

serve act. The conclusion seems correct, therefore, that some of the banking facilities demanded for South American trade may have to be provided by some institutions outside of the federal reserve system. Consequently large state banks and trust companies receiving their charters from states are institutions from which assistance may be sought in order that American business men may get the same facilities as the Germans and the English receive from their banks established for the encouragement of foreign trade.

#### DEPARTMENT OF LABOR

##### BUREAU OF LABOR STATISTICS

The federal bureau of labor statistics has for one of its duties the periodical presentation of the laws of the various states on the subject of labor. As a complement to this work it publishes also an annual summary of judicial decisions and opinions as to the construction and application of such laws and of rules of the common law. The bureau's Bulletin No. 152, just issued, contains a selected list of such decisions by the federal courts and the higher courts of the various states. Opinions of the attorney general of the United States on certain federal labor laws are also summarized.

About 170 court decisions are considered, nearly three-fourths relating to statute law, the remainder being based on common law. Most notable are the decisions which relate to the new remedy of workmen's compensation for industrial accidents. The constitutionality of the laws of New Jersey and Washington on this subject was questioned in cases coming before the supreme courts of these states, the laws being upheld in both instances. Discussions that are especially important because of the new field into which they enter are had of various phrases and general provisions of the laws, as those relating to the dependence of the claimant on the injured workman, injuries arising out of and in course of employment, the measure of awards, etc. A case of special interest in this group is one which considers that provision of the law of Wisconsin which makes it the duty of the employer to provide medical treatment for the injured workman—a much discussed feature of such laws, and of prime importance, but capable of grave abuse. The court in this case rendered excellent service in pointing out some ways in which the possible abuses may be avoided. This bulletin probably presents the largest number of strictly American cases on this subject that can be found as yet in a single volume.

Next in importance to the above are the decisions construing the federal statute relating to the liability of interstate railroads for injuries to their employees, the chief point involved being the scope of this law. Among the employees held to be within its provisions are a brakeman getting ice to cool hot boxes on his train, a truckman loading a detached car with interstate freight, a pumpman at a water station, a repair man working on an engine tender on a siding, a member of a switching crew placing an oil car to furnish oil for fuel for an interstate locomotive, a yard clerk taking the numbers of the cars in an interstate train, and a track repairer injured by an interstate train while at work on a bridge.

Of the cases of interest from the standpoint of organized labor, the most noted is the affirmation of the judgment of contempt against the leaders of the American federation of labor by the court of appeals of the District of Columbia, growing out of the injunction against these officials on account of the boycott of the Buck Stove and Range company of St. Louis. The supreme court of the United States in May, 1914, reversed this judgment because of the lapse of time since the acts complained of were committed, without however expressing any opinion as to the merits of the case. Of almost equal note is the case of the Hitchman Coal Co. of West Virginia against John Mitchell, in which Judge Dayton, after an extended review of the history of the case, declared that Mitchell and his associates had attempted to establish a monopoly of labor in the coal fields of the state, and made perpetual injunction against them. Other cases discuss the force of agreements with labor unions as to conditions of employment, the duty of union officials to control the acts of members, the liability of a treasurer for the embezzlement of union funds, etc.

The constitutionality of a number of laws was challenged, laws of Georgia and Mississippi attempting to provide a form of enforcement of the contract of employment under certain con-

ditions being declared void, as was the law of Illinois forbidding the use of emery wheels, etc., for polishing processes in basements, without reference to the actual conditions as to ventilation, and one of Louisiana limiting the hours of labor of certain classes of stationary engineers. All these laws were held to attempt unjustifiable discriminations.

The state of Mississippi still stands alone with a law regulating the hours of factory workers without regard to sex. This law which was last year declared constitutional was again upheld, as was the ten-hour law of Illinois for women, the city of Chicago being mulcted for its violation.

The only subject considered in the attorney general's opinions noted is that of the recent eight-hour legislation by congress. This is regarded as not applying to the manufacture of supplies purchasable in open market, even though such supplies must conform to particular specifications, nor to the construction of post roads under the supervision of the secretary of agriculture, provided for by the post office appropriation act of 1912.

##### ADMINISTRATION OF LABOR LAWS

Recognition of the fact that the administration and enforcement of labor laws involve much more than a mere system of detecting violations of law is becoming more and more apparent in efforts for the protection of the working classes. The establishment of definite rules and standards for the safety and health of workers, higher specialization of the functions of inspectors, and the creation in a number of states of industrial commissions with large powers are indications of the progress made. In view of the attention the subject is receiving in our own country the experience of foreign countries in the administration of labor laws and factory inspection is of peculiar interest, and a report on this subject, covering Great Britain, Germany, France, Austria, Switzerland, and Belgium, which has just been published as Bulletin No. 142 of the United States Bureau of Labor Statistics of the Department of Labor is both timely and instructive.

In the countries named labor laws date back to the beginning of the 19th century, but the first measures for their enforcement were not passed until 1833 when factory inspection was established in England, while similar action was not taken elsewhere until 1874 when France created a labor inspection department, followed by Switzerland in 1877, Germany in 1878, Austria in 1883, and Belgium in 1888.

While experience has shown that labor laws without provisions for enforcement are practically futile as protective measures, emphasis must also be placed upon the importance of efficiency in the administrative machinery, its scope and functions, its methods of work, the character of its personnel, and the provision of definite standards as to safety and sanitation. In only one of these phases of administrative work was marked superiority found in the countries visited as compared with the United States. This was in the training and character of the inspectorial force. In Europe the position of factory inspector can be secured only after long technical training and severe tests. The occupation is classed as a profession ranking with law, medicine, and engineering. Tenure of office is secured and pensions given for long service and old age. Men who seek these positions are of exceptional character and attainments and their work is correspondingly efficient.

In France and Belgium the whole work of labor-law enforcement is centered in the labor inspection departments, but in England the local authorities have jurisdiction over the enforcement of all sanitary provisions in workshops. In Germany the factory laws are administered by the industrial inspectors, inspectors of insurance associations, and police authorities, and in Austria by the industrial inspectors and the local industrial authorities. In Switzerland there is division of jurisdiction between the federal factory inspectors and the cantonal inspectors, while the enforcement of the laws is entirely in the hands of the local police and the cantonal authorities.

Medical factory inspection is still an undeveloped field, England and Belgium being the only countries having separate medical divisions, and even there the number of physicians is small.

Women inspectors number 20 in England, where they occupy the unique position of being practically independent in their work and functions. France has 18 women inspectors, Austria 5, Belgium 1, Prussia and Switzerland none, and the German states but few. Outside of England

the work of women inspectors is limited to small shops where women and children are employed.

There is great demand among the laboring classes for working men inspectors. This has met with considerable opposition from some of the governments as well as from regular inspectors. England has 55 working men inspectors, but their functions are limited, their salaries low, and their status entirely different from that of regular inspectors. Prussia, France and Switzerland have no such inspectors as yet, and there are only a few in Austria, Belgium, and some of the German states.

Two extremes of organization are found, the highly centralized and the decentralized. England furnishes an example of the former, with a chief inspector, division inspectors, district inspectors, and the lower grades of inspectors. In England is also found much specialization of functions among medical inspectors, dangerous-trades inspectors, electrical inspectors, etc. In the inspection departments of Prussia and Switzerland which are examples of the decentralized type, there are no chief inspectors, each district inspector having the whole field of industrial inspection under his jurisdiction. Austria has a central industrial inspector but his supervision does not extend as far as that of the chief inspector in England. In France there is practically no head to the inspection department, the division inspectors being charged with much of the inspectorial work.

Little progress in scientific standardization of safety and sanitation has been made in Europe and labor laws in many instances fail to give exact standards for the guidance of inspectors and for the use of manufacturers and employees. Inspection to detect violations of law is still the method used by most inspectors and most European inspection departments are far behind the more progressive departments in the United States in the matter of keeping records of inspections, violations, etc.

Previous to the declarations of war that shut off all foreign importations there had been an increase in imports of finished products of less than 9 per cent. These are the official figures. They show how foolish was the claim that the democratic tariff would drive American manufacturers out of business. The one result so far has been to cut out some of the surplus profits made by certain favored classes of manufacturers, and to force lower prices that would in the course of time, had not war intervened, reached the consumer.

##### MRS. WOODROW WILSON

(Stanzas in Memoriam, by Percy MacKaye, in New York Evening Post)

Her gentle spirit passed with Peace,  
With Peace out of a world at war,  
Racked by the old earth-agonies  
Of kaiser, king, and czar.

Where Bear and Lion crouch in lair  
To rend the iron Eagle's flesh,  
And viewless engines of the air  
Spin wide their lightning mesh.

And darkly kaiser, czar, and king,  
With awful thunders stalk their prey—  
Yet Peace, that moves with silent wing,  
Is mightier than they.

And she—our lady who has passed—  
And Peace were sisters: They are gone  
Together through time's holocaust  
To blaze a bloodless dawn.

How otherwise the royal die  
Whose power is throned on rolling drums!  
Her monument of royalty  
Is builded in the slums:

Her latest prayer, transformed to law,  
Shall more than monarch's vow endure,  
Assuaging there, with loving awe,  
The anguish of the poor.

And him who, resolute, alone,  
Suffers the surge of war and pain,  
To him his country gives her own  
Heart's peace to live again;

While we, whose loyalty would scorn  
Kaiser and czar and king's demesne,  
Are hushed in solemn calm, to mourn  
The proud republic's queen.

Cornish, N. H., August 7.