

APPENDIX No. 4

hibited, either by their constitutions or by the reigning public sentiment, from going as far in public control and operation of utilities as the provinces of the Dominion of Canada may do, so that the laws in those states, therefore, do not have as wide application as similar laws enacted on this side of the line would have.

The CHAIRMAN.—He is mistaken in that.

Mr. MACDONELL.—I rather thought that was correct.

The CHAIRMAN.—Have not the states the residue of power? In the union the states have larger authority than our provinces, but our federal government has wider control than their federal government.

Mr. MACDONELL.—The Interstate Commerce Commission there devours a lot of powers that here we enjoy in the provinces.

PROFESSOR SKELTON.—And it is quite true that while the residue of power is vested in the states the constitution of the states frequently prohibits the legislature from using that power. For example, there was such a wave in the thirties and forties of public building of railways and canals, most of which resulted in financial chaos, that a reaction spread over the whole central west, and constitutions were amended to take away from the legislatures the power to repeat the disastrous experiment. The power resides in the states, but the constitution prohibits the legislature from using it at present in many cases.

EXEMPTION CLAUSE IN MASSACHUSETTS' AND MINNESOTA ACTS.

By Mr. Knowles:

Q. Is there any information you could get as to the application of this law to farm labourers, as, for example, on the experimental farm?—A. In the case of Massachusetts there happens to be a special exemption made. Perhaps I had better read it:

“The two preceding sections shall apply to all labourers, workmen or mechanics engaged upon any works which are, or are intended to be the property of the commonwealth, or of any county therein, or of any city or town which has accepted the provisions of section 20 of chapter 106 of the Revised Laws, or may accept the provisions of section 2 of this Act whether such labourers, workmen or mechanics are employed by such authority or by a contractor or other private person. They can not apply to persons employed in any state, county or municipal institution, on the farm or in the care of the grounds, in the stable, in the domestic or kitchen and dining-room service or in store rooms or offices.”

In Minnesota the same exception is made that the Act shall not apply to agricultural work, but I do not know of any other states in which that exception is made. (*See Exhibit B. (4).*)

Q. The presumption is, unless there was an exemption, that it would apply to irrigation works?—A. Sometimes it is implied. Sometimes the provision is made explicitly that it shall apply to irrigation works.

The Director of the Bureau of Statistics of Massachusetts states that it is impossible to state definitely what correspondence there is between the stipulated hours and those prevailing in private work because of the variations in hours of labour of different trades in different localities; unskilled labourers generally are employed nine or ten hours a day in private employment. There is no important difference in wages. The Director has ‘no reason to believe that the law is not strictly observed,’ a statement confirmed by the chief of the district police who has charge of the enforcement of the labour laws, and adds that he has no data at hand to show that the law has had any noticeable effects on the hours observed in private employment.

THE NEW YORK LAW.

As Mr. Verville pointed out the other day the Bill now before the Committee in one of its sections is word for word a copy of the law in force in the State of New