

IN LABOR'S REALM.

The Eight-hour Law Gets a Blow in Kansas.

FLORENCE KELLEY'S VIEWS

The New Law Operating Very Well in Chicago.

Why the Wheels Stopped—Labor-saving Machinery—The Retail Clerks' Union.

The decision this week of Judge Reed, a Kansas District judge, declaring the eight-hour law of that State unconstitutional will be of interest to labor people generally, as it is said to be an able opinion from an able judge, but as the Kansas law is quite different from any other eight-hour law, and as a district judge in Kansas, however able, is not a court of last resort, it will have no effect on the eight-hour movement in general. The Kansas law provides, substantially, that eight hours constitute a day's work for all laborers, workmen, mechanics, or other persons who may be employed by or on behalf of the State of Kansas, or by or on behalf of any county, city, township, or other municipality of said State except in cases of extraordinary emergencies which may arise in time of war, or in cases where it may be necessary to work more than eight hours per calendar day for the protection of property or human life, and in all such cases the party working more than eight hours must be paid, according to law, on the basis of eight hours constituting a day's work. The law also provides that laborers employed shall receive for the eight hours work the per diem wages prevailing in the locality where the work is done; that sub-contractors for State, city, township, and other municipalities shall observe the same rule; that it shall be unlawful for any of them to permit laborers, etc., to work more than eight hours, and that any officer, sub-contractor, etc., violating the same shall be punished with a fine, etc.

Judge Reed based his decision on the idea that the act is in violation of section 1 of the "bill of rights" of this State, which reads: "All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness."

The court also held that the act was in violation of the fourteenth amendment of the Federal constitution, which reads as follows: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

The court held substantially that a man had a right to contract to work any length of time he chose. The case was brought by an employee of the Barber Asphalt Paving company, which had the contract for paving the streets of the city of Wichita. The employee sued for the overtime which he had been compelled to put in, as the Barber company worked their men ten hours a day. The case will be appealed. George Schilling, when seen about the decision, said he had not read it, but if as stated he had very grave doubts about the law standing, in so far as it related to townships, municipalities, and counties; the State itself could do things which it might not be able to delegate to a township. He thought the decision, if it should stand, would cut no figure with the movement in other localities, for so far as he could recall, the obnoxious provisions were in no other law.

Florence Kelley, factory inspector, was seen at Hull House. She had seen the newspaper accounts of the decision, but if they were correct did not consider it would injure the movement in Illinois, as there was no similarity in the provisions of the laws governing the matter in the two States. The eight-hour law in Illinois refers to women, and is considered as a sanitary measure, and I am glad to say we are meeting with considerable success in enforcing both the child-labor and the eight-hour clause. We have made out over 6,000 affidavits of children between the ages of 14 and 16 as provided in the following section:

No child under 14 years of age shall be employed in any manufacturing establishment, factory or workshop within this State. It shall be the duty of every person, firm, corporation, agent or manager of any corporation employing children to keep a register in which shall be recorded the name, birthplace, age and place of residence of every person employed by him, them or it under the age of 16 years; and it shall be unlawful for any person, firm or corporation, or any agent or manager of any corporation, to hire or employ in any manufacturing establishment, factory or workshop any child over the age of 14 years and under the age of 16 years, unless there is first provided and placed on file an affidavit made by the parent or guardian, stating the age, date and place of birth of said child; if said child have no parent or guardian, then such affidavit shall be made by the child, which affidavit shall be kept on file by the employer, and which said register and affidavit shall be produced for inspection on demand by the inspector, assistant inspector or any of the deputies appointed under this act. The factory inspector, assistant inspector and deputy inspectors shall have power to demand a certificate of physical fitness from some regular physician of good standing in case of children who may appear to him or her physically unable to perform the labor at which they may be engaged, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate.

The provision prohibiting the employment of females over forty-eight hours a week is being observed by the majority of the industries in this city, but there are some yet who are holding out against the law.

The most radical eight-hour law is that of New Jersey, and when the courts pass on it they will have to cover the whole question. Its provisions are, that on and after the 6th day of July, 1912, fifty-five hours shall constitute a week's work in any factory, workshop or establishment where the manufacture of any goods whatever is carried on, and that the periods of employment shall be from 7 o'clock in the forenoon until 12 o'clock noon, and from 1 o'clock in the afternoon until 6 o'clock in the evening of every working day except Saturday, upon which last named day the period of employment shall be from 7 o'clock in the forenoon until 12 o'clock noon.

2. And be it enacted, That no person under the age of 18 years, male or female, and that no woman above that age, shall be employed in any factory, workshop, or manufacturing establishment except during the periods of employment heretofore mentioned; provided, that the provisions in this act in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit-canning establishments or in any factory engaged in the manufacture of glass.

3. And be it enacted, That the inspector of factories shall investigate any reported violation of the provisions of this act and of the act to which this is a supplement after it has been discovered by him or brought to his notice, and may proceed against the violator or violators in the manner prescribed by the act to which this is a supplement.

4. And be it enacted, That any manufacturer or other employer who shall violate any of the provisions of this act shall be liable to a penalty of \$100 for each offense, to be recovered in the same way and for the same purpose as prescribed in the act to which this is a supplement.

Will It Be So with Free Trade.

It will be remembered that last year when pressed for answer, Mr. Edward Atkinson, the great statistician and free trader, admitted that there had never been a free time in the history of this country when a laboring man was able to earn or buy so much with his earnings as then. An exchange in referring to this admission says the report of the department of labor of that State for the year 1912 makes a most convincing showing of that industrial gain. In a series of comparisons made with the industries of that State for the years 1891 and 1892, 4,473 specific establishments are compared. It is shown that these 4,473 establishments turned out \$31,130,865 more products in 1912 than in 1891, 4,690 more persons were in operation on the average six more days, used \$18,315,906 more stock, employed \$13,713,728 more capital, and paid \$1,123,054 more wages.

A like comparison is made with the eleven decennial census of 1885. In that census the report included 18,072 establishments in the same industries, as it aimed to make a complete showing of all the establishments which the Labor bureau, with its limited means but well-trained machinery, made a report of 4,925 representative establishments in the same industries for the purpose of arriving at a reliable showing of averages in production, wages, etc. It is a notable fact, however, that the product of the 4,925 establishments for the year exceeded in value that of the 18,072 establishments in the same industries in 1885. What a showing is this:

Year	No. of Establishments	Products
In 1885	18,072	\$429,000,000
In 1912	4,925	\$74,000,000

It will be interesting to note in the report for the present year how quickly the crushing effect of the threat of Congress to overturn our industrial policy was felt by those same industries which were last year so busy and giving employment to a constantly increasing number of working people. It will show, too, the utter fallacy and the mischievous and unpatriotic influence of the efforts made by the speakers and

organs of the party now in power in seeking to array the wage-workers against their employers and sowing seeds of anarchy and discord by representing the manufacturers and employers as robbers and oppressors of labor. The working people, who were thus deluded into voting against their own interests to put the enemies of our industrial system in complete control of the government, have had this summer ample opportunity to see how closely identified are the interests of employers and employees in those great industries in which our country has been enabled to surpass our foreign competitors only by patriotic legislation which secured to American products the rightful preference in the American market. When that preference was endangered by the transfer of the government into the hands of an administration pledged to its overthrow, that moment confidence wavered, financial credit weakened, production slackened, orders were canceled, workmen were discharged, panic and distress were precipitated upon the country. Such is the change of our short year, and when the time comes for the people to pass judgment upon the cause of that change, some people who now fancy themselves statesmen will wake up to a dismal realization of their folly.

Why the Wheels Were Stopped.

The *First World* is gathering statistics showing clearly that the depression among the manufacturers is owing to the tariff uncertainty. In an editorial on congressional action it says:

If the free trade theorists, who profess to believe that the adoption of their economical policy will usher in the millennium, would have a chance to listen to some of the testimony given before the committee on ways and means they might not be so confident that the principles they advocate will confer untold blessings on every class of the community. Men who have practical knowledge of the matters in regard to which they gave their testimony have gone before the committee and testified as to the evil effects that will follow in the wake of "a tariff for revenue only." The wage-worker and the manufacturer have united in declaring that the experiment Mr. Cleveland and his friends propose making will be productive of disastrous consequences.

Of the many wage-earners who have appeared before the committee on ways and means not one has had a word to say in favor of a policy that the political party in power professes to believe will benefit American workmen. On the contrary, every one of them spoke in favor of protection. Some of them had worked at their trades on the other side of the Atlantic and could speak from practical experience as to the beneficial effects of a system that the free trade majority of the committee on ways and means are pledged to destroy. One of these witnesses, representing 600,000 employes in the Youngstown iron district of Ohio, stated that he had learned his trade of puddler in England. When he was a man of 27 all he could earn, though an expert mechanic, was \$1.25 a day. He is now receiving \$3.80 (or exactly the same kind of labor for which he received \$1.25 in England. He naturally concludes that if the tariff which secures him against English competition be lowered to the "tariff for revenue" standard his wages will have to be cut down. He, therefore, objects to the proposed change in the direction of free trade. So also do the 60,000 Ohio workmen for whom he spoke before the committee on ways and means.

"If you meddle with the tariff our wages will have to come down" was the testimony of another witness, who is a tin-plate workman and who had worked in England. A roller in a Pittsburg iron mill told the committee: "We all expect to be thrown out of employment if the tariff is reduced to a purely revenue basis. Before the law of 1890 was enacted a great many of us were idle and walking the streets, and if it were not for that law we would be doing the same thing to-day." Other wage-earners were equally outspoken against the carrying out of the programme outlined in the Chicago platform.

Whatever the free traders may think, the wage-workers who have learned in the school of experience know that labor will be the first to suffer whenever tariff smashing begins. It is unlikely that the protests that have been laid before the committee on ways and means will have the effect of preventing the threatened injury to the industries of the country. Nevertheless, it is well that labor has placed itself on record in the way it has.

Are Rapidly Organizing.

The Retail Clerks' union has been actively organizing the past three days. It does not interfere in any way with wages, but is simply working to close at 6 o'clock except on Saturday and to stop Sunday opening. The stores that have gone into the union are:

- North Side—Miss. Baer & Co., clothing, North avenue and Larrabee street; Yonder Brothers, North avenue and Larrabee street; Benson & Dixon, Clybourn avenue and Division street; Chicago Shoe store, No. 280 East North avenue; Strauss Dry Goods company, No. 238 East Division street; Sydney Mandel Dry Goods company, No. 250 East Division street; Rydell & Erickson, clothing, No. 147 East Chicago avenue; Ole Dahl, No. 228 East Division street; Synwald & Koetsch, No. 319 East Division street; Freeman & Gather, grocers, No. 241 East North avenue; Unloc Tailor company, tailoring, No. 30 Clybourn avenue; H. Lovison, hatter, No. 238 North avenue; Ahlswede, dry goods, No. 173 North Ashland avenue; Ahlswede, clothing, No. 164 Lincoln avenue; Peety Bros., jewelers, No. 274 North avenue; E. Reutlinger, clothing, No. 228 North avenue; Robinson, boots and shoes, No. 350 North avenue; A. Lyster, hats and caps, No. 275 North avenue; Livingston shoes, No. 229 North avenue; Schieler Bros., boots and shoes, No. 209 North avenue; Raupert Bros., clothing, etc., No. 111 North avenue; Al Blinnum, shoes, No. 158 North avenue; Al Stander, hatter, etc., No. 173 North avenue; Standard Mills, coffee and teas, No. 24 Division street; Ruphauser & Co., hats, No. 24 North avenue; Harris, clothing, etc., No. 211 East Division street; Hoag & Wiche, boots and shoes, No. 134 Belmont avenue.

- Northwest Side—Brennan & Ryan, clothing, No. 948 Milwaukee avenue; Martin Wadd, clothing, Ashland and Milwaukee avenues; The National Clothing company, Division street and Milwaukee avenue; Ahlswede, clothing, etc., North street and Milwaukee avenue; Henry Hoerdel, clothing, etc., No. 434 Milwaukee avenue; Struve, the hatter, No. 236 Milwaukee avenue; John Mattson, clothing, etc., No. 202 Milwaukee avenue.

- South Side—Saddler, clothing, Fifth avenue and Randolph street; Fred Griesheimer, clothing, Lake and Clark streets; M. Griesheimer, clothing, Lake and Clark streets; Yonder Brothers, No. 34-44 State street.

- West Side—Bennacker & Co., clothing, Halsted and Madison streets; Fred Griesheimer & Co., clothing, etc., Halsted and Madison streets; Diamond, the hatter, Madison, near Halsted street; Neely Bros., shoes, No. 117 West Madison street; Strauss Bros., tailors, No. 169 West Madison street; John Beeman, hatter, etc., No. 228 South Halsted street; Chicago Shoe company, No. 169 West Madison street; One-Price Hat Store, Nos. 112-114 South Halsted street; Strauss, tailor, No. 47 South Halsted street; A. Stearn, clothing, Halsted and Harrison streets; E. H. Harter, furnishing goods, No. 351 Blue Island avenue; Seushiemer Bros., shoes, No. 361 Blue Island avenue.

- Stock Yards—A. Z. Olsen & Co., clothing, Nos. 813-43 Root street; Kaufman Bros., clothing, No. 304 Archer avenue.

Labor-saving Machinery.

The attitude of many labor leaders toward labor-saving machinery has not always been such as to inspire the respect of the progressive element of the people, but the following from the *Journal Tribune* is to be commended:

Labor-saving machinery is generally acknowledged to ultimately prove beneficial to all—to the workman, to the capitalist, and to the consumer. But it is during the period of transition of one method of manufacture to another that hardship is endured by the workman—his wages are, as a rule, not sufficient to lift him above the accidents of fortune, and his class has no leeway for time to develop the new order of things to its advantage. We are all too ready to denounce the brutal ignorance of the mobs of workmen which have at times wrecked the successful efforts of inventors. It would be at least charitable to consider that the loss of a week's work to many workmen means semi-starvation to their families. This is an age of progress and invention. In it progressiveness and energy are rewarded, whether displayed by workman or capitalist. All cannot be saving, progressive and enterprising, however, any more than all can be mentally or physically gifted. An out-of-work fund in these times would be a prudent feature in trades unions.

The report of the chief of the bureau of industrial statistics of Pennsylvania, Albert S. Bolles, which is about ready for distribution, contains an account of all the strikes that happened in 1912. Not including the strike of the employes of the Carnegie Steel company at Homestead, there were only twenty-six strikes during the year, a much smaller number than usual. Of these one was by the employes of a railroad company, thirteen by the employes engaged in iron and steel industries, two by employes in cigar manufactories, four by employes in textile factories; there was one brewery strike, one in a cooperage works, two in the works, and a lockout by coal operators. Eleven of these strikes occurred in Philadelphia and four in Pittsburg. The whole number of persons engaged in the strikes was 4,208, and the number involved 7,614. Only three strikes succeeded, four partly so, while the others failed. The total loss incurred by the employes was \$33,240, and the employers' loss, so far as ascertained, was \$50,068. The loss to the employes during the Homestead strike was about \$1,250,000. The expense to the State for transportation and maintaining the troops was \$101,223.31.

Illinois Federal Officers.

As a result: It begins to look as though no Illinois man was big enough to control the patronage in this State under the present administration. Both Senator Palmer and Congressman Springer had candidates for the internal revenue collectorship at Springfield, but both were turned down by a man appointed who was not recommended by any of the politicians. It is claimed, however, that the lucky appointee is a Democrat. The President does not seem to be consulting the "leading politicians" to any great extent with reference to Federal appointments. Four years' experience with them in a former administration has, probably taught him the wisdom of relying upon his own judgment.

Mrs. McDonald, No. 330 Oak street says: "I am 80 years of age, and had all my teeth extracted by the painless method used at the Houston Dental Parlor, No. 118 State street, and recommend their method to those who suffer the horrors of toothache."