

CHAPTER 299—H. F. No. 459.

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An Act to regulate the employment of children, and providing penalties for its violation.

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Be it enacted by the Legislature of the State of Minnesota :

Time and age limit.—Section 1. No child, under 14 years of age, shall be employed, permitted or suffered to work at any time, in, or in connection with, any factory, mill or workshop, or in or about any mine; and it shall be unlawful for any person, firm or corporation, to employ any child under 14 years of age in any business or service whatever during any part of the term during which the public schools of the district in which the child resides are in session.

Certificate.—Sec. 2 It shall be unlawful for any person, firm or corporation to employ any child over 14 years of age, and under 16 years of age, in any business or service whatever, during any part of the term during which the public schools of the district in which the child resides are in session, unless the employer procures and keeps accessible to the truant officers of the town or city and to the commissioner of labor, assistant commissioner of labor, factory inspectors and assistants, an employment certificate as herein prescribed and a list of all such children employed. On termination of the employment of a child, such certificate shall be forthwith surrendered by the employer to the official who issued the same. The commissioner of labor, assistant commissioner of labor, factory inspectors and assistants, may make demand on an employer when a child apparently under the age of 16 years is employed or permitted or suffered to work and when such employer does not have and exhibit the certificate as required by this section, that such employer shall either furnish him within 10 days, evidence satisfactory to him that such child is in fact over 16 years of age, or shall cease to employ or permit or suffer such child to continue in his employment. The commissioner of labor, assistant commissioner of labor, factory inspectors and assistants and truant officers may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver within ten days after such demand, such evidence of age herein required of him and shall thereafter continue to employ such

child, or permit or suffer such child to continue in his employment, proof of the giving of such notice and such failure to produce such evidence, shall be prima facie evidence in any prosecution brought for a violation of this section that such child is under 16 years of age, and is unlawfully employed.

Duties of supt. of schools.—Sec. 3. An employment certificate shall be issued only by the superintendent of schools, or by some one authorized by him so to do, or where there is no superintendent of schools, by the chairman of the school board or the chairman of the board of education, or by a person authorized by such chairman; *provided*, that no superintendent of schools, member of the school board or board of education or other person authorized as aforesaid, shall have authority to issue such certificates for any child then in or about to enter his own employment or the employment of a firm or corporation of which he is a member, officer or employee.

Employment certificate.—Sec. 4. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and retained in his possession for the inspection of the public, the following papers duly executed; (1) The school record of such child, properly filled out and signed as provided in this act. (2) A duly attested transcript of the birth certificate, filed according to law with the officer charged with the duty of recording births which shall be conclusive evidence of the birth of such child. (3) The affidavit of the parent or guardian or custodian of the child, showing the place and date of birth of such child, but such affidavit shall not be required unless the last mentioned transcript of the certificate of birth cannot be produced, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child has personally appeared before and been examined by the officer issuing the same and until such officer shall, after making an examination, make and retain for inspection by the public, a statement that, in his opinion, the child is 14 years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases, such

physical unfitness shall be determined by the medical officer of the board of department of health. Every such employment certificate shall be signed in the presence of the officer issuing the same, by the child in whose name it is issued; *provided, however,* that the employment certificate herein provided for shall be issued only to such children as: (1) Those whose poverty or that of their families renders it necessary for them to work for their support or that of their families; (2) Those who can produce a school record answering the requirements provided for in section 6 of this act.

Description.—Sec. 5. Such employment certificate shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and retained for inspection by the public, and that the child named in such certificate has appeared before the officer signing the certificate and been examined.

School record.—Sec. 6. The school record required by this act shall be signed by the principal of the school which the child attends, and if there is no principal, then by the teacher of such child in said school and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended a parochial or private school as required by law or has been lawfully excused therefrom during the year previous to applying for such school record and is able to read and write simple sentences in the English language, and has received during such period, instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic, up to and including fractions. Such school record shall also give the age and residence of the child as shown on the record of the school and the name of its parent or guardian or custodian.

Report.—Sec. 7. The superintendent of schools and chairman of school boards and of the boards of education, shall transmit between the first and tenth day of each month to the office of the commissioner of labor of the state, a list of the names of the children to whom certificates have been issued, and any one failing to transmit the list herein provided for, shall be guilty of a misdemeanor.

Hour limit.—Sec. 8. No person under the age of 16 years shall be employed, or suffered, or permitted to work at

any gainful occupation more than 60 hours in any one week, nor more than 10 hours in any one day; or before the hour of seven o'clock in the morning or after the hour of 7 o'clock in the evening, except that on Saturday and for 10 days prior to Christmas, such person may be employed until 10 o'clock p. m., but not longer in any day or week than the hours aforesaid. Every employer shall post in a conspicuous place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the commissioner of labor of the state, and the employment of any minor for longer time in any day so stated shall be deemed a violation of this section.

Penalty.—Sec. 9. Whoever employes a child under 16 years of age, and whoever, having under his control a child under such age, permits such child to be employed in violation of sections 1, 2, or 8 of this act, shall, for such offense, be fined not more than fifty dollars; and whoever continues to employ any child in violation of any of said sections of this act after being notified by a truant officer or the commissioner of labor of the state, shall for every day thereafter, that such employment continues, be fined not less than five dollars nor more than twenty five dollars. A failure to produce to a truant officer or any official of the labor department, any employment certificate or list required by this act shall be prima facie evidence of the illegal employment of any person whose employment certificate is not produced, or whose name is not so listed. Any corporation or employer retaining employment certificates in violation of section 2 of this act shall be fined ten dollars. Every person authorized to sign the certificate prescribed by section 5 of this act, who knowingly certifies to any materially false statement therein shall be fined not more than fifty dollars.

Labor department—duties.—Sec. 10. Officials of the labor department and the truant officers may visit all factories, mills, workshops, mines, mercantile establishments and all other places where labor is employed and ascertain whether any minors are employed contrary to the provisions of this act, and they shall report any cases of such illegal employment to the school superintendent or to the chairman of the school board or board of education and to the commissioner of labor of the state. Officials of the labor department

and truant officers may require that the employment certificates and lists provided for in this act of minors employed, shall be produced for their inspection. Complaints for offenses under this act may be brought by any official of the state labor department, and any one who shall refuse to allow the visitation in this section provided for, shall be guilty of a misdemeanor.

Prohibited occupation.--Sec. 11. No children, under the age of 16 years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever; nor shall any children adjust any belt to any machinery; they shall not oil, or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood-shapers, wood joiners, planers, sand paper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating tools, such as are used in roofing factories, nor shall they be employed in operating any steam boiler, steam machinery or other steam generating apparatus, or as pin boys in any bowling alleys; they shall not operate or assist in operating dough brakes or cracker machinery of any description; wire or iron straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any theater, concert hall, or place of amusement wherein intoxicating liquors are sold; nor shall females under 16 years of age be employed in any capacity where such employment compels them to remain standing constantly. *Provided*, that in any action brought against an employer of any child under 16 years of age, on account of injuries sustained by the child while so employed, if the employer

shall have obtained, and kept on file in like manner as herein provided for employment certificates, an affidavit of the parent or guardian, stating in substance that the child is not less than 16 years of age, such employment shall not be deemed a violation of this act. Any person employing any child in violation of the provisions of this section shall be guilty of a gross misdemeanor.

Physician's certificate.—Sec. 12. In case any child appears to be unable to perform the labor at which he or she is employed, the officials of the labor department or truant officers may require the employer of such child to produce a certificate from some reputable practicing physician of the physical fitness of the child for such work, and a child as to whom such certificate cannot be obtained shall not be employed. Any person refusing to produce the certificate herein required upon demand, or who shall employ a child when a certificate has been produced stating that such child is physically unable to work, shall be guilty of a gross misdemeanor.

Act repealed.—Sec. 13. Sections 1804, 1805, 1806, 1807, 1808, 1809, 1810 and 1811, Revised Laws 1905, and all other acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its passage.

Approved April 22, 1907.

CHAPTER 300—H. F. No. 501.

An Act to prohibit the shooting of firearms within three miles of the corporate limits of cities having a population of 50,000 or more.

Be it enacted by the Legislature of the State of Minnesota :

Penalty.—Section 1. It is hereby declared unlawful for any person to hunt with or carry loaded any rifle or other firearm for the purpose of hunting within three miles of the corporate limits of any city having a population of 50,000 or more, except target practice on regular rifle ranges, and members of duly organized gun clubs shooting or practicing