

64TH CONGRESS,
1ST SESSION.

House Calendar No. 16.

H. R. 8234.

[Report No. 46.]

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 7, 1916.

Mr. KEATING introduced the following bill; which was referred to the Committee on Labor and ordered to be printed.

JANUARY 17, 1916.

Reported with amendments, referred to the House Calendar, and ordered to be printed.

[Omit the part struck through and insert the part printed in italic.]

A BILL

To prevent interstate commerce in the products of child labor, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That no producer, manufacturer, or dealer shall ship or de-
4 liver for shipment in interstate commerce the product of any
5 mine or quarry situated in the United States which has been
6 produced, in whole or in part, by the labor of children under
7 the age of sixteen years, or the product of any mill, cannery,
8 workshop, factory, or manufacturing establishment situated
9 in the United States which has been produced, in whole or in
10 part, by the labor of children under the age of fourteen years
11 or by the labor of children between the ages of fourteen years

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1 and sixteen years who work more than eight hours in any
2 one day, or more than six days in any one week, or after the
3 hour of seven o'clock postmeridian, or before the hour of
4 seven o'clock antemeridian.

5 *SEC. 2.* Proof of the ~~presence~~ *employment* within sixty
6 days prior to the shipment of such product therefrom (first)
7 in a mine or quarry of a child under the age of sixteen years,
8 or (second) in a mill, cannery, workshop, factory, or manu-
9 facturing establishment (a) of a child under the age of four-
10 teen years, or (b) of a child between the ages of fourteen
11 years and sixteen years for more than eight hours in any one
12 day or more than six days in any one week, or after the hour
13 of seven o'clock postmeridian, or before the hour of seven
14 o'clock antemeridian shall be prima facie evidence that such
15 product has been produced in whole or in part by the labor
16 of such a child.

17 *SEC. 2 3.* That the Attorney General, the Secretary of
18 Commerce, and the Secretary of Labor shall constitute a
19 board to make and publish from time to time uniform rules
20 and regulations for carrying out the provisions of this Act.

21 *SEC. 3 4.* That for the purpose of securing proper en-
22 forcement of this Act the Secretary of Labor, or any person
23 duly authorized by him, shall have authority to enter and in-
24 spect at any time mines, quarries, mills, canneries, workshops,
25 factories, and manufacturing establishments and other places
26 in which goods are produced or held for interstate commerce;

1 and the Secretary of Labor shall have authority to employ
2 such assistance for the purposes of this Act as may from time
3 to time be authorized by *appropriation or other* law.

4 SEC. 4 5. That it shall be the duty of each district attor-
5 ney to whom the Secretary of Labor shall report any viola-
6 tion of this Act, or to whom any State factory or mining or
7 quarry inspector, commissioner of labor, State medical in-
8 spector, or school-attendance officer, or any other person shall
9 present satisfactory evidence of any such violation to cause
10 appropriate proceedings to be commenced and prosecuted
11 in the proper courts of the United States without delay for
12 the enforcement of the penalties as in such cases herein pro-
13 vided.

14 SEC. 5 6. That any person who violates any of the pro-
15 visions of section one of this Act, or who refuses or obstructs
16 entry or inspection authorized by section ~~three~~ *four* of this Act,
17 shall for the first offense be punished by a fine of not more
18 than \$200 and for each subsequent offense shall be punished
19 by a fine of not more than \$1,000 nor less than \$100, or by
20 imprisonment for not more than three months, or by both
21 fine and imprisonment, in the discretion of the court: *Pro-*
22 *vided*, That no dealer shall be subject to conviction under
23 the provisions of this Act who shall establish a guaranty
24 issued by the person by whom such goods were manufac-

1 tured or produced, resident in the United States, to the
2 effect that in the manufacture and production of such goods,
3 neither in whole nor in part, had children been employed or
4 permitted to work in any mine or quarry under the age of
5 sixteen years, or in any mill, cannery, workshop, factory,
6 or manufacturing establishment under the age of fourteen
7 years, or between the ages of fourteen years and sixteen years
8 who worked more than eight hours in any one day or more
9 than six days in any one week or after the hour of seven
10 o'clock postmeridian or before the hour of seven o'clock
11 antemeridian, and in such event the guarantor shall be
12 amenable to any prosecution, fine, or penalty to which the
13 person seeking the protection of such guaranty would other-
14 wise have been subject under the provisions of this Act. Said
15 guaranty, to afford the protection above provided, shall
16 contain the name and address of the person giving the same.

17 SEC. 67. That the word "dealer" or the word "per-
18 son" as used in this Act shall be construed to include any
19 individual or corporation or the members of any partnership
20 or other unincorporated association. The term "ship or de-
21 liver for shipment in interstate commerce" as used in this
22 Act means to ship or deliver for shipment from any State or
23 Territory or the District of Columbia to or through any other
24 State or Territory or the District of Columbia.

1 SEC. 7 8. That in prosecutions under this Act each ship-
2 ment or delivery for shipment shall constitute a separate
3 offense.

4 SEC. 8 9. That this Act shall take effect from and after
5 one year from the date of its passage.

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