

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1887.

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SECT. 13. That all acts and parts of acts inconsistent or in conflict with the provisions of this act, be, and the same are hereby repealed.

CHAP. 139

Inconsistent  
acts repealed.

Approved March 17, 1887.

### Chapter 139.

An Act to regulate the Hours of Labor and the employment of Women and Children in manufacturing and mechanical establishments.

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

SECT. 1. No female minor under eighteen years of age, no male minor under sixteen years of age, and no woman shall employed in laboring in any manufacturing or mechanical establishment in this state, more than ten hours in any one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week ; and in no case shall the hours of labor exceed sixty in a week ; and no male person sixteen years and over shall be so employed as above, more than ten hours a day during minority, unless he voluntarily contracts to do so with the consent of his parents, or one of them, if any, or guardian, and in such case he shall receive extra compensation for his services ; provided, however, any female of eighteen years of age or over, may lawfully contract for such labor for any number of hours in excess of ten hours per day, not exceeding six hours in any one week or sixty hours in any one year, receiving additional compensation therefor ; but during her minority, the consent of her parents, or one of them, or guardian, shall be first obtained.

Females under eighteen, and males under sixteen years, and women, not to be employed in manufacturing establishments more than ten hours a day.

—exceptions.

—sixty hours a week.

—males over sixteen years may contract to work more hours.

—females over eighteen, may make special contracts.

SECT. 2. Every employer shall post in a conspicuous place in every room where such persons are employed, a notice printed in plain, large type, stating the number of hours' work required of them on each day of the week, the exact time for commencing work in the morning, stopping at noon for dinner, commencing after dinner, and stopping at night ; the form of such printed notice shall be furnished by the deputy commissioner of labor hereafter named, and shall be approved

Employers shall post notices, stating number of hours' work required each day, etc.

—form of notice.

CHAP. 139

—employment for a longer time, deemed violation of sec. one.

by the attorney general. And the employment of any such person for a longer time in any day than that so stated, shall be deemed a violation of section one, unless it appears that such employment is to make up for time lost on some previous day of the same week, in consequence of the stopping of machinery upon which such person was employed or dependent for employment.

Penalty for violation.

SECT. 3. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any person in violation of the provisions of section one, and every parent or guardian who permits any minor to be so employed, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense. A certificate of the age of a minor made by him and by his parent or guardian at the time of his employment, shall be conclusive evidence of his age in behalf of the hirer, upon any prosecution for a violation of the provisions of section one. Whoever falsely makes and utters such a certificate with an intention to evade the provisions of this act, shall be subject to a fine of one hundred dollars.

—certificate of parent, or guardian, shall be evidence of age.

—penalty for making false certificate.

SECT. 4. It shall be lawful for any person, firm or corporation engaged in any manufacturing or mechanical business, to contract with adult or minor employes to give one week's notice of intention on such employe's part, to quit such employment under a penalty of forfeiture of one week's wages. In such case, the employer shall be required to give a like notice of intention to discharge the employe; and on failure, shall pay to such employe a sum equal to one week's wages. No such forfeiture shall be enforced when the leaving or discharge of the employe is for a reasonable cause. Provided, however, the enforcement of the penalty aforesaid, shall not prevent either party from recovering damages for a breach of the contract of hire.

Employers may contract with employes, that a week's notice of intention to quit work, shall be given.

—employer required to give notice of intention to discharge employe.

SECT. 5. No child under twelve years of age, shall be employed in any manufacturing or mechanical establishment in this state. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any child in violation of the provisions of this section, and every parent or guardian who permits any child to be so employed, shall be punished by a fine of not less than twenty-five nor more than fifty dollars for each offense.

Child under twelve years of age, not to be employed in any manufacturing establishment.

—penalty.

SECT. 6. No child under fifteen years of age shall be employed in any manufacturing or mechanical establishment in this state, except during vacations of the public schools in the city or town in which he resides, unless during the year next preceding the time of such employment, he has for at least sixteen weeks, attended some public or private school, eight weeks of which shall be continuous; nor shall such employment continue unless such child in each and every year, attends some public or private school for at least sixteen weeks, and no child shall be so employed who does not present a certificate made under or by the direction of the school committee, superintendent of the public schools, or the teacher of a private school, that such child has so attended school. And it shall be the duty of such committee, superintendent or teacher, to furnish such a certificate in accordance with the fact upon request and without charge. Provided, that this section shall not take effect until January one, eighteen hundred and eighty-eight.

Child under fifteen years, shall not be so employed, except during vacations of public schools, unless he has attended school sixteen weeks during preceding year.

—employment not to continue, unless child attends school each and every year.

—certificate of school officer, required.

—when this section takes effect.

SECT. 7. Any parent or guardian who procures a child to be employed contrary to section six, and any corporation, owner, superintendent or agent of the owner, of such establishment violating the provisions of said section, shall forfeit the sum of one hundred dollars, one-half to the use of the county, and one-half to the use of the city or town where the offense is committed. Money so recovered to the use of the city or town, shall be added to its school money. It shall be the duties of the school committees and superintendent of public schools, to inquire into violations of said section and report the same to the county attorney, who shall prosecute therefor.

Penalty for violation of section 6.

—duty of school officers.

SECT. 8. Every owner, superintendent or overseer of any such manufacturing or mechanical establishment shall require and keep on file, a certificate of the age and place of birth of every child under sixteen years of age employed therein, so long as such child is so employed, which certificate shall also state in the case of a child under fifteen years of age, the amount of his school attendance during the year next preceding such employment. Said certificate shall be signed by a member of the school committee of the place where such attendance has been had, or by some one authorized by such committee, and the form of said certificate shall be furnished by the state superintendent of schools, and shall be approved

Owners, etc., of such establishments, shall keep on file certificate of age, etc., of children under sixteen years, in their employ, and amount of school attendance.

—certificate, form of and by whom, given.

CHAP. 139

—duty of deputy commissioner of labor, to examine certificate.

Deputy commissioner of labor, appointment of.

—salary.

—tenure.

—duties.

—expenses of.

Assistant deputies may be appointed.

—tenure.

—compensation.

—powers of deputy and assistants.

—penalty for obstructing deputy commissioner or assistants.

by the attorney general. The deputy commissioner of labor hereinafter named or either of his assistants, may demand the names of the children under sixteen years employed in such establishment, in the several cities and towns of the state, and may require that the certificates of age and school attendance prescribed in this section, shall be produced for his inspection, and a failure to produce the same, shall be prima facie evidence that the employment of such child is illegal.

SECT. 9. The governor, by and with the advice and consent of the council, shall appoint a deputy commissioner of labor, at a salary of one thousand dollars a year, who shall hold office for two years, or until his successor is appointed, unless sooner removed. It shall be the duty of the deputy commissioner of labor to inquire into any violations of this act, and also to assist in the collection of statistics and other information which may be required, for the use of the bureau of industrial and labor statistics. And said deputy commissioner shall, in addition to his salary provided by law, be allowed his reasonable expenses. Whenever the governor of this state shall be satisfied that the deputy commissioner of labor cannot perform all the duties of his said office required by this section, in person, he shall, with the advice and consent of the council, appoint a sufficient number of assistant deputies to assist him in so doing. Said assistants shall hold their office for the term of two years, and act under the direction of said deputy commissioner of labor, and shall receive the sum of two dollars per day and reasonable expenses while actually engaged in duty. Said assistants may, at any time, be removed for cause by the governor. All bills for the expenses of the deputy commissioner of labor and for the services and expenses of such assistant deputies, shall be audited by the council. For the purpose of inquiring into any violation of the provisions of this act, and enforcing the penalties thereof, such deputy commissioner and assistants may, at all reasonable times, enter any manufacturing or mechanical establishment and make investigation concerning such violations. Such investigation shall be conducted with as little interruption as possible to the prosecution of the business of such establishment. Whoever interferes with said deputy commissioner or his assistants, in the performance of their duties as prescribed in this act, shall be fined fifty dollars.

SECT. 10. Nothing in this act shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage thereto.

Act shall not apply to certain manufactures.

SECT. 11. This act shall take effect July one, eighteen hundred and eighty-seven.

When act shall take effect.

Approved March 17, 1887.

### Chapter 140.

An Act amendatory of and additional to chapter twenty-seven of the Revised Statutes, and amendatory of chapter three hundred and fifty-nine and of chapter three hundred and sixty-six of the Public Laws of eighteen hundred and eighty-five, relating to the sale of Intoxicating Liquors.

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

SECT. 1. Section fifteen of chapter twenty-seven of the revised statutes is hereby amended, so as to read as follows :

Sec. 15, ch. 27, R. S., amended.

SECT. 15. The governor, with the advice and consent of the council, shall appoint a commissioner to furnish municipal officers of towns in this state, and duly authorized agents of other states, with pure, unadulterated, intoxicating liquors, to be kept and sold for medicinal, mechanical and manufacturing purposes. Said commissioner shall reside and have his place of residence in this state, and hold his office during the pleasure of the governor and council and until another is appointed in his stead, and be paid an annual salary of fifteen hundred dollars, payable quarterly out of the state treasury. He shall be allowed reasonable expenses of office, and present his account, under oath, with vouchers therefor, to the governor and council, annually, in December to the last day of the preceding month, who shall audit the same and direct payment from the state treasury. He shall not sell to municipal officers of this state, any intoxicating or fermented liquors except such as have been tested and found to be pure by a competent assayer, under a penalty of not less than fifty nor more than two hundred dollars, to be recovered by indictment. He shall take of such officers, for such pure and unadulterated liquors sold to them, six per cent above the cost thereof, at the place where they were by him purchased, and pay the same over to the state treasurer, on or before the first day of January, annually. He shall, before entering upon

State commissioner, how appointed.

—term of office.

—salary of.

—expenses of office.

—penalty for selling impure liquors.

—he shall take a commission of 6 per cent, and pay the same into state treasury.