

The white rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle. The light of the front lamp shall be visible at least two hundred feet in the direction in which the motor is proceeding. No such motor vehicle shall be permitted to remain standing upon any public street, highway, or other public way unattended in this state, at any time with the motor running.

Every such motor vehicle using gasoline as motive power shall use a "muffler," so-called, and the same shall not be cut out or disconnected within the limits of any city or village, within the state, or at the time of passing any house or animal being led, ridden or driven.

Approved June 17, 1912.

CHAPTER 8—H. F. No. 26.

An Act to amend chapter 299, General Laws of 1907, entitled An Act to regulate the employment of children and providing penalties for its violation.

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

Children under 14 years not to be employed.—Section 1. That chapter 299, General Laws of 1907 be, and the same is hereby amended, so as to read as follows:

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 any mine; or in the construction of any building, or about any engineering work; 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.

Children 14 to 16 years—How employed.—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 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 officer 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.

Employment certificate issued by school superintendent.—Sec. 3.

An employment certificate shall be issued only by the superintendent of schools, or by someone 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.

Certificate—When issued—Evidence necessary.—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 by the principal of the school which the child last attended, and if there is no principal, then by the teacher of such child in said school which shall be furnished on demand to a child entitled thereto. (2) A duly attested transcript of the 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 can not 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 until such officer shall have received a certificate from a reputable practicing physician duly

designated for such purpose by the school board affirming that the child 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. 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, and shall only be issued to children who have completed the studies taught in the common schools of the district in which they reside; or, a parochial or private school in which the curriculum is equal to the common schools of the district; provided, however, that no child shall be granted such certificate who is not able to read and write simple sentences in the English language.

Certificate—Child's signature required.—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 and 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.

Monthly report to Commissioner of Labor.—Sec. 6. The superintendent of schools and chairmen 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. The report shall give the date of issuing the certificate and the date of expiration; the age and sex of the child; the name of the employers and the nature of the occupation the child is permitted to engage in, and any one failing to transmit the list herein provided for, shall be guilty of a misdemeanor.

Hours of labor—Posting of notice by employer.—Sec. 7. No person under the age of 16 years shall be employed, or suffered or permitted to work at any gainful occupation more than 48 hours in any one week, nor more than 8 hours in any one day; or before the hour of 7 o'clock in the morning or after the hour of 7 o'clock in the evening. 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 means 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, or between the hours of seven o'clock in the evening and seven o'clock in the morning, shall be deemed a violation of this section.

Penalty for violation.—Sec. 8. Whoever employs 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 7 of this act, shall, for such offense, be fined not less than \$25.00 nor more than \$50.00; and whoever continues to employ any child in violation of any of said sections of this act after being notified by truant officer or commissioner of labor of the state, shall for every day thereafter, that such employment continues, be fined not less than \$5.00 nor more than \$20.00 additional for each day that such employment continues. 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 \$10.00. Every person authorized to sign the certificate prescribed by section 5 of this act, who knowingly certifies any false statement therein shall be fined not more than \$50.00.

Right of visitation.—Sec. 9. 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 case 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 visitation in this section provided for, shall be guilty of a misdemeanor.

Occupations prohibited to minors.—Sec. 10. No children under the age of 16 years, shall be employed at sewing belts, in any capacity whatever; nor shall any children adjust any belt to any machin-

ery; 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 jointers, 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 rolls, 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 grates or cracker machinery of any description; wire or iron straightening machines; 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 dangerous to their lives or limbs or their health or morals; nor in any theater, concert hall, saloon or place amusement; provided, that this section shall not apply to the employment of any child as a singer or musician in a church, school or academy, or in teaching or learning the science or practice of music, or as a musician in any concert, or in a theatrical exhibition with the written consent of the mayor of the city or the president of the council of the village where such concert or exhibition takes place. Such consent shall not be given unless forty-eight hours previous notice of the application therefor shall have been served in writing upon the commissioner of labor of the state of Minnesota and upon the secretary of the Minnesota child labor committee, and a hearing had thereon if requested, and shall be revocable at the will of the authority giving it. Such consent shall specify the name of the child, its age, the names and residence of its parents or guardians, the nature, kind, duration and number of performances permitted, together with the place and character of the exhibition. But no such consent shall be construed to authorize any violation of

paragraphs one, three or four of section 4939, Revised Laws of 1905; 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.

Employment of boys and girls as messengers.—Sec. 11. No boy under the age of 18 years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages before 5:00 o'clock in the morning or after 9:00 o'clock in the evening of any day; and no girl under the age of 21 years shall be thus employed at any time. Any person employing any child in violation of the provisions of this section shall be guilty of a 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, shall require the employer of such child to procure a certificate from a reputable practicing physician duly designated for such purpose by the school board, affirming the physical fitness of the child for such work, and a child as to whom such certificate can not 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 procured stating that such child is physically unable to work, shall be guilty of a misdemeanor.

Sec. 13. 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 June 19, 1912.