

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

SENATE.

No. 1.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SEVEN.

AN ACT regulating the hours of labor, the employment of children; and for the better protection of women and children in manufacturing and mechanical establishments.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. No minor under eighteen years of
2 age and no woman shall be employed in laboring in
3 any manufacturing, or mechanical establishment or
4 business in this State, more than ten hours in any
5 one day; and in no case shall the hours of labor
6 therein exceed sixty in a week; *provided*, that the
7 foregoing prohibition shall not apply when a differ-
8 ent apportionment of the hours of labor is made

9 for the sole purpose of making a shorter day's work
10 for one day of the week; and also when it is
11 necessary to make repairs to prevent interruption
12 of the ordinary running of machinery; or to do any
13 other thing necessary to prevent a cessation of the
14 ordinary course of business; and also when it
15 appears that the employment is to make up for time
16 lost on some previous day of the same week in con-
17 sequence of the necessary stopping of machinery
18 upon which such person is employed or dependent
19 for employment; and also that nothing in this Act
20 shall apply to any manufacturing establishment,
21 the materials and products of which are perishable
22 and require immediate labor thereon to prevent
23 decay thereof.

SECT. 2. Every employer shall post in a conspic-
2 uous place in each room where any person is em-
3 ployed, a notice printed in large plain type stating
4 the time of commencing and stopping work, the
5 time for starting and stopping machinery and the
6 time to be taken for dinner.

SECT. 3. Whoever, either for himself, or as super-
2 intendent, overseer, or other agent of another,
3 employs or has in his employment any person in
4 violation of the provisions of section one; and
5 every parent or guardian who permits any minor to

6 be so employed, shall be punished by a fine of not
7 less than fifty dollars, nor more than one hundred
8 dollars for each offence. A certificate of the age
9 of a minor made by him or by his parent or guar-
10 dian at the time of his employment shall be conclu-
11 sive evidence of his age in behalf of the hirer upon
12 any prosecution for a violation of the provisions of
13 section one. Whoever falsely makes and utters
14 such a certificate with an intention to evade the
15 provisions of this Act, shall be subject to a fine of
16 one hundred dollars.

SECT. 4. No person, firm, or corporation engaged
2 in any manufacturing or mechanical business, shall
3 require from any person in his or its employment a
4 penalty for failure to give a notice of intention to
5 leave such employment, and in case any contract to
6 such effect is made the damages for breach of such
7 contract shall be the actual damages.

SECT. 5. No child under twelve years of age shall
2 be employed in any manufacturing, or mechanical
3 establishment in this State. Any parent or guar-
4 dian, and every corporation, owner, superintendent,
5 or agent, or agent of the owner of such estab-
6 lishment, shall for each violation of this section
7 forfeit not less than fifty dollars, nor more than

8 one hundred dollars for the use of the public
9 schools of such city or town.

SECT. 6. No child under fifteen years of age
2 shall be employed in any manufacturing or me-
3 chanical establishment in this State, except during
4 vacations of the public schools in the city or town
5 in which he resides, unless during the year next
6 preceding the time of such employment he has for
7 at least four months attended some public or
8 private school; nor shall such employment con-
9 tinue unless such child in each and every year
10 attends some public or private school for at least
11 four months; and no child shall be so employed
12 who does not present a certificate made under or
13 by the direction of the school committee, superin-
14 tendent of public schools, or the teacher of a pri-
15 vate school that such child has so attended school.
16 And it shall be the duty of such committee, super-
17 intendent, or teacher, to furnish such a certificate
18 in accordance with the fact upon request and with-
19 out charge.

SECT. 7. Any parent or guardian who procures
2 a child to be employed contrary to section six, and
3 any corporation, owner, superintendent or agent
4 of the owner, of such establishment violating the
5 provisions of said section shall forfeit the sum of

6 one hundred dollars, one-half to the use of the
7 county, and one-half to the use of the city or town
8 where the offence is committed. Money so recov-
9 ered to the use of the city or town shall be added
10 to its school money. It shall be the duties of the
11 school committees and superintendent of public
12 schools to enquire into violations of said section,
13 and to report the same to the County Attorney,
14 who shall prosecute therefor.

SECT. 8. The Governor by and with the advice
2 and consent of the Council shall appoint a Com-
3 missioner of Labor at a salary of one thousand
4 dollars a year, who shall hold office for two years,
5 or until his successor is appointed unless sooner
6 removed. It shall be the duty of the Commis-
7 sioner of Labor to enquire into any violations of
8 this Act. And said Commissioner shall, in addition
9 to his salary provided by law be allowed his reason-
10 able expenses. Whenever the Governor of this
11 State shall be satisfied that the Commissioner of
12 Labor cannot perform all the duties of his said office
13 required by this section, in person, he shall, with
14 the advice and consent of the Council, appoint a
15 sufficient number of Deputy Commissioners to
16 assist him in so doing. Said Deputies shall hold
17 their office for the term of two years, and act under

18 the direction of said Commissioner of Labor and
19 shall receive the sum of two dollars per day and
20 reasonable expenses while actually engaged in
21 duty. Said Deputies may at any time be removed
22 for cause by the Governor. All bills for the expenses
23 of the Commissioner of Labor and for the services
24 and expenses of such Deputies shall be audited by
25 the Council. For the purpose of inquiring into
26 any violation of the provisions of this Act, and en-
27 forcing the penalties thereof, such Commissioner
28 and Deputies may, at all reasonable times enter
29 any manufacturing or mechanical establishment
30 and make investigation concerning such violations.
31 Such investigation shall be conducted with as little
32 interruption as possible to the prosecution of the
33 business of such establishment. Whoever inter-
34 feres with said Commissioner or his Deputies in
35 the performance of their duties as prescribed in
36 this Act shall be fined one hundred dollars.

STATE OF MAINE.

IN SENATE, January 12, 1887.

On motion by Mr. HEATH of Kennebec, laid on table and ordered printed.

C. W. TILDEN, Secretary.