

INDUSTRIAL EDUCATION

"A BUSY, SHORT-LIVED RACE DE-MANDS THE CONSISTENT APPLICA-TION OF PRACTICAL ECONOMICS TO THE ENTIRE EDUCATIONAL SYSTEM." : : : : :

-LESTER F. WARD.

The fundamental purpose of labor legislation is the conservation of the human resources of the nation.

LEGISLATIVE SUMMARY, No. 1.

AMERICAN ASSOCIATION FOR LABOR LEGISLATION

SUMMARY OF

LABOR LAWS IN FORCE 1909 in 2007 with funding from Microsoft Corporation

ADMINISTRATION OF LABOR LAWS

CHARLES B. AUSTIN

Prepared Under the Direction of JOHN R. COMMONS

MADISON, WISCONSIN 1909

International Association for Labor Legislation

BASEL, SWITZERLAND

To serve as a bond of union to all who believe in the necessity for

To facilitate the study of Labor Legislation in all countries and to provide information on the subject.

The International Labor Office publishes a periodical Bulletin in German, French, and English-which contains the text of recent Labor Laws in all countries, notes on action taken in the various Legislatures, resolutions of Congresses, and an International Bibliography of Labor

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PREFACE

The International Association for Labor Legislation some time ago requested the several national sections to furnish reports on the Administration of Labor Laws. The problem before the American Association is that of reporting upon, not a single national law, as is the case in many European countries, but the laws of fifty-one states and territories and the Federal Government. This "Legislative Summary" is our first venture in this direction. The strictly administrative features have been selected from the substantive parts of the laws for the thirty states having factory inspection departments, not including mine inspection. The work has been verified twice and has been submitted to the chiefs of the several state departments. Notwithstanding this caution, the effort toward condensation will doubtless occasion errors or incomplete statements, but it is believed that these have been reduced to the minimum. It is hoped that corrections and suggestions may be received, in order that, if this undertaking is found to be useful, it may be followed by a similar annual publication bringing the laws down to date at the close of the legislative sessions each year. JOHN R. COMMONS.

INTRODUCTION

The following tabulation has been prepared for the purpose of showing in a concise and and comprehensive form certain essential provisions of the laws pretaining to the creation of Departments of Factory Inspection and their administration of the labor laws in the thirty states having such departments. The aim has been to embody only that portion of the statute which was necessary to explain the point given at the head of the column. The result is a comparison not of effectiveness but of statutory enactments. This comparison is of necessity limited to the field covered by the column headings. The substantive parts of the laws which are to be enforced, such as child labor and woman labor laws, are not included but will be found in separate summaries.

Where there is no provision as to the number of employes needed to bring an establishment under the provisions of the law, it should be understood that the law applies to all factories and workshops except where it is shown that the law is inforced only in cities of a minimum size.

It may be said where the law does not indicate the frequency of inspection that annual inspections are the rule with additional visits to those places most needing such attention.

The number of inspectors in the Department is not always the number provided for by the law. For this reason a column is given showing the number of inspectors reported by the departments. This column will also show the number of inspectors employed under the sometimes indefinite provisions of the law in the preceding column and an interesting comparision may be made of the two.

In the statement of the manner of electing or appointing inspectors, sufficient material has been given to show the personal responsibilities and the opportunities for favoritism. It will be seen that so far as the training required for inspectors is concerned, the laws are generally without provisions,

but attention should be called to the fact that in the states of Massachusetts, New York and Wisconsin, most of the positions are under the civil service laws.

Where space has permitted, the wording of the law has been used. This explains why in some states inspectors may enter places "at all reasonable hours" and in others "at all reasonable times." The use of the legal language is also responsible for some peculiarities of wording.

The last column on the page gives the definite penalties assessed against factory owners, operators, etc., who attempt to prevent the inspector from securing compliance with the law. Reference is not made here to violations of child labor, woman labor, or other substantive parts of the laws.

The tabulation embodies all Acts of the 1909 sessions and in every case citations have been made to the latest revisions obtainable.

CHARLES B. AUSTIN.

ADMINISTRATION

I	II.	III.	IV.	v.
State.	Minimum number of employes to bring establishment under the provisions of the law.	Frequency of inspection.	Number of Inspectors.	Number as reported by Department December, 1909.
Alabama. Code 1907; S. 6428–6448 and 7212– 7217.	Applies to manufacturing establishments where women and children work, for wool, cotton, clothing, tobacco, printing and binding, glass or other kind of work injurious when carried on indoors.	Fourtimes a year if practicable	Inspector of jails and almshouses. One clerk with same powers as the inspector.	
California. Stat. 1883, p. 27. 1909, p. 36.	All places and works of labor.	No provision.	Commissioner, Deputy, Assistant Deputy and such assistants as may be needed.	Commissioner an Deputy.
Colorado. Acts 1909. C. 166. Anno. Stat. 1890, S. 299.	Where laborers employed or machinery used.	Annually and from time to time	Deputy Labor Commissioner;3 deputy inspectors, one a woman. Not more than 3 special inspectors.	
Gen. Stat. 1902, S. 4515- 4522; Acts 1903, C. 53, C. 97; Acts 1907, C. 241.	Any place where machinery is used.	As often as practicable.	One Inspector; indefinite number of deputies. Total salaries limited to \$9,000. One female, recommended by Advisory Commission of three women.	Chief, and 4 deputies.
(1) Deleware. Acts 1897. C. 452.	(1) 10 or upward or less female employes. Ap- plies to New Cas- tle County only.		(1) One female Inspector.	
(2) Acts 1909.	(2) All factories and workshops except canning.		(2) 1 Factory and workshop inspector.	

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OF LABOR LAWS

VI.	VII.	VIII.	IY.
Election, appointment, term, compensation.	Training required.	Hours for Inspecting.	Penalty for hindering or obstructing inspectors.
Appointed by Governor for four years. Salary \$2,400 and traveling expenses.	Must be a practicing physician, learned in the science of hygiene and sanitation.	Free access at any time.	(Also for making false or misleading statements.) First offense, \$100 to \$500. Second, not less than \$500 and may be imprisoned not more than one year.
Governor appoints Commissioner, 4 years, \$3,000. Commissioner appoints others. Deputy \$2,400, assistant \$2,100. \$15,000 per annum for all other salaries, none of which to exceed \$5 per day.		Free access to be given. Timenotspec- ified.	\$50 to \$200.
Deputy Labor Commissioner appointed by Secretary of State, is chief inspector, \$2,500. He recommends, Secretary of State appoints deputy inspectors, also special inspectors, both at \$1,200.		Not specified.	\$50 to \$100, or not more than 90 days for each of- fense. (Wording confused.)
Appointed by Governor, 4 years, \$2,500. Inspector appoints deputies, \$5 per day.		Atall proper times.	Not more than \$50.
(1) Appointed by Chief Justice of State, 2 years, \$300.		(1) Working noon hours.	(1)\$10.
(2) Child Labor Inspector, appointed by governor, 2 years, \$1,000.	(2) Suitable person.	(2) At all reasonable hours.	

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I.	II.	III.	IV.	v.
Rev. Stat. 1905. C. 48, S. 20m, 29, as amended 1907, p. 310; 1909, p. 209.	No number.	As often as practi- cable.	Chief Inspector. One Assistant. Twenty-five deputies. One department attorney, \$1,500, (1907) not yet appointed. Muni- cipal inspection supercedes state inspection if equiv- alent, in certain cases.	Twenty-five deputies. 3 females.
Indiana. Anno. Stat. 1908. S. 8021-8047.	Any.	As often as practic- able and necessary.	Chief Inspector. Number of deputies not to exceed five, including chief deputy.	Given as stated in the law. No fe- males.
Iowa. Code 1897, Sup.1907, S. 2469-2477-1. Acts 1909, C. 144.	Five.		Commissioner of Labor, one deputy, 2 inspectors.	Given as stated in the law.
Kansas. Gen. Stat. 1905, S.7206. Acts 1909, C. 144.			Commissioner of Labor is Factory Inspector. One assistant; 2deputies. Special agents may be employed at a maximum of \$3 per day.	Commissioner, Assistant Commis- sioner and 2 de- puty inspectors.
Kentucky. Stat. 1903, S. 31-42.	None named. Law does not apply to newspaper and printing of- fices.		One Labor Inspector and one Assistant.	
Louisiana. Acts 1908, No. 301.	Five persons.		New Orleans required to appoint one inspector. Other towns optional.	One inspector (female), in New Orleans.
Maine. Rev. Stat. 1903, C. 40, S. 40-47.			One inspector and a sufficient number of assistants. Is inspector of factories, workshops, mines and quarries.	Chief inspector only.

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VI.	VII.	VIII.	IX.
Chief appointed by Governor; years, \$3,000. Also appoints ussistant, \$1,500, deputies \$1,200, and attorney of department, \$1,500.		At all reas- onable hours.	First, \$10 to \$50; 2d, \$25 to \$200 in hazardous mach- inery law. \$5 to \$100 in child labor law.
Chief appointed by Governor; 1 years, \$1,800, Chief appoints Chief Deputy, \$1,500; and others 1 at \$1,000 and necessary expenses.		At all reas- onable hours.	1st, not more than \$50; 2d, not more than \$100, and may be imprisoned 10 days; 3d, not less than \$250, and not more than 30 days.
Commissioner appointed by Governor; 2 years; \$1,800. One deputy, \$1,500. Commissioner appoints inspector, \$1,200. Appointment must have approval of executive council.		When places are open or in operation up- on making re- quest in writ- ing.	\$100 and costs or not more than 30 days. Refusal to testify \$50 and costs, or 30 days.
Commissioner holds office as Secretary of State Society of Labor and Industry. Delegates to society elect Secretary for 2 years, \$2,000, Assistant obtains office in same way, \$1,500. Commissioner appoints deputies, \$1,200, term also 2 years.		When open or in operation.	1
Commissioner of Agriculture, Labor and Statistics, elected at general election, 4 years; ap- points inspector and assistant with approval of Governor, \$1,200 and \$1,000.	Menhaving practical knowledge of factor- ies, machine or work- shops.	During reas- onable hours and while the place is open.	\$100, 6 months, or both.
Mayor with consent of council and in parishes the police jury appoints the inspector. Not more than \$750.		All reasonable hours.	
Governor appoints chief, 2 years, salary not given. Also appoints needed assistants, \$2.00 per day.	·	At all reas- onable times.	\$50.

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	I.	II.	III.	IV.	V.
C A S. A	Caryland. ode of 1904. rt. 27, 243-253, cts 1906, 192.			Chief of Bureau. Two deputies as assistants and six child labor inspectors.	Chief, assistan and eight inspectors.
(1 19 10 de 31 19	assachusetts. 1) R. L. 1002, C. 108 as amended, 1904, p. 18,382, 430. 106, p. 522. 1009, p. 379.	(1) All factor- tories, work- shops, mercantile and mechanical establishments.		(1) By law of 1904 (p. 318) 33 male and 2 female members. Second law of 1904 (p. 430) 2 additional. Law of 1906 (p. 522) 5 additional boiler inspectors. Law of 1909 (p. 379) 1 additional inspector. State is divided into 9 districts and inspection is under direction of Deputy of District Police.	One Deputy Chief 1 Chief inspecto of Boilers, 13 in spectors of pub lic buildings, 14 in spectors of factor ies and workshop (2 females), 19 in spectors of boiler and licensed exam iners.
19	2) Acts 907, C. 537.			(2) One inspector in each health district. Additional experts in sanitation may be employed.	
A	(ichigan. cts 1909, o. 285.		As often as practi- cable or re- quired. At least an- nually.	Commissioner of Labor, Deputy Commissioner, special agents, necessary deputy inspectors. At least 2 females.	Two specia agents, 19 deput inspectors, 3 o whom are women
A C. 19 A	cts 1907, . 356. Acts 907, C.456. cts 1909, . 497.	Any place where mechanical power is used in manufacturing or printing.	- 121	Commissioner of Labor, assistant, 3 deputies, 5 inspectors, 5 assistant inspectors: 2 of whom inspectoralization one woman as Assistant Commissioner in charge of Woan's Department.	Commissioner assistant, 3 dept ties; 4 inspectors 5 assistants; 1 wo man assistant; female inspectors
R 18 64	issouri. ev. Stat. 99, S.6431– 56. Acts 907, p. 326.	Ten. Sanitation law applies to places employing more than five.	(1) City inspection law: frequent inspections. (2) Stateinspection law: 2 each year in cities of 10,000 or more.	(1) Authorities in cities of more than 5,000 appoint inspector with deputies when necessary. (2) One inspector, 2 assistants and 7 deputies. Two of seven may be women.	Commissioner of Labor and chief in spector.

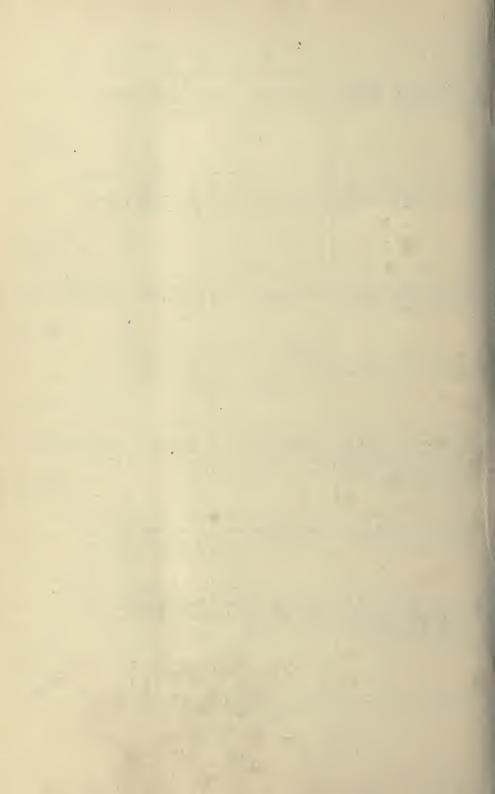
VI.	VII.	VIII.	IX.
Chief appointed by Governor, 2 years, \$2,500. He appoints 6 deputies by Act of 1906 (Child Labor), not to exceed \$900 and expenses. Also assistant and 2 inspectors.		At all reas- onable times while work is being carried on.	\$5 to \$100 or 10 days to one year, or both.
(1) Governor appoints, 3 years. Female inspectors \$1,250. Deputy Chief of Inspection Department, \$2,400. Chief of boiler inspectors, \$2,000. Chief \$3,000; male inspectors \$1,500.	(1) Under civil service law. Preference given to Civil War Veterans.	(1) At any time.	(1) \$50 to \$100. (Acts 1908, p. 335.)
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(2) Governor appoints. Board of Health may divide state into not more than 15 districts; 5 years, salaries established by Governor with advice of the Council.	(2) Practical and discrete person, learned in science of medicine and hygiene.	(2) Right of access given but no time stipulated.	
Commissioner appointed by Governor, 2 years, \$2,500, appoints deputy, \$1,800; also assistants and specials: former \$1,000, latter fixed by Commissioner.	Commissioner must be suitable person.	At all reas- onable hours, while open or operation.	Two provisions: (1) Hindering any member of Bureau, \$100 or 90 days; or both. (2) Hindering inspector, \$10 to \$100, or 10 to 90 days, or both.
Commissioner, appointed by Governor, 2 years, \$2,600, appoints other members; inspectors \$1,100, assistants \$1,000; also woman assistant commissioner.	Practical experience and knowledge in and of the operation of factories. "Appoint- ment of any not so qualified shall be void."	At all reasonable times.	A misdemeanor.
(1) See column IV. Salary prescribed by ordinance. (2) Governor appoints State Inspector, 4 years, \$2,000. Inspector appoints 2 assistants, \$1,400; 7 deputies \$100 per month for time actually employed. Department supported by fees.		Any reasonable business hour, or during working hours of employees.	(1) No provision. (2) \$25 to \$100 for each offense.

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I.	II.	III.	IV.	V.
Montana. Acts 1907, p. 110; Acts 1907, C. 129.	All establishments.		Commissioner of Agriculture, Labor and Industry; one chief clerk.	Given as stated in the law.
Nebraska. Anno. Stat. 1907. S. 6925-6943.	Any factory or workshop.		Governor of State is Commissioner of Bureau of Labor, Census and Industrial Statistics. Appoints 1 deputy commissioner.	One deputy.
New Jersey. Acts 1904, C. 64, S. 45. Acts 1907, C. 257.	Any establishment.	As often as practic- able. Depu- ties must work 8 h'rs a day and 4 hours on Saturday, and not al- low private business to interfere.	Commissioner of Labor, 1 assistant, 13 inspectors, of whom 3 are women. Provision for special in- spectors.	Twelve regular inspectors and 2 specials in addition to commissioner and assistant.
New York. Con. Laws 1909, C. 36 and Laws 1909, C. 206, 291,292,293, 299.	Any place where labor is be- ing performed.	As often as practic- able. Semi- annual in- spection of tenement houses.	First Deputy Commissioner of Labor. Not more than 60 deputies of whom not more than 10 females. In Bureau of Mercantile Inspection, one inspector and not more than 10 deputies of whom not less than 2 females. The Supt. of Puplic Works may upon request transfer, for temporary periods, inspectors of steam vessels to Department of Labor. (Acts of 1907, C. 520.)	(Asgiven by Chief Statistician Oct. 27, 1909.) One inspector, 2 assistants, 1 supt. of licenses, 1 medical inspector, 1 tunnel inspector, 2 special agents (legal), 51 deputy inspectors (10 females), 1 mercantile inspector, 8 deputy mercantile inspectors (1 female.)
Ohio. Anno. Stat. 5th ed., S. 4238a-4238q. Acts 1908.	All factories and workshops.	As often as possible.	Chief inspector, 1 assist- tant chief, 22 district in- spectors, 2 bake shop in- spectors, 8 woman visit- tors.	Same as column IV.
Oregon. Acts 1903, p. 205. Acts 1907, C. 111, 158.	Any factory, mill or workshop.	Annually and from time to time.	Commissioner of Labor is inspector.	Commissioner and 4 deputies.

VI.	VII.	VII1.	IX.
Commissioner appointed by Governor, 4 years, \$2,500; appoints chief cierk, \$1,800.			\$50 to \$100.
See column IV. Deputy \$1,500. He acts as inspector. Length of term not given.		When open or in operation.	\$10 for each and every offense.
Governor appoints Commissioner, 3 years, \$3,500. Commissioner appoints the assistant with approval of Governor, \$2,000. Governor appoints 13 inspectors, 3 years, \$1,500. Commissioner appoints special inspectors and determines compensation.	Commissioner must be some suitable per- son. Assistant an ex- perienced machinist. Inspectors, suitable persons.	At all reas- onable hours.	\$50. Proceedings are by action of debt.
Commissioner of Labor appointed by Governor, 4 years, \$5,000. He appoints 2 deputies. First deputy is Factory Inspector in charge of Bureau of Inspection. Commissioner also appoints Mercantile Inspector in charge of Bureau of Mercantile Inspection, and deputies in both bureaus. Mercantile inspector, \$2,000 and all deputies \$1,000, \$1,200, \$1,500.	All positions permanent under civil service (Acts 1901, p. 496) except factory inspector, one assistant and the mercantile inspector. These hold office at pleasure of head of Department.	When any labor is being performed, or during reasonable hours.	1st. \$20 to \$50. 2d. \$50 to \$200, or not more than 30 days. 3d. Not less than \$250, nor more than 60 days, or both.
Governor appoints Chief; 4 years, \$2,500. Chief appoints district inspectors, 3 years, \$1,200 each.	Competent and practical mechanics.	At any reas- onable time.	Unlawful but specific penalty not given.
Commissioner elected at general electon, 4 years, \$2,000; deputy commissioners appointed, \$4.00 per day.	Citizen of the State for five years.	At any reasonable time.	\$25 to \$100, or imprisonment not to exceed 90 days for each offense.
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I.	II.	III.	IV.	V.
Pennsylvania. Purdon's Digest,1905, p. 1601. Acts 1905, No. 226.	Any establishment employing labor.	As often as practic- able.	Chief inspector and 39 deputies;5 shall be women.	Given as in law. Also four attorneys named.
Rhode Island. Gen. Laws, 1896, C. 68. Acts 1905, C. 1215.	Five persons or one minor under 16.	As often as practicable.	One Chief and two assistants; one is a woman.	Given as in the law.
South Car- olina. Acts 1909, Nos. 4 and 124.	Five.	As often as practicable.	Commissioner and 2 inspectors.	-
Tennessee. Code and Sup. 1903, p. 470.	All workshops and factories where machinery is used.	Once at least every six months.	One Shop and Factory Inspector.	Given as in the law.
Washington Acts 1901, C. 74; 1905, C. 83; C. 84; 1907, C. 203.	Any establishment.	Annual inspections and from time to time.	Commissioner of Labor factory, mill inspector. Assistants may be appointed.	Commissioner and and four deputy inspectors. One female, assistant commissioner.
West Virginia. Code 1906, p. 158.	Principal factories; others upon request of 3 citizens.	At least once each year.	Commissioner of Labor and assistants.	Commissioner and one clerk.
Wisconsin. Anno. Stat. Sup. 1906. S. 1021b- 1021h. Acts 1907, S. 170; Acts 1909, C. 423.	Any establishment.		Chief and Assistant; 10 additional assistants, one female, one bakery inspector.	Commissioner, deputy, Chief In- spector,11 deputies, one bakery inspec- tor.

VI. VIII. At all reasonable hours.	IX.
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At all reasonable hours.	
Atatall reasonable hours.	\$10 to \$50, or 10 to 30 days.
At all proper times.	
e person. At any time.	\$25 to \$100 or 90 days.
tent person. Power to enter: notime specified.	
	Atatall reasonable hours. Atall proper times. At any time. Power to enter: notime specified.



PUBLICATIONS

AMERICAN ASSOCIATION FOR LABOR LEGISLATION FOR THE YEAR 1969

Proceedings Second Annual Meeting, A. A. L. L., Atlantic City, N. J.,

Some Fundamental Distinctions in Labor Legislation,
HENRY W. FARNAM, President A. A. L. L.
The American Way of Distributing Industrial Accident Losses,
CRYSTAL EASTMAN, Secy. N. Y. State Branch, A. A. L. L.
What Form of Workingmen's Accident Insurance Should Our States MAX O. LORENZ, Member Local Executive Council, A. A. L. L. ADAM SHORTT AND VICTOR S. CLARK

Industrial Hygiene, Leaflet No. 1, A. A. L. L. Proposed Investigation of

"The Bulletin of the I. L. O.," Leaflet No. 2, A. A. L. L. A Critical An-

Report of General Administrative Council Meeting, A. A. L. L., Chicago,

Employers' Liability, Publications N. Y. State Branch, A. A. L. L. No. 1.
CRYSTAL EASTMAN

Review of Labor Legislation of 1909, Legislative Review No. 1, A. A. L. L.
IRENE OSGOOD, Asst. Secy. A. A. L. L.

Summary of Labor Laws in force 1909, Legislative Summary No. 1, A. A. L. L. JOHN R. COMMONS, Editor

Woman Labor Laws. Industrial Education.

ADDITIONAL LITERATURE DISTRIBUTED TO MEMBERS, 1909

Trend of Labor Legislation in Europe and America. Chicago City Club Bulletin, April 14, 1909. Henry W. Farnam, Pres., John R. Com-mons, Secy., and William E. McEwen of the Administrative Coun-cil, A. A. L. L.

Report or Meeting of British Association for Labor Legislation, House of Commons, March 18, 1909.

Accident Insurance for Workingmen, Wisconsin Comparative Legislation Bulletin No. 20, Reuben McKitrick, 1909.

Petition on Compensation for Injured Employees, Minnesota Employers'

Report of the Illinois Industrial Commission, with "A Plea for Legislation for Women Workers," April, 1909.

Industrial Accidents and Employers' Liability in Wisconsin, Wisconsin, Bureau of Labor, Max Ö. Lorenz, 1908.

Report of Illinois Commission on Occupational Diseases, April, 1909.

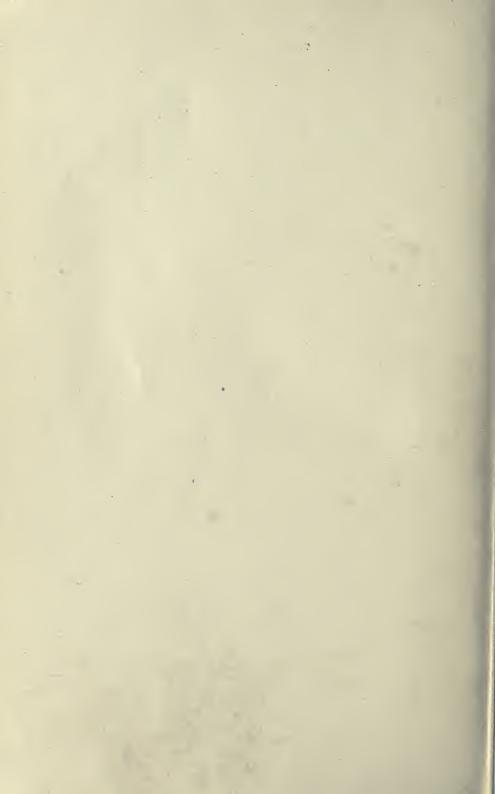
Illinois Law Regulating and Limiting the Hours of Employment of

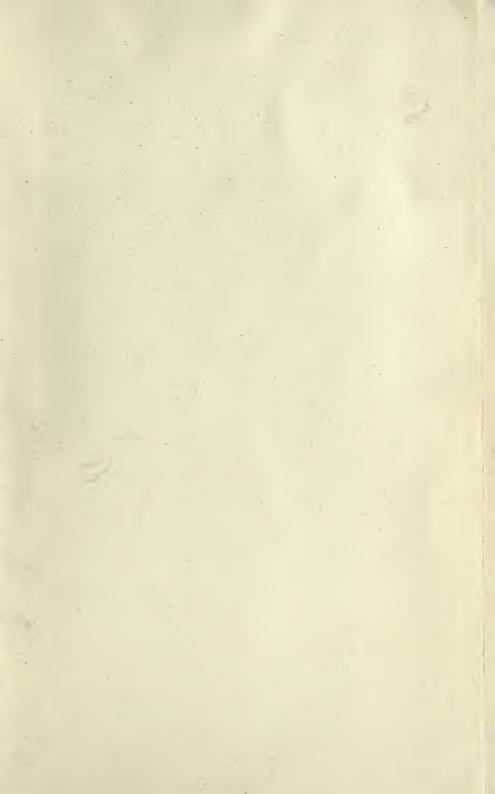
Women Workers in Milwaukee Tanneries, Wisconsin Bureau of Labor, Irene Osgood, 1909.

The Effect of Industry on Health, William C. Hanson, 1907.

Industrial Hygiene and the Police Power, Wisconsin Bureau of Labor, Henry Baird Favill, 1908.

Effect of Phosphorus on Health of Workers in Match Factories, United States Bureau of Labor, John B. Andrews, 1909.





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