

FIFTH ANNUAL REPORT

OF THE

BOARD OF COMMISSIONERS

FOR THE

PROMOTION OF UNIFORMITY OF LEGISLATION
IN THE UNITED STATES.

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The Commonwealth of Massachusetts.

FIFTH ANNUAL REPORT

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BOARD OF COMMISSIONERS

FOR THE

PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

*To His Excellency the Governor and the Honorable Council of the
Commonwealth of Massachusetts.*

The undersigned commissioners, Samuel Ross, Samuel Williston and Hollis R. Bailey, appointed by the Governor under the provisions of chapter 416 of the Acts of 1909, acting in pursuance of the provisions of said act, submit the following annual report: —

UNIFORM CHILD LABOR LAW.

The substance of the uniform child labor law was enacted in chapters 779 and 831 of the Acts of 1913.

The commissioners introduced a bill containing this uniform law in 1912 and urged its adoption, but owing to opposition on the part of some of the manufacturers and on the part of the Association of School Superintendents and by some members of the State police, the bill was defeated. In 1913 a different plan seemed advisable.

Those sections of the law which relate to working certificates were incorporated in the bill of the superintendents of schools. Those sections of it which prohibit child labor under a certain age and in certain hazardous occupations

were petitioned for by the Massachusetts Child Labor Committee. Both bills were introduced with the co-operation and support of this Board. In this way, after careful consideration, the enactment of the entire law was secured.

It is too early yet for the benefits of this humane legislation to be estimated completely. Already, as we are informed, several thousand children under sixteen are receiving the benefits of the eight-hour day, the most radical reform accomplished by the legislation. At first the impression was rather widespread that the law excluded all under sixteen from employment. Now, however, that it has become understood that the law only reduces the hours from ten to eight the adjustment is coming rapidly. The children are being employed on eight-hour schedules, as in the thirteen other States where this provision is in effect. The most recent information obtainable indicates that the reduction in child labor by shortening their hours, by excluding children from dangerous and harmful occupations, and by regulating street trades will be of permanent value in conserving the strength and increasing the efficiency of the young people of Massachusetts.

We wish to call attention to the fact that each provision of the uniform law is taken from the statute books of States where it has been thoroughly tested, and that the uniform standards enacted have the sanction of thousands of experienced and impartial practical people of all classes. The presumption is very strongly against any proposed amendments unless they are backed by a wide, practical experience and extensive investigation. We recommend that no amendments be made for some years unless the evidence is conclusive that they are necessary.

UNIFORM MARRIAGE AND MARRIAGE LICENSE LAW.

Your Board in 1913 again filed a petition, asking for the enactment of the uniform marriage and marriage license act. The bill was again opposed by some of the city clerks and was defeated.

In one aspect of the matter the passage of the uniform law is not of vital importance, as the law of Massachusetts

at the present time does not very greatly differ from the uniform law; but in another aspect it is of considerable importance. At the present time the Massachusetts law can be evaded by parties going out of the State to get married. If the uniform law is adopted in Massachusetts it will help the commissioners in other States in getting the same law enacted.

UNIFORM ACT ON MARRIAGES OUTSIDE THE STATE IN EVASION OF THE LAW OF THE DOMICILE.

Your Board introduced a bill embodying the uniform law on marriages outside the State in evasion of the law of the domicile. This was passed without opposition. It was also enacted in Vermont.

UNIFORM DESERTION ACT.

Your Board is pleased to report that the uniform desertion act which was adopted in Massachusetts in 1910 (Acts of 1911, chapter 456) is, according to all the information received by your Board, working well and is productive of much good. It has also been enacted in Kansas, North Dakota, Delaware, Wisconsin and Texas. A similar law relating to the fathers of illegitimate children was enacted in 1913 (Acts of 1913, chapter 563). If this works well in Massachusetts, similar laws are likely to be adopted in the other States.

CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

The conference held its twenty-third annual meeting at Montreal in Canada in August, 1913. Two of your Board, viz., Messrs. Williston and Bailey, were in attendance and took an active part in the proceedings.

Charles Thaddeus Terry, Esq., 100 Broadway, New York, was re-elected president, and Clarence N. Woolley, 308 Main Street, Pawtucket, R. I., was re-elected secretary.

The uniform partnership act was discussed further, and certain amendments to the uniform negotiable instrument act were considered. The uniform workmen's compensation

act was the subject of further debate. No acts were finally approved or recommended for adoption. The proceedings of the conference will appear in the annual report of the American Bar Association.

ADDITIONAL APPROPRIATION.

Your Board introduced a bill asking for an additional appropriation to cover its expenses and contribution to the expenses of the conference.

By Resolves of 1913, chapter 66, a further appropriation of \$500 was granted.

TERM OF OFFICE.

The term of office of all the members of the Board will expire in June, 1914, as chapter 416 of the Acts of 1909 only provided for a five-year tenure of office.

As the work of the commissioners is each year becoming more and more important, and the influence of the Conference of Commissioners is becoming greater, it is hoped that the Legislature of 1914 will pass a new act continuing the Board for another period of five years. As the Board is now authorized (Acts of 1910, chapter 73) to make an annual contribution of \$100 to the expenses of the Conference of Commissioners, the appropriation for the coming five years should be \$3,000 instead of \$2,500, the amount appropriated in 1909.

LEGISLATION RECOMMENDED.

Your Board proposes to again present a bill embodying the uniform marriage and marriage license act.

Your Board will also introduce a bill continuing the Board for another period of five years.

We have not annexed to this report drafts of these proposed acts because we shall present petitions with accompanying bills, thereby saving the expense of printing the same matter twice.

EXPENDITURES OF THE BOARD.

Prior to Year 1913.

Amount of appropriation in 1909,	\$2,500 00	
Amount expended prior to 1913 (see fourth annual report),	2,173 39	
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Balance,	\$326 61	
Appropriation, 1913,	500 00	
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Total,		\$826 61

During Year 1913.

February, 1913, bill for printing annual report,	\$13 89	
June, 1913, Talcott H. Russell, treasurer, Con- ference of Commissioners on uniform State laws,	100 00	
July 5, 1913, Hollis R. Bailey for traveling and other expenses,	37 90	
July 5, 1913, Samuel Williston for traveling ex- penses,	21 00	
December, 1913, Samuel Williston for travel- ing expenses,	76 86	
December, 1913, Hollis R. Bailey for travel- ing and other expenses,	80 05	
December, 1913, Samuel Ross, traveling ex- penses,	3 50	
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Total expenses for 1913,		333 20
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Balance on hand,		\$493 41

HOLLIS R. BAILEY.
SAMUEL WILLISTON.
SAMUEL ROSS.