

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 422

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 People of the State of Maine, as follows:

Section 1. Sections fifty-two, fifty-three and fifty-four of chapter forty of the Revised Statutes as amended by chapter thirty-six of the Public Laws of 1907 are hereby repealed.

Sect. 2. Chapter forty of the Revised Statutes is hereby amended by inserting as section fifty-two the following:
'Sect. 52. No child under fourteen years of age shall be 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 for
7 wages or hire any child under fourteen years of age in any
8 manufacturing, mechanical, mercantile or other business es-
9 tablishment, or in any telephone or telegraph office; or in
10 the delivery and transmission of telephone or telegraph mes-
11 sages during the hours that the public schools of the town or
12 city in which he resides are in session. Whoever, either for
13 himself, or as superintendent, overseer or agent of another,
14 employs or has in his employ any child in violation of the pro-
15 visions of this section, and every parent or guardian who al-
16 lows any child to be so employed shall be punished by a fine
17 not less than one dollar nor exceeding fifty dollars for each
18 offense.'

Sect. 3. Chapter forty of the Revised Statutes is hereby
2 amended by inserting as section fifty-three the following:
3 'Section 53. No child over fourteen years of age and under
4 sixteen years of age shall be employed or allowed to work in
5 any manufacturing or mechanical establishment until he, or
6 some one in his behalf, shall have produced and presented to
7 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 birthdays shall be em-

14 ployed or allowed to work in any manufacturing, mechani-
15 cal, mercantile or other business establishment, or in any
16 telephone or telegraph office; or in the delivery and trans-
17 mission of telephone or telegraph messages during the hours
18 in which the public schools of the city or town in which he
19 resides are in session, until he shall have produced and pre-
20 sented to the owner, superintendent, overseer or agent of
21 such establishment an age and schooling certificate duly is-
22 sued to him as hereinafter provided. The employer shall
23 keep on file such birth record, baptismal record, passport or
24 age and schooling certificate, and shall forthwith fill out an
25 employment certificate in duplicate containing the name of
26 such child, the name of his parents, guardian or custodian,
27 with the residence of such child, parents, guardian or custo-
28 dian, and such data as may be required by the inspector of
29 factories, workshops, mines and quarries. Blank employ-
30 ment certificates, in form approved by the attorney general,
31 shall be furnished by the inspector of factories, workshops,
32 mines and quarries. One of such certificates shall be deliv-
33 ered to such child and the other be immediately forwarded to
34 the office of said inspector of factories, workshops, mines,
35 and quarries, to be kept on file by him. When such child
36 leaves such employment, the employer shall return to such
37 child the copy of the town record, baptismal record, pass-
38 port or age and schooling certificate furnished by him as
39 aforesaid, and shall immediately notify said inspector that
40 such child has left his employ. The inspector of factories,

41 workshops, mines and quarries, or any of his assistants, may
42 demand of any employer or corporation the names of all
43 children under sixteen years of age in his employ in the sev-
44 eral cities and towns of the State, and may require that the
45 birth record, baptismal record, passport or age and school-
46 ing certificate of such children shall be produced for his in-
47 spection, and the failure to produce the same shall be prima
48 facie evidence that the employment of such child is illegal.
49 Whoever, either for himself, or as superintendent, overseer
50 or agent of another, employs or has in his employment any
51 child in violation of the provisions of this section, and every
52 parent or guardian who allows any child to be so employed
53 shall be punished by a fine of not less than one nor more than
54 fifty dollars for each offense.'

Sect. 4. Chapter forty of the Revised Statutes is hereby
2 amended by inserting as section fifty-four the following: .

'Section 54. Age and schooling certificates shall be issued
4 by the superintendent of schools of the city or town in which
5 the child resides, or some person designated and authorized
6 in writing by the school committee, but no person shall issue
7 such certificate to any minor then in or about to enter his
8 employment, or the employment of a firm or corporation of
9 which he is a member, stockholder, officer or employe. The
10 person who issues the certificate in accordance with the pro-
11 visions of this section is hereby empowered to administer
12 the oath provided for therein, but no fee shall be charged
13 therefor.'

Sect. 5. Chapter forty of the Revised Statutes is hereby
2 amended by inserting as section fifty-five the following :

'Section 55. An age and schooling certificate shall not be
4 issued until the child applying therefor, or some person in
5 his behalf, shall furnish satisfactory evidence of the age of
6 the 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
9 passport showing the date of his birth, or other document
10 satisfactory to the superintendent of schools or the person
11 authorized to issue such age and schooling certificates; nor
12 until such child has demonstrated his ability to read at sight
13 and write simple sentences in the English language, and
14 perform simple arithmetical problems involving the funda-
15 mental processes of addition, subtraction, multiplication and
16 division, such educational test to be prepared and furnished
17 by the superintendent of schools or the school committee of
18 each city and town in the State; or has furnished a certificate
19 to that effect signed by any teacher in any of the public
20 schools of the city or town in which such child resides, or by
21 the principal of any approved private school, or a certificate
22 signed by the principal of any evening school in said city or
23 town, to the effect that said child is a regular attendant of
24 said evening school.'

Sect. 6. Chapter forty of the Revised Statutes is hereby
2 amended by inserting as section fifty-six the following :

'Section 56. The form of the age and schooling certificate

4 provided for in section fifty-three of this act shall be pre-
 5 pared and furnished to the superintendent of schools or the
 6 school committee of the cities and towns by the Attorney
 7 General, and shall be substantially as follows:

AGE AND SCHOOLING CERTIFICATE

Revised Statutes, Chapter 40, Section 53.

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

—————
 City or town and date.

—————
 Signature of parent,
 guardian or custodian.

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

Having no sufficient reason to doubt that —he is of the age
 26 therein certified, I hereby approve the foregoing certificate
 27 of———(name of child); whose signature, writ-
 28 ten in my presence, appears below; whose height is ——
 29 feet and —— inches; complexion is —— (fair or dark);
 30 hair is —— color. I hereby certify that —he has satis-

31 factorily demonstrtaed ————(his or her) ability to read
 32 at sight and to write legible simple sentences in the English
 33 language, and to employ the fundamental principles of
 34 arithmetic, according to the test supplied by the local super-
 35 intendent of public schools; that he has presented us a certifi-
 36 cate to that effect signed by the principal—a teacher of some
 37 public school in said town, or that he has presented a certifi-
 38 cate signed by the principal of an evening school in said
 39 town to the effect that he—said child—is a regular attendant
 40 in said evening school.

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

Signature of child.

Signature of person authorized
 to issue and approve, with of-
 ficial character or authority.

City or town and date.

Whoever, being authorized to sign the foregoing age and
 54 schooling certificate, or whoever signing any certified copy of
 55 a town clerk's record of births, or certified copy of a child's
 56 baptismal record, shall knowingly certify to any false state-
 57 ment therein, and any parent or guardian who presents, or

58 who permits or allows any child under his control to present,
59 to any employer, owner, superintendent overseer or agent as
60 required under section fifty-three, any certified copy of
61 birth or baptismal record, or passport, or age and schooling
62 certificate containing any false statements as to the date of
63 birth or age of such child, knowing them to be false, shall be
64 punished by a fine of not less than twenty-five dollars nor
65 nor more than fifty dollars for each offense.'

Sect. 7. This act shall take effect January 1st, 1910.

STATE OF MAINE.

IN SENATE,

March 13, 1909.

Reported by Mr. LOONEY from Committee on Labor and
laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.