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I. Bureau of statistics.

An act to establish a bureau of statistics upon the subject of labor considered in all its relations to the growth and development of state industries.

Approved March 27, 1878.

P. L. 1878, p. 169.
Preamble.

WHEREAS, As guardians of the public welfare, the state authorities are called upon to consider and in all legitimate ways endeavor to improve the physical, mental and moral condition of the citizens of the state, especially those whose daily toil contributes so largely to the prosperity of manufacturing and other productive industries; therefore,

1. That there shall be appointed from this state, on nomination of the governor, to be confirmed by the senate, some suitable person to act as chief of, and who shall constitute a bureau of statistics, with headquarters in the state-house, who shall hold his office for five years and until his successor is appointed.

Bureau of labor statistics constituted.

2. That the duties of such bureau shall be to collect, assort, systematize and present in annual reports to the legislature, on or before the last day of October in each year, statistical details relating to all departments of labor in the state, especially in its relations to the commercial, industrial, social, educational and sanitary condition of the laboring classes, and in all suitable and lawful ways foster and enlarge our manufacturing and every other class of productive industry, with the view to their permanent establishment upon a prosperous basis, both to the employer and the employed.

Duties of bureau.

3. That the said chief shall have power to examine witnesses under oath.

May examine witnesses.

4. That the compensation of said chief shall be twenty-five hundred dollars annual salary, and he is hereby authorized, in concurrence with the governor and comptroller, to employ such assistance and incur such expense in the discharge of his official duties, not exceeding the sum of two thousand dollars, including, printing, stationery, traveling expenses, postage,

Compensation of chief and assistant.

and so forth; *provided*, that no assistant shall receive more than four dollars per day.

State treasurer to pay salaries and expenses.

5. That the treasurer of this state is hereby authorized to pay from any money in the treasury, not otherwise appropriated, and upon receipt of vouchers by the said chief, such sums of money as may be necessary to meet the salaries and incidental expenses incurred by the provisions of this act.

Supplement.

Approved March 14, 1879.

P. L. 1879, p. 198.

Appropriation for current expenses, &c.

6. SEC. 1. That the sum of two thousand dollars be and is hereby appropriated for the current expenses of the said bureau, which amount shall include every expense except printing; the printing of the necessary blanks, pamphlets, &c., shall be paid for in the same manner as is provided for all other state reports presented to the legislature.

Salary of secretary.

7. SEC. 2. That the assistant provided for in the fourth section of the act to which this is a supplement, be and is hereby constituted secretary of said bureau, and he shall receive an annual salary of twelve hundred dollars.

State treasurer to pay salary and expenses.

8. SEC. 3. That the treasurer of this state is hereby authorized to pay from any money not otherwise appropriated, the sums provided for in the first and second sections of this act.

Supplement to an act entitled "An act to establish a bureau of statistics upon the subject of labor, considered in all its relations to the growth and development of state industries," approved March twenty-seventh, one thousand eight hundred and seventy-eight, and supplement thereto approved March fourteenth, one thousand eight hundred and seventy-nine.

Approved April 18, 1889.

P. L. 1889, p. 293.

Appointment, term and salary of secretary of bureau.

9. SEC. 1. That the secretary of the said bureau shall hold his office for the term of five years, and shall receive an annual salary of twelve hundred dollars, and he and such assistants as may be necessary to properly carry on the operations of the bureau shall be appointed by the governor.

Repealer.

10. SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately.

II. Employment of children and other operatives.

An act to limit the age and employment hours of labor of children, minors and women, and to appoint an inspector for the enforcement of the same.

Approved March 5, 1883.

P. L. 1883, p. 59.

Certain children not to be employed in factory, &c.

11. SEC. 1. That after the fourth day of July, one thousand eight hundred and eighty-three, no boy under the age of twelve years, nor any girl under fourteen years of age, shall be employed in any factory, workshop, mine or establishment where the manufacture of any goods whatever is carried on.

Children between ages of twelve and fifteen years must attend school before employment in factory, &c.

12. SEC. 2. That on and after the first day of July, one thousand eight hundred and eighty-four, no child between the ages of twelve and fifteen years shall be employed in any factory, workshop, mine or establishment where the manufacture of any kinds of goods whatever is carried on, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some well-recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child, or his parents or guardian, shall have presented to the manufacturer, merchant

or other employer seeking to employ such child, a certificate giving the name of his parents or guardian, the name and number of the schools attended and the number of weeks in attendance, such certificate to be signed by the teacher or teachers of such child ; *provided*, that in case the age of the child be not known, such teacher shall certify that the age given is the true age, to the best of his or her knowledge and belief ; *provided*, that in case of orphan children, where necessity may seem to require, the guardian or others having charge of the same may, upon application to the inspector provided for in this act, receive from him a permit for the employment of such child or children, under such regulations as the said inspector may prescribe.

Proviso.

Proviso.

13. SEC. 3. That no child or children under the age of fourteen years shall be employed in any factory, workshop, mill or establishment where the manufacture of any kind of goods is carried on for a longer period than an average of ten hours in a day, or sixty hours in a week.

Child under fourteen years not to be employed longer than ten hours a day.

14. SEC. 4. [Amended by Sec. 23, *post.*]

15. SEC. 5. That the governor shall, immediately after the passage of this bill, appoint, with the advice and consent of the senate, some suitable person, who shall be a resident and citizen of this state, as inspector, at a salary of twelve hundred dollars per year, to be paid monthly, whose term of office shall be for three years ; the said inspector shall be empowered to visit and inspect, at all reasonable hours and as often as practicable, the factories, workshops, mines and other establishments in the state where the manufacture or sale of any kind of goods is carried on, and to report to the governor of this state on or before the thirty-first day of October in each year ; it shall also be the duty of said inspector to enforce the provisions of this act and prosecute all violations of the same in any recorders' courts of cities, and justices of the peace or other courts of competent jurisdiction in the state.

Inspector to be appointed.
Salary and term of office.
Duties.

16. SEC. 6. [Amended by Secs. 24 and 32, *post.*]

17. SEC. 7. That all fines collected under this act shall enure to the benefit of the school fund of the district where the offense has been committed.

Fines, how disposed of.

18. SEC. 8. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and that this act shall take effect immediately.

Repealer.

Supplement.

Approved April 17, 1884.

P. L. 1884, p. 200.

19. SEC. 1. That the title of the inspector under the act to which this act is a supplement, and the deputies hereinafter provided for, shall be respectively "factory and workshop inspector" and "deputy inspectors," and it shall be their duty to enforce the provisions of this act, and all other laws relating to the sanitary condition of factories and workshops, and to the employment, safety, protection and compulsory attendance at school of minors, and to institute all suits or actions in the name of the inspector as in the fifth section hereof provided for the violations of any of the provisions of this act, or the act to which this act is a supplement, but no actions shall be begun by any deputy inspector without the written direction of the inspector, and in case of judgment for the penalty in any such suit so instituted, the same shall be paid into the treasury of the state, to be used to defray the necessary expenses of the inspector and his deputies.

Title and duties of inspectors.

20. SEC. 2. That the inspector appointed under the act to which this act is a supplement, and his successors, shall have authority to appoint, with the approval of the governor and comptroller, two suitable persons, who shall be residents and citizens of this state, as deputy inspectors, who, when appointed, shall hold office until the first day of February next, unless sooner discharged by the said inspector, and which deputy inspectors shall each receive, while acting as such, a salary at the rate of one thousand dollars, to be paid monthly, and shall have like power as the inspector under this act, but shall be governed by and be subject to the control and direction of, and be liable to be discharged at any time by the inspector,

Appointment of deputy inspectors, &c.

and the salary of said inspector shall hereafter be eighteen hundred dollars, and said inspectors and assistants shall have like right to free passage on all railroads in this state as other state officers now have by law. [See Sec. 26, *post.*]

Power of inspectors to prohibit employment of minors.

21. SEC. 3. That the inspector and his deputies shall have power to demand a certificate of physical fitness from some regular practicing physician in the case of minors who may seem to them physically unable to work, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate.

Parents or guardians to furnish certificates or affidavits of age of minors.

22. SEC. 4. That any parent or guardian, when so required by the inspector, or one of his deputies, shall furnish to such inspector or deputy a certificate from the office of registration of births, or, in the absence of such certificate, an affidavit or affidavits of the age of such minor, and if anyone shall knowingly swear falsely in any such affidavit, the person or persons so swearing shall be guilty of perjury, and liable to indictment and punishment accordingly.

Penalty for violation of act.

23. SEC. 5. That section four of the act to which this is a supplement shall be amended to read as follows :

[That every manufacturer, merchant or other employer, employing any person contrary to the provisions of this act, or who shall be guilty of any violation hereof, shall be liable to a penalty of fifty dollars for each offense, to be recovered in an action of debt in any district court in any city, or before any justice of the peace having due jurisdiction, and that any parent or guardian, who knowingly permits the employment of such child or children, shall be liable in a like action to a penalty of not more than fifty dollars, as the court shall fix ; that such action shall be prosecuted in the name of the inspector ; the trial shall proceed as other actions of debt, and the first process shall be a summons, returnable in not less than five days or more than ten after issue, and it shall not be necessary to indorse the same as in *qui tam* actions ; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly ; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs ; an affidavit of the age of any minor, made by its parent or guardian at the time of its employment, shall be conclusive evidence of the age of such minor upon any trial against a manufacturer or employer for the violation of this act, but any parent or guardian that shall knowingly swear falsely in such affidavit shall be guilty of perjury, and the inspector or deputy inspector shall be authorized, in case they shall find any minor employed under any false affidavit given as aforesaid, to order and compel such minor to desist from work ; the provisions of this act in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit-canning establishments.]

Proceedings to recover penalty.

24. SEC. 6. [This section amends Sec. 16, *ante*, which is again amended by Sec. 32, *post.*]

Repealer.

25. SEC. 7. That all acts or parts of acts inconsistent with this act be and are hereby repealed.

Supplement.

Approved March 22, 1886.

P. L. 1886, p. 106.

Appointment of deputy inspectors, term of office and salaries.

26. SEC. 1. That the inspector appointed under the act and the supplement thereto, to which this is a further supplement, and his successors, shall have authority to appoint, with the approval of the governor and comptroller, three suitable persons, who shall be residents and citizens of this state, as deputy inspectors, who, when appointed, shall hold office for

a term of one year, at a salary of one thousand dollars per year, to be paid monthly, and shall have like power as the inspector under the act to which this is a further supplement, but shall be governed by and be subject to the control and direction of said inspector.

27. SEC. 2. That the inspector of factories and workshops and his deputies shall be furnished with certificates of authority by the secretary of state, and that they shall produce the same if so requested by any occupier of a factory, mine, workshop or establishment.

Certificates of authority to be furnished inspectors.

28. SEC. 3. That it will be illegal for anyone to personate an inspector of factories or forge his certificate of authority.

Illegal to personate inspector.

29. SEC. 4. That it will be illegal for anyone to delay the factory inspectors in the exercise of their duties, or conceal or attempt to conceal any child or children from examination by the inspectors.

Illegal to delay inspectors, &c.

30. SEC. 5. That every manufacturer, merchant or other person who shall be guilty of any violation of the provisions of this act, shall be liable to a penalty of fifty dollars for each offense, to be recovered in an action of debt in the manner provided in section four of the act to which this is a supplement.

Penalty for violation of act.

31. SEC. 6. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Repealer.

Supplement.

Approved April 8, 1887.

P. L. 1887, p. 144.

32. SEC. 1. That section six of the act to which this is a further supplement [see Secs. 16 and 24, *ante*] be amended so as to read as follows :

[That all necessary expenses incurred by the inspector of factories and workshops and his deputies, in the discharge of their duty, shall be paid from the funds of the state, upon presentation of proper vouchers of the same by the chief inspector ; *provided*, that not more than two thousand dollars shall be expended in any one year.] [See Sec. 35, *post*.]

Expenses of Inspector, how paid.

Proviso.

Supplement.

Approved April 8, 1889.

P. L. 1889, p. 157.

33. SEC. 1. That the governor shall have power to appoint six suitable persons as deputy inspectors of factories and workshops, who shall each receive an annual salary of one thousand dollars, to be paid in monthly installments, and each of whom shall hold office for three years and until his successor is appointed, unless sooner discharged by the inspector of factories and workshops as hereinafter provided, and who shall have like power as the inspector under the act to which this is a supplement and any supplement thereto, but shall at all times be governed by and subject to the control of the inspector ; and the salary of said inspector of factories and workshops shall be twenty-five hundred dollars per year, and the said inspector of factories and workshops shall hold office for five years and until his successor is appointed.

Appointment of deputy inspectors, term and salary.

Salary of inspector of factories and workshops.

34. SEC. 2. That the inspector of factories and workshops shall have power to discharge any deputy inspector for cause, and upon such discharge the term of the said deputy inspector shall cease ; *provided*, that no deputy inspector shall be discharged without the consent of the governor.

Inspector may discharge deputies.
Proviso.

35. SEC. 3. That all necessary expenses incurred by the inspector and his deputies in the discharge of their duties shall be paid from the funds of the state upon presentation of proper vouchers of the same by the inspector ; *provided*, that not more than three thousand five hundred dollars shall be expended in any one year. [See Sec. 32, *ante*.]

Expenses of inspector and deputies, how paid.

Proviso.

36. SEC. 4. That all acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed.

Repealer.

An act to further define the duties of "factory and workshop inspector," and to include in the same the inspection of mines and the making and enforcement of regulations in respect to the operation of the same with increased safety to those employed therein.

P. L. 1894, p. 66.

Inspector shall visit and inspect all mines in the states.

And report to the governor.

Shall ascertain if proper safeguards are maintained.

Notice shall be served on owner or lessee who neglects.

On complaint, inspector to examine mine.

May order mine closed.

Owner or lessee refusing to close mine, penalty.

Passed April 18, 1894.

37. SEC. 1. That the "factory and workshop inspector" shall hereafter, in addition to the duties already imposed upon him by law, have full power and authority to visit and inspect, at all reasonable hours, and as often as practicable, all mines in this state, and to report to the governor of this state on or before the first day of November in each year the result of such inspection, together with such recommendations as said "factory and workshop inspector" shall deem proper and necessary.

38. SEC. 2. That the said "factory and workshop inspector" shall, by personal examination or otherwise, ascertain if proper and necessary safeguards are erected and maintained by the owner or owners, lessee or lessees of each and every mine, for the protection of the lives of the men employed therein; in case it shall appear to the said "factory and workshop inspector" that any such owner or lessee has neglected to make proper provision for the safety of the employes working in any such mine, he shall serve or cause to be served upon any such owner or lessee, a notice in writing, stating briefly such neglect, and such owner or lessee shall immediately remedy the same, or in case of death or accident from such neglect, be criminally liable therefor.

39. SEC. 3. That it shall be the duty of said "factory and workshop inspector," to whom a complaint in writing shall be made by any employe in any mine in this state that any such mine is dangerous to the lives of those employed therein, without delay to view and examine the mine complained of; and if he shall find such complaint to be just, he shall give notice in writing of the danger to the owner or lessee thereof, and in such notice may, in his discretion, order such mine closed until he shall issue his order that such danger has been removed.

40. SEC. 4. That any owner or lessee receiving such notice as is mentioned in the last preceding section, and refusing to comply therewith, shall forfeit the sum of one thousand dollars, to be recovered in an action upon contract by the said "factory and workshop inspector," in his individual name, in any court of competent jurisdiction; the said penalty when recovered, less the costs and expenses thereof, to be paid to the overseer of the poor of the township in which such mine is located, for the use of the poor of said township.

An act to regulate the hours of labor of employes of surface and elevated railroad companies.

P. L. 1887, p. 145.

Twelve hours to constitute a day's labor of employes of surface and elevated railroads.

Penalty for exacting more than twelve hours' labor from employes.

Proviso.

Approved April 8, 1887.

41. SEC. 1. That twelve hours' labor, to be performed within twelve consecutive hours, with reasonable time for meals, not less than half an hour for each, shall constitute a day's labor in the operation of all cable, traction and horse-car street surface railroads, and of all cable, traction and steam elevated railroads, owned or operated by corporations incorporated under the laws of this state, for the employes of such corporations in operating such railroads.

42. SEC. 2. That it shall be a misdemeanor for any officer or agent of any such corporation to exact from any of such employes more than twelve hours' labor within the twenty-four hours of the natural day, and within twelve consecutive hours therein as in the first section provided; *provided, however,* that in case of accident or unexpected contingency demanding more than the usual service by such corporation to the public, or from such employes to the corporation, extra labor may be permitted and exacted for extra compensation.

- 43. SEC. 3.** That it is the true intent and purpose of this act to limit the usual hours of labor of the employes of railroad corporations as aforesaid to twelve hours actual work a day; to be performed within a period of twelve consecutive hours as aforesaid, whether such employes be employed by the trip or trips, the job, the hour, the day, the week, the month, or in any other manner. The intent and purposes of this act, how construed.
- 44. SEC. 4.** That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act take effect on the fifteenth day of May next after its passage. When to take effect.

An act in relation to the employment of labor by corporations.

Approved May 15, 1894. P. L. 1894, p. 327.

- 45. SEC. 1.** That no corporation or employers of labor doing business in the state shall, directly or indirectly or through any manager, agent, superintendent, or employe thereof, make, as a condition of employment of labor in any branch of its service, that any applicant or applicants for such employment shall, either individually or collectively, be required to sign any paper, document, or writing of any description, by which an obligation is made or implied of renouncing existing membership in any organization, society or brotherhood, or by which a promise is given of not joining such organizations at any future time. Unlawful for corporations or employers of labor to make, as a condition of employment, renouncement of membership in society or brotherhood.
- 46. SEC. 2.** That no corporation or employers of labor shall in like manner require directly or indirectly or through any of its managers, superintendents, agents or employes, that any individual or individuals shall either individually or collectively, in any manner promise to renounce existing membership in any lodge, brotherhood, or labor organization of any kind, or promise to refrain from joining any such lodge, brotherhood, or organization at any future time. Unlawful to require individuals to renounce existing membership.
Or to refrain from joining such organization.
Penalty.
- 47. SEC. 3.** That any violation of the above act shall be punishable with a fine not to exceed five hundred dollars or three months' imprisonment, or both, as the court may direct.

Land Improvement Companies.

1. Real estate improvement companies. Formation, filing certificate, &c. Certificate to be proved and recorded.
2. Directors and election of.
3. Capital stock and its payment.
4. Transfer of stock.
5. Parents, guardians and trustees may hold shares.
6. Power to adopt constitution and by-laws.
7. Power to purchase and hold land. General powers.
8. Power to receive title to land.
9. Authorized to improve lands.
10. Borrow money on mortgage.
11. Restrictive clause against nuisances.
12. Investment of funds.
13. By-laws.
14. Annual statement.
15. Corporations organized or specially incorporated for the purposes of this act may file certificate.
16. Legislature may repeal or amend act.
17. Companies to have powers conferred by section 1, of corporation act.
18. How land improvement companies may invest surplus.
19. Corporations may increase capital stock and file additional certificate.
20. Purposes for which associations may be formed. Contents of certificate.
21. Moneys subscribed, how used and applied.
22. Companies may hold other lands than those authorized by special charter.
23. May borrow money.
24. Corporators of land company may change title of company.
25. Repealer.
26. Owners of island or part thereof may build sea wall for protection.
27. Agreement of owners and certificate of corporate name to be filed.
28. Election of directors, their powers, &c.
29. Lands to be measured, estimate of cost made and expenses assessed.
30. Upon failure to pay assessment, lands to be sold.
31. Bonds may be issued in lieu of assessment.
32. Land protected pledged for payment of expenses.
33. Amount of bonds that may be issued.
34. Directors may make sea wall a traveled road.
35. On failure to elect directors, company not to be dissolved.
36. Assessment where owner of land is unknown.
37. Owners may redeem lands sold within two years.
38. Proceedings for condemnation of lands.
39. Proceedings in case of appeal.
40. Repealer.
41. Formation of associations for improvement of public grounds in cities, towns, &c.
42. Persons to make certificate in writing. What certificate to state.
43. When filed, persons to become a body politic.
44. May make by-laws and regulations.
45. City, &c., may convey lands to association.
46. No dividend to be declared nor money paid to members.
47. Upon dissolution of association, property to revert to city.