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EIGHT HOUR AGITATION.

The legislature of Utah passed an eight hour law for miners<sup>smeltermen</sup> and other underground workers. This law was upheld by the Supreme Court of Utah and then by the Supreme Court of the United States. The Colorado legislature of 1899 followed by enacting a similar law, which was to take effect in June 1899. The smeltermen in Denver, Leadville and Durango having learned that the employers were going to resist the enforcement of the law declared a strike. In July the law was declared unconstitutional by the Supreme Court of Colorado. The smeltermen presented their grievances to the State Board of Arbitration, who after hearing considerable testimony unanimously declared for an eight hour day and a very slight decrease in wages, although the smelter employers said the decrease should be proportionate to the hours. The State Board of Arbitration not having power to enforce its decisions the employers not having submitted to arbitration, only to a hearing, did not have the dignity of an award and could not be enforced.

This was apprehended by the attorney for the smeltermen Henry Cohen who in closing his argument for the smeltermen said "If the employers will not submit to the finding of the Board we will amend the constitution and <sup>arrange</sup> ~~provide~~ for a provision thereunder so that an eight hour law can be passed that will be upheld."

The next legislature which met in 1901 passed a new damage law abolishing the fellow servant distinction. Colorado was the first State in the United States to do this and probably this was the first

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