'It has been found that sub-contractors do not obey the spirit of the law in the work done elsewhere than on the actual grounds of the building in course of erection. For example, it frequently occurs that a sub-contractor for stonework will prepare the stone at his own quarry and there disregard the eight-hour law. And, if much work is to be done at or near the building, he will hire a lot adjoining the government lot, and there have the stone cut by men working more than eight hours per day. This and kindred methods of evading the spirit of the eight-hour law the present (1897) Bill aims to correct and prevent.'

Whatever the spirit of the 1892 eight-hour law may be, apparently the letter does not cover work done off construction premises.

THE THREE CLASSES OF GOVERNMENT WORK DEFINED.

Following the suggestion of the chairman of this committee it may be helpful to make three classifications of government work.

1. Work undeniably within the scope of this law—the United States federal law—including work on public buildings, or breakwaters, or work in navy yards or arsenals. Or, to put it in another way, work done by employees under the immediate supervision of government officials or government contractors.

By Mr. Macdonell:

Q. In the employ of the government?—A. In the employ of the government?

Q. Yes, restricted to that class?—A. Yes, or in the employ of the contractor.

The CHAIRMAN.—You mean, Mr. Macdonell, all the work as restricted by law?

Mr. MACDONELL.—I thought the first class would be the direct employees of the government.

The CHAIRMAN.—I think Prof. Skelton means more than that.

Mr. MACDONELL.—I understand.

Prof. SKELTON.—I mean to include within the first class all those unquestionably within the scope of the law. All mechanics and workmen in the direct employ of the government no matter whether on public works or not; and secondly, workmen and mechanics in the direct employ of contractors or sub-contractors on the public works.

2. Work undeniably beyond the scope of the law. For example, supplies and materials bought in the open market, by the government or by its contractors. Again, even where specific contracts have been made.—To take an instance on which the courts have pronounced—barges built by contract under government inspection, but not becoming government property until completed and accepted, and work on sub-contracts for building material carried on off the construction premises, to which I referred a moment ago. All these classes are undoubtedly beyond the scope of the law.

3. Then I might mention a few ambiguous classes of the work referred to as to which there is a difference of opinion. For example, whether dredging a channel in an ocean harbour comes under public works; the Supreme Court, by a 5-3 vote, held in the negative. Or as to whether men employed on dredges and scows were labourers or mechanics. The court, by the same majority, held they were seamen rather than labourers or mechanics, and did not come under the jurisdiction of the law.

Are there any questions as to the federal law of 1892, or as to its scope before I go on to deal with the legislation of the states?

SEAMEN NOT LABOURERS, WORKMEN OR MECHANICS.

By Mr. Verville:

Q. With regard to this decision, if a barge, or a dredge, or anything which comes under the class of work referred to, is being built, the workmen would not be obliged to work eight hours during the construction?—A. No, it would not be considered one of the public works of the United States.