment service*

[This is a provision of the appropriation act for the Department of Labor, of the same tenor with that appearing at p. 1171, U. S. Bureau of Labor Statistics Bul. 370.]

Approved February 27, 1925.

*Digests, etc.*

[Other legislation is noted in Part I, under the heading: Retirement of public employees (Lighthouse Service), No. 598.]

**ARIZONA**  
**ACTS OF 1925**

**CHAPTER 83.—Industrial Commission<sup>1</sup>**

**SECTION 1. Commission created.**—There is hereby created the Industrial Commission of Arizona to be composed of three members who shall be appointed by the governor, one member of said commission shall be appointed for a term of two years, one member for a term of four years and one member for a term of six years from the date this act becomes effective; and thereafter each member shall be appointed for a term of six years by and with the advice of the senate. Not more than two members of the commission shall belong to the same political party.

**SEC. 2. Removals.**—The governor at any time may remove any members of the commission for inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office.

**SEC. 3. Other interests.**—No commissioner shall hold any office of trust or profit, or engage in any occupation or business other than his duties as such commissioner; and no commissioner nor any regular employee of the commission shall serve on any committee of any political party.

**SEC. 4. Salary, bonds, etc.**—Each of said commissioners shall receive an annual salary of \$5,000, payable in the same manner as the salaries of other officers of the State are paid. Before entering upon the duties of his office, each commissioner shall take and subscribe to the constitutional oath of office, which oath shall be filed in the office of the secretary of state. Each member of the commission shall give a corporate surety bond in the sum of \$10,000, which bond shall be approved by the governor and filed with the State treasurer. All employees or deputies of the commission receiving or disbursing funds of the State shall give corporate surety bonds to the State in amounts and with surety to be approved by the commission. The premiums of all bonds provided for in this section shall be paid out of the State treasury.

**SEC. 5. Organization.**—Within thirty days after this act goes into effect, the commission shall meet at the seat of government and organize by choosing one of its members as chairman. A majority of the commissioners shall constitute a quorum to transact business. No vacancy shall impair the rights of the remaining commissioners to exercise all the powers of the commission; and in case a vacancy exists, the remaining members of the commission shall exercise all of the powers and authorities of the commission until such vacancy is filled.

**SEC. 6. Offices.**—The commission shall keep and maintain its offices at the State capitol, in suitable room or rooms. Necessary office furniture shall be furnished to the commission in the State capitol. The commission may hold sessions in any place within the State of Arizona.

**SEC. 7. Official seal.**—The commission shall have an official seal for the authorization of its orders and proceedings, upon which seal shall be engraved the words, "The Industrial Commission of Arizona," and such other design as the commission may prescribe; and the courts in this State shall take judicial notice of the seal of the commission, and in all cases copies of orders, proceedings, or records in the office of the industrial commission of Arizona, certified by the secretary of said commission under its seal, shall be equal to the original as evidence.

**SEC. 8. Sessions, records, etc.**—The commission shall be open for the transaction of business during all business hours of each and every day except

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<sup>1</sup> Since Bulletin No. 403 was made up, the Supreme Court of Arizona has sustained as constitutional chapter 83 of the Acts of 1925, creating an industrial commission and enacting a compensation law, the enforcement of which, together with other labor legislation of the State, is intrusted to the commission. The validity of the act was challenged before it became operative, but the decision referred to (*Alabam's Freight Co. v. Hunt*, 242 Pac. 658), decided January 7, 1926, establishes the entire law. The compensation provisions, do not, of course, belong in this bulletin, but the powers conferred upon the commission make the part of the law creating it a portion of the general labor legislation of the State.

Sunday and legal holidays. The sessions of the commission shall be open to the public. All proceedings of the commission shall be shown on its records, which shall be a public record, and all voting shall be had by calling each member's name by the secretary, and each member's vote shall be recorded on the proceedings as cast.

**Sec. 9. Rules of procedure.**—Subject to the provisions of this act, the commission may adopt its own rules of procedure, and may change the same from time to time in its discretion.

**Sec. 10. Employees; expenses.**—The commission may employ actuaries, accountants, inspectors, examiners, experts, clerks, physicians, stenographers, and other assistants, and fix their compensation. Such employment and compensation shall be first approved by the governor, and together with necessary traveling expenses allowed by the commission, shall be paid out of the State compensation fund. The members of the commission and the secretary shall be entitled to receive from the State treasury their salaries or compensation, and also their actual and necessary expenses while traveling on the business of the commission and the members of the commission may confer and meet with officers of other States and officers of the United States on any matters pertaining to their official duties. Such expenses shall be itemized and sworn to by the person who incurred the expense and allowed by the commission.

**Sec. 11. Right of entry.**—Any commissioner may enter any place of employment for the purpose of collecting facts and statistics, and bring to the attention of every employer any law, or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner to his place of employment.

**Sec. 12. General powers.**—It shall also be the duty of the commission, and it shall have full power, jurisdiction and authority:

(1) To administer and enforce all laws for the protection of life, health, safety and welfare of employees in every case and under every law, where such duty is not now specifically delegated to any board or officer, and in such latter cases, to counsel and advise and assist in the administration and enforcement of all such laws.

(2) To investigate, ascertain and determine such reasonable classification of persons, employments and place of employment as shall be necessary to carry out the purposes of this act.

(3) To do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employees.

(4) To establish and conduct free employment agencies and license and supervise the work of private employment offices, and to do all in its power to bring together employers seeking employees and working people seeking employment, and to make known the opportunities for employment in this State.

(5) To collect, collate and publish all statistical and other information relating to employees, employers, employments, and places of employment, with such other statistics as it may deem proper.

(6) Upon petition by any person that may [any] employment or place of employment is not safe or is injurious to the welfare of any employee, the commission shall proceed, with or without notice, to make such investigations as may be necessary to determine the matters complained of.

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

(8) All general orders of the commission shall take effect within thirty days after their publication. Special orders shall take effect as herein directed. The commission shall, upon application of any employer, grant such time as may be reasonably necessary for compliance with any order. Any persons may petition the commission for an extension of time, which the commission shall grant if it finds such extension of time necessary.

**Sec. 13. Hearings on orders.**—

(1) Any employer or other person interested either because of ownership or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness and lawfulness of any order of the commission provided in this act.

(2) Such petition for hearing shall be verified, petition filed with the commission, setting out specifically and in full detail the order upon which a hear-

ing is desired, and every reason why such order is unreasonable or unlawful, and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which hearing is sought other than those set forth in the petition.

(3) Upon receipt of such petition, if the issues raised in such petition have heretofore been adequately considered, the commission shall determine the same by confirming, without hearing, its previous determination, or if such hearing is necessary to determine the issue raised, the commission shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

(4) Upon such investigation, if it shall be found that the order complained of is unlawful or unreasonable, the commission shall substitute therefor such other order as shall be lawful and reasonable.

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

**SEC. 14. *Limitation; presumptions.***—No action, proceedings, or suit to set aside, or amend any order of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 13, and in the petition therefor shall have raised every issue in such action. Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable, and lawful unless prior to the institution of the prosecution for such violation an action shall have been brought to vacate and set aside such order, as provided in section 13.

**SEC. 15. *Power as to oaths, etc.; duties of courts.***—Each of the commissioners and the secretary of the commission, for the purpose mentioned in this act, shall have power to administer oaths, certify to official acts, issue subpoenas, compel attendance of witnesses and the production of papers, books, accounts, documents and testimony. In case of the failure of any person to comply with any order of the commission or any subpoena lawfully issued, or upon the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the superior court of any county in this State, on the application of a commissioner, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirement of a subpoena issued from such court or a refusal to testify therein.

**SEC. 16. *Payment of witnesses.***—Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in the superior court, which shall be audited and paid by the State out of the State compensation fund in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But, no witness subpoenaed at the instance of the parties other than the commission shall be entitled to compensation from the State for attendance or travel unless the commission shall certify that his testimony was material to the matter investigated.

**SEC. 17. *Depositions.***—The commission or any party may in an investigation cause depositions of witnesses residing within or without the State to be taken as in civil cases.

**SEC. 18. *Records.***—A full and complete record shall be kept of all proceedings had before the commission of any investigation, and all testimony shall be taken down by a stenographer appointed by the commission.

**SEC. 19. *Publication of rules.***—Publication of rules and orders of the commission shall be made by the commission in pamphlet form to be furnished on demand at the office of the commission. The expense of all publication shall be audited and paid as are other expenses of the commission.

**SEC. 20. *Agents.***—

(1) For the purpose of making any investigation with regard to any employment or place of employment the commission shall have power to appoint by an order in writing, any member of the commission, or any other competent person who is a resident of the State as an agent, whose duty shall be prescribed in such order.

(2) In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the commission and the same powers as a referee appointed by a superior court with regard to taking testimony.

(3) The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The action of the commission shall be based upon its examination of all testimony and records. The recommendation made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so orders, nor further investigation.

**SEC. 21. Attorneys.**—Upon request of the commission, the attorney general, or the county attorneys of the county in which any investigation, hearing or trial had under the provisions of this act is pending, shall aid therein and prosecute, under the supervision of the commission, all necessary actions or proceedings for the enforcement of this act.

**SEC. 22. Technical omissions.**—A substantial compliance with the requirements of this act shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal, or void for any omission of a technical nature in respect thereto.

**SEC. 23. Vacating orders.**—Any employer or other person in interest, being dissatisfied with any order of the commission, may commence an action in the superior court of the county where the property, plant or place of employment affected by such order may lie, against the commission as defendant, to set aside, vacate or amend any such order, on the ground that the order is unreasonable or unlawful, and the superior court is hereby authorized and vested with exclusive jurisdiction to hear and determine such action. The commission shall be served with summons as in other civil cases. The answer of the commission shall be filed within ten days after the service of summons upon it, and with its answer it shall file a certified transcript of its record in said matter. Upon the filing of said answer, said action shall be at issue, and shall be advanced and assigned for trial by the court, upon the application of either party at the earliest possible date.

**SEC. 24. Stay of court proceedings.**—

(1) If, upon the trial of such action, it shall appear that all issues arising in such action have not theretofore been presented to the commission in the petition filed, as provided in section 13, or that the commission has not theretofore had ample opportunity to hear and determine any of the issues raised, in said action, or for any reason has not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issues not adequately considered, and shall stay further proceedings in such action for fifteen days from the date of such transmission, any may therefore grant such further stay as may be necessary.

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

(3) The court shall thereupon order the pleading to be so amended as to raise the issues resulting from such alteration, modification, amendment or rescission of the commission's order, and shall thereafter proceed with such action in the manner provided by law for other civil actions.

**SEC. 25. Jurisdiction of courts.**—No court of this State, except the superior court and the supreme court on appeal, shall have jurisdiction to review, vacate, set aside, reverse, revise, correct, amend, or annul any order of the commission or to suspend or delay the execution or operation thereof, or to enjoin, restrain, or interfere with the commission in the performance of its official duties: *Provided*, That the writs of mandamus shall lie from the said supreme court to the commission in all proper cases, and appeal shall lie from the superior court to the supreme court in all cases.

**SEC. 26. Power of court to suspend orders.**—The pendency of an action to set aside, vacate, or amend an order of the commission shall not of itself stay or suspend the operation of an order of the commission, but, during the pendency of said action, the said superior court in its discretion may stay or suspend, in the whole or in part, the operation of the commission's order. But no order so staying or suspending an order of the commission shall be

made by the said court otherwise than upon three days' notice and after hearing. In case the order is stayed or suspended, the order of the court shall not become effective until a suspending bond first shall have been executed and filed in the action and approved by the court or the clerk thereof, payable to the State of Arizona, and sufficient in amount and security to insure the prompt payment by the party petitioning to set aside, vacate or amend such order of all damages caused by the delay in the enforcement of the order of the commission.

**SEC. 27. Preference of proceedings.**—All actions and proceedings under this act, and all actions or proceedings to which the commission or this State may be parties, and in which any question arises under this act or under or concerning any order of the commission, shall be preferred over all other civil cases, except election causes and causes involving or affecting the corporation commission, irrespective of position on the calendar. The same preference shall be granted upon application of the attorney of the commission in any action or proceeding in which he may be allowed to intervene.

**SEC. 28. Penalties.**—If any employer, employee, or other person shall violate any provisions of this act, or shall do any act prohibited by this act, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission for which no penalty has been specifically provided, or fail, neglect, or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with the provision of this act, for each such violation, failure or refusal such employer or other person shall be fined not less than \$50 nor more than \$1,000 for the offense, and not less than \$100 nor more than \$5,000 for each subsequent offense.

**SEC. 29. Statements by employers.**—Every employer shall furnish the commission, upon request, all information required by it to carry out the purpose of this act. In the month of July of each year, every employer shall prepare and mail to the commission at the state capitol, Phoenix, Arizona, a statement containing the following information, viz: The number of employees employed during the preceding year from July 1 to June 30, inclusive; the number of such employees employed at each kind of employment; and the scale of wages paid to each class of employments showing the minimum and maximum wage paid, and the aggregate amount of wages paid to all employees, which information shall be furnished on a blank or blanks to be prepared by the commission; and it shall be the duty of the commission to furnish such blanks and other blanks required by this act to employers free of charge, upon request therefor. Every employer shall cause said blanks to be properly filled out so as to answer fully and correctly all questions therein propounded and to give all the information therein sought, or if unable to do so, he shall give to the commission in writing good and sufficient reason for such failure. The commission may require the information herein required to be furnished to be certified under oath and returned to the commission within the period fixed by it or by law. The commission, or any member thereof, or any person employed by the commission for that purpose, shall have the right to examine, under oath, any employer, or the officer, agent, or employee thereof, for the purpose of ascertaining any information which such employer is required by this act to furnish to the commission. Any employer who shall refuse to furnish to the commission the annual statement herein required, or who shall refuse to furnish such other information as may be required by the commission under authority of this section, or who shall willfully furnish a false or untrue statement, shall be liable to a penalty of not to exceed \$500 for such offense, to be collected in a civil action brought against said employer in the name of the State; all such penalties, when collected, shall be paid to the compensation fund hereinafter provided for.

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<sup>1</sup> Texts mostly abridged; for representative law in full, see Wisconsin.<sup>2</sup> Texts mostly abridged; for representative law in full, see Delaware and Wisconsin.

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<sup>3</sup> Texts mostly abridged; for representative law in full, see Illinois.<sup>4</sup> Texts mostly abridged; for representative law in full, see Indiana.

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