

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 33

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT to amend Chapter 40 of the Revised Statutes and Chapter 46 of the Public Laws of 1907 relating to the employment of minors in manufacturing or mechanical establishments in this State.

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

Section 1. Section 48 of Chapter 40 of the Revised Statutes is hereby amended by striking out the word "sixty" in the eighth line of said section and substituting the word "fifty-eight," so that said section when amended shall read as follows:

'Sect. 48. No female minor under eighteen years of age, no male minor under sixteen years of age, and no woman

8 shall be employed in laboring in any manufacturing or me-
9 chanical establishment in the State, more than ten hours in
10 any one day, except when it is necessary to make repairs to
11 prevent the interruption of the ordinary running of the ma-
12 chinery, or when a different apportionment of the hours of
13 labor is made for the sole purpose of making a shorter day's
14 work for one day in the week ; and in no case shall the hours
15 of labor exceed fifty-eight in a week ; and no male person
16 sixteen years and over shall be so employed as above, more
17 than ten hours a day during minority, unless he voluntarily
18 contracts to do so with the consent of his parents, or one of
19 them, if any, or guardian, and in such case he shall receive
20 extra compensation for his services ; provided, however, that
21 any female of eighteen years of age or over, may lawfully
22 contract for such labor for any number of hours in excess of
23 ten hours a day, not exceeding six hours in any one week or
24 sixty hours in any one year, receiving additional compensa-
25 tion therefor ; but during her minority, the consent of her
26 parents, or one of them, or guardian, shall be first obtained.'

Sect. 2. Sects. 52, 53, 54 and 55 of Chapter 40 of the Re-
2 vised Statutes as amended by Chapter 46 of the Public Laws
3 of 1907 are hereby repealed.

Sect. 3. Chapter 40 of the Revised Statutes is hereby
2 amended by inserting as Section 52 the following :

'Sect. 52. No child under fourteen years of age shall be
4 employed or allowed to work in or in connection with any
5 manufacturing or mechanical establishment. It shall be un-

6 lawful for any person, firm or corporation to employ any
7 child under fourteen years of age in any business or service
8 whatsoever during the hours that the public schools of the
9 town or city in which he resides are in session; nor after
10 seven P. M. in the evening and before six A. M. in the morn-
11 ing. Whoever, either for himself, or as superintendent, over-
12 seer or agent of another, employs or has in his employ any
13 child in violation of the provisions of this section, and every
14 parent or guardian who allows any child to be so employed
15 shall be punished by a fine of not less than twenty-five dollars
16 nor more than fifty dollars for each offense.'

Sect. 4. Chapter 40 of the Revised Statutes is hereby
2 amended by inserting as Section 53 the following:

'Sect. 53. No child over fourteen years of age and under
4 sixteen years of age shall be employed or allowed to work
5 in any manufacturing or mechanical establishment until he,
6 or some one in his behalf, shall have produced and presented
7 to the owner, superintendent, overseer or agent of such estab-
8 lishment, a certified copy of the town clerk's record of the
9 birth of such child, or a certified copy of his baptismal record
10 showing the date of his birth; or his passport showing the
11 date of his birth; or an age and schooling certificate duly is-
12 sued to him as hereinafter provided. No such child be-
13 tween his fourteenth and fifteenth birthday shall be employed
14 or allowed to work in any manufacturing, mechanical, mer-
15 cantile or other business establishment, or in any telephone or
16 telegraph office, or in the delivery and transmission of tele-

17 phone or telegraph messages during the hours in which the
18 public schools of the city or town in which he resides are in
19 session, unless he first produces and presents to the superin-
20 tendent, overseer or agent of such establishment, or his em-
21 ployer, an age and schooling certificate duly issued to him as
22 hereinafter provided, which, when issued to such child, shall
23 be held to excuse him from attendance at the public schools.
24 No such child between his fifteenth and sixteenth birthday
25 shall be employed or allowed to work in any manufacturing
26 or mechanical establishment during the hours in which the
27 public schools of the city or town in which he resides are in
28 session, until he shall have produced and presented to the
29 owner, superintendent, overseer or agent of such establish-
30 ment an age and schooling certificate duly issued to him as
31 hereinafter provided. The employer shall keep on file such
32 birth record, baptismal record, passport or age and schooling
33 certificate, and shall forthwith fill out an employment certifi-
34 cate in duplicate containing the name of such child, the name
35 of his parents, guardian or custodian, with the residence of
36 such child, parents, guardian or custodian, and such data as
37 may be required by the inspector of factories, workshops,
38 mines and quarries. Blank employment certificates, in form
39 approved by the attorney general, shall be furnished by the
40 inspector of factories, workshops, mines and quarries. One
41 of such certificates shall be delivered to such child and the
42 other be immediately forwarded to the office of said inspector
43 of factories, workshops, mines and quarries, to be kept on

44 file by him. When such child leaves such employment, the
45 employer shall return to such child the copy of the town
46 record, baptismal record, passport or age and schooling
47 certificate furnished by him as aforesaid, and shall im-
48 mediately notify said inspector that such child has left his
49 employ. The inspector of factories, workshops, mines and
50 quarries, or any of his assistants, may demand of any em-
51 ployer or corporation the names of all children under sixteen
52 years of age in his employ in the several cities and towns of
53 the State, and may require that the birth record, baptismal
54 record, passport or age and schooling certificate of such chil-
55 dren shall be produced for his inspection, and the failure to
56 produce the same shall be prima facie evidence that the em-
57 ployment of such child is illegal. Whoever, either for him-
58 self, or as superintendent, overseer or agent of another, em-
59 ploys or has in his employment any child in violation of the
60 provisions of this section, and every parent or guardian who
61 allows any child to be so employed shall be punished by a
62 fine of not less than twenty-five nor more than fifty dollars
63 for each offense.

Sect. 5. Chapter 40 of the Revised Statutes is hereby
2 amended by inserting as Section 54 the following:

'Sect. 54. Age and schooling certificates shall be issued by
4 the superintendent of schools of the city or town in which the
5 child resides, or, if there is no superintendent of schools, by
6 some person designated and authorized in writing by the
7 school committee, but no person shall issue such certificate

8 to any minor then in or about to enter his employment, or
9 the employment of a firm or corporation of which he is a
10 member, stockholder, officer or employe. The person who
11 issues the certificate in accordance with the provisions of this
12 section is hereby empowered to administer the oath provided
13 for therein, but no fee shall be charged therefor.'

Sect. 6. Chapter 40 of the Revised Statutes is hereby
2 amended by inserting as Section 55 the following:

'Sect. 55. An age and schooling certificate shall not be is-
4 sued until the child applying therefor, or some person in his
5 behalf, shall furnish satisfactory evidence of the age of the
6 child, which evidence shall be a certified copy of the town
7 clerk's record of the birth of said child, or a certified copy of
8 his baptismal record, showing the date of his birth, or a pass-
9 port showing the date of his birth, or other document satis-
10 factory to the superintendent of schools or the person author-
11 ized to issue such age and schooling certificates; nor until
12 said child has demonstrated his ability to read at sight and
13 write simple sentences in the English language, and to per-
14 form simple arithmetical problems involving the fundamental
15 processes of addition, subtraction, multiplication and divi-
16 sion, such educational test to be prepared and furnished to
17 the superintendent of schools or the school committee of each
18 city and town in the State by the State superintendent of
19 public schools.'

Sect. 7. Chapter 40 of the Revised Statutes is hereby
2 amended by inserting as Section 56 the following:

'Sect. 56. The form of the age and schooling certificate
 4 provided for in Section 53 of this act shall be prepared and
 5 furnished to the superintendent of schools or the school com-
 6 mittee of the cities and towns by the State superintendent of
 7 public schools, and shall be substantially as follows, except
 8 that the State superintendent of public schools may add any
 9 explanatory matter which he may deem necessary:

AGE AND SCHOOLING CERTIFICATE.

Revised Statutes, Chapter 40, Section 53.

This certifies that I am the.....(father, mother,
 13 guardian or custodian) of.....(name of child), and
 14 that he was born at.....(name of city or town) in the
 15 State (or country) of.....on the.....day of
 16in the year....., and that at (his or her) last
 17 birthday —he was years old.

 City or town and date.

 Signature of parent, guardian or
 custodian.

Then personally appeared before me the above named
 22(name of person signing) and having produced
 23 for my inspection therecord passport of said
 24 child, made oath that the foregoing certificate by..... (him
 25 or her) signed is true to the best of (his or her)
 26 knowledge and belief.

Having no sufficient reason to doubt that —he is of the age
 28 therein certified, I hereby approve the foregoing certificate of

29..... (name of child), whose signature, written in my
 30 presence, appears below; whose height is feet and
 31 inches; complexion is (fair or dark); hair is
 32(color). I hereby certify that —he has satisfac-
 33 torily demonstrated (his or her) ability to read at
 34 sight and to write legibly simple sentences in the English
 35 language, and to employ the fundamental principles of arith-
 36 metic, according to the test supplied by the State superin-
 37 tendent of public schools.

This certificate belongs to(name of child) and
 39 is to be surrendered to (him or her) whenever —he
 40 leaves the service of the employer holding the same, but if
 41 not claimed by said minor within thirty days from the time
 42 when —he leaves such employment, it shall be returned to
 43 the superintendent of schools, or to the person by whom it is
 44 issued.

 Signature of child.

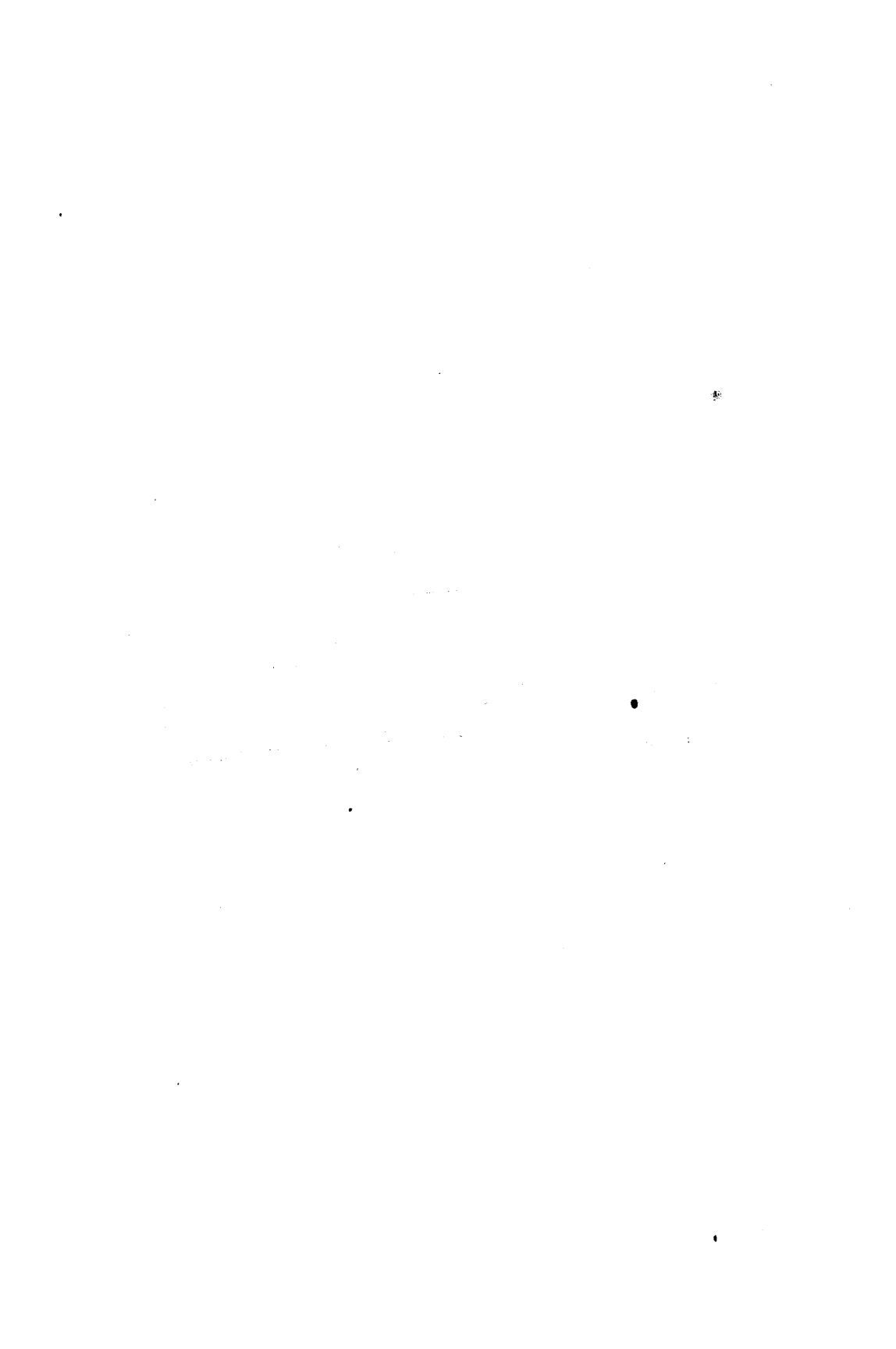
 Signature of person authorized to
 issue and approve, with official char-
 acter or authority.

City or town and date.

Whoever, being authorized to sign the foregoing age and
 51 schooling certificate, or whoever signing any certified copy
 52 of a town clerk's record of births, or certified copy of a
 53 child's baptismal record, shall knowingly certify to any false
 54 statement therein, and any parent or guardian who presents,
 55 or who permits or allows any child under his control to pre-

56 sent, to any employer, owner, superintendent, overseer or
57 agent, as required under Section 53, any certified copy of
58 birth or baptismal record, or passport, or age and schooling
59 certificate containing any false statements as to the date of
60 birth or age of such child, knowing them to be false, shall be
61 punished by a fine of not less than twenty-five dollars nor
62 more than fifty dollars for each offense.





STATE OF MAINE.

IN SENATE,

January 19, 1909.

Presented by Mr. LOONEY of Cumberland, and on motion by same
Senator laid on the table for printing pending reference to the Committee
on Labor. •

F. G. FARRINGTON, *Secretary*.