

APPENDIX No. 4

Bureau of Statistics reports that the law is not observed, as there are no regularly appointed officials to enforce it, while in Pennsylvania, where an eight-hour law including penalty clauses, was passed in 1897, and has never been repealed or declared unconstitutional, the Chief of the Bureau of Industrial Statistics actually writes me. 'The State of Pennsylvania never enacted an eight-hour law applying to labour.' In other states, these measures have run the gauntlet of the Courts, their constitutionality being attacked on the ground that they have violated the freedom of contract and equal protection of the laws guaranteed by the State and Federal constitution. For example, the Ohio eight-hour law of 1900, which was almost identical with H. R. 3076, submitted to Congress in 1902, was declared unconstitutional on these grounds; the New York law was declared unconstitutional in 1901, but an amendment to the constitution was sought and secured in 1906, and the law then re-enacted has stood the test of constitutionality. So we may pass over, I think, on one ground or another—either that they are not very strictly enforced, or that they are in states which have not much industrial importance—the greater number of these laws, and focus our attention on the experience of those states where the law is most vigorously enforced and of most significance, as for example, New York, Massachusetts, Kansas, Oklahoma and Wisconsin, where it is very much of a reality.

ENFORCEMENT OF LABOUR LAWS IN CERTAIN STATES.

By Mr. Marshall:

Q. In the States that you have mentioned where the law is vigorously carried out, have you any idea how many officers it takes to enforce it?—A. I do not think it takes a great many beyond the staff of the Bureau of Labour to whom in the States where it is enforced its observance usually is entrusted, though its enforcement may necessitate enlarging that staff.

By Mr. Smith:

Q. That is the State Bureau of Labour?—A. The State Bureau of Labour. For example in the report of the New York Commissioner of Labour two years ago complaint was made that the work of enforcing the Act was growing to such an extent it was impossible for him to carry it on with the regular staff. I believe more inspectors were added but how many I do not know, I could possibly find out and it may be of use to obtain that information.

LABOUR LAW OF WISCONSIN (JUNE 14, 1909.)

To begin with Wisconsin, which has one of the clearest and also the most recent of the enactments on the subject, the law having been passed in 1909. The Act covers contracts for the erection or repairing of any public buildings or works. I have prepared a full copy of each of these five or six most important laws which may be I suppose, embodied in the minutes. These measures, I think, should be before the committee when they are considering the Bill (*See Exhibit B (7)*).

By Mr. Macdonell:

Q. The last law which you referred to was that of Wisconsin?

Prof. SKELTON.—I thought I would start with that.

Mr. MACDONELL.—Had it not better be read, Mr. Chairman, it was only passed in 1909? It is not long, is it?

Prof. SKELTON.—No. It is more limited in scope than some of the Acts. (Reads.)

"Section 1. Each and every contract hereafter made for the erection, construction, remodelling or repairing of any public building or works, to which the State or any officer or agent thereof is a party, which may involve the employment of