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1905

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MARK B. DUNNELL

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1788. Disposal of fines—All fines collected for violations of this chapter shall be paid into the treasury of the county in which the conviction occurs and become a separate fund for defraying the cost of enforcing the provisions hereof in such county. ('03 c. 363 s. 16)

CHAPTER 23

REGULATION OF LABOR

BUREAU OF LABOR

1789. How constituted—Terms—Employees—The bureau of labor shall consist of a commissioner of labor, an assistant commissioner, and a factory inspector, and shall have its office in the capitol. The commissioner shall be appointed by the governor, by and with the advice and consent of the senate, for a term ending on the first Monday of January in the odd-numbered year next ensuing. The other two members shall be appointed for like terms by the commissioner, but all the members shall hold office until their respective successors qualify. The commissioner shall also appoint, and at pleasure remove, two deputies, two assistant factory inspectors, and such other employees as may be necessary, and for whose compensation provision is made by law. One of said deputies or assistant inspectors shall act as inspector of railroads. The factory inspector and his assistants must be persons possessed of practical experience and knowledge in and of the operation of factories, and the appointment of any not so qualified shall be void. The commissioner of labor shall be the head of the bureau, and may assign any other member or employee thereof to any duty imposed thereon by law. (469, 475)

1790. Terms defined—The words "factory" and "mill," as used in this chapter, shall mean any premises where water, steam, or other mechanical power is used in aid of any manufacturing or printing process there carried on. The term "workshop," as so used, shall mean any premises, room, or place, not a factory or mill as above defined, wherein manual labor is exercised by way of trade, or for purposes of gain in or incidental to a process of making, altering, repairing, cleaning, ornamenting, finishing, or adapting for sale any article or part thereof, and to or over which premises, room, or place the employer of such labor has the right of access or control; but the exercise of such labor in a private house or room by members of a family dwelling therein, or by persons a majority of whom are members of such family, shall not of itself constitute such house or room a workshop. The term "engineering work," as so used, shall mean any work of construction, operation, alteration, or repair of a railroad or street railway, of the works of any gas, telephone, telegraph, water, electric light, or mining company, or upon any sewer, bridge, tunnel, or building erected by a municipality. But nothing herein shall interfere with the powers conferred by law upon the board of railroad and warehouse commissioners. (2264)

1791. Duties and powers—Witnesses—The bureau shall enforce all laws regulating the employment of minors and women, for the protection of the health, lives, limbs, and rights of the working classes, and those prescribing the qualifications of persons in trades and crafts. It shall gather statistics relating to all branches of labor, to labor troubles and unions, to Sunday labor, to the industrial and social condition of the laboring classes, and to the condition of industries. In the discharge of its duties, the members and employees of the bureau may enter and inspect any factory, mill, workshop, hotel, restaurant, or engineering work at all reasonable times, and give such directions as may be necessary to enforce the laws. Any member of the bureau or any assistant factory inspector may issue subpoenas and take testimony. A witness shall

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receive fees as in the district court, but no witness shall be compelled to go out of the county wherein he resides. (470, 472, 473, 2258; '99 c. 148)

1792. Duties of employers—Reports—Preservation of records—On request of the bureau, and within the time limited therein, every employer of labor shall make a certified report to the bureau, upon blanks furnished by it, of all matters covered by the request. The names of persons or concerns supplying such information shall not be disclosed. Every notice, order, or direction given by the bureau shall be in writing, signed by a member of the bureau, a deputy, or an assistant factory inspector, and be served by him, or by any officer or disinterested person, as a summons is served in the district court. Papers so served and all records and documents of the bureau are hereby declared public documents, and shall not be destroyed within two years after their return to or receipt by the bureau. (471, 474, 2260)

1793. Orders of bureau, how reviewed—Within ten days after the service of any such order or direction of the bureau, any person aggrieved may apply to a judge of the district court for an order restraining its enforcement, and upon not more than thirty days' notice a hearing may be had before such court, or before three impartial expert referees appointed by the court, who shall file their report within ten days after the hearing. The court may alter, annul, or affirm the order or direction complained of; the decision to be based upon the hearing by the court, or upon the report of the referees. Such decision shall take the place of the original order. In case of affirmance, the losing party shall pay reasonable compensation to the referees, to be fixed by the court; if the decision be against the order, such compensation shall be paid out of the appropriation for support of the bureau. (2261)

1794. Violation of local ordinances—Whenever the bureau learns of a violation of a local ordinance for the protection of employees, it shall give written notice thereof to the proper municipal authorities, and take any steps permissible under the ordinance for its enforcement. If such violation be also a violation of a state law, and such local authorities fail to enforce the ordinance within thirty days after receiving from any person written notice of its violation, the bureau, upon petition of such person, shall investigate the same, and take steps to enforce the law. (2259)

1795. Report of proceedings—The bureau shall report to the legislature at each regular session. Such report shall contain an account of the doings of the bureau, the statistics gathered by it, a statement of all violations of law which have come to its knowledge, and any proceedings had in consequence, and such recommendations as the commissioner deems proper. The report shall be printed and distributed as in the case of other executive documents. (470, 476)

1796. Penalties—Any officer, agent, or employee of the bureau of labor who shall disclose the name of any person supplying information at the request of the bureau shall be guilty of a gross misdemeanor. Any person who shall refuse to attend or testify in response to its subpoena shall be guilty of a misdemeanor. Any owner or occupant of any factory, mill, workshop, or engineering work, or the agent of such person, who shall refuse to admit thereto an officer, agent, or employee of the bureau seeking entrance in the discharge of his duty, shall be guilty of a misdemeanor. (471-473)

1797. Salaries, expenses, etc.—Standing appropriation—The commissioner of labor shall receive a salary of twenty-five hundred dollars per year; the assistant commissioner, fifteen hundred dollars; and the factory inspector, twelve hundred dollars. The two deputies and two assistant factory inspectors shall receive one thousand dollars each per year, and the other employees of the bureau such reasonable pay as the commissioner may fix, not exceeding four dollars per day of actual service. The necessary traveling and other expenses of each shall be paid by the state, but no more than three thousand dollars in addition to the annual salaries above specified shall be expended by the bureau in any one year. The sum of twelve thousand two hundred dollars is hereby appropriated annually for the purposes of this chapter. (469, 475, 477, 478)

GENERAL PROVISIONS

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1798. Maximum day's work—Unless a shorter time be agreed upon, the standard day's work for hire shall be ten hours. Every employer and other person having control who shall compel any person, or who shall permit any minor under the age of fourteen, to labor more than ten hours in any one day, shall be guilty of a misdemeanor, but persons over fourteen may labor extra hours for extra pay; and this section shall not apply to farm laborers, to domestic servants employed by the week or month, or to persons engaged in the care of live stock. (2240, 2241; '95 c. 49)

1799. Hours of labor on state work—No person employed in manual labor upon any work for the state, whether such work be done by contract or otherwise, shall be required or permitted to labor more than eight hours in any calendar day except in cases of extraordinary emergency caused by fire, flood, or danger to life and property, military or naval employment in time of war, and agricultural work. ('01 c. 310 s. 1)

1800. Same—Stipulation in contracts—Every contract made by or in behalf of the state which may involve the employment of labor shall provide in terms for compliance with § 1799, and for the forfeiture by the contractor to the state of ten dollars for each and every violation thereof. Every inspector or other person whose duty it is to see that such contract is duly performed shall report all such violations to the proper disbursing officer, who shall withhold the amounts so forfeited from the contract price. No sum so withheld shall ever be paid unless the disbursing officer shall first certify to the governor, in writing, that the forfeiture was imposed through an error as to the facts. Every state officer, and every person acting for or in behalf of the state, who shall violate any provision of this section or § 1799, shall be guilty of a gross misdemeanor. ('01 c. 310 ss. 2, 3)

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1801. Locomotive engineers, etc.—Hours—Locomotive engineers and firemen shall not be required to serve as such for more than fourteen consecutive hours. At least nine hours, or as many hours less as is asked for by said engineers or firemen, shall be allowed for rest before being again required to go on duty. But nothing herein shall permit any such engineer or fireman to desert his locomotive when, by reason of accident or of delay caused by the elements, another cannot immediately be procured to take his place, nor prohibit him, in any case, from serving longer than fourteen hours if he so desires. Every superintendent or other officer or employer of a railway company who shall order or require any service in violation of this section shall be guilty of a misdemeanor, and such company shall be liable to any engineer or fireman for injuries sustained by him in consequence of such violation. (2242, 2243; '03 c. 69)

1802. Seats for females—Every employer of females in any mercantile, manufacturing, hotel, or restaurant business, and every agent in charge of any such business, shall provide and maintain suitable seats in the room where they work, and permit such use thereof by them as may be necessary for the preservation of their health. (2244)

1803. Same—The certificate or testimony of any licensed and practicing physician to the effect that, in his opinion, any person is not complying with the provisions of § 1802 in respect to a specified employee, shall be prima facie evidence of a violation thereof. The labor commissioner, upon information of any such violation, shall forthwith cause the matter to be brought to the attention of the proper authorities, and assist in procuring evidence thereof; but this shall not prevent any one else from making complaint and furnishing evidence, nor interfere with any state or county officer in the performance of his duty. (2245)

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1804. Employment of children—Hours—No child under fourteen years of age shall be employed at any time in any factory or workshop or about any mine; nor shall he be employed in any mercantile establishment, or in the

service of a telegraph, telephone, or messenger company, except during the vacation of the public schools. No child under sixteen shall be employed at any time in an occupation dangerous to life, health, or morals, or at any labor, outside of the family in which he resides, before 6 o'clock a. m., or after 7 o'clock p. m. Nor shall he be so employed for more than ten hours in any day, or sixty hours in any week; except that on Saturdays and for ten days prior to Christmas he may be so employed until 10 o'clock p. m., but not longer in any day or week than the hours aforesaid. ('95 c. 171 s. 1; '97 c. 360 s. 1)

90-431, 97+137.

1805. Physician's certificate—In the case of any child appearing to be unable to perform the labor at which he is employed, any member or employee of the bureau of labor may require the employer 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. ('95 c. 171 s. 3)

90-431, 97+137.

1806. Operating elevators—Age limit—No person shall employ or permit any child under the age of sixteen years to have the care, management, or operation of any elevator, or permit any minor under eighteen years to manage or operate any elevator capable of running over two hundred feet per minute. ('95 c. 171 s. 6).

1807. Children not to be employed, when—Except as provided in § 1808, no child under sixteen years of age shall work for hire during the hours in which the public schools in the place of his residence are in session, unless since his last birthday he shall have attended school at least twelve weeks, six of them in succession; nor shall he be so hired at any indoor occupation, except in vacation of the public schools, or while he is a daily attendant at some day or evening school, unless he can read and write simple sentences in English. ('95 c. 171 ss. 2, 4)

90-431, 97+137.

1808. When labor is necessary for support—Whenever it appears upon investigation that the labor of a minor, who would be barred from employment under the provisions of § 1807, is necessary for his support, or that of the family to which he belongs, the school board or school trustees of the place where he resides may issue a permit authorizing his employment within certain hours to be fixed therein. ('95 c. 171 s. 5; '97 c. 360 s. 2)

90-431, 97+137.

1809. Certificate—When necessary—No child under sixteen years shall be employed in any factory, workshop, or mercantile establishment, or in the service of any public telegraph, telephone, district messenger company, or other like corporation, unless the employer shall keep on file the certificate herein required, and a complete list of such employees. Such certificate shall be executed by the school superintendent, where there is one, or by some person authorized by him in writing; elsewhere, by a member of the school board, authorized so to do by its vote. It shall state the name, date and place of birth, and the age of the child, and that he can read at sight, and write in a legible hand, simple English sentences; or that he is a regular attendant at some school, or during the past twelve months has attended school as required by law, or has been lawfully excused therefrom. Attendance at a private school shall be certified to by the teacher thereof on this certificate. The labor commissioner shall prepare and furnish to school superintendents and boards the necessary blanks. ('95 c. 171 ss. 7-9)

90-431, 97+137; 94-478, 103+509.

1810. Right of visitation—Every factory, workshop, mine, mercantile establishment, or other place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the members or agents of the board of education, or by the governing body of the municipality in which such place of labor is situated. ('95 c. 171 s. 10)

90-431, 97+137.

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1811. Penalty for violation—Every parent or guardian of a child under sixteen years of age who shall permit the employment of such child contrary to the provisions of this chapter, and every owner, superintendent, or overseer of any place of labor who shall employ or permit to be employed therein any child contrary to said provisions, or who shall refuse to allow the visitation permitted by law, shall be guilty of a misdemeanor. Failure to produce to any officer or employee of the bureau of labor, or member or authorized agent of a school board or governing body of the city or district in which such child is employed, on demand, the certificate and list required by law to be kept, shall be prima facie evidence of illegal employment. ('95 c. 171 s. 12)

90-431, 97+137.

1812. Wages of minors—To whom paid—Any parent or guardian claiming the wages of a minor in service shall so notify his employer, and, if he fail so to do, payment to the minor of wages so earned shall be valid. (2247)

1813. Dangerous machinery—How guarded—All saws, planers, wood shapers, jointers, sand-papering machines, and ironing mangles; all set screws, drums, and machinery, including belts, shafting, cables, and fly wheels; all electrical dynamos and other dangerous electrical apparatus and appliances; and all vats, pans, or other receptacles containing molten metal or boiling liquid, in any factory, mill, or workshop, shall be so located as not to be dangerous to workmen; or, as far as practicable, shall be fenced or otherwise protected. Every dangerous place in or about factories, mills, workshops, and engineering work, near to which any employee is obliged to pass or to be employed, shall be securely fenced, inclosed, or otherwise protected. No grindstone, emery wheel, or machine in any factory, mill, or workshop shall be used when the same is known to be cracked or otherwise defective. (2248)

Object of statute to protect workmen, whether operating the machinery or working about it. To be construed so as to carry out this object. Immaterial that owner could not reasonably have anticipated injury in the precise way it occurred (70-161, 72+1062; 83-25, 85+826; 93-242, 101+300). Does not change common law rule as to contributory negligence or assumption of risk (67-79, 69+630; 82-407, 85+157; 89-132, 94+436; 91-509, 98+645; 93-242, 101+300; 126 Fed. 524). Expert workmen neglecting to use safety devices furnished by employer assume the risks. Guards must not only be furnished; they must be maintained (93-242, 101+300). Duty to guard cannot be shifted by leasing premises (70-161, 72+1062). Declaratory of common law (91-317, 97+977). Limited to protection of employees (78-3, 80+693). Liability in case of children (90-431, 97+137; 104+291). Cited (68-305, 71+276; 70-538, 73+510; 80-393, 83+389; 85-13, 88+261; 86-328, 90+573; 89-354, 94+1079).

1814. Belt shifters, loose pulleys, etc.—Every owner of a factory, mill, or workshop where machinery is in use shall furnish or cause to be furnished, wherever practicable, belt shifters or other safe mechanical contrivances for the purpose of throwing on or off belts or pulleys; and, whenever practicable, machinery shall be provided with loose pulleys. Exhaust fans shall be provided for carrying off dust from emery wheels and grindstones. (2249)

1815. Protection of hoistways, elevators, etc.—Exceptions—Every hoisting apparatus used in the construction of any building, every hoistway, hatchway, elevator well, and wheel hole in any factory, mill, workshop, storehouse, wareroom, or store, shall be securely protected on each floor by a barrier at least four feet high, which shall be kept closed except when necessarily opened for use. Every elevator car used for either freight or passengers shall be provided with some suitable mechanical device by which it can be securely held in the event of accident to the rope or hoisting machinery; but an elevator whose owner is insured against loss from personal injuries caused thereby, by any authorized insurance company, shall not be subject to supervision by the bureau of labor. (2250; '03 c. 397)

70-161, 72+1062; 78-3, 80+693.

1816. Fire escapes—Doors—Hand rails—Every factory, mill, and workshop or other buildings in which laborers are employed shall be provided with sufficient means of escape in case of fire, by more than one way of egress, each of which shall be at all times free from obstruction and ready for immediate use. Every door leading in or to any such factory, mill, or workshop shall be

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so constructed as to open outward, when possible, and shall not be so fastened during working hours as to prevent free egress. Substantial hand rails shall be provided on all stairways in every factory, mill, or workshop; and, where females are employed, the stairs regularly used by them shall be properly screened at the sides and bottom. (2252)

1817. External fire escapes—If any such factory, mill, or workshop be more than two stories high, it shall be provided with at least one fire escape, and as many more as the labor commissioner may require. Every such fire escape shall be on the outside of the building, connecting on each floor above the first with at least two openings; shall be well fastened and secured, with landings not less than six feet in length and three in width, guarded by an iron railing not less than three feet in height. Such landings shall be connected by iron stairs, not less than two feet wide, and with steps of not less than six inches tread, placed at an angle of not more than forty-five degrees, and protected by a well-secured hand rail on both sides, with a drop ladder, twelve inches wide, reaching from the lower platform to the ground. Such fire escape shall be sufficient if constructed on any other plan approved by the labor bureau. The openings to each fire escape shall be, as far as practicable, from the stairways and elevator shafts, and the ladder of each fire escape shall extend to the roof. Stationary stairs or ladders shall also be provided on the inside from the upper story to the roof. Every such factory, mill, and workshop more than two stories high shall also be provided with inside and outside standpipes, and with hose connected therewith, as required in the case of hotels of the same height, and with one chemical fire extinguisher on each floor, always ready for use. (2253, 8007; '95 c. 123 s. 1)

1818. Cleanliness, etc.—Every factory, mill, and workshop shall be kept clean and free from effluvia arising from any sewer, drain, or privy; be properly ventilated; and provided with privies for the separate use of male and female employees, properly screened, and at all times kept in a sanitary condition. Whenever the labor performed is such as to require a change of clothing, separate dressing rooms shall be provided for the sexes. (2251, 2254)

1819. Bakeries and confectionery establishments—Every bakery and confectionery establishment shall be of good workmanship, well drained, and constructed and plumbed according to established sanitary principles. Every room used for the manufacture, storage, or sale of bread or other food products shall be light, dry, and airy. The floors and walls of every room used for the manufacture of such food products shall be so constructed as to exclude rats and other vermin, be at all times free from moisture, and kept in good repair. Its floor shall have a smooth surface, constructed of wood, cement, or tile laid in cement, save that, when it is more than four feet below the level of the street or adjacent ground, it shall never be constructed of wood. Its walls and ceilings shall be whitewashed at least once in three months, and the floors, utensils, and furniture of such room, and of every room used for the storage or sale of such food products, shall be so arranged as to be easily kept clean, and, together with the wagons used for its delivery, shall be kept in a clean and sanitary condition. No water-closet, earth-closet, privy, ash pit, or sleeping room for workmen shall be in, or communicate directly with, any bakerroom or with the kitchen of any hotel or public restaurant. (2251; '95 c. 199 s. 2; '97 c. 278)

1820. Safety appliances not to be removed—No employee in any factory, mill, workshop, or upon any engineering work, nor any other person, by permission or otherwise, shall remove, displace, or destroy any guard for dangerous machinery, or other safety device, which the employer shall have provided under the requirements of this chapter or any other law, save under rules established by the employer therefor. (2255)

1821. Report of accidents—Whenever any accident to an employee, resulting in death or requiring the aid of a surgeon, occurs in connection with any factory, mill, workshop, or any engineering work, the employer, superintendent, or agent in charge, within ten days thereafter, shall furnish the labor com-

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missioner with written notice thereof, stating as fully as possible the time and place of its occurrence, the name and residence of the person killed or injured, and, in case of injury, the place to which he has been removed. (2256)

1822. Interference with employment—No individual, corporation, member of any firm, or any agent, officer, or employee of any of them, shall contrive or conspire to prevent any person from obtaining or holding any employment, or discharge, or procure or attempt to procure the discharge of, any person from employment, by reason of his having engaged in a strike. ('03 c. 393 s. 1)

1823. Conditions precedent not required—No person, whether acting directly or through an agent, or as the agent or employee of another, shall require, as a condition precedent to employment, any written statement as to the participation of the applicant in a strike, or as to his personal record, save as to his conviction of a public offence, for more than one year immediately preceding the date of his application therefor; nor shall any person, acting in any of the aforesaid capacities, use or require blanks or forms of application for employment in contravention of this section. ('03 c. 393 s. 2)

1824. Violations of law—Prosecutions—Every person who violates or fails to comply with any requirement of this chapter, or disregards any order, notice, or direction of any member or employee of the labor bureau made in accordance with its provisions, or who obstructs or interferes with any inspection being made pursuant thereto, shall be guilty of a misdemeanor, the minimum penalty whereof shall be a fine of twenty-five dollars, or imprisonment for fifteen days. But whenever notice is required before prosecution, no criminal proceeding shall be commenced until thirty days after such notice, nor then, if within such time the requirements of the notice have been met: Provided, that if such requirement be to put a water-closet or privy in sanitary condition, where the only defect is due to carelessness in its management, only forty-eight hours shall be allowed. In case of application to the court to restrain, the time aforesaid shall not begin to run until the decision thereon. (2263)

EMPLOYMENT BUREAUS

1825. License—Fee—Bond—Any person desiring to conduct an employment bureau or agency, and to receive compensation for his services, shall be entitled to a license therefor upon compliance with the conditions of this section; but this subdivision shall apply to the employment of males only. Application for such license shall be made to the council of the city or village in which the agency is to be established, or, if outside a city or village, to the county board, and the applicant shall pay into the treasury a fee of one hundred dollars. He shall also deliver to such council or board a bond to the state in the sum of ten thousand dollars, conditioned for the payment of all damages sustained by any person engaged by the obligor to labor for others, by reason of any unauthorized act, fraud, or misrepresentation of the obligor or any of his agents or servants. The bond shall be filed with the city clerk, village recorder, or county auditor, as the case may be. So long as the licensee continues to reside or maintain his office at the place mentioned in the license, he may engage in such business in any part of the state. (1455-1457)

1826. Memorandum of employment—Damages—Such licensee shall enter in a book kept by him for the purpose a memorandum of the terms of employment of every person engaged by him to work for another, showing the rate of wages, the kind of service, the period of employment, and the name and address of the person for whom the service is to be rendered. He shall furnish to each person so employed duplicate copies of such memorandum, one of which the latter shall deliver to the employer at the beginning of his service. Any person failing, by reason of any fraud, misrepresentation, or want of authority on the part of such agency or bureau, to receive employment as provided in the memorandum, may sue and recover upon the bond all damages sustained by reason of such failure. (1458; '99 c. 42)

1827. Penalties—Every person who shall conduct such employment bureau or agency without first having obtained a license so to do, or who, being so li-

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censed, shall fail to enter such memorandum, or to deliver copies thereof as required by § 1826, shall be guilty of a misdemeanor. (1455, 1458; '99 c. 42)

STATE BOARD OF ARBITRATION

1828. Qualifications—Appointment—Organization—The state board of arbitration shall consist of three members, appointed by the governor by and with the advice and consent of the senate, each for the term of two years and until his successor qualifies; one from among employers of labor, one not an employer of labor and from among persons recommended by a labor union, and the third, who shall be neither an employer of skilled labor nor a laborer, on the recommendation of the other two. If the recommendation be not made within ten days after the qualification of said first two, the governor shall appoint the third member without their recommendation. Vacancies in the board shall be filled by appointment from the class to which the retiring member belonged, and the governor may also remove any member. The board shall elect from its members a president and a secretary, and establish rules of procedure, to be approved by the governor. ('95 c. 170 ss. 1, 2)

1829. Application—Hearing—Notice—Whenever a controversy relating to the conditions of employment or rate of wages shall arise between any employer of ten or more persons in the same general business and such employees, the board, upon application, shall visit the locality, inquire into the dispute, hear and advise all parties interested, and, within ten days after the hearing, file with the clerk of the district court a written decision of the controversy. Such application shall be signed by the employer or by a majority of the employees, and shall contain a statement of the grievances, and be verified by one of the signers. An agent may sign on behalf of employees, but he shall produce his written authority to so sign, and the name of his principals shall not be disclosed by the board. Within three days after receipt of such application, the secretary shall give public notice of the hearing, unless such notice be dispensed with by written agreement of the parties. Notwithstanding such agreement, the board may give public notice of the proceeding at any stage thereof. ('95 c. 170 ss. 3, 4)

1830. Procedure—Decision and its effect—The board may summon as a witness any employee who keeps the records of wages in any way involved in the controversy, and require the production of such records; and witnesses shall receive the same fees as paid in the district court. Subpoenas may be issued by any member of the board. In cases where the application is mutual, the decision shall be binding for six months, or until sixty days after notice in writing by either party to the other of an intention not to be bound by such decision. This notice may be given to employees by posting it in three conspicuous places in their place of employment. ('95 c. 170 ss. 5, 7)

1831. Strikes or lockouts—Duties of board—Within three days after the board shall learn that a strike or lockout is threatened or exists between any such employer and his present or former employees, it shall intercede between the parties, and attempt to procure a settlement of the dispute or its submission to a local or the state board of arbitration. The state board may investigate the cause of the controversy, fix the responsibility for its continuance, and publish the facts; and, for the enforcement of the provisions of this section, it shall have the same powers as in cases submitted by application of one of the parties only. ('95 c. 170 s. 8)

1832. Local boards of arbitration—Any such controversy may be submitted, in writing, to a local board of arbitration to be selected by agreement of the parties. The oath of each member shall be filed with the clerk of the district court. Any vacancy shall be filled in the manner in which the retiring member was selected. In respect to any matter submitted to it, a local board shall have exclusive jurisdiction and all the powers of the state board, and its decision shall have the force and effect agreed upon in the submission. Within ten days after the hearing the board shall file its decision with the

clerk of the district court, and forward a copy thereof to the state board. ('95 c. 170 s. 9)

1833. Report of proceedings—The state board shall report to each regular session of the legislature. Such report shall be printed, and shall contain an account of the doings of the board, a brief history of each controversy and the decision thereof, and suggestions relative to the relations between employer and employee. ('95 c. 170 ss. 3, 11)

1834. Compensation—Standing appropriation—Each member of the state board shall receive as compensation five dollars for each day actually employed in the work of the board, and three cents for each mile necessarily traveled, to be paid by the state. The sum of two thousand dollars is hereby annually appropriated for the purposes of this chapter. ('95 c. 170 ss. 10, 12)

CHAPTER 24

SOLDIERS' HOME, RELIEF, ETC.

1835. Who may be admitted—The Minnesota soldiers' home shall be maintained at Minneapolis, under the management of seven trustees, to be known as the "Soldiers' Home Board," as a home for honorably discharged soldiers, sailors, and marines of the United States who served in the Mexican War, the War of the Rebellion, or the Spanish-American War, and for persons who actually served in any campaign against the Indians in this state in the year 1862, whether as soldiers of the United States or not. But no person shall be admitted to the home who has not been a resident of the state for one year next preceding the date of his application, unless he served in a Minnesota regiment, or was credited to this state, or served in an Indian campaign as aforesaid. Nor shall any person be admitted unless he is without adequate means of support, and is unable, by reason of infirmity, to properly maintain himself. (3604, 3605; '99 c. 166)

See 1905 c. 222

1836. Trustees—Bonds, etc.—Said trustees shall be appointed by the governor, with the consent of the senate, each for the term of six years and until his successor qualifies. Those now in office shall serve out the terms for which they were respectively named. Vacancies shall be filled by like appointment for the unexpired terms. They shall receive no pay for their services, but the expenses necessarily incurred by them in the performance of their duties shall be paid by the state out of the moneys provided for the support of the home. Not more than four of the trustees shall be members of the same political party, and in the selection of trustees, officers of the home, and employees of the board, preference shall be given to honorably discharged soldiers, sailors, and marines. Each trustee shall give bond to the state in the penal sum of five thousand dollars, conditioned for the faithful discharge of his duties, and the economical expenditure of the funds provided for hereunder. (3606, 3608, 3624)

1837. Officers, rules, etc.—The board shall appoint a secretary, and elect from its members a president and an executive committee of three. The secretary shall record its transactions, and keep books, records, and accounts showing the administration of the soldiers' home and relief funds, and all facts of public interest relating to the home. He shall receive such reasonable compensation as the board may from time to time prescribe. The state treasurer shall be ex-officio the treasurer of the board. The board shall adopt and enforce rules for the government of the home, and proper by-laws for the conduct of its business. With the approval of the governor, it may also make rules, not inconsistent with this chapter, respecting the admission, maintenance, and discharge of inmates, and the disbursement of the funds under its control. (3620, 3621)