FEDERAL LEGISLATION OF THE GOVERNMENT OF THE UNITED STATES.

Prof: SKELTON.—In the division of powers between the federal and state governments, it is to the states that the general power of legislating on the subject of conditions of employment is assigned. Would the Committee prefer that I should begin with the experience of the federal government or with that of the states?

The CHAIRMAN.—Whichever you think best.

Prof. SKELTON.—Well, perhaps that of the federal government is more easily covered.

Mr. MACDONELL.—Because of the smaller field?

Prof. SKELTON.—And the more continuous action. The labour legislation of the federal government of the United States may be considered under three heads, classified according to the constitutional source of the power invoked. I might say that the first two heads to which I am going to refer do not bear directly on our inquiry and I would mention them for a moment or two to clear them out of the way.

(1) As the supreme legislative authority in the District of Columbia and in the several territories, the federal government has, of course, full power of regulating the conditions of employment within these regions just as each state government may do within its own state jurisdiction. For example, the federl government has passed laws regulating the hours of employment of children in the district of Columbia. It has passed other laws regulating the conditions of employment in coal mines in the territories, such as Alaska, and the use of safety appliances on railroads that are wholly within the district of Columbia or the territories.

(2) In virtue of its power to regulate Interstate Commerce that clause under which the federal government has swept into its net so much legislation, Congress may enact laws regulating conditions of employment by common carriers engaged in interstate traffic. For example, in 1907, it passed a law prohibiting continuous duty by any employee engaged in transportation on a common carrier doing interstate business for more than sixteen hours without a rest, and at the same time limited to nine hours a day the work that could be demanded from telegraphers and train despatchers. That law was attacked in the courts but was upheld as constitutional last year and is now in force.

(3) As the largest single direct employer of labour in the United States and as the source of still more indirect employment through contracts for the construction of public works the federal government is obviously in a position to determine labour conditions to an important extent.

An instance of the legislation derived from this power is afforded by the Workmen's Compensation Act of 1908, providing for compensation to be paid to employees injured or to the heirs of employees killed in the arsenals, navy yards, manufacturing establishments, irrigation works, &c., of the United States.

THE TEN-HOUR STANDARD OF 1840.—REDUCED TO EIGHT IN 1868.

To come, however, to the point more directly concerned. The regulation of the hours of labour in Government employment has been a matter of long and varied discussion and enactment. For seventy years the federal government has been a pioneer in reducing hours. In 1840 the President established ten hours as the standard in all public employment, so far as workmen, labourers and mechanics were concerned, the regular hours of private establishments then being eleven, or twelve as a rule. In 1868 Congress, after the hours in private establishments had fallen to about ten on the average or a little more, reduced the hours for public employment of this class to eight. (*See Exhibit A. (1).*

Mr. MACDONELL.—From ten to eight hours straight?

Prof. SKELTON.—From ten to eight hours straight. The law was not very strictly enforced, or very clearly understood. It was passed just before an election and was