

No. 846, A.]

[Published June 12, 1909.]

CHAPTER 338.

AN ACT to amend sections 1728a, 1728a—1, 1728b, 1728c, 1728d, 1728e, 1728f, 1728g, 1728h and 1728i, of the statutes, relating to child labor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Sections 1728a, 1728a—1, 1728b, 1728c, 1728d, 1728e, 1728f, 1728g, 1728h, and 1728i of the statutes are amended to read: Section 1728a. 1. No child between the ages of fourteen and sixteen years shall be employed at any time in any factory or workshop, bowling alley, or in or about any mine, store, hotel, mercantile establishment, laundry, telegraph, telephone or public messenger service, *or at any gainful occupation, directly or indirectly*, unless there is first obtained from the commissioner of labor, state factory inspector, any assistant factory inspector or from the judge of the county court or municipal court or from the judge of a juvenile court where such child resides, a written permit *upon a written and signed recommendation of the school principal where such child attended school, or where there is no such principal, then by the clerk of the board of education in the district where the child resides*, authorizing the employment of such child within such time or times as the said commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge, *or judge of a juvenile court* * * * may fix, providing that no officer herein mentioned shall have power to delegate the duty of granting permits to any subordinate officer or other person and provided further that such permit shall not be granted to any child who is unable to read and write simple sentences in the English language or the language of his native country.

2. No child under the age of sixteen years shall be employed in adjusting any belt or in oiling or assisting in oiling, wiping or cleaning any machinery when the same is in motion or in operating or assisting in operating any circular or hand saw, wood shaper, wood-jointer, planer, sandpaper, or wood-polishing machine, picker machine or machines used in picking wool, cotton, hair or any upholstering material, paper-lacing machine, leather-burnishing machine, dough-brakes or cracker machinery, of any description, laundry machinery, emery or polishing wheel for polishing metal or wood turning machine or

stamping machine in sheet metal and tinware manufacturing, stamping machine in washer and nut factories, stamping machine in lace, paper and leather manufacturing, corrugating rolls in roofing factories, burnishing machines in any tannery or leather manufactory, wire or iron straightening machinery, rolling mill machinery, punchers or shears or washing, grinding or mixing mill or calendar rolls in rubber manufacturing, nor shall any such child be employed at or assist in sewing belts in any capacity, or in the manufacture of paints, colors or white lead, or in the manufacture of any composition in which dangerous or poisonous acids are used, or in the manufacture of any goods for immoral purposes nor in any tobacco warehouse, cigar or other factory where tobacco is manufactured or prepared or in any place where intoxicating liquors are made, given away or sold, or in any theatre or concert hall, or in operating any passenger or freight elevator, steam boiler or steam generating apparatus, or in any other employment dangerous to life or limb, injurious to the health or depraving of the morals of such child; nor shall any female child under sixteen years of age be employed in any capacity where such employment compels her to remain standing constantly.

3. No child under the age of fourteen years shall be employed in any factory, workshop, bowling alley or in or about any mine.

4. No child under the age of fourteen years shall be employed, required or suffered to work for wages at any gainful occupation at any time except that during the vacation of the public or other school in the town, district or city where any child between the ages of twelve and fourteen years resides, it may be employed in any store, office, hotel, mercantile establishment, telegraph, telephone or public messenger service in the town, district or city where it resides and not elsewhere, provided that there is first obtained from the commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or from the judge of a juvenile court * * * where such child resides a written permit authorizing the employment of such child *during the regular school vacation only, but no such child shall be prohibited by this act from being employed at farming.* * * *

5. The said commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or judge of a juvenile court * * * shall keep a record, stating the name, date and place of birth and place of school attended by any such child, and the county judge, municipal judge or * * * judge of a juvenile court * * * shall report when

so requested by the commissioner of labor or state factory inspector, the number of permits issued by him from time to time as hereinbefore provided.

6. When the commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or judge of a juvenile court * * * has reason to doubt the age of any child who applies for such permit, the commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or judge of a juvenile court * * * shall demand proof of such child's age, by the production of a verified baptismal certificate or a duly attested birth certificate, or in case such certificates cannot be secured, by the record of age stated in the first school of enrollment of such child, and if such proof does not exist or cannot be secured then by the production of such other proof as may be satisfactory to said commissioner of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or judge of a juvenile court * * * and no permit shall be issued unless proof of such child's age is filed with the said commissioner of labor, state factory inspector, county judge, municipal judge or judge of a juvenile court. * * * Whenever it appears that a permit has been obtained by a wrong or false statement as to any child's age, the commissioner, state factory inspector, any assistant factory inspector, county judge, municipal judge, or judge of a juvenile court * * * of the county where such child resides shall revoke such permit.

Section 1728a—1. No child under fourteen years of age shall be employed, required, suffered or permitted to play on any musical instrument, or to sing or perform in a circus, theatrical exhibition or in any public place * * * except upon the special permission of the commissioner of labor, state factory inspector, * * * an assistant factory inspector, county judge, municipal judge or * * * the judge of a juvenile court where the child resides, if such child is a resident of this state, and by a county judge, municipal judge or judge of a juvenile court of this state if such child is not a resident of the state. * * * But the provisions of this section shall not prevent the education of children in * * * music or their employment as musicians in a church, chapel, school or school exhibition or prevent their taking part in any festival, concert or musical exhibition.

Section 1728b. 1. It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors in any mine, factory or workshop, bowling alley, store, office, hotel, mercantile establishment, laundry, tele-

graph, telephone or public messenger service within this state to keep a register in the place where such minor is employed and subject at all times to the inspection of any factory inspector, or assistant factory inspector, or *truant officer*, in which register shall be recorded the name, age, date of birth and place of residence, of every child employed, permitted or suffered to work therein, under the age of sixteen years.

2. It shall be unlawful for any person, firm or corporation, agent or manager of any firm or corporation to hire or employ, permit or suffer to work in any mine, mercantile establishment, factory or workshop, bowling alley, store, office, hotel, laundry, telegraph, telephone or public messenger service, any child under sixteen years of age unless there is first provided and placed on file in such mine, mercantile establishment, factory or workshop, bowling alley, store, office, hotel, laundry, telegraph, telephone or public messenger service, a permit granted by either the commissioners of labor, state factory inspector, any assistant factory inspector, county judge, municipal judge or judge of a juvenile court * * * of the county where such child resides.

Section 1728c. No child under the age of sixteen years shall be employed, required, permitted or suffered to work for wages at any gainful occupation longer than fifty-five hours in any one week nor more than ten hours in any one day, nor more than six days in one week, nor after the hour of six at night nor before the hour of seven in the morning, * * * provided, that this section shall not apply to children * * * between the ages of twelve and sixteen years carrying newspapers between the hours of three thirty o'clock and seven o'clock in the afternoon and to children between the ages of fourteen and sixteen years carrying newspapers between the hours of four thirty o'clock and seven o'clock in the morning, and who comply with all the legal requirements concerning school attendance; and provided * * * that this section shall not apply to children between the ages of fourteen and sixteen working in any store, between the hours of seven in the morning and nine in the afternoon, but no such child shall be employed in any store for a longer period than ten hours in any one day, nor more than six days in any one week, or a total of fifty-five hours during each week.

Section 1728d. It shall be the duty of the commissioner of labor, the factory *inspector* or any assistant factory inspectors to enforce all the provisions of the statutes regulating or relative to child labor, * * * and to prosecute violations of the same before any court of competent jurisdiction in this state.

It shall be the duty of the said commissioner of labor, or the factory *inspector* or assistant factory inspectors, or *truant officers*, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by this act. *The factory inspector and assistant factory inspectors shall have the power of truant officers to enforce all legal requirements relating to school attendance.*

Section 1728e. The commissioner of labor, the factory *inspector* or assistant factory inspectors may refuse to grant permits in the case of children who may seem physically unable to perform the labor at which they may be employed.

Section 1728f. No person, firm or corporation shall employ or permit any child under sixteen years of age to have the care, custody, management or operation of any elevator.

Section 1728g. The words "manufacturing establishment," "factory" or "workshop" as used in this act, shall be construed to mean any place where goods or products are manufactured or repaired, dyed, cleaned, or assorted, stored or packed, in whole or in part, for sale or for wages. * * *

Section 1728h. 1. Any person, firm or corporation, agent or manager of any corporation who, whether for himself or for such firm or corporation or by himself or through agents, servants, or foreman, shall violate or fail to comply with any of the provisions of this act, or shall hinder or delay the commissioner of labor, the factory *inspector* or assistant factory inspectors, or *truant officers*, or any or either of them in the performance of their duty, or refuse to admit or shut or lock them out from any place required to be inspected by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, or by imprisonment in the county jail not longer than thirty days.

2. Any corporation which, by its agents, officers or servants, shall violate or fail to comply with any of the * * * provisions of this act shall be liable to the above penalties, which may be recovered against such corporations in action for debt or assumpsit brought before any court of competent jurisdiction.

Section 1728i. Any parent or guardian, who suffers or permits a child to be employed, *at any gainful occupation directly or indirectly*, or suffered or permitted to work, in violation of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five nor more than twenty-five dollars, or by imprisonment in the county jail not longer than thirty days.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 9, 1909.

No. 843. A.]

[Published June 12, 1909.

CHAPTER 339.

AN ACT to amend section 2536 of the statutes, relating to summoning jurors by mail.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 2536 of the statutes, is amended to read: Section 2536. The sheriff or under sheriff shall summon the persons named in such venires to attend such court as grand or petit jurors, as the case may be, by giving personal notice to each person or by leaving a written notice at his place of residence with some person of proper age or by sending a written notice to each person by registered mail. He shall return such venires to the court at the opening thereof, specifying those who were summoned and the manner in which each person was notified. Petit jurors shall be summoned at least four days before the sitting of the court. All special venires shall be executed by the officer to whom delivered according to the command thereof.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 9, 1909.

No. 884, A.]

[Published June 12, 1909.

CHAPTER 340.

AN ACT to create section 1027a of the statutes, authorizing the correction of records of marriage.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is added to the statutes a new section to read: Section 1027a. The circuit court of any county in which there is any marriage legally recorded may make an order correcting such record on proof being made to the satisfaction of the court that the record is incorrect in any particular. The officer in charge of such records shall record such order or a copy certified by the clerk under the seal of the court, and such record shall have the same effect as the record of marriage duly returned by the proper person.