

lature known as chapter sixty-four of the session laws of nineteen hundred and seventeen, approved April ninth, nineteen hundred and seventeen, an authenticated copy of which act has been duly filed in the office of the secretary of state of the State of Minnesota, and by the written acceptance of the governor of the State of Wisconsin, filed in the office of the secretary of state of the State of Minnesota on April seventeenth, nineteen hundred and seventeen; and the boundary line between the said States at the location of said cession is hereby described and declared to be the center line of the west channel of the Mississippi River beginning at the point of intersection of said center line with the center line of the main east channel of said river, in the northeast quarter of section numbered eleven, township numbered one hundred and four north, range numbered four west of the fifth principal meridian and running thence southeasterly to the point of intersection of the said center line of said west channel with the center line of the main east channel of said river, in the easterly part of section numbered twenty-four, in said township and range.

Approved, September 13, 1918.

September 13, 1918.

[H. J. Res. 325.]

[Pub. Res., No. 41.]

CHAP. 173.—Joint Resolution Amending section eight of the amendment to the Act entitled "An Act to authorize the President to increase temporarily the Military Establishment of the United States," approved May eighteenth, nineteen hundred and seventeen.

Public lands.
Restriction on re-
linquishing entries by
soldiers under age of 21.
Ante, p. 957.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no relinquishment of any public land entry made under and by authority of section eight of the Act of Sixty-fifth Congress, second session, entitled "An Act amending the Act entitled 'An Act to authorize the President to increase temporarily the Military Establishment of the United States,'" approved May eighteenth, nineteen hundred and seventeen, shall be valid or effective for any purpose unless executed after the entryman shall have actually resided upon and cultivated the land, in the case of a homestead entry, for at least six months, and in the case of an entry made under other than the homestead laws, after the entryman shall have complied with the provisions of the applicable law for at least one year.

Punishment for il-
legal attorneys' fees,
etc.

Any person, firm, or corporation soliciting or dealing with the relinquishment of such claim or entry prior to the completion of compliance with the applicable law and with this resolution, and who or which solicits, demands, or receives or accepts any fee or compensation for locating, filing, or securing the claims or entries for persons entitled to the benefits of said section shall, upon conviction, be fined not to exceed \$1,000 or imprisoned for not exceeding two years, or both.

Approved, September 13, 1918.

September 19, 1918.

[H. R. 12698.]

[Public, No. 215.]

CHAP. 174.—An Act To protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes.

District of Columbia,
Minimum Wage Law.
Meaning of terms.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where used in this Act—

The term "Board" means the Minimum Wage Board created by section two;

The term "Commissioners" means the Commissioners of the District of Columbia;

The term "woman" includes only a woman of eighteen years of age or over;

The term "minor" means a person of either sex under the age of eighteen years;

The term "occupation" includes a business, industry, trade, or branch thereof, but shall not include domestic service.

SEC. 2. That there is hereby created a Board to be known as the "Minimum Wage Board," to be composed of three members to be appointed by the Commissioners of the District of Columbia. As far as practicable, the members shall be so chosen that one will be representative of employees, one representative of employers, and one representing the public.

Creation and composition of Minimum Wage Board.

The Commissioners shall make their first appointments hereunder within thirty days after this Act takes effect, and shall designate one of the three members first appointed to hold office until January first, nineteen hundred and nineteen; one to hold office until January first, nineteen hundred and twenty; and one to hold office until January first, nineteen hundred and twenty-one. On or before the first day of January of each year, beginning with the year nineteen hundred and nineteen, the Commissioners shall appoint a member to succeed the member whose term expires on such first day of January, and such new appointee shall hold office for the term of three years from such first day of January. Each member shall hold office until his successor is appointed and has qualified; and any vacancy that may occur in the membership of the Board shall be filled by appointment by the Commissioners for the unexpired portion of the term.

Appointments and tenure.

A majority of the members shall constitute a quorum to transact business, and the act or decision of such a majority shall be deemed the act or decision of the Board; and no vacancy shall impair the right of the remaining members to exercise all the powers of the Board.

Quorum.

SEC. 3. That the first members appointed shall, within twenty days after their appointment, meet and organize the Board by electing one of their number as chairman and by choosing a secretary, who shall not be a member of the Board; and on or before the tenth day of January of each year thereafter the Board shall elect a chairman and choose a secretary for the ensuing year. The chairman and the secretary shall each hold office until his successor is elected or chosen; but the Board may at any time remove the secretary. The secretary shall perform such duties as may be prescribed and receive such salary, not in excess of \$2,500 per annum, as may be fixed by the Board. None of the members shall receive any salary as such. The Board shall have power to employ agents and such other assistants as may be necessary for the proper performance of its duties: *Provided*, That until further authorization by Congress, the sum which it may expend, including the salary of the secretary, shall not exceed the sum of \$5,000.

Organization. Officers.

Secretary. Salary.

Employees.

Proviso. Expenditures limited.

SEC. 4. That at any public hearing held by the Board any person interested in the matter being investigated may appear and testify. Any member of the Board shall have power to administer oaths and the Board may require by subpoena the attendance and testimony of witnesses, the production of all books, registers and other evidence relative to any matters under investigation, at any such public hearing or at any session of any conference held as hereinafter provided. In case of disobedience to a subpoena the Board may invoke the aid of the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena the court may issue an order requiring appearance before the Board, the production of documentary evidence, and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Authority to secure testimony.

Assistance of District Supreme Court.

- Regulations, etc. SEC. 5. That the Board is hereby authorized and empowered to make rules and regulations for the carrying into effect of this Act, including rules and regulations for the selection of members of the conferences hereinafter provided for and the mode of procedure thereof.
- Annual reports. SEC. 6. That the Board shall, on or before the first day of January of the year nineteen hundred and nineteen, and of each year thereafter, make a report to the Commissioners of its work and the proceedings under this Act.
- Appropriation from District revenues. *Post*, p. 1021. SEC. 7. That there is hereby authorized to be appropriated, out of the revenues of the District of Columbia, for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$5,000, or so much thereof as may be necessary, to carry into effect the provisions of this Act.
- Wages of women and minors. Investigation, etc. SEC. 8. That the Board shall have full power and authority: (1), To investigate and ascertain the wages of women and minors in the different occupations in which they are employed in the District of Columbia; (2), to examine, through any member or authorized representative, any book, pay roll or other record of any employer of women or minors that in any way appertains to or has a bearing upon the question of wages of any such women or minors; and (3), to require from such employer full and true statements of the wages paid to all women and minors in his employment.
- Register of employees to be kept. Every employer shall keep a register of the names of the women and minors employed by him in any occupation in the District of Columbia, of the hours worked by each, and of all payments made to each, whether paid by the time or by the piece; and shall, on request, permit any member or authorized representative of the Board to examine such register.
- Information from Commissioners. Vol. 38, p. 291. To assist the Board in carrying out this Act the Commissioners shall at all times give it any information or statistics in their possession under the Act of Congress approved February twenty-fourth, nineteen hundred and fourteen, entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia." (Public, numbered sixty, Sixty-third Congress.)
- Standards of wages, etc., to be declared. SEC. 9. That the Board is hereby authorized and empowered to ascertain and declare, in the manner hereinafter provided, the following things: (a), Standards of minimum wages for women in any occupation within the District of Columbia, and what wages are inadequate to supply the necessary cost of living to any such women workers to maintain them in good health and to protect their morals; and (b), standards of minimum wages for minors in any occupation within the District of Columbia, and what wages are unreasonably low for any such minor workers.
- Conferences on inadequate wages of women. SEC. 10. That if, after investigation, the Board is of opinion that any substantial number of women workers in any occupation are receiving wages inadequate to supply them with the necessary cost of living and maintain them in health and protect their morals, it may call and convene a conference for the purpose and with the powers of considering and inquiring into and reporting on the subject investigated by the Board and submitted by it to such conference. The conference shall be composed of not more than three representatives of the employers in such occupation, of an equal number of representatives of the employees in such occupation, of not more than three disinterested persons representing the public, and of one or more members of the Board. The Board shall name and appoint all the members of the conference and designate the chairman thereof. Two-thirds of the members of the conference shall constitute a quorum, and the decision or recommendation or report of the conference on any subject submitted shall require a vote of not less than a majority of all its members.
- Representatives of employers and employees to be selected.

The Board shall present to the conference all the information and evidence in its possession or control relating to the subject of the inquiry by the conference, and shall cause to be brought before the conference any witnesses whose testimony the Board deems material.

Evidence, etc., to be presented.

SEC. 11. That after completing its consideration of and inquiry into the subject submitted to it by the Board, the conference shall make and transmit to the Board a report containing its findings and recommendations on such subject, including recommendations as to standards of minimum wages for women workers in the occupation under inquiry and as to what wages are inadequate to supply the necessary cost of living to women workers in such occupation and to maintain them in health and to protect their morals.

Report of findings and recommendations.

In its recommendations on a question of wages the conference (1) shall, where it appears that any substantial number of women workers in the occupation under inquiry are being paid by piece rates as distinguished from time rate, recommend minimum piece rates as well as minimum time rate and recommend such minimum piece rates as will, in its judgment, be adequate to supply the necessary cost of living to women workers in such occupation of average ordinary ability and to maintain them in health and protect their morals; and (2) shall, when it appears proper or necessary, recommend suitable minimum wages for learners and apprentices in such occupation and the maximum length of time any woman worker may be kept at such wages as a learner or apprentice, which wages shall be less than the regular minimum wages recommended for the regular women workers in such occupation.

Piece rates recommendations.

Learners and apprentices.

SEC. 12. That, upon receipt of any report from any conference, the Board shall consider and review the recommendations, and may approve or disapprove any or all of such recommendations, and may resubmit to the same conference, or a new conference, any subject covered by any recommendations so disapproved.

Action of Board.

If the Board approves any recommendations contained in any report from any conference, it shall publish a notice, once a week, for four successive weeks in a newspaper of general circulation printed in the District of Columbia, that it will, on a date and at a place named in the notice, hold a public hearing at which all persons in favor of or opposed to such recommendations will be heard.

Public hearings on recommendations.

After such hearing the Board may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry them into effect, requiring all employers in the occupation affected thereby to observe and comply with such order. Such order shall become effective sixty days after it is made. After such order becomes effective, and while it is effective, it shall be unlawful for any employer to violate or disregard any of its terms or provisions, or to employ any woman worker in any occupation covered by such order at lower wages than are authorized or permitted therein.

Orders for compliance.

Disregard thereof unlawful.

The Board shall, as far as is practicable, mail a copy of such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment in which women workers are employed.

Posting, etc., of orders.

SEC. 13. That for any occupation in which only a minimum time-rate wage has been established, the Board may issue to a woman whose earning capacity has been impaired by age or otherwise, a special license authorizing her employment at such wage less than such minimum time-rate wage as shall be fixed by the Board and stated in the license.

Licenses for less than time-rate standard.

SEC. 14. That the Board may at any time inquire into wages of minors employed in any occupation in the District of Columbia, and determine suitable wages for them. When the Board has made such

Determination of minimum wages for minors.

- determination it may make such an order as may be proper or necessary to carry such determination into effect. Such order shall become effective sixty days after it is made; and after such order becomes effective and while it is effective it shall be unlawful for any employer in such occupation to employ a minor at less wages than are specified or required in or by such order.
- Employing at less wages unlawful.** SEC. 15. That any conference may make a separate inquiry into and report on any branch of any occupation, and the Board may make a separate order affecting any branch of any occupation.
- Separate inquiries, etc.** SEC. 16. That the Board shall from time to time investigate and ascertain whether or not employers in the District of Columbia are observing and complying with its orders, and shall report to the corporation counsel of the District of Columbia all violations of this Act.
- Investigation, etc., as to compliance with orders.** SEC. 17. That all questions of fact arising under the foregoing provisions of this Act shall, except as otherwise herein provided, be determined by the Board, and there shall be no appeal from the decision of the Board on any such question of fact; but there shall be a right of appeal from the Board to the Supreme Court of the District of Columbia from any ruling or holding on a question of law included or embodied in any decision or order of the Board; and, on the same question of law, from such court to the Court of Appeals of the District of Columbia. In all such appeals the corporation counsel shall appear for and represent the Board.
- Finality of decisions of fact by Board.** SEC. 18. That whoever violates this Act, whether an employer or his agent, or the director, officer, or agent of any corporation, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment not less than ten days nor more than three months, or by both such fine and imprisonment.
- Appeals on questions of law.** SEC. 19. That any employer and his agent, or the director, officer, or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on any conference, or has testified or is about to testify, or because such employer believes that said employee may serve on any conference or may testify in any investigation or proceedings under or relative to this Act, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than \$25 nor more than \$100.
- Punishment for violations.** SEC. 20. That any act which, if done or omitted to be done by any agent or officer or director acting for such employer, would constitute a violation of this Act, shall also be held to be a violation by the employer and subject such employer to the liability provided for by this Act.
- Punishment for discriminating by employer against employee who testifies, etc.** SEC. 21. That prosecutions for violations of this Act shall be on information filed in the police court of the District of Columbia by the corporation counsel.
- Employers responsible for acts of agents, etc.** SEC. 22. That if any woman worker is paid by her employer less than the minimum wage to which she is entitled under or by virtue of an order of the Board, she may recover in a civil action the full amount of such minimum wage, less any amount actually paid to her by the employer, together with such reasonable attorney's fees as may be allowed by the court; and any agreement for her to work for less than such minimum wage shall be no defense to such action.
- Jurisdiction of police court.** SEC. 23. That this Act shall be known as the "District of Columbia minimum-wage law." The purposes of the Act are to protect the women and minors of the District from conditions detrimental to their health and morals, resulting from wages which are inadequate to maintain decent standards of living; and the Act in each of its provisions and in its entirety shall be interpreted to effectuate these purposes.
- Civil action to recover if less than minimum wage paid.**
- Title and purpose of Act stated.**

Approved, September 19, 1918.