

October Term 1921

DAN WINE

ADS

Appeal

COMMONWEALTH



20-4446

Commonwealth

vs

Dan Wine

Guilty and Recogized

\$100.⁰⁰

appeal

Certs	Warrant	100
	Prisal	200
	Sgt	<u>100</u>
	not paid	\$400



Slur

" Did unlawfully and in violation of section 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920, employ, permit and suffer, one William Tams, a boy under 14 years of age, to work in a workshop and a mercantile establishment, in the City of Harrisonburg, Rockingham County; and also employed and allowed him, the said Tams, to work in said establishments, more than eight hours a day and after the hour of nine o'clock, P.M.

" And further did unlawfully in violation of section ~~of 1810x~~ 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920, ~~in that he did~~ employ, permit and suffer, to work in a workshop and mercantile establishment, Russell Turner, 14 years of age and under 16 years of age, more than eight hours a day, and after the hour of 9 o'clock P.M.; and further the said Russell Turner was without permit to work in said establishments ~~according to the requirements of section 1810.~~ ^{with a permit}

~~"and further in violation of section 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920, employ, permit and suffer, to work in a workshop and mercantile establishment, Russell Turner, 14 years of age and under 16 years of age, more than eight hours a day, and after the hour of 9 o'clock P.M.; and further the said Russell Turner was without permit to work in said establishments according to the requirements of section 1810.~~

4/2

... his unlawfully and in violation of section 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920, employ, permit and enter, one William Fenn, a boy under 14 years of age, to work in a workshop and a mercantile establishment, in the City of Harrisonburg, Rockingham County; and also employed and allowed him, the said Fenn, to work in said establishments, more than eight hours a day and after the hour of nine o'clock, P.M.

... and further did unlawfully in violation of section 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920, to permit employ, permit and enter, to work in a workshop and mercantile establishment, Russell Turner, 14 years of age and under 16 years of age, more than eight hours a day, and after the hour of 9 o'clock, P.M.; and further the said Russell Turner was without permit to work in said establishments according to the requirements of section 1810 of the Code of Virginia of 1919, as amended by the Acts of Assembly of 1920.

XXXXXXXXXXXXXXXXXXXX

Arrest Warrant

COMMONWEALTH OF VIRGINIA,
ROCKINGHAM COUNTY,

TO WIT:

City of Harrisonburg

To

W R Bowman

sgt
a Constable of said County:

City

Whereas,

Bruck Blanton

State Inspector
of the said County, has this day made

complaint and information on oath before me,

J. S. Staples

a Justice of the said County,

City

that

Leonard Key, Dan Wine

of the said County, on the

30

day of

19

City

did

~~Unlawfully employ African Servants and
Rearrangers of work after the hour of
9 o'clock in violation of section
1810 of the Code of Virginia~~

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before me, or some other Justice of the said County, the body of the said

Summons to appear at 11 o'clock Aug 1/21

Leonard Key

to answer the said complaint and to be further dealt with according to law. And you are required to summon

to appear and give evidence in behalf of the Commonwealth, on the examination touching the said offence.

Given under my hand and seal this 1 day of Aug, in the year 1921

J. S. Staples

J. P. (Seal)

Presented Aug 1 1901 by showing a copy of
the within in person

W. H. Lawrence
C. S.

Commonwealth

vs.

Arrest Warrant

Leonard Key

Executed the within warrant by arresting
and delivering the body of

before
a Justice of Rockingham County, and by sum-
moning the within named witness in person.

this day of 19

Constable of Rockingham County.

costs \$ 4.00

Virginia
Commonwealth }
vs }
Leonard Key }

Rockingham County
City of Harrisonburg

Violation Child Labor Law

This cause for violation of Section
1810 of the Code of Virginia this day came
before me to be heard. Leonard Key manager and
Dan Wine appearing Dan Wine assuming
responsibility for charges for said violation.

The said Dan Wine was upon the
testimony of Ruth Blanton, State Inspector
found guilty as charged in the within warrant
and is adjudged to pay a fine of twenty five
dollars and costs \$5.²⁵

Given under my hand this
1st day of August 1921

J. C. Staples J.P.

We the jury find the defendant, Han
white not guilty.

As J. P. Linneman,
foreman.

Judgment

As J. P. Linneman,
foreman.

And the jurors find in favor of the defendant.

THE CHILD LABOR LAWS

COMMONWEALTH OF VIRGINIA

Bureau of Labor and Industrial Statistics
Commissioner's Office.

CHAP. 204.—An ACT to amend and re-enact chapter 201 of the Acts of 1908, regulating the employment of children in certain employments, approved March 13, 1908, as amended by chapter 339 of the Acts of 1914, approved March 27, 1914. [S. B. 43]

Approved March 14, 1918.

1. Be it enacted by the general assembly of Virginia, That the act of assembly regulating the employment of children in certain employments, approved March thirteenth, nineteen hundred and fourteen, be amended and re-enacted so as to read as follows:

On and after July first, nineteen hundred and eighteen, no child under the age of fourteen years shall be employed, permitted or suffered to work in any factory, workshop, cannery, mercantile establishment, laundry, bakery, brick or lumber yard, theatre or place of amusement, nor shall any child under the age of sixteen years be employed in any mine or quarry.

(NOTE.—This section, amended by chapters 390 and 507 of Acts of 1920, so as to permit children between 12 and 16 years of age to work in vegetable and fruit canneries, and to run errands and deliver parcels when public schools are not actually in session. See these acts, immediately following this law.)

2. No child under the age of sixteen years shall be employed, permitted or suffered to work in,

about or in connection with any establishment or occupation named in section one (1) for more than six days in any one week; (2) nor more than ten hours in any one day; (3) nor before the hour of six o'clock in the morning nor after the hour of seven o'clock in the evening.

(NOTE.—This section, amended by chapter 507, Acts of 1920, by limiting hours of labor to 8 and changing prohibited hours of employment from 6 to 7 in the morning and from 7 to 9 in the evening.)

3. No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section one unless the person, firm or corporation employing such child procures and keeps on file and accessible to any inspector of factories, or other authorized inspector or officer charged with the enforcement of this act, the employment certificate as hereinafter provided, issued to said child; and keep two complete lists of the names, together with the ages of all children under sixteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. On termination of the employment of a child whose employment certificate is on file, such certificate shall be returned by the employer within two days to the official who issued the same with a statement of the reasons for the termination of said employment.

Such employment certificate shall be issued only by a notary public, in the city, town or village in which the child is to be employed, upon the application in person of the parent or guardian or custodian of the child desiring such employment. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed evidence of age showing that the child is fourteen years old or upward, which shall consist of one of the following proofs of age, and

shall be required in the order herein designated as follows:

(a) A birth certificate or attested transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births.

(b) A record of baptism or a certificate or attested transcript thereof showing the date of birth and place of baptism of the child.

(c) A bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the record of the births in the family of the child are preserved, or other documentary evidence satisfactory to the Commissioner of Labor of such person as he may designate, such as a passport showing the age of the child, a certificate of arrival in the United States issued by the United States immigration officers and showing the age of the child, or a life insurance policy; provided that such other satisfactory documentary evidence has been in existence at least one year prior to the time it is offered in evidence; and provided further that a school record or a parent's, guardian's or custodian's affidavit, certificate, or other written statement of age shall not be accepted except as specified in paragraph (d).

(d) A certificate signed by a public-health physician or a public-school physician, specifying what in the opinion of such physician is the physical age of the child; such certificate shall show the height and weight of the child and other facts concerning its physical development revealed by such examination and upon which the opinion of the physician as to the physical age of the child is based. A parent's, guardian's, or custodian's certificate as to the age of the child and a record of age as given on the register of the school which the child first attended or in the school census, if obtainable, shall be submitted with the physician's certificate showing physical age.

The officer issuing the age certificate for a child shall require the evidence of age specified in sub-division (a) in preference to that specified in any subsequent sub-division and shall not accept the

evidence of age permitted by any subsequent subdivision unless he shall receive and file evidence that the evidence of age required by the preceding subdivision or subdivisions cannot be obtained.

4. In cities having a population of five thousand or more, according to the census of nineteen hundred and ten, no boy under the age of fourteen years and no girl under the age of eighteen years shall be employed, permitted or suffered to work as messenger for a telegraph, telephone or messenger company, in the distribution, transmission or delivery of goods or messages, and no boy under eighteen years of age, and no girl under twenty-one years of age shall be so employed, permitted or suffered to work between the hours of ten o'clock in the evening and five o'clock in the morning.

5. No boy under ten years of age and no girl under sixteen years of age shall, in any city in this State of five thousand population or more distribute, sell, expose, or offer for sale, newspapers, magazines, or other periodicals in any street or public place. Any child violating the provisions of this section shall be deemed delinquent and, on complaint of any person, may be arrested and brought before a court of competent jurisdiction which shall have the authority to commit or otherwise deal with such child in accordance with the provisions of the law in regard to delinquent children.

6. Any owner, superintendent, overseer, foreman or manager, who shall knowingly employ or permit any child to be employed contrary to the provisions of this act, in any factory, workshop, mercantile establishment, laundry, mine, bakery, brick or lumber yard, with which he is connected, or any parent or guardian, who allows any such employment of his child or ward, in these occupations or in selling newspapers as in section five, or any notary public who shall issue a certificate, as provided in section three in violation of the provisions of said section, shall be guilty of a misdemeanor and, upon conviction of such offense, shall be fined not less than twenty-

five dollars nor more than one hundred dollars for each offense.

But nothing in this act shall prevent a parent from working his or her child in any factory, workshop, mercantile establishment, or laundry, or other place owned or operated by said parent.

Any employment contrary to the provisions of this act shall be prima facie evidence of guilt, both as to the employer and the parent or guardian of the child so employed; provided, that nothing contained in this act shall apply to mercantile establishments in towns of less than two thousand inhabitants or in country districts.

7. All acts and parts of acts that are or may be in conflict with the operation of this act on and after July the first, nineteen hundred and eighteen, are to that extent hereby repealed, said repeal to take effect as of July first, nineteen hundred and eighteen.

VACATION EMPLOYMENT

CHAP. 399.—An ACT to permit children over the age of twelve to work in fruit and vegetable canneries and to transmit merchandise or run errands.
[H. B. 128]

Approved March 20, 1920.

1. Be it enacted by the general assembly of Virginia, that children over the age of twelve years shall be permitted to work in fruit or vegetable canneries for not more than eight hours in any one day, when the public schools are not actually in session.

2. All acts or parts of acts inconsistent with this act are hereby repealed.

HOURS OF LABOR AND VACATION EMPLOYMENT

CHAP. 507.—An ACT to amend and re-enact section 1810 of the Code of Virginia.
[S. B. 264]

Approved March 25, 1920.

1. Be it enacted by the general assembly of Virginia, That section eighteen hundred and ten of the Code of Virginia be amended and re-enacted so as to read as follows:

Sec. 1810. What work, etc., forbidden to children under the age of sixteen years; employment certificate.—No child under sixteen years of age shall be employed or permitted to work in any mine or quarry. No child under sixteen years of age shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section eighteen hundred and nine for more than six days in any one week, nor more than eight hours in any one day, nor before the hour of seven o'clock in the morning, nor after the hour of nine o'clock in the evening; nor be employed or permitted to work in, about or in connection with any establishment or occupation named in section eighteen hundred and nine, unless the person, firm or corporation employing such child procures and keeps on file and accessible to any inspector of factories, or other authorized inspector or officer charged with the enforcement of this section, the employment certificate required in the following section, and keeps two complete lists of the names, together with the ages of all children under sixteen years of age, employed in or for such establishment, or for such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. On the termination of the employment of a child, whose employment certificate is on file such certificate shall be returned by the employer within two days to the official who issued it, with a statement of the reasons for the termination of said employment.

2. So much of the act approved March fourteenth nineteen hundred and eighteen, entitled an act to amend and re-enact chapter two hundred and one of the Acts of nineteen hundred and eight, regulating the employment of the children in certain employments, approved March thirteenth, nineteen hundred and eight, as amended by chap-

ter three hundred and thirty-nine of the acts of nineteen hundred and fourteen approved March twenty-seventh, nineteen hundred and fourteen, as is inconsistent with the provisions of the section, is hereby repealed; provided this act shall not apply to children between the ages of twelve and sixteen working in vegetables and fruit factories eight hours in any one day when public schools are not actually in session, nor to children of such ages employed in running errands or delivering parcels.

3. All acts or parts of acts in conflict with this act are hereby repealed.

(NOTE.—Section 1809 of the Code as referred to in the above act is covered by Section 1 of the Act of March 14, 1918 printed herein.)

Commonwealth
75
Paul Thine

Rockingham Co
Virginia) City of Harrisonburg

The said defendant having prayed
an appeal from my judgment in this
Cause the appeal from my ^{said} judgment
is granted to the said defendant to the
Circuit Court of Rockingham County Virg.
The said Paul Thine
was recognized in the sum of One Hundred
Dollars for his appearance before the
Circuit Court of Rockingham County
on the first day of the ~~said~~ ^{next} term
and not to leave there without
the permission of said Court
This 4th day of August 1921
Givent under my hand

Appeal and
Necessaries

Collecting
E. H. Green
C. P. Green
J. R. Bowman
W. P. Green

Russell

Russell James



