

ROYAL COMMISSION ON LABOUR.

FOREIGN REPORTS.

Volume VI.

FRANCE.

Presented to both Houses of Parliament by Command of Her Majesty.
June 1893.



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NOTE.

Contains a large number of documents from the Foreign Office.

ERRATUM.

FOREIGN REPORTS.—VOL. VI, FRANCE [C.—7063.—ix.].

Page 82: foot-note (6).

Omit the words "The law was voted in the Senate in March, 1893."

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ROYAL COMMISSION ON LABOUR.

44, Parliament Street, London, S.W.,
October 21st, 1893.

MY LORD DUKE,

I have the honour to submit to you the Report which I have been directed to draw up on the Labour Question in France.

At Easter 1892 I was directed to proceed to Paris to explain, for the information of Her Majesty's Ambassador, the exact details of the facts which were required by the Commission, and to place at the disposal of the Embassy a précis of some of the literature in the possession of the Commission which was likely to be of use. The result of my mission was the report of Mr. Condie Stephen, of which mention is made in the following pages.

Early in 1893 further information was, however, considered requisite. It was gradually collected, and in August 1893 I was again directed to proceed to Paris to obtain the latest official data and incorporate them in my report.

It was intended to reserve the maps as far as possible for the final volume of this series, but it has been found necessary, from the extremely complicated nature of the questions here treated, to make a considerable use of maps as well as diagrams. An attempt has been made to utilise for the purposes of the report the large masses of official statistics which have been collected from various sources, and this has considerably added to the labour of preparing it.

I may be permitted here to express my thanks to the Marquis of Dufferin and Ava, Her Majesty's Ambassador at Paris, and the different members of the staff of the Embassy, especially Sir Joseph Crowe, for the courtesy which they have at all times shown to me as Secretary of this Commission. I should also like to acknowledge the kindness which the Director and staff of the Office du Travail, especially Monsieur Fontaine and Monsieur Focqué, have shown in forwarding to me official information as to the Labour Question in France. To Monsieur Dubois, Secretary of the Comité de Legislation Etrangère at the Ministry of Commerce, to Monsieur Paul de Rousiers, Monsieur Glasson, Monsieur Charles Robert, Monsieur de Boyve, and many friends in different parts of France, I am deeply indebted for books and pamphlets and information which I should not have been able to obtain without their assistance.

I am,

Your Grace's obedient servant,

GEOFFREY DRAGE,

Secretary.

To

His Grace the Duke of Devonshire, K.G.,

Chairman of the Royal Commission on Labour.

REPORT ON THE LABOUR QUESTION IN FRANCE.

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figures showing the distribution of certificates in 1892 are as follows:—

Class or Calling.	Men.	Women.	Total.	Pro-portion per 100.
Employers, industrial and agricultural	27,128	9,224	36,352	7.46
Agricultural labourers	37,774	11,768	49,542	10.16
Industrial workers	46,086	21,086	67,172	14.00
Domestics	22,588	40,454	63,042	14.23
Soldiers and sailors	15,962	156	16,118	3.30
Clerks	29,852	4,902	34,754	7.15
Liberal professions	13,012	4,640	17,652	3.63
Proprietors and persons without profession	23,700	58,064	81,764	17.44
Minors without profession	62,092	44,776	106,868	21.97
Nomads	2,069	1,204	3,273	0.67
Totals	289,363	197,874	487,237	100.00

New certificates given also to societies of all kinds numbered 379, of which 120 were issued to mutual aid societies, 78 to trade syndicates, 32 to ecclesiastical bodies (*fabriques paroissiales*), 11 to agricultural bodies, 22 to charitable bodies, and 12 to co-operative societies.

Looking at the number of depositors in 1,000 inhabitants the following appear as the departments where the National Bank is best established:—Sarthe, 406; Rhone, 368; Loiret, 365; Yonne, 365; Seine-et-Marne, 362. The smallest figures are those for Haute-Savoie, 36; Ariège, 35; Corsica, 20. The Seine department has 200 in 1,000; Nord, 143; Pas-de-Calais, 111.

A P P E N D I X.

APPENDIX I.

The catalogue subjoined is drawn up on the five-fold scheme indicated on page 1.

I.—STATE AND PARLIAMENTARY DOCUMENTS.

(a.) Bills deliberated in the Senate or Chamber of Deputies.

Senate:

1. Government Bill⁽¹⁾ (adopted by the Chamber of Deputies relating to *employers' liability for accidents*. Session 1888. No. 552.
2. Government Bill (adopted by the Chamber of Deputies) relating to *labour of children, young girls and women*. Session 1889. No. 56.
3. Government Bill (adopted by the Chamber of Deputies) relating to *Pension, Provident, and Relief Funds*. Session 1891. No. 38.
4. Bill presented by M. Jules Godin, Senator, relating to *workmen's associations, associations of employers, and workmen in view of profit-sharing*. Session 1891. No. 93.
5. Government Bill (sent up a second time to the Senate by the Chamber of Deputies) relating to *labour of women and children*. Session 1891. No. 19.
6. Government Bill (adopted by the Chamber of Deputies) relating to *conseils de prud'hommes*. Session 1892. No. 75.

Chamber of Deputies.

7. Bill presented by M. Nadaud relating to *duration of hours of labour in works and factories*. Session 1885. No. 196.
8. Bill presented by M. Nadaud relating to *women's labour*. Session 1885. No. 197.
9. Bill presented by MM. le Comte Albert du Mun and others on the *protection of workmen injured by accidents industrial employment*. Session 1886. No. 391.
10. Bill presented by MM. Camelinat, Boyer, Basly, and others, on the *labour of women and children*. Session 1886. No. 1,098.
11. Government Bill on the *regulation of the labour of women and children*. Session 1886. No. 1,244.
12. Bill presented by MM. Le Cour de Lamarzelles and A. de Mun on *arbitration*. Session 1887. No. 1,847.
13. Bill adopted by the Chamber on the *labour of children, young girls, and women*. Session 1889. No. 1,087.
14. Bill presented by MM. Ferroul, Boyer, Cluseret, and others, on *reduction of hours to eight in mines, factories and workshops*. Session 1889. No. 43.
15. Bill presented by M. Le Baron Pierard on the *duration of hours of labour*. Session 1889. No. 106.
16. Government Bill (adopted by the Senate) on the *labour of children, young girls and women*. Session 1889. No. 221.
17. Bill adopted by the Senate, modified by the Chamber of Deputies, on *delegates for the safety of working miners*. Session 1890. No. 157.
18. Bill presented by MM. Guillemet, Managan, Laroche-Joubert, and many other deputies relating to *profit-sharing in State enterprises and concessions*. Session 1891. No. 1,428.

19. Bill adopted by the Senate and by the Chamber of Deputies, on the *labour of children, young girls, and women*. Session 1891. No. 447.

20. Bill presented by MM. Argeliès, Vilfeu, Conturier, and others, relating to the *conditions of work in transport industries*. Session 1891. No. 1,731.

21. Government Bill relating to *wages*. Session 1891. No. 1,506.

22. Bill presented by MM. Lagrange, Mesureur, and others, relative to application of Article 1 of the decree of September 9, 1848, to *employés in transport industries* under the Government. Session 1891. No. 1,433.

23. Bill presented by MM. Argeliès, Conturier, and others, on a *weekly day of rest*. Session 1891. No. 1,720.

24. Government Bill (twice returned to the Chamber by the Senate) relating to the *labour of children, young girls, and women*. Session 1891. No. 1,732.

25. Government Bill on *conciliation and voluntary arbitration*. Session 1891. No. 1,753.

26. Bill presented by M. Julien Goujon, relating to *reduction of hours of labour*. Session 1891. No. 1,412.

27. Government Bill relating to the formation of a *national pension fund for working men*. Session 1891. No. 1,475.

28. Bill presented by MM. Le Cour, de Mun, and others, on *accidents in industries*. Session 1891. No. 1,274.

29. Annexe to a Bill presented by MM. F. de Ramel, L. Gavrian, and others, on *pension funds for workers*. Session 1891. No. 815.

30. Bill presented by MM. Vian, Hubbard, and others, on *compulsory and gratuitous insurance of workers against accidents*. Session 1891. No. 1,526.

31. Bill presented by MM. Dumonteil, and Argeliès on *reduction of the day's labour to 10 hours*. Session 1892. No. 2,001.

32. Bill presented by M. Naquet on *profit-sharing*. Session 1892. No. 2,194.

33. Government Bill on *Co-operative Societies and profit-sharing*. Session 1892. No. 2,251.

34. Government Bill for the creation of a *society for popular and agricultural credit*. Session 1892. No. 2,311.

35. Government Bill (adopted by the Senate) on *Mutual Aid Societies*. Session 1892. No. 2,413.

(b.) State and Parliamentary Reports.

36. Report of the Commission on *Workingmen's Associations* appointed by the Minister of the Interior. 1883. 2 parts.

37. Report of the Commission on the *condition of workers in artistic industries*, 1884 (appointed by the decree of December 24, 1881.)

38. Report presented to the Chamber by the Committee appointed to consider the Bills on *employers' liability and accidents in industry*. Session 1882. No. 1,334.

39. Report presented to the Chamber by the same Committee. Third report. Session 1884. No. 2,634.

40. Report of the Parliamentary Committee on the *Anzin strike*. Session 1884. No. 2,695.

41. Report presented to the Chamber of Deputies by M. Waddington in the name of the Committee on the Bills relating to *labour of women and children*. Session 1887. No. 2,204.

42. Report presented to the Senate by M. Charles Ferry in the name of the Committee on the Bill relating

(1) A *projet de loi* is a Government Bill, a *proposition de loi* is a private member's Bill. The original text of the Statutes Bills, and some of the reports cited or translated in this Report, can be obtained by ordering back numbers of the "Journal Officiel," or "Bulletin des Lois." Copies of the Parliamentary publications can be ordered by the numbers cited.—G.D.

to labour of women and children. Session 1889. No. 182.

43. Report presented to the Chamber by M. Lyonnais in the name of the Committee on the Bills for compulsory arbitration. Session 1889. No. 3,856.

44. Report (with Annexes) presented to the Chambers by M. Richard Waddington in the name of the Committee on the labour of women and children. Session 1890. No. 649.

45. Report presented to the Chamber by M. Jacquemart in the name of the Committee on the Bills relating to protection of wages against seizure by creditors. Session 1890. No. 992.

46. Report presented to the Chamber by M. Chollet in the name of the Committee on profit-sharing in State undertakings. Session 1891. No. 1,480.

47. Report presented to the Senate by the Committee on the Bill adopted by the Chamber on trade syndicates. Session 1891. No. 120.

48. Report presented to the Senate by M. Tolain in the name of the Committee on Bills sent up by the Chamber on the labour of women and children. Session 1891. No. 138.

49. Another of later date, same session. No. 1,750.

50. Report presented to the Chamber by M. Gaillard in the name of the Committee on a Bill modifying the law relating to trade syndicates. Session, 1891. No. 1840.

51. Report presented to the Chamber by M. Dubois in the name of the Commission on Bills relating to free registry offices. Session 1892. No. 2,067.

52. Summary report to the Chamber on work in prisons and convents. Session 1892. No. 1,943.

53. Report presented to the Chamber by M. Ricard in the name of the Committee on employers' liability. Session 1892. No. 1,926.

54. Report presented to the Senate by M. Lourties in the name of the Committee on co-operative societies. Session 1892. No. 29.

55. Report presented to the Chamber of Deputies by M. Paul Guieysse on workmen's superannuation funds. Session 1893. No. 2,576.

(c.) Statutes and Decrees.

56. Law of September 9, 1848, regulating hours of labour in factories and works. *Bulletin des Lois*. No. 69.

57. Decree of May 17, 1851, bringing in exceptions to the law of September 9, 1848. *Bulletin des Lois*. No. 394.

58. Law on coalitions modifying articles 414-6 of the Penal Code. May 15, 1864. *Bulletin des Lois*. No. 1,206.

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APPENDIX II.

LAW of AUGUST 8, 1893, regulating stay of FOREIGNERS in FRANCE and the PROTECTION of NATIONAL LABOUR.⁽¹⁾

The Senate of the Chamber of Deputies have adopted, the President of the Republic promulgates the following law:—

ARTICLE 1.—Every foreigner not naturalised arriving in a commune for the purpose of carrying on a trade or entering into business must make a declaration as to residence and identity at the town hall within eight days of his arrival. For this purpose a special register of the entry of foreigners will be kept in a form to be determined by a Ministerial resolution.

An extract of this register shall be delivered to the declarer in the ordinary form of civil certificates providing similar rights.

In case of passing to another commune the foreigner's certificate must be registered (*visé*) at the town hall of the new place of residence.

ARTICLE 2.—Every person who knowingly employs a foreigner unprovided with a certificate shall be liable to penalties of the police courts (*de simple police*).

ARTICLE 3.—The foreigner who has not made his declaration within the time appointed or who refuses to produce his certificate on the first demand shall be liable to a fine of 50 to 200 francs.

Any one who has knowingly made a false or inaccurate declaration shall be liable to a fine of 100 to 300 francs,

and to temporary or indefinite exclusion from French territory.

The expelled foreigner who re-enters French territory without authorisation of Government shall be sentenced to imprisonment for six months, and shall be conducted to the frontier at the expiration of the sentence.

Article 463 of the Penal Code is applicable to the case provided by this law.

ARTICLE 4.—The fines levied under the present law shall be attached to the municipal fund of the commune in which they are levied.

ARTICLE 5.—Foreigners aimed at (*visés*) by Article 1, actually in France, are allowed one month in which to conform to the prescriptions of the law.

The present law, deliberated and adopted by the Senate, shall be carried out as a law of the State.

Given at Fontainebleau, August 8, 1893.

CARNOT,
President of the Republic.
The President of the Council and
Minister of the Interior.
CH. DUPUY.

Guardian of the Seals and
Minister of Justice,
E. GUÉRIN.

(1) Journal Officiel, August 1893.

APPENDIX III.

LAW of MARCH 21st, 1884, relating to TRADE SYNDICATES.⁽¹⁾

ARTICLE I.—The law of June 14th-27th, 1791, and Article 416 of the Penal Code are repealed.⁽²⁾

Articles 291, 292, 293 and 294 of the Penal Code and the Law of April 18th, 1834, are not applicable to trade syndicates.⁽³⁾

ARTICLE II.—Syndicates or trade associations, even those composed of more than 20 members of the same profession or of similar professions connected therewith for the supply of special products, may be formed freely and without the authorisation of the Government

ARTICLE III.—The exclusive object of trade syndicates is the consideration and defence of the economical, industrial, commercial and agricultural interests.

ARTICLE IV.—The founders of any trade syndicate shall register its articles of association and a list of the names of those who, in whatever capacity, shall be entrusted with its administration or direction. The articles shall be registered at the town hall (*mairie*) of the locality where the syndicate is formed, and at Paris at the Prefecture of the Seine.

Registration shall be renewed whenever changes are made in the direction or in the articles of association.⁽⁴⁾

The articles of association shall be communicated by the Mayor or by the Prefect of the Seine to the Attorney-General of the Republic.

Members of every trade syndicate entrusted with the administration or direction of such syndicate must be French citizens in the enjoyment of their civil rights.

ARTICLE V.—Trade syndicates regularly constituted in accordance with the provisions of the present law may meet freely for the consideration and defence of their economical, industrial, commercial and agricultural interests.

In accordance with the second paragraph of Article IV., the names of the syndicates of which the meetings are composed shall be published.

They cannot possess real property, nor can they appear in courts of justice.

ARTICLE VI.—Trade syndicates of masters or workmen may take legal proceedings.

They may make use of the funds derived from subscriptions.

Nevertheless, they cannot acquire real estate other than such as shall be required for their meetings, libraries and class rooms for technical instruction.

They may, without authorisation, while observing the other provisions of this law, constitute among their members special funds to be applied for mutual aid and pensions.⁽⁵⁾

They shall be at liberty to open and to carry on the management of registry offices for the supply of and demand for labour.

They may be consulted upon all differences and questions connected with the special objects of the syndicate.

In all cases of contention or dispute the advice of the syndicate may be afforded to the parties, who may take note thereof and make copies.

ARTICLE VII.—Every member of a trade syndicate may resign at any time notwithstanding any regulations to the contrary, but without prejudice to the right of the syndicate to claim his subscription for the current year.

All those who resign membership of a syndicate retain their right to be members of mutual aid societies or societies for providing retiring pensions on account of age towards the funds of which they have contributed by subscription or donation.

ARTICLE VIII.—When property has been acquired in a manner contrary to the provisions of Article VI., the nullity of the purchase or of the donation may be claimed either by the Procurator of the Republic or by the parties interested.

In the case of purchase burdened with certain conditions, the property shall be sold and the produce of the sale paid into the funds of the association.

In cases of donation the property shall revert to the donors, their heirs or administrators.

ARTICLE IX.—Proceedings in cases of infringement of the provisions contained in Articles II., III., IV., V., and VI. of the present law may be taken against the directors or administrators of syndicates, who may be punished by a fine of 16 francs to 100 francs. The courts may also, at the instance of the Procurator of the Republic, order the syndicate to be dissolved, and cancel the purchase of property effected contrary to the provisions of Article VI.

In cases of false declaration relative to the articles of association and the names or qualities of the administrators or directors the fine may be increased to 500 francs.

ARTICLE X.—The present law is applicable in Algeria and in the colonies of Martinique, Guadeloupe and Réunion.

Foreign workmen and those employed as immigrants cannot be members of syndicates.

(1) See F. O. Report, Misc. Ser., No. 259.

(2) The following are the consequences of such repeal:—

(a.) The fact of having concerted measures in view of preparing for a strike is no longer an offence, either as regards syndicates composed of masters, workmen, or labour contractors; or as regards workmen, labour contractors, or masters who are not members of a syndicate.

(b.) Fines, prohibitions, prescriptions and interdictions, inflicted or pronounced in pursuance of concerted measures, are no longer considered an attempt to prevent the free exercise of industry and labour.—(Ministerial Circular, August 25, 1884.)

(3) Penal Code, Article 291.—No association of more than 20 members, whose object is to meet every day, or on certain specified days, for religious purposes, may be formed, except with the authorisation of the Government, and under such conditions as it may please the public authorities to impose.

Article 292.—Every association of the above character formed without such authorisation, or which, after having obtained it, shall have infringed the imposed conditions, shall be dissolved.

Law of April 10, 1834, relating to associations.—Article I. The provisions of Article 291 of the Penal Code are applicable to associations of more than 20 members, even when such associations are divided into sections composed of a less number, and although they do not meet daily, or on specified days. The authorisation of the Government may be revoked at any time.

(4) This provision is not made under penalty of the acts done by the syndicate becoming void.—(Court of Paris, January 20, 1886.)

The documents to be registered shall be exempt from taxation and stamp duty.—(Decision of the Minister of Finances, July 21, 1884.)

(5) Members of trade syndicates who desire to benefit by the advantages reserved to mutual aid societies, approved or recognised, should be regulated according to the special laws in such cases.—(Circular of 6 August 5, 1884.)

APPENDIX IV.

GOVERNMENT BILL relating to the INSTITUTION and ORGANISATION of COUNCILS of EXPERTS.
(CONSEILS DE PRUD'HOMMES.)⁽¹⁾

SECTION I.

POWERS.

ARTICLE I.—Councils of experts are instituted for the purpose of settling by arbitration the disputes arising in matters of contracts for the hire of labour, between employers and workmen, salaried clerks and other employes.

They are also competent to consider and advise upon differences arising between workmen on labour questions. They decide, without right of appeal upon all matters not exceeding the sum of 500 francs, and with right of appeal, upon whatever may be the amount of the claim, in cases which have failed to receive an amicable settlement.

Nevertheless, they cannot take cognizance of actions for damages brought on account of accidents to employes, workmen or apprentices.

Moreover, they exercise the powers conferred on them by virtue of special legislation.

ARTICLE II.—Councils of experts are instituted by decrees issued in the form of regulations of public administration, according to opinions given by chambers of commerce, or consulting chambers of arts and manufactures, in places where the importance of the trade indicates the necessity.

The institution of councils of experts is lawful when the request has been made by the municipal council of the district where it is intended to be established, accompanied by the recommendation of the general council of the department, and that of the municipal councils of the districts included in the proposed quarter.

ARTICLE III.—The decree of institution shall decide the qualifications of the council, the number of categories among which are classed the trades and professions submitted to its jurisdiction, and the number of councillors told off for each category in such manner that the total number of the members of the council shall be equal, and not less than 16.

ARTICLE IV.—The councillors are elected for a term of six years. They are to be re-elected, one-half at a time, every three years, but they remain in office until their successors are elected.

ARTICLE V.—The following are workmen electors:—

1. Workmen, assistants, clerks, travellers, accountants, foremen, messengers, handymen and porters, labourers, workmen and clerks employed by transport agencies, and generally all salaried employes engaged in every kind of commerce, trade, and agriculture, on the condition of being entered on the roll of political electors.
2. Women who are French citizens, of the full age of 21 years and upwards, employed in one of the occupations comprised in the foregoing paragraph, and who have not incurred any of the penalties threatened by Articles 15 of the Decree of February 2, 1852.

The following are master electors:—

1. Masters who employ in their business one or more workmen or clerks, foremen, partners in companies, managers or directors invested with powers over a factory, manufacture, banking, or commercial establishment, workshop, and generally speaking, any kind of business; directors and engineers of transport agencies, concessionnaires, and those who carry on mining operations, members of boards of directors, engineers of works, and heads of departments, and directors of mining operations, inspectors and managers of mines, on the condition of being entered on the roll of political electors.

2. Women who are French citizens, of the full age of 21 years and upwards, personally engaged in one of the occupations mentioned in the foregoing paragraph, and who have not incurred any of the penalties provided by Article 15 of the Decree of February 2, 1852.

On the list of electors for councils of experts are also entered the former members of one of the two categories above-mentioned who have retired from their occupation or trade for less than 10 years, and who have not incurred any of the penalties provided by Article 15 of the Decree of February 2, 1852.

Women who are called upon to elect councillors must furnish proof of residence, during six months at least, in the district of the council at the time the electoral lists are drawn up.

ARTICLE VI.—Men of 25 years of age, able to read and write, are eligible as electors.

ARTICLE VII.—Councils of experts are composed of an equal number of each class of workmen and employers. There shall be at least two employers and two workmen of each class.

ARTICLE VIII.—The workmen are elected by workmen, and employers by employers, at two distinct meetings, each to be presided over by the justice of the peace or his deputy. In cases where several polling places are opened for the facility of voting, the prefect may appoint, by decree to that effect, a mayor, or deputy mayor, to preside at one or more of such polling places.

ARTICLE IX.—The elections take place by *scrutin de liste* (balloting by a list of persons), and according to the category to which the respective electors belong. On the first ballot an absolute majority of the votes given is necessary. On the second ballot the relative majority will be sufficient. In case of an equal number of votes on the second ballot the elder candidate is declared to be elected.

ARTICLE X.—Every year, during the 15 days following the revision of the electoral lists, the mayor of each district of the province, assisted by two electors, one workman, and one employer, shall enter, on two different lists, the names and occupations of the workmen and employers who are electors. These two lists are sent to the prefect, who draws up and publishes by decree the list of each class of electors.

ARTICLE XI.—By the method of triennial renewal, half the number of councillors, workmen, or employers of each class shall retire.

In each of these classes the names of the councillors who are to be replaced the first time shall be drawn for.

Retiring councillors are re-eligible.

ARTICLE XII.—When elections are to take place the prefect gives at least 20 days' notice to the electors, and informs them of the date and place of meeting, and the hours for opening and closing the poll. The elections are to be held on a Sunday or holiday. The second ballot shall be made one week after the first.

ARTICLE XIII.—The lists are kept at the office of the secretary of the council of experts, and shall be communicated to anyone who asks for them, or who may wish to make a copy thereof.

The lists may be challenged during 15 days following the date on which they were deposited in the secretary's office. Such challenge is notified to the justice of the peace for the district, inquired into, and decided upon in accordance with Articles 5 and 6 of the Law of December 8, 1863, on consular elections.

Rectifications are to be made by virtue of the provisions of Article 7 of the said Law.

The regulations established by Articles 13, 18 to 25, and 26, paragraphs 1, 3, 27 to 29 of the law of April 5, 1884, on municipal elections, apply to electoral operations respecting councils of prud'hommes.

⁽¹⁾ See F. O. Report, Misc. Ser. No. 226.

During the three days succeeding the reception of the official report of the elections the prefect transmits certified copies of the same to the procurator-general and to the secretary of the council of experts. Protests against the elections are made, inquired into, and decided upon in the manner prescribed by Article 11, paragraphs 5, 6 and 7, and Article 12 of the Law of December 8, 1853.

ARTICLE XIV.—During the 15 days succeeding the election, or, in case of dispute, during the 15 days succeeding the final decision thereon, the prefect shall install the councillors who have been elected.

At the time of their installation the councillors shall each take, before the prefect the following oath:—"I swear to fulfil my duties with zeal and integrity."

ARTICLE XV.—In case one or more vacancies occur in the council from death, resignation, cancelling of the first elections, changes of conditions or otherwise, complementary elections shall take place within one month from the date of the occurrence necessitating the same, unless not more than three months have to elapse between such occurrence and the date of the next triennial renewal.

Every member elected under these conditions only remains in office during the remainder of the term for which his predecessor was elected.

ARTICLE XVI.—Should necessity arise for complementary elections, either on account of the original elections not having produced satisfactory results for the formation or completion of the council, or on account of the refusal by one or more councillors to accept office, or because of their resignation, or from their having ceased to be in office by the application of Article XIII., and should one of these circumstances arise, the vacancy thus occurring shall not be filled up until the next triennial renewal, but the council shall continue to act, whatever may be the class of members regularly elected or duly exercising their authority, provided that their number equals at least one-half of the total number of which it is composed.

The same rule applies in cases where one or more elections have been annulled on account of the ineligibility of those elected.

ARTICLE XVII.—The council assembled in general meeting, and presided over by its senior member, elects among its number, by ballot, and on the absolute majority of the members present, a president and vice-president.

If two ballotings show that neither of the candidates has obtained an absolute majority of votes of the members present, and if at the third ballot there should be an equal number of votes for each candidate, the councillor who has been for the longest period in office shall be elected. If both the candidates have served for one and the same period of time, the preference shall be given to the senior in age.

The same rule applies with regard to the formation of a new council.

ARTICLE XVIII.—When the president has been chosen from among the workmen, the vice-president can only be chosen from among the employers, and *vice versa*.

By exception, in the case provided for by Article XVI. the president and vice-president may both be chosen among workmen or employers, should the council happen to be composed of one only of these classes, masters or men.

Objections to the election of members of the committee are submitted to the Court of Appeal.

ARTICLE XIX.—The president and vice-president are elected for a term of one year. They are re-eligible.

They remain in office until their successors are appointed.

ARTICLE XX.—Councils of experts comprise:—

1. A committee of conciliation.
2. A committee of judgment.

ARTICLE XXI.—The committee of conciliation is composed of two councillors, one workman and one employer. The presidency belongs alternately to one and the other, according to the rotation provided for by the special regulations of each council. Lots are drawn to decide which of them shall take the chair.

By exception, and in the cases provided for by Article XVI., both members of the committee may be chosen from among workmen or employers if the council happens to be composed of one class only.

ARTICLE XXII.—Meetings of the committee of conciliation are held once a week; they are not public.

ARTICLE XXIII.—The committee of judgment is composed (not including the president or vice-president) of an equal number of employers and workmen. There must be, at least, two of each class.

By exception in the cases provided for by Article XVI. the committee of judgment may validly deliberate if composed of an uneven number, five, at least, being present, even though the respective numbers of workmen and employers present may not be equal one to the other.

The decisions of the committee of judgment are determined by an absolute majority of the members present.

The sittings of the committee of judgment are public. Should the discussion be of such a nature as to give rise to scandal, the president may order the doors to be closed after having referred to the opinion of the committee.

The judgment must always be pronounced publicly.

ARTICLE XXIV.—A secretary shall be appointed, at a general meeting, for each council, on the absolute majority of votes of the members present.

He may be dismissed at any time, but in such case the resolution to that effect must be signed by two-thirds of the councillors.

The secretary is present at, and writes the minutes of the proceedings of the committees of conciliation and judgment.

SECTION II.

OF PROCEDURE BEFORE COUNCILS OF EXPERTS.

ARTICLE XXV.—Every one who comes within the jurisdiction of, and is called before, the council of experts, is bound, on an ordinary notice from the secretary, sent through the post and registered, to present himself in person on the day and hour fixed.

He cannot name anyone to represent him before the committee of arbitration except in case of his absence from home or sickness. Under these circumstances only he may be represented by a relation or someone of the same trade as himself, and, like himself, a workman or employer, who shall produce the secretary's notice countersigned by the party to whom it is addressed.

The latter's signature must be legalised in the usual manner.

Heads of industrial establishments may be represented by their managers or by an employé duly empowered to that effect.

The parties cannot give notice of their defence.

ARTICLE XXVI.—The notice must specify the day, month, and year, the name and profession of the applicant, a summary state of the case, and the day and hour of appearance.

It may be sent by the applicant to the defendant's domicile, or transmitted through the post by the care of the secretary.

ARTICLE XXVII.—Parties may at all times voluntarily present themselves before the committee of conciliation, and in such case the matter is proceeded with as if a formal application had been previously made by them.

If on the day named in the secretary's notice the applicant fails to appear, the case is struck off the list, but it may come in again after a week's interval.

ARTICLE XXVIII.—If the defendant does not appear or if an understanding cannot be come to, the case is adjourned to the next meeting of the committee of judgment. The secretary gives notice to the parties by registered letter.

ARTICLE XXIX.—On the day appointed by such notice the parties must appear in person before the committee of judgment.

In cases of sickness, or absence they may be represented in the manner prescribed by Article XXV.

Should either of the parties fail to appear judgment is given by default.

ARTICLE XXX.—Judgments of councils of experts are final and without appeal when the amount claimed does not exceed the principal sum of 500 francs.

ARTICLE XXXI.—If the claim exceeds 500 francs, appeal may be made to the civil tribunal against the

decisions of the council of experts. The appeal to the civil tribunal shall be inquired into and decided upon, as in commercial cases, without the assistance of a solicitor (*avocat*) being obligatory.

Documents relating to procedure must be engrossed in stamp, and the cost of registration placed to the debit.

The civil tribunal shall deliver judgment within three months of the date of lodging the appeal.

ARTICLE XXXII.—Judgments rendered by councils of experts can be contested by suing under a writ for overstepping of due power. The appeal must be lodged at latest within three months of the date of notice of judgment by a declaration lodged at the registry of the tribunal, and notified within the week under pain of the case falling through.

Within a fortnight of the notification the documents must be sent to the Court of Cassation. No sum shall be paid into Court, nor shall the assistance of counsel be obligatory.

The Court of Cassation shall deliver judgment within a month of the reception of the documents.

ARTICLE XXXIII.—In cases of absence, hindrance or refusal of the husband's authorisation, the council may allow a married woman to apply for conciliation and to appear as applicant or defendant before it.

ARTICLE XXXIV.—Minors who cannot be assisted by their father or guardian are provided by the council with a guardian *ad hoc* chosen among its members, who shall perform under such special circumstances the duties of a guardian.

ARTICLE XXXV.—The members of a council of experts can be challenged:—

- (1.) When they have a personal interest in the matter at issue.
- (2.) When they are relatives by blood or marriage of one of the parties up to the degree of cousin-german inclusively.
- (3.) If in the year preceding the challenge criminal proceedings have been taken between them and one of the parties or his or her wife or husband or relatives or allies in line direct.
- (4.) If a civil action be pending between them and one of the parties or the wife or husband of either of them.
- (5.) If they have given a written opinion in the matter.
- (6.) If they are the employers of workmen of one of the parties in the case.

The party who desires to challenge a councillor is bound to make the challenge and explain its motives by means of a declaration bearing his signature, and delivered by him to the secretary of the council, for which a receipt shall be given to him.

ARTICLE XXXVI.—The duties of councillors are absolutely gratuitous with regard to the parties. The councillors cannot claim any fee for any of the duties performed by them.

ARTICLE XXXVII.—All documents judgments, and acts required for the execution thereof must be engrossed on paper stamped according to Article 70 of the Law of 22 Frimaire, An VII., and the cost of registration placed to the debit.

Mention of the registration is stamped on the original document at the time.

The foregoing provisions are applicable to cases carried to appeal or before the Court of Cassation.

The party non-suited is condemned in cost payable to the Treasury.

ARTICLE XXXVIII.—The competency of councils of experts is fixed, as regards work done in factories, in the locality where the factory is situate, and as regards work done at home, in the place where the engagement was contracted.

ARTICLE XXXIX.—In urgent cases councils of experts can order such measures to be taken as to them may seem requisite in order to prevent any goods or objects in respect of which the application has been made, from being seized, removed, or damaged.

ARTICLE XL.—Articles 5, 7, 10 to 15, 18 to 22, 28 29, 31 to 43, 46, 47, 54, 55, 452 to 460, 474 and 480 of the

Code of Civil Procedure, Articles, 7, 8, 11, 12, and 13 of the Law of May 25th, 1838 are applicable to the jurisdiction of councillors in all that is not contrary to the provisions of the present law.

SECTION III.

REGULATIONS OF COUNCILS OF EXPERTS.

ARTICLE XLI.—Every member of a council of experts who, without legitimate reason, and after having been duly notified, shall refuse to render the service he is called upon to perform, shall be dismissed from the council.

ARTICLE XLII.—The president specifies the refusal to serve in an official report containing the decision of the committee after the councillor has been previously heard upon the matter or duly summoned to appear.

If the council does not give an opinion within one month of the date of convocation, the president shall mention this omission in the official report sent by him to the prefect.

ARTICLE XLIII.—On the receipt of the official report the dismissal is decreed by the prefect whether the council has deliberated or not.

In case of dispute the Minister of Commerce and Industry finally decides the point with right of appeal to the Council of State on the ground of *ultra vires*.

ARTICLE XLIV.—Every member of a council of experts who shall have seriously neglected his duties in the exercise of his office, shall be called before the council to explain the act with which he is charged.

If the council does not express its opinion within one month of the date of convocation, mention shall be made in the official report addressed by the presidents to the prefect.

ARTICLE XLV.—The official report is transmitted by the prefect together with his opinion thereon, to the Minister of Commerce and Industry.

The following penalties may be pronounced:—

- (1.) Censure.
- (2.) Suspension for a period not exceeding six months.
- (3.) Forfeiture of his office.

ARTICLE XLVI.—Censure and suspension may be pronounced by means of notice given by the Minister of Commerce and Industry.

Forfeiture is pronounced by ministerial decree.

ARTICLE XLVII.—Every councillor duly elected, who declines to be installed, or who has retired by virtue of Article XLI., cannot be re-elected before the expiration of three years from the date of the prefectural decree.

ARTICLE XLVIII.—Every councillor against whom forfeiture has been pronounced cannot be re-elected for the same duties during six years from the date of the decree of forfeiture.

ARTICLE XLIX.—In case of a charge of prevarication against members of the council of experts, proceedings against them shall be taken in the form prescribed with respect to judges by Article 483 of the Code of Criminal Inquiry.

ARTICLE L.—Articles 4 and 5 of the Civil Code, Articles 505 to 507 of the Code of Civil procedure, and Articles 126 and 185 of the Penal Code are applicable to members of a council of experts.

ARTICLE LI.—Councils of experts may be dissolved by decree delivered on the initiative of the Minister of Commerce and Industry.

In such case the general elections shall take place within one month from the date of the decree of dissolution.

Councils of experts may also be suppressed by decree delivered according to the regulations of public administration.

SECTION IV.

GENERAL PROVISIONS.

ARTICLE LII.—Every council of experts shall prepare in general meeting regulations for its own management.

These regulations only become valid after they have been approved by the Minister of Commerce and Industry.

ARTICLE LIII.—Councils of experts assemble in general meeting whenever the request is made by the superior authority, by one-half their number plus one of the members in active service, or when the president considers it to be necessary.

The official report of each meeting is transmitted within a fortnight by the president to the Minister of Commerce and Industry.

ARTICLE LIV.—Members of councils of experts wear, while on duty, either during the sittings or elsewhere, the distinctive badge, specified by the Order of November 12, 1828.

ARTICLE LV.—Secretaries to councils of experts are remunerated at the following rates:—

For each notice to appear before the council (not including postage), 15 centimes.

For each page of certified copy, documents delivered by them containing 20 lines on each page, and 12 syllables in each line, 40 centimes.

For the certified copy, if required by the party, of the official report stating that the parties could not agree, and which shall mention summarily that they could not come to terms, 80 centimes.

For the notice by registered letter, 60 centimes.

The cost of paper, account books, and prepayments shall be paid by the secretary.

The secretary shall receive direct from the parties the fees allowed, including those for certified copies delivered by him.

ARTICLE LVI.—In case the services of process-servers be required, they shall receive for notifying a judgment 1 franc 75 centimes.

If, at a distance of half a myriametre (10 kiloms.) between their office and the place where the judgment has to be notified, they shall receive 2 francs per myriametre there and back.

For copies of documents which may be supplied with the copy of judgment they shall receive for each page of certified copy of 20 lines to the page, and 12 syllables to the line, 20 centimes.

ARTICLE LVII.—Witnesses giving evidence, who ask for it, are allowed by the council of experts 3 francs, as compensation for loss of time.

Witnesses who reside out of the district at a distance of more than two-and-a-half myriametres and less than five myriametres are allowed six francs for every myriametre or fraction thereof; beyond five myriametres they receive six francs for every five myriametres or fractions of that distance.

ARTICLE LVIII.—Every secretary or *huissier* (process server or usher) employed by the councils of experts proved to have charged a higher rate than that allowed them is punished for extortion.

SECTION V.

EXPENSES OF COUNCILS OF EXPERTS.

ARTICLE LIX.—The premises required by councils of experts are to be provided by the town where the council is established.

ARTICLE LX.—The charges obligatory upon the districts comprised in the jurisdiction of a council of experts are the following:—

- (1.) Expenses of founding the council.
- (2.) Purchase of badges.
- (3.) Fuel, &c.
- (4.) Lighting and petty expenses.
- (5.) Costs of elections.

ARTICLE LXI.—The president of each council of experts shall, during the month of December each year, submit for the approval of the prefect of the department the accounts of expenditure set forth in the preceding Article.

SECTION VI.

COUNCILS OF EXPERTS IN ALGERIA AND COLONIES.

ARTICLE LXII.—The provisions of the present law are applicable with the following modifications in Algeria:—

ARTICLE LXIII.—Electors of 25 years of age able to read and write in the French language are eligible.

ARTICLE LXIV.—In districts where the importance of the Mussulman population demands it, councils of experts shall include Mussulman assessors, mention of which shall be set forth in the articles of establishment.

The Mussulman assessors, employers and workmen alike, shall always be of an equal number in each class.

ARTICLE LXV.—In every instance where one or more Mussulmans not enjoying the rights of French citizens appear, the committees of conciliation and judgment shall include two Mussulman assessors, one employer, and one workman, with right to speak but not to vote.

ARTICLE LXVI.—Mussulman councillor-assessors are elected by Mussulmans not enjoying the rights of French citizens who are inscribed on the municipal electoral lists and fulfilling the conditions provided in Article V. of the present Law.

The list of electors is drawn up separately.

ARTICLE LXVII.—Mussulman councillor-assessors are elected in the same manner as other councillors. They are subjected to the same conditions of eligibility; but as far as relates to assessorship, it is enough for the candidates to be able to speak the French language if they are able to read and write in their native tongue.

They cannot be members of committee, but they take part in its nomination in the same manner as the other members.

ARTICLE LXVIII.—Interpreters may be attached to councils of experts in Algeria; they shall be appointed in the same manner as secretaries, but they must take the professional oath before commencing their duties.

Their salary is fixed by decision of the prefect.

ARTICLE LXIX.—Mussulman councillor-assessors are to be renewed by half their number every three years as provided by Article XI.

ARTICLE LXX.—The present law is applicable to the colonies of Guadeloupe, Martinique, and Réunion.

SECTION VII.

SPECIAL PROVISIONS.

ARTICLE LXXI.—Repeal is made:—

- (1.) Articles 1 to 9, 29 and following of the law of March 18, 1806.
- (2.) The Decree of June 11, 1809.
- (3.) The Decree of August 3, 1810.
- (4.) The Laws of June 27, and May 6, 1848.
- (5.) The Law of August 7, 1850.
- (6.) The Law of June 1, 1853.
- (7.) Article XV. of the Law of June 22, 1854.
- (8.) The Law of June 4, 1864.
- (9.) The Law of February 7, 1880.
- (10.) The Law of February 23, 1881.
- (11.) The Law of November 10, 1884.
- (12.) The Law of December 10, 1884.

And generally of all provisions contrary to the present law.

SECTION VIII.

TEMPORARY PROVISIONS.

ARTICLE LXXII.—Within six months of the promulgation of the present law general elections for all members of all councils of experts shall be held.

(Signed) CARNOT,
President of the French Republic.
(Signed) JULES ROCHE,
Minister of Commerce and Industry.
(Signed) L. RICARD,
Chancellor Minister of Justice and
Public Worship.

APPENDIX V.

LAW providing for CONCILIATION and ARBITRATION in cases of COLLECTIVE DISPUTES between EMPLOYERS and EMPLOYED (DECEMBER 27, 1892).

The Senate and the Chamber of Deputies have adopted, the President of the Republic promulgates the following law:—

ARTICLE 1.—Employers, workmen or employés, between whom a dispute of a collective character relating to conditions of employment has arisen, may submit the questions which divide them to a committee of conciliation, or, in default of an agreement of this committee, to a council of arbitration, and these shall be constituted in the following manner:

ARTICLE 2.—The employers, workmen or employés may, together or separately, in person or by proxy, address a declaration in writing to the justice of the peace (*judge de paix*) of the canton or one of the cantons in which the dispute has arisen, which shall contain—

- (1.) The names, capacities, and domiciles of the applicants or their proxies.
- (2.) The matter of dispute with a succinct account of the motives pleaded by the other side (*partie*).
- (3.) The names, capacities, and domiciles of the persons to whom the proposal of conciliation or arbitration should be notified;
- (4.) The names, capacities, and domiciles of the delegates chosen from amongst those concerned by the applicants, in order to assist or represent them; the number of these delegates not exceeding five.

ARTICLE 3.—The justice of the peace delivers acknowledgment of the receipt of this declaration with indication of the date and hour of its deposit, within twenty-four hours, to the opposing party or its representatives, by letter, or, if need be, by notices posted on the gates of the courts of justice of the canton, and on those of the mayoralty of the commune in which the dispute has arisen.

ARTICLE 4.—On receipt of this notification, or within three days, those concerned must send their reply to the justice of the peace. This period having passed, their silence is taken as a refusal.

If they accept, they give in their reply the names, capacities, and domiciles of the delegates chosen to assist or represent them, the number of these latter not exceeding five.

If the departure or absence of the persons to whom the proposal is notified or the necessity of consulting the principals (*mandants*), partners, or an administrative council, does not permit of a reply within three days the representatives of the said persons should within the three days declare what is the delay necessary for arrangement of a reply. This declaration is transmitted by the justice of the peace to the applicants within twenty-four hours.

ARTICLE 5.—If the proposal is accepted the justice of the peace urges (*invite d'urgence*) the parties or their delegates to form among them a committee of conciliation. The meetings take place in the presence of the justice of the peace who may be appointed by the committee to preside at the debates.

ARTICLE 6.—If an agreement is arrived at as to the conditions of conciliation, the conditions are set down in a report drawn up by the justice of the peace and signed by the parties or their delegates.

ARTICLE 7.—If an agreement is not arrived at the justice of the peace invites the parties to appoint either one or more arbitrators each, or a common arbitrator.

If the arbitrators do not agree as to the solution of the dispute they may choose a new arbitrator to act as umpire.

ARTICLE 8.—If the arbitrators can neither decide on the solution of the dispute nor agree as to the new arbitrator they must declare the fact in the report, and this arbitrator will be named by the president of the

civil tribunal after inspection of the report, which shall be sent to him forthwith by the justice of the peace.

ARTICLE 9.—The decision on the points at issue (*fond*) which has been arrived at, revised, and attested by the arbitrators, is sent to the justice of the peace.

ARTICLE 10.—When a strike occurs in default of initiative on the part of those concerned in it, the justice of the peace, *ex-officio* and by the means indicated in Article 3, invites the employers, workmen, or employed, or their representatives to make known to him within three days:—

- (1.) The matter of dispute with a succinct account of the alleged motives;
- (2.) The acceptance or refusal of conciliation and arbitration;
- (3.) The names, capacities, and domiciles of the delegates chosen, where the case occurs (*le cas échéant*), by the parties, the number of the persons chosen by each side not exceeding five.

The delay of three days may be increased for the reasons and under the conditions indicated in Article 4. If the proposal is accepted it shall proceed conformably to Articles 5 and following.

ARTICLE 11.—The reports and decisions mentioned in Articles 6, 8, 9 above, are preserved in the minutes at the office of the justice of the peace, who sends a copy free of charge to each of the parties and addresses another to the Minister of Commerce and Industry through the prefect.

ARTICLE 12.—The demand for conciliation and arbitration, the refusal or failure to reply of the opposing party, the decision of the committee of conciliation or of the arbitrators notified by the justice of the peace to the mayor of each of the communes over which the dispute is spread, are made public by each of these mayors, who post them up in the place assigned to official notices.

The posting up of these decisions may be done by the parties concerned. The notices are exempted from stamp duty.

ARTICLE 13.—The premises necessary for the meetings of the committees of conciliation or councils of arbitration are provided, heated and lighted by the communes in which they meet.

The expenses arising therefrom are included among the compulsory expenses of the communes.

The outlay of the committees of conciliation and arbitration shall be fixed by a notice of the prefect of the department entered among the compulsory departmental expenses.

ARTICLE 14.—All deeds executed in carrying out the present law are exempt from stamps and registered gratis.

ARTICLE 15.—The arbitrators and the delegates nominated under the present law must be French citizens.

In professions or trades where women are employed they may be chosen as delegates on the condition that they are of French nationality.

ARTICLE 16.—The present law applies to the colonies of Guadeloupe, Martinique and the Réunion.

The present law deliberated and adopted by the Senate and the Chamber of Deputies shall be carried out as a law of the State.

Executed at Paris, December 27th, 1892.

CARNOT.

By the President of the Republic: the Minister of Commerce, of Industry and the Colonies.

JULES SIEGFRIED.

APPENDIX VI

SUMMARY of a CIRCULAR of the 23RD JANUARY by the MINISTER FOR COMMERCE, INDUSTRY and the COLONIES addressed to the PREFECTS on the APPLICATION of the NEW LAW of CONCILIATION and ARBITRATION⁽¹⁾ :—

The law of the 27th of December 1892, relating to conciliation and arbitration in case of disputes between masters and workmen, was passed with a view to the prevention or settlement of conflicts between capital and labour. In adopting it the legislator has desired, in the interest of the regular development of native industry, to preserve from dissension that considerable proportion of the population which lives entirely by the fruits of its daily labour, and whose interests are ever being looked to by the Government.

It is the duty of the Ministers of the Interior and Justice to send you the necessary instruction for the application of this law which invests justices of the peace with new powers (Article 2 *et seq*), and includes (Article 13) the expenses incurred in respect of sittings of the committees of conciliation and arbitration in the compulsory expenditure of the communes and départements. I believe it to be my duty, by reason of the exceptional importance of this law, to point out to you in what spirit you should recommend its application.

1. The conflicts between capital and labour result, for the greater part, from industrial expansion and development, based, not only on the progress of the arts and sciences, but also on the concentration of capital. In this new organisation of labour the workmen and the heads of industrial establishments are not on the terms of so much intimacy as in the past, their relations being much less cordial. Simple misunderstandings are apt to be readily changed into bitter and characteristically keen disputes.

Attentive observers have not failed to recognise that the best means of avoiding and overcoming the irritation arising from these differences, which in many cases spring from the most trivial causes, is to bring about more frequent meetings and wider exchanges of views between the men, who usually only fight because they lack the means of appreciating and rendering justice to their respective intentions.

Experience has everywhere justified this view, under the inspiration of which private initiative has established in England, Belgium, and America, admirable institutions of conciliation and arbitration which, putting the masters and workmen in the same factory or the same industry in permanent relations, permit them to look into and to quietly decide, as soon as they appear, their trade disputes, and finally unite the representatives of capital and labour in perfect agreement.

The law of the 27th December 1892 has the same objects in view, and for the future it points out clearly the way by which they may be obtained. This hope will not appear chimerical if it be observed that far from manifesting any desire to artificially create a current of opinion, the new law is in direct harmony with old aspirations, which were clearly evidenced during the strikes of recent years.

The tendency to substitute argument and peaceful discussion for the abrupt cessation of labour, for strikes in fact, has been observed several times in France: on the other hand, several remarkable strikes have been fortunately terminated by conciliation and arbitration; finally, nearly half of the workmen's unions, constituted in accordance with the law of 1884 have spontaneously imposed upon themselves, by their statutes, the obligation to only resort to a strike after having exhausted all the means of conciliation.

2. The law of 27th December 1892 can only be put into motion by three classes of persons: masters, workmen, or, failing them, the justices of the peace; but you will be able to contribute very materially to make it popular.

An attentive observer of all disputes which may affect public order, the first to be informed of their appearance, in daily touch with their symptoms, you are also frequently applied to by the interested parties themselves to intervene in industrial conflicts as official arbitrator, and sometimes also to bring the weight of your influence to bear on one side or other of the parties. You will therefore be better qualified than anyone to advise interested parties as to the new law, which supplies them with the means to end conflicts peaceably and promptly.

Certainly, the arbitration organised by the law of 1892 is only optional; it can be protested against or rejected quite independently; the liberty of joint action or of resorting to strikes remains entirely without any

restriction. But the free procedure instituted by the law is so simple, it is so adapted to receive an almost instantaneous application in all cases, in all places, and with the least possible disarrangement; it is so considerate of all susceptibilities and interests, that you should not hesitate to recommend it on every occasion.

This procedure is suited, in fact, to the conflicts which extend to all the various branches of an industry which may be spread over several communes or confined to one district, as also to those persons who are only interested in a single workshop, a single factory, or a section of a factory; it applies equally to the differences which occur in temporary works with a temporary staff, such as certain agricultural works, and road-making; it may be offered to workmen who have already ceased labour, as well as to those who are resolved only to resort to strike after having exhausted all means of conciliation. The infringement, also, of the liberty of labour, of which certain strikers may be guilty, should not deter you from making every effort to bring the opposing parties to the consideration of the advantages of the law of the 27th December 1892.

Briefly, although your first duty may be to maintain public order and to strictly secure to all the liberty of labour, there is no case in which you may not urge the superiority of the procedure instituted by this law over all those to which hitherto resort has been had. This insistence will be all the more efficacious, as it will be made at a time nearer the origin of the conflicts, and the sooner that the system is resorted to the greater the chance of settlement. Very often hitherto the idea of arbitration has only arisen when already the minds of the disputants have been warped and hearts hardened by mutual recriminations, and arbitration has not produced in these conditions any except the most meagre results. You will resolutely repudiate the old mistakes, and consider before everything the law of the 27th December 1892 as a means to prevent the conflicts.

The workmen already know that at a time when the support of public opinion is indispensable for the triumph of any demand whatsoever, the surest way of obtaining this support is by bringing prominently forward the reasons upon which they base their claims, and by submitting them to free discussion. You will remind them that the liberty of labour constitutes for each citizen the necessary guarantee of his independence. You will convince them that, for the future, by reason of the facilities which are granted for the discussion and settlement on neutral ground, in presence of a third disinterested party, of the disputes which may arise between them and their masters, strikes will not receive much sympathy, and the attacks on liberty of labour will be regarded as unjustifiable.

On any occasion when the violation of one or several clauses of the contract of service (*contrat de louage*) is brought under your notice, either by the masters or the workmen, you must insist on prompt recourse to the procedure of conciliation.

The Government has, moreover, the firm conviction that after a short experience the workmen will themselves recognise that the new law is adapted to save them from the long stoppages and all the miseries which must inevitably ensue. In fact, without discontinuing work, they may invoke its aid in order to ventilate their grievances, without jeopardising either their wages or the national production, the prosperity of which is of as much importance to them as to the heads of manufacturing establishments.

Proof will therefore be very soon afforded that the law of 27th December 1892 on conciliation and arbitration, in conjunction with that of the 21st March 1884, on trade unions, gives facilities to workmen for satisfying, without trouble or violence, all their legitimate aspirations.

On their side, the masters, conscious of their own interests, will certainly manifest a disposition to accept the new procedure. You will not fail on every occasion that presents itself to influence them in that direction.

The Minister of Commerce, Industry, and the Colonies.

(Signed) JULES SIEGFRIED.

⁽¹⁾ The law on arbitration and conciliation is supplemented by a second Ministerial circular addressed by the Keeper of the Seals to the Attorneys-General. An account of this will be found in the text of the Report at p. 52.

APPENDIX VII.

LAW OF NOVEMBER 2ND, 1892, REGULATING THE WORK OF CHILDREN, YOUNG GIRLS, and WOMEN IN INDUSTRIAL ESTABLISHMENTS.

The Senate and the Chamber of Deputies have adopted, the President of the Republic promulgates the following law :—

SECTION I.

GENERAL PROVISIONS, AGE OF ADMISSION, DURATION OF WORK.

ARTICLE 1.—The work of children, young girls, and women in the works, factories, mines, *minières* and quarries, timber or stone yards, workshops and their dependencies, of whatever kind, public or private, secular or religious, even when these institutions are for the purpose of technical instruction or for charity, is subject to limitations determined by the present law. All the provisions of the present law are to be applied to foreigners working in the establishments above mentioned.

Those works are excepted which are carried on in establishments where only the members of one family are employed, under the authority of either the father, or the mother, or the guardian. Nevertheless, if the work is done by means of steam or motive power, or if the trade practised is classed among dangerous or unhealthy establishments, the inspector shall have the right to prescribe measures for security and health in accordance with Articles 12, 13, and 14.

ARTICLE 2.—Children cannot be employed by masters, nor be admitted into the establishments enumerated in Article 1, before they have completed their thirteenth year. However, children provided with the certificate for primary studies, ordained by the law of March 28th, 1892, can be employed from the age of 12 years. No child under 13 years can be admitted to work in the establishments above described, if he is not provided with a certificate of physical fitness given gratuitously, either by one of the doctors appointed to superintend the young children, or by one of the medical inspectors of schools, chosen by the prefect. This examination shall be in presence of both parties (*sera contradictoire*) if the parents demand it.

The inspectors of labour shall always be able to demand a medical examination of all children under 16 already admitted into the establishments above described, with a view to ascertain if the work on which they are employed exceeds their strength. In this case, the inspectors shall have the right to exact their discharge from the establishments with the assenting opinion of one of the doctors indicated in paragraph 3 of the present Article, and after examination in the presence of both parties, if the parents demand it.

In the orphan asylums and charitable institutions described in Article 1, where primary instruction is given, the manual or technical instruction shall not exceed three hours a day for children under 13, except for children 12 years old supplied with a certificate for primary studies.

ARTICLE 3.—Children of either sex under 16 may not be employed in actual work for more than 10 hours a day. Young workmen or workwomen from 16 to 18 may not be employed in actual work for more than 60 hours a week, while the daily work may not exceed 12 hours. Girls under 18 and women may not be employed in actual work for more than 11 hours a day.

The hours of work above indicated shall be interrupted by one or more pauses, during which work shall be suspended, and the whole amount of which shall not be less than one hour.

SECTION II.

NIGHT WORK, WEEKLY REST.

ARTICLE 4.—Children under 18 years, girls under 21, and women cannot be employed in any night work in establishments enumerated in Article 1.

All work between the hours of 9 p.m. and 5 p.m. is considered as night work; work, however, will be permitted from 4 a.m. to 10 p.m., when shared between two relays of workers working for not more than 9 hours each.

The work of each gang shall be interrupted by a rest of at least one hour.

The power of prolonging the work until 11 p.m. at certain times in the year, not exceeding 60 days at a time, shall be allowed for women and girls over 18, in certain industries to be hereinafter determined by public administrative orders, and under conditions of employment to be precisely stated in the said orders. In any case the actual day's work cannot be prolonged beyond 12 hours.

The power of permanently altering the provisions in paragraphs 1 and 2 of the present Article shall be allowed in certain industries, to be determined by an administrative order, while the work shall in no case exceed 7 hours in the 24. The same order may authorise a temporary relaxation of the aforesaid rules in certain industries. Further, in case of a stoppage by an accidental or an inevitable interruption (*force majeure*), the above prohibition can be temporarily altered for a fixed period in any industry whatsoever.

ARTICLE 5.—Children under 18 and women of any age cannot be employed in the establishments enumerated in the first Article for more than six days a week, nor on holidays recognised by law, even for putting the workshop in order. A placard put up in the workshops shall state the day set apart for the weekly rest.

ARTICLE 6.—Nevertheless, in the works with furnaces in constant activity, the women above 21 and boys can be employed every day of the week in the night for necessary work, on the condition that they have at least one day of rest in the week.

Those branches of industry in which this night work is allowed, and the lapse of time during which they can be carried on shall be determined by an administrative order.

ARTICLE 7.—The enforcement of the weekly rest and restrictions relating to the continuance of work can be temporarily suspended by the inspector of the division, for workers given in Article 5, for certain industries, to be indicated by the aforesaid administrative order.

ARTICLE 8.—Children of both sexes under 13 years of age may not be employed as actors, dancers, &c., in public representations given in the theatres and café concerts. The Minister for Public Instruction and for Fine Arts at Paris, and the prefects in the departments may occasionally authorise the employment of one or more children in the theatres for the representation of certain pieces determined upon.

SECTION III.

UNDERGROUND WORKS.

ARTICLE 9.—Girls and women cannot be admitted into underground works, mines, *minières*, and quarries.

The administrative orders shall determine the special conditions of work for boys from 13 to 18 years of age in underground works above described. In certain mines specially indicated by the administrative orders, as requiring by reason of their natural conditions an abatement of the ordinances of paragraph 2, Article 4, these orders may allow work by children from 4 o'clock in the morning until midnight, on the express understanding that the children shall not do more than eight hours' actual work, or be in the mines for more than ten hours out of the 24.

SECTION IV.

SURVEILLANCE OF CHILDREN.

ARTICLE 10.—The mayors are bound to provide the father, mother, guardian, or employer gratuitously with a service book which contains both the surname and Christian name of children of both sexes under eighteen years old, the date and the place of their birth, and their home. If the child is under thirteen, the service book must mention that he is provided with a certificate for primary studies instituted by the law of the 28th of March 1882.

The managers or employers shall write on the service book the date of entry into the workshop and of leaving. They must also have a register on which shall be mentioned all the information inserted in the present Article.

ARTICLE 11.—The employers or managers and letters-out (*loueurs*) of motive power, are expected to post up in each workshop the provisions of the present law, the administrative orders relating to the carrying out of the same and specially concerning their trades, as well as the addresses and names of the inspectors of the district.

They shall also post up the time when the work is to begin and end, as well as the time and length of the rests. A duplicate of this notice shall be sent to the inspector, and another shall be left at the town hall (*mairie*).

The organisation of shifts which results in prolonging the length of the working day beyond the legal limits, is forbidden for persons protected by the present law.

In all workrooms of workshops, orphanages, charitable workshops, dependent upon religious or lay institutions, there shall be placed permanently a table indicating in legible characters, the conditions of children's work as given in Articles 2, 3, 4 and 5, and also the employment for the day, that is to say, the hours for manual work, rest, study, and for meals. This table shall be looked over by the inspector and signed by him.

A complete enumerative account of the children educated in the establishments given above showing their surnames and Christian names, the date and place of their birth, and certified as correct by the directors of these establishments, shall be delivered every third month to the inspector, and shall make mention of any alterations that may have occurred since the last account was furnished.

SECTION V.

HEALTH AND SAFETY OF WORKERS.

ARTICLE 12.—Administrative orders shall determine the different kinds of work to be forbidden for women, girls and children which are dangerous, or exceed their strength, or are injurious to morality.

ARTICLE 13.—Women, girls and children cannot be employed in unhealthy or dangerous establishments, where the worker is exposed to operations or processes prejudicial to her health, unless under special conditions determined by the administrative orders for each of these categories of workers.

ARTICLE 14.—The establishments given in the first article and their dependencies must be kept in a constant state of cleanliness and be properly lighted and ventilated. They must have every condition of safety and wholesomeness necessary to the health of the work-people.

In every establishment containing mechanical apparatus, wheels, straps, gear or any other appliance which may be dangerous shall be separated from the workmen in such a manner that it is impossible to approach except for the purpose of directing them. The wells, trap-doors and lifts must be enclosed.

ARTICLE 15.—Every accident having caused a wound to one or more workmen, happening in one of the establishments mentioned in the first Article, shall form the subject of a statement by the employer (*chef de l'entreprise*), or failing him and in his absence, by his overseer. This declaration shall contain the name and address of the witnesses of the accident; it shall be made within forty-eight hours to the mayor of the commune, who shall draw out an official report of it in a form to be determined by an administrative order. To this declaration will be joined a doctor's certificate, produced by the master, showing the state of the wound, the probable results of the accident and the length of time in which it will be possible to know the definite result of it. An acknowledgment of the declaration and of the medical certificate shall be remitted forthwith to the sender.

Notice of the accident is given immediately by the mayor to the inspector of the division or department.

ARTICLE 16.—The masters or heads of establishments must, moreover, be attentive to the maintenance of good morals and to the observance of public decency.

SECTION VI.

INSPECTION.

ARTICLE 17.—The inspectors of labour are ordered to see to the carrying out of the present law and of the law of the 9th September 1848.

They are ordered, moreover, in concurrence with the commissaries of police, to carry out the law of

December 7, 1874, relating to the protection of children employed in the itinerant trades.

Nevertheless, in everything concerning the working of mines, *manières* and quarries, the carrying out of the law is entrusted exclusively to the engineers and comptrollers of mines, who for this service are placed under the authority of the Minister of Commerce and Industry.

ARTICLE 18.—The inspectors of work are nominated by the Minister of Commerce and Industry.

This service will comprise:—

1. Divisional inspectors.
2. Departmental inspectors, male or female.

A decree, delivered in accordance with advice of the Committee of Arts and Manufactures and of the Higher Commission on Labour instituted below, shall determine the departments in which they shall create departmental inspectors. It shall fix the number, salary and circuit expenses of these inspectors. The inspectors, male and female, of the departments are placed under the authority of the divisional inspector.

The inspectors of labour must take an oath to reveal nothing of the secrets of manufactures, and, generally, the processes of working with which they will become acquainted in the exercise of their duties.

Every violation of this oath is punished conformably to Article 378 of the present Code.

ARTICLE 19.—Henceforth, only those candidates who have satisfied the conditions set forth in Article 22 will be admitted to the duties of divisional or departmental inspector. The nomination to the post of titular inspector will only be definite after the space of one year.

ARTICLE 20.—The inspectors, male or female, have right of entry into all the establishments described in the first Article; they can insist upon being shown the register prescribed by Article 10, the service books, the private rules, and if necessary the certificate for physical fitness mentioned in Article 2.

The infringements are stated in the official reports of the inspectors (male or female) which are taken as evidence (*font foi*) unless contrary proof is shown.

These official reports are drawn up with duplicates, and one is sent to the prefect of the department and the other is left at the Public Prosecutor's office.

The above orders do not interfere with the rules of Common Law relating to the ascertainment and prosecution of infringements of the present law.

The inspectors have, beyond the supervision entrusted to them, to prepare statistics on the conditions of industrial work in that district which they are appointed to supervise. A report summarising these communications will be published every year, under the care of the Minister of Commerce and of Industry.

SECTION VII.

HIGHER AND DEPARTMENTAL COMMISSIONS.

ARTICLE 22.—A Higher Commission composed of nine members, whose duties are unpaid, is established under the Minister of Commerce and of Industry. This commission includes two senators, two deputies elected by their colleagues, and five members nominated for a period of four years by the President of the Republic. It is appointed:—

1. To guard the uniform and vigilant application of the present law.
2. To give advice on regulations to be made, and, generally speaking, on the various questions respecting the workers under protection.
3. Finally to arrange the conditions for the admission of candidates to the divisional and departmental inspection, and the programme for the examination they must undergo.

The divisional inspectors appointed under the law of May 19th, 1874, and actually in office, shall be redistributed among the various posts (divisional and departmental) established under the present law without undergoing a new examination.

The inspectors of departments may be retained in their posts without undergoing a new examination.

ARTICLE 23.—Each year the President of the Higher Commission addresses to the President of the Republic a general report upon the results of the inspection, and upon the facts relating to the execution of the present law. This report must be published in the *Journal Officiel* in the same month that it is presented.

ARTICLE 24.—The General Councils must form one or more commissions charged to present reports on the execution of the law, and the improvements which may be made in it, which shall be transmitted to the Minister and communicated to the Higher Commission.

The divisional and departmental inspectors, the presidents and vice-presidents of the committees of experts (*prud'hommes*) of the chief place, or of the principal industrial centre of the department, and, if there is one, the engineer of the mines, shall *ex-officio* form part of these commissions in their respective districts. The local commissions instituted by Articles 20, 21, and 22 of the law of the 19th May, 1874, are abolished.

ARTICLE 25.—There shall be in every department employers' committees having for their object:—

1. The protection of apprentices and of children employed in the trade;
2. The development of technical instruction. The General Council in each department shall determine the number and the district of the employers' committee, of which the statutes shall be sanctioned, in the department of the Seine, by the Minister of the Interior, and the Minister of Commerce and of Industry, and by the prefects in the other departments.

The employers' committees shall be governed by a commission composed of seven members, four of whom shall be nominated by the General Council, and three by the prefect. They are renewable every three years. The members going out of office may be recalled to take part in it. Their duties are unpaid.

SECTION VIII.

PENALTIES.

ARTICLE 26.—The manufacturers, directors, or managers of establishments set forth in the present law who shall have transgressed the prescriptions of the said law, and the administrative orders relating to the carrying out of the same, shall be brought before the police courts, and shall be liable to a fine of from 5 to 15 francs. The fine shall be inflicted as often as there are persons employed under conditions contrary to the present law. Nevertheless, the penalty will not be inflicted if the infringement of the law has been the result of an error arising from the production of birth documents, service books, or certificates containing false statements or delivered by another person.

The employers (*chefs d'industrie*) shall be legally responsible (*civilement*) for the fines pronounced against their directors or managers.

ARTICLE 27.—In case of a fresh offence, the offender shall be brought before the magistrate and punished by a fine of from 16 to 100 francs.

It is to be considered a second offence when the person contravening has already undergone sentence for a like contravention in the twelve months preceding the deed under consideration. In case of several contraventions bringing in their train those penalties belonging to the second offence, the fine shall be applied as many times as new contraventions shall have been noticed. The magistrates shall be able to apply the provisions of Article 463 of the Penal Code concerning extenuating circumstances, so long as the fine in any case for each offence is not less than 5 francs.

ARTICLE 28.—The posting of the sentence, according to the circumstances and in the case of a second offence only, can be ordered by the magistrates.

The magistrate can also order in the same case the insertion in one or more journals of the department of the sentence passed, at the expense of the offender.

ARTICLE 29.—Whoever shall put any obstacle in the way of an inspector's fulfilment of his duties shall be punished by a fine of from 100 to 500 francs.

In case of a fresh offence, the fine shall be increased, and shall be from 500 to 1,000 francs.

Article 463 of the Penal Code applies to conviction.

SECTION IX.

SPECIAL PROVISIONS.

ARTICLE 30.—The administrative orders necessary for the application of the present law shall be delivered after advice from the Higher Commission on Labour, and the Consultative Committee of Arts and Manufactures. The General Council on Mines shall be called upon to give its advice on the orders provided in execution of Article 9.

ARTICLE 31.—The provisions of the present law apply to children placed as apprentices, and employed in one of the establishments set forth in the first article.

ARTICLE 32.—The provisions set out in the present law will only apply from January 1st, 1893.

The law of May 19th, 1874, and the administrative orders issued for the execution of its provisions, will be annulled on the date above given. The present law, resolved on and adopted by the Senate and by the Chamber of Deputies, shall be carried out as a law of the State.

Given at Paris, November 2, 1892.

(Signed) CARNOT,

By the President of the Republic.
The Minister of Commerce and Industry,

(Signed) JULES ROCHE.

Keeper of the Seals, Minister of Justice,
and Public Worship,
(Signed) L. RICARD.

APPENDIX VIII.

DECREE of MAY 3RD, 1893, regulating the APPLICATION of the LAW of NOVEMBER 2ND, 1892, as regards the LENGTH of the Actual DAY'S LABOUR for BOYS in MINES, MINIÈRES, and QUARRIES.

The President of the Republic, with the advice of the General Council of the Mines, of the Consultative Committee of Arts and Manufactures, and of the Higher Commission of Labour, decrees:—

ARTICLE 1.—The length of the actual labour of boys under 16 in the underground galleries of mines, *minières* and quarries may not exceed eight hours (*par poste*) in the twenty-four.

The length of actual labour for young workmen of sixteen to eighteen may not exceed 10 hours a day or 54 hours a week.

These hours do not include the ascent and descent nor the time spent in going to and from the yards, nor the rests, which last may not be less than one hour.

ARTICLE 2.—Boys and young workmen may be employed in sorting the minerals, in pushing and rolling the trucks, in working the gates and ventilators, and in accessory works not exceeding their strength. They may not be employed in working the ventilators for more than half a day, with periods of rest intervening amounting to at least half-an-hour.

Young workmen of sixteen to eighteen may not be employed at miners' work except as helps or apprentices and for not more than five hours a day.

All work beyond what is mentioned in the preceding paragraphs is forbidden in the underground galleries for boys and young workmen.

ARTICLE 3.—The special provisions in Article 9, paragraph three, of the law of November 2nd, 1892, may be applied to workers of small coal strata in which the labour is carried on by double post (*double poste*) and when the labour of one of the posts consists in removal of surrounding rocks in the breaking yards and the embankment which could not be carried out during the work of extraction.

The employer who wishes to avail himself of this rule must give notice beforehand to the engineer-in-chief of mines. If the latter is opposed, the employer must apply for authorisation of the Minister of Commerce, Industry and the Colonies.

ARTICLE 4.—The Minister of Commerce, Industry and the Colonies is charged with the application of the present decree, which shall be inserted in the *Bulletin des Lois* and published in the *Journal Officiel de la République Française*.

Given at Paris, May 3rd, 1893.

CARNOT.

The Minister of Commerce, Industry, and the Colonies,

TERRIER.

DECREE of MAY 13TH, 1893, relating to **ARTICLE 12** of the LAW regulating LABOUR of WOMEN and CHILDREN.

The President of the French republic;

On the report of the Minister of Commerce, Industry, and the Colonies;

Considering Article 12 of the law of November 2nd, 1892;

Considering the advice of the Consultative Committee of Arts and Manufactures;

Considering the advice of the Higher Commission instituted by Article 22 of the law cited;

The Council of State having concurred—

Decreases:

ARTICLE 1.—Employment of children under 18, girls under age, and women, is forbidden in oiling, cleaning, or repairing of machinery or mechanical apparatus which is in motion.

ARTICLE 2.—Employment of children under 18, girls under age and women is forbidden in workshops where there are machines guided by hand or by motor power, of which the dangerous parts are not protected by wheel guards or other measures.

ARTICLE 3.—Employment of children under 18 is forbidden in the working of apparatus by treadles. Similarly their employment in working horizontal wheel gear is forbidden.

ARTICLE 4.—Children under 16 may not be employed in turning vertical wheels for more than half the day, divided by a rest of at least half-an-hour. Similarly employment of children under 16 in working those looms called "hand-loom" by means of treadles is forbidden.

ARTICLE 5.—Children under 16 may not work the circular or twisted saws (*scies circulaires, scies à ruban*).

ARTICLE 6.—Children under 16 may not be employed in working shears or other sharp-edged tools.

ARTICLE 7.—Children under 13 may not be employed in cutting or blowing glass at glassworks.

Above 13 and under 16 they may not be employed in cutting a weight of glass above 1,000 grammes.

In glass bottle and sheet-glass factories blowing by the mouth is forbidden to children under 16.

In the works where blowing is done by the mouth a separate mouthpiece (*embout personnel*) shall be set apart for every child under 18.

ARTICLE 8.—It is forbidden that children under 16 should be set to overlook steam cocks.

ARTICLE 9.—It is forbidden that children under 16 should be employed as folders in the workshops where wire rods are rolled and drawn.

However, this provision does not apply to the workshops where the work of folders is protected by guards.

ARTICLE 10.—The employment of children under 16 is forbidden in works carried out by means of winged scaffolding (*échafaudages volants*) whether for repairing or cleaning houses.

ARTICLE 11.—Young workmen and workwomen under 18 employed in industry may not carry, whether outside or inside factories, works, workshops and yards, any burdens exceeding the following:—

Boys below 14	-	-	-	10 kilogr.
Boys from 14 to 18	-	-	-	15 "
Girls below 16	-	-	-	5 "
Girls from 16 to 18	-	-	-	10 "

It is forbidden that the same workers should be employed in pushing or dragging, either in industrial establishments or on public roads, any loads requiring greater corresponding efforts than those just indicated. The conditions of equivalence in the two kinds of effort shall be determined by a Ministerial resolution (*Arrêté*).

ARTICLE 12.—Employment of girls under 16 in working sewing machines by treadles is forbidden.

ARTICLE 13.—Employment of children, girls and women is forbidden in preparation of writings, prints, bills, drawings, engravings, paintings, emblems, pictures or other objects, the sale, supply, exhibition, posting or distribution of which are repressed by penal laws as contrary to good morals.

Similarly the occupation of children under 16 and girls under age is forbidden in the workshops where the preparation of writings, prints, bills, &c., &c., which, without falling under the application of the said penal laws, are of a nature to injure their morals.

ARTICLE 14.—In the establishments where the processes named in Table A., annexed to the present decree are carried on, the entry into those workshops is forbidden to children under 18, girls under age, and women.⁽¹⁾

ARTICLE 15.—In the establishments where the processes named in Table B. annexed to the present decree are carried on, the entry into those workshops is forbidden to children under 18.

ARTICLE 16.—The labour of children, girls under age and women is only authorised in the workshops enumerated in Table C. annexed to the present decree, under the conditions specified in the same table.

ARTICLE 17.—The Minister of Commerce, Industry and the Colonies is charged with the execution of the present decree, which shall be inserted in the *Bulletin des Lois*, and published in the *Journal Officiel de la République Française*.

Given at Paris, May 13th, 1893.

CARNOT.

By the President of the Republic;
The Minister of Commerce, Industry and the Colonies,

TERRIER.

DECREE of JULY 15TH, 1893, regulating LABOUR of WOMEN and GIRLS above 18.

The President of the French Republic;
On the report of the Minister of Commerce, of Industry and the Colonies;

Considering Articles 4, 5, 6 and 7 of the law of November 2nd, 1892;

Considering the advice of the Consultative Committee of Arts and Manufactures;

Considering the advice of the Higher Commission instituted by Article 22 of the law cited;

The Council of State concurring—

Decreases:

ARTICLE 1.—In the industries and at the periods hereinafter determined, women and girls above 18 years may be employed until eleven o'clock in the evening, while the hours of actual work may in no case exceed 12 in the 24:—

⁽¹⁾ This Table A., and the Table B. and C., mentioned in the next Articles, will be found in the *Journal Officiel* for May 14th, 1893. They are of so elaborate and detailed a character, covering almost all the industrial chemical processes, that it is impossible to reproduce them in a work of this size.

Industries.	Periods of the Year.
Upholstery, tapestry and passementerie for furniture.	December, January.
Jewelry and trinkets - - -	December, May.
Hatmaking or trimming - - -	February, March.
Readymade clothing and under-clothing for women and children.	December April.
Readymade clothing for men - - -	March, October.
Gilding of wood and metal for furniture.	December, January.
Artificial flowers - - - - -	February, March.
Making up of furs - - - - -	November, December.
Typographical printing - - - -	November 15th to December 15th, and June 15th, to July 15th.
Lithographical printing - - - -	December, January.
Making up of paper, envelopes, school copybooks, fancy stationery - -	November, December.
Wall-papers - - - - -	March, September.
Dress plumes - - - - -	August 16th to October 15th.
Binding - - - - -	December, July.
Toys and fancy goods - - - - -	November, December.
Dyeing, trimming, bleaching, stamping, goffering and watering of stuffs.	April, October.
Weaving of novelties in stuffs for clothing - - - - -	April 15th to May 15th and October 15th to November 15th.
Nets, laces and silk breadths - -	February 15th to March 31.

Works.	Workers.	Branches or Occupations.
Beetroot distilleries.	Boys and women	Washing, weighing, sorting the beetroot, turning the cocks for juice and water, helping at the distilling machinery.
Enamelled iron and brass works.	Boys - - -	Working the oven doors from a distance.
Oil - extracting works.	Boys - - -	Filling and shaking the sacks, carrying empty sacks and screens.
Paper works - - - - -	Boys and women	Helping the machinists, cutting, weighing, rolling and piling the paper.
Sugar factories and refineries.	Boys and women	As in the beetroot distilleries; also, looking after the filters, washing the apparatus and the works, working the sugar into tablets.
Metal works - - - - -	Boys - - -	Helping in the preparation of beds of fusion and a number of accessory works (<i>affinage, lavinage, martelage, treillage</i>) arrangement of bundles, sheets, tubes and wires.
Glass works - - - - -	Boys - - -	Handing the tools, helping in various processes (<i>soufflage moulage</i>) all under the conditions of Article 7 of the decree of May 13th, 1893.

When women and boys are employed through the night they must have intervals of rest amounting in all to not less than two hours.

The hours of actual work must at the same time not exceed ten.

ARTICLE 5.—Among the industries in which the compulsory weekly rest and other restrictions on duration of work applies, a certain number may be exempted from these provisions by the sectional inspector in the case of children under 18 and women of any age. They are as follows:—Open brick works; making up of hats; corset making; readymade clothing for women and children; preserved fruits, vegetables and fish; open rope yards; removal of wool from sheepskins; artificial flowers; perfume making (from flowers); making up of furs; printing, typographic and lithographic; dress plumes; urgent repairs of ships and motor apparatus; dyeing, bleaching, goffering, &c., of stuffs; weaving of novelties in stuffs for clothing.

ARTICLE 6.—Each time that an employer in the trades mentioned in Article 3 wishes to avail himself of the power given in that Article he must give notice of it 12 hours beforehand to the inspector or inspectors and to the mayor of the commune.

This notice shall announce dates for beginning and ending the departure from the ordinary custom.

A copy of the notice shall be posted up immediately in a prominent place in the factories and shall remain there during the whole period of the new departure. A copy of the authorisation shall be similarly posted up in the cases provided for by Article 5.

ARTICLE 7.—The Minister of Commerce, of Industry and the Colonies is charged with the execution of the present decree, which shall be inserted in the "Bulletin des Lois," and published in the "Journal Officiel" of the French Republic.

Executed at Paris, July 15th, 1893.

CARNOT.

By the President of the Republic;
The Minister of Commerce, Industry and the Colonies,

TERRIER.

ARTICLE 2.—Permanent exceptions to the provision in paragraphs 1 and 2 of Article 4 (night work) of the law cited may be made for women who have attained their majority (while the work may not exceed seven hours in the 24) in the following industries:—Stitching of printed matter, folding of journals, lighting of lamps for mines.

ARTICLE 3.—The industries hereinafter enumerated are authorised to make temporary exceptions to the provisions relative to night work, while the actual work of women, girls or children employed at night may not exceed ten hours in the 24:—

Industries.	Total Length of the Exceptions.
Hat making or trimming - - -	30 days.
Readymade clothing for women and children.	"
Confectionery - - - - -	90 days.
Preserved fruits and vegetables - -	"
Preserved fish - - - - -	"
Removal of wool from sheepskins - -	60 days.
Artificial flowers - - - - -	30 days.
Making up of furs - - - - -	"
Printing (lithographic and typographic).	"
Perfume making - - - - -	90 days.
Patty making (<i>Pâtés alimentaires</i>) -	30 days.
Dress plumes - - - - -	"
Urgent repairs of ships and motor machines.	120 days (children above 16.)
Coopering for barrels of fish - - -	90 days.

ARTICLE 4.—In works where fire is continually kept up women who have attained majority and boys may be employed at night in the following occupations:—

APPENDIX IX.

LAW relating to the HEALTH and SAFETY of WORKERS in INDUSTRIAL ESTABLISHMENTS.¹
(JUNE 12, 1893.)

The Senate and Chamber of Deputies have adopted, the President of the Republic promulgates the following law:—

ARTICLE 1.—The provisions of the present law apply to manufactures, factories, works, yards, workshops of all kinds, with their outbuildings (*dépendances*).

Only those establishments are excepted in which the members of a family are employed under the authority of the father, mother, or guardian.

Nevertheless, if work is carried on in the latter by means of steam or mechanical power, or if the industry is classed among dangerous or unhealthy undertakings, the inspector shall have the right to prescribe those

⁽¹⁾ Journal Officiel de la République Française, June 13th, 1893.

measures for safety and sanitation which are provided under this law.

ARTICLE 2.—The establishments held in view (*visés*) by Article 1 must be constantly kept in a cleanly state, and maintain the hygiene and sanitary conditions necessary for the health of the workers.

They must be arranged in such a way as to secure the safety of the workers. In every establishment worked by machinery the wheels, bands, gear, or any other possible source of danger shall be separated from the workers in such a way that approach to them can only be made for the necessary purpose of directing them. Wells, traps, and openings must be covered over. Machinery, gear, tools, and engines should be fitted up and maintained in the best possible state for safety. These provisions are applicable to theatres, circuses, shops, and similar establishments where mechanical apparatus is used.

ARTICLE 3.—Administrative orders drawn up under advice of the Consultative Committee of Arts and Manufactures shall determine:—

- (1.) Within three months of the promulgation of this law, the general measures for protection and safety applicable to all the establishments under it, notably in the matters of lighting, ventilating, drinking water, cesspools, steaming and sizing, precautions against fire, &c.
- (2.) In accordance with ascertained needs, the detailed prescriptions relative to certain industries or modes of labour.

The Consultative Committee of Public Hygiene shall be called upon to give advice in all that concerns the general regulations provided by paragraph 2 of the present Article.

ARTICLE 4.—The inspectors of labour are charged with the execution of the present law and the orders provided for by it; they have entry into the establishments specified in Article 1 and the last paragraph of Article 2, in order that they may carry out the supervision and inquiries with which they are charged.

ARTICLE 5.—Contraventions are stated in the reports of the inspectors, which are held as evidence (*font foi*) unless proof to the contrary is given.

The reports are prepared with duplicates, one copy being sent to the prefect and the other to the office of the Public Prosecutor (*parquet*).

The foregoing provisions do not derogate from the rules of common law in regard to the statement and prosecution of infringements of the present law.

ARTICLE 6.—Nevertheless, in all that concerns the application of the administrative orders provided for by Article 3, the inspectors should summon (*mettront en demeure*) the employers to conform to the provisions of the said order before they prepare a report.

This summons (*mise en demeure*) should be made in writing in the register of the works; it should be dated and signed, should indicate the contraventions in question, and fix a date by which the contraventions should have disappeared. The date should never give less time than one month.

Within 15 days of the summons the employer may, if he thinks fit, address a demand to the Minister of Commerce and Industry. If obedience to the summons necessitates important alterations in the structure of the works, the Minister may, with the advice of the Committee of Arts and Manufactures, accord to the employer a delay which in any case should not be longer than 18 months. Notification of the decision is sent to the employer in administrative form (*dans la forme administrative*); advice of it is sent to the inspector.

ARTICLE 7.—The employers, directors, managers, or officers in charge who have contravened the provisions of the present law, and the administrative orders relative to its execution, shall be prosecuted before the police courts (*tribunal de simple police*),⁽¹⁾ and punished with a fine of from 5 francs to 15 francs. The fine shall be applied as many times as there are distinct contraventions stated in the reports, without, however, passing a limit of 200 francs.

The judgment shall fix, moreover, the time in which the changes for safety and sanitation imposed by the law shall be carried out. The employers are legally responsible for sentences pronounced against their directors, managers, or officers.

ARTICLE 8.—If, after a sentence is pronounced under the preceding Article, the measures for safety and health imposed by the present law or administrative orders have not been carried out within the time specified by the sentence the matter is brought in a fresh report before the magistrates (*tribunal correctionnel*).⁽²⁾ After a new summons (*mise en demeure*) which remains without effect, this Court can order the establishment to be closed. The sentence is subject to appeal; the Court shall declare the matter urgent (*statuera d'urgence*).

ARTICLE 9.—In case of a fresh offence the person contravening the law shall be prosecuted before the court for misdemeanors, and punished by a fine of 50 to 500 francs, but the sum total of fines may not rise beyond 2,000 francs. There is a fresh offence when the person contravening has been subject, within the 12 months preceding the fact which is the matter for prosecution, to a first sentence for infraction of the present law or the administrative orders relative to its execution.

ARTICLE 10.—The inspectors must prepare every year circumstantial reports on the application of the present law throughout their districts. These reports should mention the accidents of which workers have been victims and their causes. They should contain proposals relative to new precautions likely to assure safety in the work. A summary report of these communications should be published every year under the care of the Minister of Commerce and Industry.

ARTICLE 11.—Every accident which has caused injury to one or more workers in the establishments mentioned in Article 1 and the last paragraph of Article 2 shall be the object of a declaration by the head of the undertaking or, in his default or in his absence, by the official in command.

This declaration shall contain the name and address of the witnesses of the accident; it shall be delivered within 48 hours to the mayor of the commune, who shall prepare a report in a form hereinafter to be determined by administrative order. To this declaration shall be appended, by the employer, a certificate indicating the condition of the injured person, the probable consequences of the accident, and the date at which it will be possible to know the definite result. Acknowledgment of the declaration and the medical certificate shall be sent forthwith to the deponent. Notice of the accident is given immediately by the mayor to the departmental inspector.

ARTICLE 12.—All those who shall have placed any obstacle in the way of accomplishment by the inspector of his duties shall be punished by a fine of 100 to 500 francs, and in case of a second offence of 500 to 1,000 francs. The provisions of the Penal Code which prevent and repress acts of resistance, outrages, or violence against officials of the law (*police judiciaire*) are applicable to those who are guilty of like offences against the inspectors.

ARTICLE 13.—Nothing is introduced in regard to surveillance of steam gear.

ARTICLE 14.—Article 463 of the Penal Code is applicable to sentences pronounced under the present law.

ARTICLE 15.—All provisions of laws and regulations contrary to the present law are abrogated.

The present law, deliberated and adopted by the Senate and Chamber of Deputies shall be executed as a law of the State.

Executed at Paris, June 12, 1893.

CARNOT.

By the President of the Republic; the Minister of Commerce and Industry and the Colonies.

TERRIER.

The Keeper of the Seals, Minister of Justice.

GUÉRIN.

(1) See Appendix XIX., p. 137.

(2) *Ib.*

APPENDIX X.

NUMBER, AVERAGE WAGES, and DURATION of LABOUR of the

Names of Groups and Basins.	Names of Departments.	Nature of the Substances extracted.	Average daily Output.	Hands employed in the Mine.										
				Number					Average Number of Hours present per Day in Mine.	Average Number of Hours of actual Labour per Day.	Average daily Wages			
				Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children from 12 to 16 Years.	Total.			Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children.

I.—MINERAL

1. COAL AND

NORD AND PAS-DE-CALAIS.			Tons.						Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Valenciennes	Nord, Pas-de-Calais.	Coal	46,623	24,059	4,451	10,148	4,349	43,007	9 25	8 8	5 30	4 41	3 62	1 86
Le Boulonnais	Pas-de-Calais	"	10	24	6	5	—	35	9 0	8 0	3 75	2 00	2 00	—
Total and average.			46,633	24,083	4,457	10,153	4,349	43,042	9 4	8 8	5 30	4 41	3 62	1 86
LOIRE.														
Saint-Etienne	Loire	Coal	11,198	3,197	2,474	4,175	64	9,910	10 45	7 55	5 68	4 87	3 85	2 00
Sainte-Foy-l'Argentière.	Rhône	"	150	58	24	65	—	145	11 0	10 0	4 75	4 55	3 35	—
Comunay	Isère	Anthracite	36	26	9	3	—	38	11 0	10 0	4 60	3 75	3 60	—
Total and average.			11,384	3,279	2,507	4,243	64	10,093	10 45	8 0	5 06	4 80	3 54	2 00
GARD.														
Alais	Gard, Ardèche	Coal	6,548	3,410	1,023	2,920	192	7,545	11 8	8 51	5 14	4 11	3 75	2 43
Aubenas	Ardèche	Anthracite	121	73	2	93	—	168	10 28	9 0	3 69	4 50	2 85	—
Le Vigan	Gard	Coal	13	—	—	39	—	39	10 30	9 0	—	—	3 59	—
Total and average.			6,680	3,483	1,025	3,052	192	7,752	11 7	8 53	5 11	4 12	3 75	2 43
BURGUNDY AND NIVERNAIS.														
Le Creusot and Blanzay.	Saône-et-Loire	Coal	4,446	2,490	696	572	206	4,033	9 23	8 13	4 70	4 45	3 44	1 98
Decize	Nièvre	"	527	341	109	226	80	756	9 0	8 0	4 16	3 70	3 10	2 40
Epinac	Saône-et-Loire	"	375	206	108	133	—	441	10 0	8 30	3 85	3 50	2 85	—
Aubigny-la-Ronce	Côte-d'Or	"	15	38	1	17	—	56	10 0	9 0	3 25	3 25	2 75	—
La Chapelle-sous-Dun.	Saône-et-Loire	"	167	56	41	59	—	158	9 0	8 0	3 80	3 50	2 50	—
Bert	Allier	"	163	119	11	70	—	260	10 0	9 0	4 57	4 10	3 00	—
Sincey	Côte d'Or	"	13	20	3	3	—	26	9 0	8 0	3 00	3 00	2 75	—
Total and average.			5,708	3,273	969	1,080	346	5,698	9 24	8 14	4 55	4 22	3 20	2 06
TARN AND AVEYRON.														
Aubin	Aveyron	Coal	2,665	1,600	647	571	—	2,818	9 31	8 26	4 05	4 04	3 53	—
Carmaux	Tarn	"	1,295	567	265	467	—	1,329	8 45	7 59	5 19	5 04	3 34	—
Rodez	Aveyron	"	46	44	2	20	—	66	10 0	9 0	3 76	2 57	2 14	—
Saint-Perdoux	Lot	"	4	9	—	3	—	12	12 0	10 0	3 17	—	2 25	—
Total and average.			4,010	2,220	914	1,001	—	4,225	9 17	8 18	4 36	4 33	3 44	—
BOURBONNAIS.														
Commentry	Allier	Coal	3,016	1,333	612	540	—	2,548	10 0	9 0	4 31	3 99	3 21	—
Saint-Eloy	Puy-de-Dôme	"	520	390	—	328	—	718	10 0	8 30	4 30	—	3 53	—
L'Aumance	Allier	"	118	59	18	43	—	115	9 24	8 24	3 41	3 52	3 91	—
Total and average.			3,654	1,837	625	917	—	3,379	10 0	8 52	4 28	3 96	3 23	—
AUVERGNE.														
Brassac	Haute-Loire, Puy-de-Dôme.	Coal and anthracite.	848	198	220	334	—	702	9 59	7 59	4 75	4 50	4 25	—
Champagnac	Cantal	Coal	220	60	68	107	—	236	9 30	7 30	5 00	4 25	4 25	—
Langenc	Haute-Loire	"	45	13	—	27	—	40	10 0	8 0	4 50	—	3 25	—
Total and average.			1,113	271	328	468	—	1,067	9 53	7 53	4 79	4 45	3 40	—
HÉRAULT.														
Graissessac	Hérault	Coal	1,018	437	168	489	28	1,123	10 3	8 49	4 97	4 90	3 62	3 10
SOUTHERN YONGES.														
Ronchamp	Haute-Saône	Coal	760	564	74	415	—	1,053	9 0	8 0	4 88	3 38	3 07	—

APPENDIX X.

various categories of WORKMEN employed in MINES. (*Statistique Minérale, 1889.*)

Hands employed outside the Mines.									Estimated addition to daily Wages arising from Allowances of Fuel, Rent, Pensions, Aid, &c.	Average daily Wages per Head.		Average daily Wages per Head without distinction, and including the estimated Addition.	Average Number of Working Days in 1889.	Average annual Wages per Head without distinction, and including the estimated Addition.
Number				Average Number of Hours present at the Mine per Day.	Average Number of Hours of actual Labour per Day.	Average daily Wages.				In the Mine.	Above ground.			
Of Men.	Of Women.	Of Children.	Total.			Of Men.	Of Women.	Of Children.						

COMBUSTIBLES.

ANTHRACITE.

				Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.		France.
6,508	674	1,969	9,151	10 51	9 50	3 39	1 64	1 47	0 45	4 47	2 83	4 63	299	1,384
5	—	—	5	12 0	10 0	2 00	—	—	0 07	2 51	2 00	2 53	263	665
6,513	674	1,969	9,156	10 51	9 50	3 39	1 64	1 47	0 45	4 46	2 83	4 63	299	1,384
4,238	287	391	4,956	10 5	8 10	3 30	2 00	1 55	0 25	4 69	3 09	4 40	297	1,307
44	—	10	54	11 0	11 0	2 50	—	1 50	0 05	4 09	2 32	3 66	263	963
26	—	—	26	11 0	10 0	2 30	—	—	—	4 34	2 88	3 76	258	970
4,368	287	401	5,056	10 5	8 12	3 30	2 00	1 55	0 25	4 67	3 09	4 39	297	1,304
2,851	536	385	3,782	10 20	10 2	3 33	1 46	1 35	0 24	4 39	2 86	4 12	297	1,294
80	2	—	82	11 0	10 0	2 45	1 50	—	0 14	3 32	2 43	3 17	298	945
21	—	—	21	12 0	9 30	2 61	—	—	0 03	3 56	2 62	3 22	292	958
2,952	538	396	3,885	10 21	10 2	3 30	1 46	1 35	0 24	4 26	2 85	4 10	297	1,218
1,903	454	461	2,818	10 47	10 32	3 74	1 73	1 49	0 56	4 30	3 05	4 34	304	1,319
306	130	26	464	11 0	9 0	3 16	1 84	2 01	0 35	3 59	2 72	3 61	326	1,177
153	30	20	203	12 0	10 30	2 75	1 50	1 25	0 10	3 46	2 42	3 23	284	917
19	—	—	19	12 0	11 0	2 75	—	—	0 20	3 09	2 74	3 20	286	915
93	—	—	93	12 0	11 0	2 71	—	—	0 10	3 29	2 70	3 19	299	954
92	5	28	125	11 0	10 0	2 65	1 60	1 30	0 25	3 99	2 29	3 62	278	1,007
8	—	—	8	11 0	10 0	3 00	—	—	0 32	3 42	3 00	2 68	164	604
2,576	619	535	3,730	11 41	10 35	3 52	1 74	1 49	0 48	4 09	2 94	4 11	304	1,249
970	499	37	1,506	10 10	9 30	3 15	1 40	1 33	0 26	3 95	2 53	3 71	290	1,076
661	—	115	776	10 2	10 0	3 31	—	1 99	0 20	4 47	3 11	4 17	233	972
26	18	—	44	12 0	10 51	2 50	1 50	—	0 04	4 50	2 11	3 47	262	903
5	—	—	5	12 0	10 0	2 50	—	—	—	3 00	2 50	2 76	114	315
1,902	517	152	2,531	10 10	9 42	3 20	1 40	1 33	0 23	4 11	2 71	3 85	271	1,043
718	106	294	1,023	11 0	10 0	3 24	1 45	1 51	0 17	4 00	2 70	3 60	284	1,079
218	33	5	256	12 0	10 30	2 65	1 46	1 47	0 13	3 85	2 50	3 62	312	1,129
63	—	2	65	11 30	10 17	2 90	—	1 50	0 10	3 24	2 85	3 20	243	778
904	139	211	1,244	11 18	10 8	3 09	1 45	1 51	0 16	4 00	2 67	3 74	287	1,074
282	22	36	340	11 34	9 50	2 78	1 67	1 50	0 07	4 12	2 57	3 73	311	1,160
72	23	9	104	12 0	11 0	3 25	1 50	1 25	0 23	3 99	2 68	3 82	300	1,146
26	—	—	26	12 0	10 30	3 43	—	—	0 03	3 65	3 43	3 60	250	900
380	45	45	470	11 41	10 8	2 91	1 60	1 45	0 10	4 08	2 65	3 74	307	1,148
530	138	35	703	11 58	9 31	3 28	1 53	1 30	0 25	4 30	2 85	4 00	296	1,184
209	32	71	312	12 0	10 0	2 90	1 90	1 47	0 18	4 06	2 47	3 83	285	1,163

APPENDIX X.—Number, Average Wages, and Duration of Labour of the

Names of Groups and Basins.	Names of Departments.	Nature of the Substances extracted.	Average daily Output.	Hands employed in the Mine.										
				Number					Average Number of Hours present per Day in Mine.	Average Number of Hours of actual Labour per Day.	Average daily Wages			
				Of Miners properly-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children from 12 to 16 Years.	Total.			Of Miners properly-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children.

I.—MINERAL COMBUSTIBLES.

			Tons.						Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.
CREUSE AND CORRÈZE.														
Ahun - - -	Creuse - -	Coal -	633	376	57	171	—	604	10 0	9 0	4 15	3 75	3 00	—
Bourgnanef -	Creuse - -	" -	87	25	2	11	2	40	10 0	0 0	3 10	3 00	2 50	1 50
Cublac, Meymac, and Argentat.	Corrèze - -	" -	18	22	3	11	—	36	10 0	9 0	3 58	3 07	2 59	—
	Total and average.	—	683	423	62	193	2	680	10 0	9 0	4 04	3 69	2 94	1 50
WESTERN ALPS.														
La Mure - - -	Isère - - -	Anthracite	441	624	123	16	—	763	9 0	7 36	4 00	3 40	3 08	—
Maurienne-Tarentaise and Briançon.	Hautes-Alpes, Savoie,	" -	149	299	8	67	—	374	8 30	7 57	1 92	3 25	1 93	—
Oisans - - -	Isère - - -	" -	5	32	6	—	—	38	10 0	8 19	2 20	2 42	—	—
Chablais and Faucigny	Haute-Savoie -	" -	2	2	—	1	—	3	10 0	10 0	3 00	—	2 50	—
	Total and average.	—	597	957	137	84	—	1,178	8 53	7 25	3 32	3 36	2 19	—
WEST.														
Le Maine - - -	Mayenne, Sarthe	Anthracite	233	199	10	85	30	324	10 5	8 19	3 40	2 87	2 27	1 34
Basse-Loire -	Loire-Inférieure, Maine-et-Loire,	Coal -	171	214	9	104	8	335	9 48	8 17	3 42	3 42	2 50	1 25
Vouvant and Chantonay.	Vendée, Deux-Sèvres.	" -	148	139	9	101	14	263	10 0	8 34	4 18	4 11	2 67	1 50
	Total and average.	—	552	552	28	200	52	922	9 57	8 23	3 64	3 45	2 51	1 37
LES MAURES.														
Les Maures -	Var - - - -	Coal and bituminous schist.	23	95	3	51	9	158	10 0	9 31	4 25	4 75	3 25	2 00

2. LIG.

PROVENCE.														
Fuveau - - -	Bouches-du-Rhône,	Lignite -	1,223	963	109	534	133	1,742	8 1	7 1	4 71	4 17	3 33	2 78
Manosque - - -	Basses-Alpes -	" -	100	84	4	10	2	100	9 53	9 12	3 08	3 50	3 05	2 00
	Total and average.	—	1,323	1,050	113	544	135	1,842	8 8	7 8	4 66	4 15	3 32	2 78
COMTAT.														
Bagnols, Orange, Banc-Rouge.	Gard, Vaucluse-	Lignite -	83	93	—	—	—	93	8 51	8 51	4 37	—	—	—
Barjac - - -	Gard - - -	" -	12	10	—	—	—	10	9 0	9 0	3 90	—	—	—
Méthamis - -	Vaucluse - -	" -	3	9	—	4	—	13	10 0	8 0	4 50	—	3 75	—
	Total and average.	—	98	112	—	4	—	116	8 59	8 46	4 34	—	3 75	—
SOUTHERN YOSGES.														
Gouhenans -	Haute-Saône -	Lignite -	31	32	—	28	5	65	9 0	8 0	2 90	—	2 15	1 90
Norroy - - -	Vosges - - -	" -	5	8	4	7	—	19	11 0	11 0	2 75	3 50	2 00	—
	Total and average.	—	36	40	4	35	5	84	9 27	8 40	2 87	3 50	2 12	1 90
SOUTH-WEST.														
Milau and Trévezel.	Aveyron, Gard -	Lignite -	16	33	2	2	—	37	9 53	9 6	3 66	3 50	2 50	—
Estavar - - -	Pyrénées-Orientales,	" -	7	5	—	3	—	8	10 0	10 0	3 15	—	2 55	—
La Caunette -	Hérault - - -	" -	4	9	—	—	2	11	10 0	9 0	3 50	—	—	1 25
Simeyrols and La Chapelle-Péchaud.	Dordogne - -	" -	2	6	—	—	—	6	10 0	10 0	2 67	—	—	—
	Total and average.	—	29	53	2	5	2	62	9 56	9 17	3 47	3 50	2 53	1 25
HAUT-RHÔNE.														
La Tour-du-Pin -	Isère - - -	Lignite -	5	22	11	—	—	33	11 0	10 0	1 95	1 95	—	—
Hauterives -	Drôme - - -	" -	4	3	—	2	—	5	9 0	8 0	3 00	—	2 75	—
Donvres - - -	Jura - - - -	" -	2	2	1	4	—	7	10 0	9 0	3 50	4 00	2 50	—
	Total and average	—	11	27	12	6	—	45	10 37	9 37	2 18	2 12	2 58	—
General total and average for combustible minerals.			84,312	42,756	11,423	23,120	5,184	82,468	9 45	8 13	5 04	4 41	3 58	1 91

various categories of Workmen employed in Mines—*continued.*

Hands employed outside the Mines.										Estimated addition to daily Wages arising from Allowances of Fuel, Rent, Pensions, Aid, &c.	Average daily Wages per Head.		Average daily Wages per Head without Distinction, and including the estimated Addition.	Average Number of Working Days in 1889.	Average annual Wages per Head without distinction, and including the estimated Addition.
Number				Average Number of Hours present at the Mine per Day.	Average Number of Hours of actual Labour per Day.	Average daily Wages.			In the Mine.		Above ground.				
Of Men.	Of Women.	Of Children.	Total.			Of men.	Of Women.	Of Children.							

I. COAL AND ANTHRACITE—*continued.*

				Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.		Frans.
358	153	64	580	13 0	11 0	2 30	1 60	1 40	0 10	3 05	2 32	3 17	321	1,017
8	—	2	10	12 0	11 0	2 52	—	1 50	—	2 83	2 30	2 72	286	778
11	—	—	11	12 0	11 0	2 56	—	—	—	3 22	2 56	3 06	195	597
377	168	66	601	12 0	11 0	2 79	1 60	1 40	0 09	3 70	2 32	3 14	315	989
200	33	21	314	10 0	9 0	3 05	2 63	2 00	0 13	3 87	2 04	3 73	250	933
19	—	—	19	10 0	10 0	2 50	—	—	0 15	1 95	2 47	3 01	101	203
—	—	—	—	—	—	—	—	—	—	2 16	—	2 16	85	104
—	—	—	—	—	—	—	—	—	—	3 00	—	3 00	25	75
279	53	21	353	10 0	9 5	3 00	3 68	2 00	0 13	3 20	2 92	3 27	204	667
137	—	6	143	12 6	10 36	2 47	—	0 98	0 09	2 96	2 41	2 88	284	818
158	—	6	164	11 20	9 47	2 67	—	1 00	0 16	3 09	2 61	3 07	270	829
120	—	12	132	11 21	9 21	2 41	—	1 42	0 26	3 46	2 32	3 34	264	682
415	—	24	439	11 36	9 56	2 63	—	1 20	0 17	3 15	2 46	3 09	273	844
22	6	3	30	10 0	10 0	3 50	1 50	1 25	—	3 81	2 97	3 68	252	927

NITE.

545	65	41	651	10 3	9 9	3 49	1 50	1 37	0 14	4 10	3 17	3 99	255	1,017
48	—	1	43	11 0	9 58	2 71	—	2 00	—	3 83	2 70	3 49	264	917
587	65	42	694	10 6	9 13	3 44	1 50	1 39	0 13	4 09	3 14	3 96	265	1,010
16	—	—	16	9 26	8 56	2 43	—	—	—	4 37	2 43	4 08	216	881
2	—	—	2	11 0	9 0	2 50	—	—	—	3 90	2 50	3 67	190	697
2	—	—	2	10 0	10 0	3 75	—	—	—	4 31	2 75	4 07	202	823
20	—	—	20	9 33	9 3	2 47	—	—	—	4 32	2 47	4 04	212	856
13	—	1	14	11 0	9 30	2 50	—	1 25	0 09	2 49	2 43	2 57	250	658
11	—	—	11	11 0	11 0	2 18	—	—	0 12	2 63	2 18	2 60	107	278
24	—	1	25	11 0	10 9	2 35	—	1 25	0 10	2 53	2 32	2 53	216	557
9	—	—	9	11 0	9 53	2 50	—	—	—	3 53	2 50	3 30	188	637
—	—	—	—	—	—	—	—	—	—	3 00	—	3 00	251	751
—	—	—	—	—	—	—	—	—	—	3 09	—	3 09	137	423
1	—	—	1	10 0	10 0	3 00	—	—	—	2 67	3 00	2 71	46	125
10	—	—	10	10 54	9 54	2 55	—	—	—	3 34	2 55	3 24	177	573
—	—	—	—	—	—	—	—	—	—	1 94	—	1 94	163	320
1	—	—	1	9 6	9 0	2 75	—	—	—	3 00	2 75	3 00	94	232
7	—	—	7	10 0	9 0	2 50	—	—	—	3 67	2 50	3 00	133	369
8	—	—	8	9 62	9 0	2 53	—	—	—	2 31	2 53	2 34	153	358
31,936	3,281	3,970	39,127	10 46	9 39	3 21	1 61	1 44	0 35	4 34	3 60	4 29	290	1,244

APPENDIX X.—Number, Average Wages, and Duration of Labour of the

Names of Departments.	Nature of the Substances extracted.	Average daily Output.	Hands employed in the Mine.											
			Number					Average Number of Hours present per Day in Mine.	Average Number of Hours of actual Labour per Day.	Average daily Wages.				
			Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children from 12 to 16 Years.	Total.			Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children.	
II.—IRON														
NORTH-EAST.			Tons.						Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Meurthe-et-Moselle	Iron	6,760	1,802	238	67	59	2,168	10 0	9 7	4 48	4 00	3 19	2 19	
Saône-et-Loire	"	390	190	22	24	8	193	10 0	9 0	4 15	3 80	3 50	2 25	
Jura	"	7	3	—	1	—	4	10 0	9 0	3 50	—	2 50	—	
	Total and average	7,157	1,944	260	92	67	2,363	10 0	9 7	4 41	3 99	3 26	2 19	
SOUTH-EAST.														
Isère	Iron	187	194	48	19	—	261	10 2	9 2	3 35	3 04	2 74	—	
Ardèche	"	298	95	8	88	—	191	10 0	9 0	4 01	3 50	2 91	—	
Gard	"	151	84	—	—	—	84	9 0	9 0	4 24	—	—	—	
Var	"	35	10	2	8	—	20	10 0	9 30	4 00	4 50	3 00	—	
Savoie	"	1	—	4	—	—	4	10 0	10 0	—	3 70	—	—	
	Total and average	642	393	62	116	—	560	9 52	9 2	3 73	3 18	2 89	—	
SOUTH-WEST.														
Pyrénées-Orientales	Iron	126	106	10	2	—	118	10 41	10 0	3 76	3 30	2 50	—	
Ariège	"	66	83	7	106	6	202	7 21	6 21	2 10	2 48	2 01	1 00	
Aveyron	"	45	19	—	—	—	19	10 0	9 0	3 80	—	—	—	
Tarn	"	3	10	—	6	—	16	10 0	9 0	3 40	—	2 50	—	
Aude	"	4	4	—	2	—	6	12 0	10 0	3 00	—	2 50	—	
	Total and average	244	222	17	116	6	361	8 46	7 52	3 09	2 90	2 05	1 00	
NORTH-WEST.														
Manche	Iron	100	45	—	41	—	86	10 0	9 30	5 00	—	3 70	—	
Calvados	"	154	54	6	10	—	70	10 0	9 0	4 21	4 35	3 10	—	
	Total and average	254	99	6	51	—	156	10 0	9 30	4 57	4 35	3 53	—	
	General total and average for iron ore.	8,297	2,648	345	374	73	3,440	9 51	8 55	4 25	3 77	2 82	2 10	

III.—METALLIC

CENTRE.													
Puy-de-Dôme	Silver galena	68	229	26	53	—	306	8 14	7 14	2 61	3 00	2 34	—
Rhône	Iron pyrites	600	152	38	83	—	273	9 30	8 30	4 75	4 65	4 25	—
Saône-et-Loire	Peroxide of manganese	40	44	7	10	—	61	10 0	9 0	4 25	3 71	3 50	—
Haute-Loire	Sulphuretted antimony	3	22	4	21	—	47	8 0	8 0	4 00	4 00	2 75	—
Creuse	Tin	—	—	—	12	—	12	11 0	10 0	—	—	2 50	—
Indre	Peroxide of manganese	2	—	—	—	—	—	—	—	—	—	—	—
	Total and average	713	447	75	179	—	701	8 55	7 59	3 66	3 26	3 35	—
SOUTH-EAST.													
Var	Silver galena and blend	105	142	5	85	—	232	9 30	8 30	4 39	5 00	3 25	—
Lozère	Sulphuretted antimony and silver galena	38	116	6	44	—	166	10 11	9 16	3 54	2 76	3 18	—
Corse	Sulphuretted antimony	8	161	5	75	27	268	9 50	9 8	3 76	4 25	3 00	1 50
Gard	Iron pyrites, calamine, blend, and sulphuretted antimony	58	94	12	54	—	160	9 32	9 0	4 05	4 92	3 00	—
Ardèche	Silver galena and blend	2	51	6	25	—	32	10 0	10 0	3 61	3 85	2 80	—
Drôme	Calamine	25	18	—	25	—	48	10 0	9 0	4 00	—	3 00	—
	Total and average	236	582	34	308	27	951	9 47	9 3	3 91	4 26	3 08	1 50

various categories of Workmen employed in Mines—*continued.*

Hands employed outside the Mines.									Estimated addition to daily Wages arising from Allowances of Fuel, Rent, Pensions, Aid, &c.	Average daily Wages per Head.		Average daily Wages per Head without distinction, and including the estimated Addition.	Average Number of Working Days in 1880.	Average annual Wages per Head without distinction, and including the estimated Addition.
Number.				Average Number of Hours present at the Mine per Day.	Average Number of Hours of actual Labour per Day.	Average daily Wages.				In the Mine.	Above Ground.			
Of Men.	Of Women.	Of Children.	Total.			Of Men.	Of Women.	Of Children.						

ORE.

				Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.		Francs.
468	—	22	490	10 44	10 3	3 60	—	1 64	0 07	4 28	3 68	4 20	274	1,150
20	—	—	28	10 0	10 0	3 00	—	—	0 30	3 95	3 00	4 14	283	1,089
1	—	—	1	10 0	9 0	2 50	—	—	—	3 25	2 50	3 10	112	347
495	—	22	517	10 44	10 3	3 57	—	1 64	0 09	4 26	3 49	4 20	273	1,146
73	10	20	103	12 0	10 0	3 40	1 60	1 50	0 24	3 18	3 15	3 17	290	948
35	—	1	36	10 0	10 0	3 55	—	1 25	0 13	3 48	2 50	3 46	270	934
35	—	—	35	10 54	9 34	3 17	—	—	0 20	4 24	3 17	4 02	256	1,029
4	4	—	8	10 0	10 0	3 25	1 50	—	—	3 65	2 28	3 29	308	997
1	—	—	1	10 0	10 0	4 00	—	—	2 00	3 70	4 00	4 00	267	1,028
148	14	21	183	11 18	9 55	3 72	1 37	1 40	0 18	3 50	2 44	3 53	280	989
98	—	1	99	11 32	10 0	3 04	—	1 00	—	3 70	3 02	3 30	295	876
9	2	1	12	7 50	8 25	3 28	1 25	1 00	0 44	2 04	2 00	2 46	173	425
6	—	—	6	10 0	9 0	3 20	—	—	0 40	3 63	3 20	4 01	303	1,235
5	2	—	7	10 0	9 0	2 40	1 20	—	0 02	3 08	2 14	2 33	83	235
—	—	—	—	—	—	—	—	—	—	2 33	—	2 33	334	945
118	4	2	124	11 0	9 33	3 26	1 23	1 00	0 22	3 71	2 53	2 97	234	695
45	—	—	45	12 0	11 0	3 49	—	—	—	4 38	3 49	4 08	205	836
3	—	—	3	10 0	10 0	4 0	—	—	0 13	4 06	4 00	4 18	282	1,191
43	—	—	43	11 52	11 0	3 52	—	—	0 05	4 24	3 52	4 12	234	964
809	13	45	872	10 56	10 0	3 31	1 50	1 53	0 12	4 00	3 18	3 95	268	1,050

ORES.

8	22	38	148	12 0	10 50	3 68	1 00	1 11	0 03	3 74	1 97	2 52	277	698
126	—	3	129	10 0	10 0	3 75	—	2 25	0 16	4 59	3 72	4 47	297	1,328
1	—	12	73	12 0	11 0	2 61	—	1 50	0 05	4 06	2 42	3 22	264	850
14	9	5	28	11 0	10 0	2 50	1 50	1 25	0 05	3 43	1 96	2 93	188	550
—	—	—	—	—	—	—	—	—	—	2 50	—	2 50	140	350
7	—	—	7	12 0	11 0	3 00	—	—	—	—	3 00	3 00	182	540
296	31	58	385	11 15	10 24	3 09	1 16	1 26	0 03	3 61	2 66	3 36	270	907
92	79	10	181	10 0	10 0	3 27	1 56	2 00	0 03	3 98	2 45	3 34	291	972
160	42	33	235	11 14	9 44	3 33	1 43	1 48	0 06	3 43	2 40	2 87	225	646
67	81	7	105	10 0	10 0	2 34	1 26	0 75	—	3 33	2 23	3 00	162	486
33	12	36	138	11 16	10 0	3 25	1 67	1 50	0 04	3 76	2 62	3 27	265	867
45	9	7	61	11 0	10 44	2 32	1 34	1 36	0 20	3 38	2 50	3 19	154	461
8	10	9	27	10 0	10 0	2 75	2 00	1 50	0 04	3 42	2 07	2 92	232	632
480	183	104	747	10 37	9 58	3 00	1 50	1 50	0 05	3 58	2 42	3 12	236	736

APPENDIX X.—Number, Average Wages, and Duration of Labour of the

Names of Departments.	Nature of the Substance extracted.	Average daily Output.	Hands employed in the Mine.										
			Number					Average Number of Hours present per Day in Mine.	Average Number of Hours of Actual Labour per Day.	Average daily Wages.			
			Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children from 12 to 16 Years.	Total.			Of Miners properly so-called.	Of other skilled Workmen.	Of unskilled Workmen.	Of Children.

III.—METALLIC

SOUTH-WEST.		Tons						Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Aveyron	Silver galena and blend	94	189	46	91	1	277	8 10	7 19	4 30	3 76	3 06	1 50
Tarn	" " "	60	65	22	42	—	129	9 0	8 0	3 50	2 75	2 40	—
Hautes-Pyrénées	Silver galena	65	90	7	23	—	180	18 0	10 0	4 25	5 00	3 00	—
Basses-Pyrénées	Blend and pyritic copper	22	98	5	31	7	138	8 0	8 0	4 45	5 00	3 00	1 00
Ariège	Silver galena, blend, and calamine.	9	54	4	30	11	99	11 54	10 19	5 28	4 75	3 27	2 00
Aude	Silver galena and bioxide of manganese.	24	46	7	20	3	76	11 30	10 0	3 20	3 48	2 60	1 67
Dordogne	Iron pyrites	13	14	2	—	—	16	12 0	10 0	3 50	3 50	—	—
Haute-Garonne	Galena and blend	—	2	1	3	—	6	12 0	11 0	6 00	5 00	3 15	—
Pyrénées-Orientales	Bioxide of manganese	—	4	1	4	—	9	10 0	10 0	3 00	2 75	2 50	—
Total and average		287	507	95	244	22	868	9 40	8 37	4 22	3 71	2 90	1 81
NORTH-WEST.													
Ille-et-Vilaine	Silver galena and blend	200	285	30	140	—	465	8 0	7 0	3 10	3 10	2 60	—
Morbihan	Tin	—	24	4	—	—	28	8 0	8 0	2 50	2 50	—	—
Côtes-du-Nord	Silver galena and blend	—	11	2	—	—	13	8 0	7 0	3 00	3 00	—	—
Total and average		200	320	36	140	—	406	8 0	7 4	3 05	3 03	2 80	—
General total and average for metallic ores other than iron.		1,436	1,856	240	871	49	3,016	9 15	8 21	3 79	3 76	3 04	1 68

IV.—VARIOUS

SOUTH-EAST.													
Ain	Asphaltic lime	38	21	—	17	—	38	11 44	10 27	3 48	—	3 00	—
Gard	" " "	15	24	—	12	—	36	10 45	10 20	3 07	—	2 75	—
Haute-Savoie	" " "	6	9	—	2	—	11	10 0	10 0	3 00	—	2 75	—
Total and average		59	54	—	31	—	85	11 6	10 20	3 49	—	2 90	—
CENTRE.													
Saône-et-Loire	Boghead and bituminous schists.	478	276	45	57	2	380	11 0	8 30	3 83	3 47	3 19	2 25
Allier	Bituminous schiste	156	99	18	32	—	144	8 41	7 38	3 39	3 07	2 97	—
Total and average		638	375	63	89	2	524	10 22	8 16	3 67	3 38	3 11	2 25
SOUTH-WEST.													
Vaucluse, Basses-Alpes.	Sulphur	14	23	—	6	1	30	9 46	9 16	4 07	—	3 50	2 00
Hautes-Alpes	Graphite	1	4	—	—	—	4	9 0	7 0	2 00	—	—	—
General total and average for various substances.		707	458	63	123	3	643	10 26	8 35	3 65	3 39	3 08	2 17

V.—ROCK SALT AND

NORTH-EAST.													
Meurthe-et-Moselle	Rock salt	386	83	—	38	—	121	8 23	7 53	4 66	—	3 39	—
Doubs, Jura, Haute-Saône.	Salt springs	164	—	—	—	—	—	—	—	—	—	—	—
Total and average		450	83	—	38	—	121	8 23	7 53	4 66	—	3 39	—
TH-WEST.													
Landes	Rock salt	45	13	—	3	—	16	10 30	9 0	3 10	—	3 25	—
Basses-Pyrénées	" " "	40	13	—	3	—	16	12 0	10 0	3 25	—	3 25	—
Total and average		85	26	—	6	—	32	11 15	9 30	3 19	—	3 25	—
General total and average for salts.		535	109	—	44	—	153	9 0	8 17	4 32	—	3 39	—

various categories of Workmen employed in Mines—*continued.*

Hands employed outside the Mines.										Estimated addition to daily Wages arising from Allowances of Fuel, Rent, Pensions, Aid, &c.	Average daily Wages per Head.		Average daily Wages per Head without distinction, and including the estimated Addition.	Average Number of Working Days in 1889.	Average annual Wages per Head without distinction, and including the estimated Addition.
Number				Average Number of Hours present at the Mine per Day.	Average Number of Hours of actual Labour per Day.	Average daily Wages.			In the Mine.		Above Ground.				
Of Men.	Of Women.	Of Children.	Total.			Of Men.	Of Women.	Of Children.							

ORES—*continued.*

				Hrs. m.	Hrs. m.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.	Fr. c.		Francs.
158	78	3	230	11 0	9 38	2 96	1 62	1 50	0 19	3 35	2 50	3 41	314	1,071
104	20	2	126	10 0	9 0	2 40	1 20	1 25	0 11	3 00	2 20	2 72	193	538
70	—	57	127	12 0	10 0	3 00	—	1 40	—	4 00	2 30	3 14	231	882
59	26	3	88	10 0	10 0	3 00	1 50	1 40	—	3 90	2 80	3 41	120	409
46	24	10	80	12 0	11 0	1 91	0 88	1 20	0 06	4 27	1 50	3 09	207	825
62	10	3	65	12 0	10 0	2 33	1 10	1 25	0 07	3 04	2 09	2 67	262	763
4	—	—	4	12 0	10 0	3 50	—	—	0 08	3 50	3 50	3 38	344	1,232
2	5	—	7	12 0	11 0	4 25	1 50	—	—	4 33	4 00	4 20	35	147
—	—	—	—	—	—	—	—	—	—	2 78	—	2 78	122	339
493	163	78	736	11 5	9 50	2 49	1 41	1 37	0 09	3 74	2 26	3 15	250	788
354	147	23	529	11 0	9 45	2 59	1 30	1 10	—	3 00	2 15	2 55	276	704
14	—	—	14	11 0	10 0	2 10	—	—	—	2 50	2 07	2 36	306	722
4	—	—	4	12 0	10 0	2 15	—	—	—	3 00	2 25	2 82	279	787
372	147	28	547	11 0	9 45	2 57	1 30	1 10	—	3 00	2 15	2 54	278	706
1,623	524	263	2,415	10 57	9 57	2 82	1 39	1 37	0 04	3 54	2 35	3 24	256	829

SUBSTANCES.

45	—	2	47	10 0	10 0	3 00	—	2 00	—	3 26	2 96	3 09	286	684
28	—	—	28	11 2	10 58	2 50	—	—	—	3 36	2 50	2 98	183	545
1	—	—	1	10 0	10 0	2 75	—	—	—	3 00	2 75	3 00	189	567
74	—	2	76	10 23	10 21	2 81	—	2 00	—	3 27	2 79	3 04	232	705
73	—	7	80	12 0	11 0	2 89	—	1 75	0 17	3 07	2 79	3 06	230	1,025
25	—	—	25	10 53	9 48	2 64	—	—	0 06	3 21	2 61	3 18	234	744
98	—	7	105	11 44	10 43	2 83	—	1 75	0 14	3 54	2 75	3 54	267	945
8	—	—	8	9 0	9 0	3 44	—	—	—	3 90	3 44	3 79	200	753
1	—	—	1	8 0	8 0	1 50	—	—	—	2 00	1 50	1 90	70	133
181	—	9	190	11 5	10 31	2 84	—	1 81	0 11	3 51	2 79	3 45	255	880

SALT SPRINGS.

36	—	1	37	11 19	10 26	3 50	—	1 50	0 08	4 26	3 40	4 18	297	1,241
8	—	—	8	10 7	9 52	4 00	—	—	0 01	—	4 00	4 01	313	1,252
44	—	1	45	11 6	10 20	3 51	—	1 50	0 06	4 26	3 56	4 15	297	1,233
0	—	—	6	10 30	9 0	2 50	—	—	—	3 13	2 50	2 93	282	632
5	—	—	5	12 0	10 0	2 50	—	—	—	3 31	2 50	3 14	279	876
11	—	—	11	11 11	9 30	2 50	—	—	—	3 22	3 50	3 05	290	854
55	—	1	56	11 7	10 10	3 38	—	1 50	0 06	4 04	3 35	3 92	295	1,156

APPENDIX XI.

LAW of July 8th, 1890, providing for DELEGATES for the SAFETY of WORKING MINERS.⁽¹⁾

The Senate and the Chamber of Deputies have adopted, the President of the Republic promulgates the following law :

ARTICLE 1.—Delegates for the safety of miners are appointed subject to the regulations of the present law, to visit the underground workings of mines, *minières* or quarries, for the exclusive purpose of examining the safeguards for the persons of the workers therein employed, and further, in case of accident, of examining the circumstances under which the accident shall have occurred. A delegate and an assistant delegate exercise their functions within a subterranean district, the limits of which are prescribed by an order of the prefect, given under the authority of the Minister of Public Works in accordance with the report of the inspecting engineers of mines, the director having been informed (*l'exploitant entendu*).

Each group of shafts, galleries, and yards under one management, for the detailed inspection of which not more than six days are required, constitutes only one district. Other works are sub-divided into two, three, or more districts, according as the inspection requires respectively 12, 18, or more days. The same order declares the boundaries of the various districts into which the whole group of neighbouring shafts, galleries, and yards under one management, and within the bounds of the same commune or of several adjacent communes is, if necessary, divided.

At any time the prefect may, in consequence of changes arising in the works, modify the number and the limits of the districts on the report of the engineers of mines, and the director having been informed. To the prefect's order a plan is annexed giving the boundaries of each district and showing the limits of the communes under whose territory they extend. On the demand of the prefect and in accordance with his directions this plan is supplied by the director in three copies. The prefect's order is notified within the week to the director, to whom one of the plans annexed to the said order is sent at the same time. A duplicate of the prefect's order, with one of the plans annexed, is deposited at the town hall (*mairie*) of the commune specially named in the order as being among those under which the districts extend which the plan marks out. The duplicate is kept there, without being removed, for the use of all interested.

An order from the prefect, given upon the report of the engineers of mines, can dispense with the services of delegates in the case of every concession of mines, or every group of concessions of mines or all underground workings of *minières* or quarries dependent on the same director, which employ less than 25 workmen working underground.

ARTICLE 2.—The delegate must visit all the shafts, galleries and yards in his district twice a month. He must also see to all the apparatus used for traffic and the conveyance of workmen, and visit without delay those places where an accident, resulting in death or serious injuries to one or more workers, or any changes which may affect the safety of the workmen, have occurred. Notice of the accident must be given immediately to the delegate by the director.

The delegate in his visits must conform to all the measures prescribed by the regulations, with a view to secure order and safety in the works.

The assistant delegate only takes the place of the delegate in the event of any obstacle alleged by him, and after notice of it has been given by the delegate both to the director and to the assistant.

ARTICLE 3.—The observations made by the delegate on each of his visits ought to be recorded by him on the same day or at latest the next day in a register specially supplied by the director, and always kept at the works for the use of workmen. The delegate writes down on the register the hour at which he has begun and ended his visit as well as the account of his survey.

The director may put down on the same register his opinions and his remarks upon those of the delegate. Copies of both are immediately sent by the respective authors to the prefect, who communicates them to the

engineers of mines. After their circuits (*tournées*) the engineers of mines and comptrollers of mines must sign the register of each district. They can always be accompanied on their visits by the delegate of the district.

ARTICLE 4.—The delegate and assistant delegate are chosen by ballot (*scrutin de liste*) under the forms provided in the following Articles.

ARTICLE 5.—The workmen who work underground are electors in a district on the condition :—

1. That they are French, and enjoy political rights.
2. That their names are inscribed on the note of the last wage paid in the district before the order for convening electors.

ARTICLE 6.—The following are eligible delegates in any district on condition of knowing how to read and write, and never having undergone sentence for an infringement of the provisions of the present law or of the law of April 21st, 1810, or of the decree of the 3rd January 1813, or of Articles 414 and 415 of the Penal Code :—

- (1.) The electors above designated (Article 5) who have completed their 25th year and have worked underground for at least five years in the district or in one of the neighbouring districts dependent on the same director which are settled by the same prefect's order in accordance with paragraph 3 of the above 1st Article ;
- (2.) Former workmen living in the communes under which the whole district with the district in question extends, in the same order (*même arrêté*) fixing the boundaries in accordance with the said paragraph 3 of the 1st Article, on condition that they have completed their 25th year, that they are French and enjoy political rights, and that they have worked underground for at least five years in the districts comprised in the aforesaid order, and that not more than 10 years have elapsed since they were employed as underground workmen, delegate or assistant delegate.
- (3.) Former workmen will only be eligible if they have already been delegates, not only for a district of the director's mine, but also for a district of another mine situated in or beyond their commune.

For the first five years which follow upon the opening of works in a new district, those electors shall be chosen who have had five years' work underground in a mine, *minière*, or quarry of the same nature.

ARTICLE 7.—During the eight days which follow the publication of the prefect's order, calling together the electors, three copies of the electoral list of the district, drawn up by the director, are delivered by him to the mayor of each of the parishes over which the district extends. The mayor has this list immediately posted on the door or the town hall (*mairie*) and makes an official note of the posting up of the list (*dresse proces-verbal de cet affichage*). He sends the two other copies to the prefect and to the justice of the peace with a copy of the official note of the publication. Within eight days also, the director must have posted up the said list in the ordinary places for notices to workmen.

If the director does not send to the mayors and does not have the electoral list posted up, in the said time and under the conditions provided above, the prefect must prepare and post up this list at the expense of the director, without removing the penalties which shall be pronounced against the latter for contravention of the present law. In case of complaint from those interested, application must be made, five days at the most after that on which the posting up has been carried out by the least expeditious mayor (*par le maire le moins diligent*), to the justice of the peace, who gives decree on plea of urgency and without appeal (*statue d'urgence et en dernier ressort*). If a district extends over two or more cantons, the competent justice of the peace is he whose canton includes the town hall of the commune designated as the voting place by the prefect's order at the convocation of electors.

ARTICLE 8.—The electors of a district are convened by an order from the prefect.

(1) No. 157, Chambre des Députés, Session, 1890.

The order must be published and posted up in the communes over which the district extends 15 days at least before the election, which must always take place on Sunday.

The order decides the date of the election, as well as the hours in which the ballot will be opened and shut.

The voting takes place in the town hall of the commune fixed upon by the order of summons from among those communes over which the district extends.

ARTICLE 9.—The electoral committee is presided over by the mayor, who chooses as his assistants the oldest and the youngest of the electors present at the time of the opening of the ballot, and failing the electors present or consenting to sit, two members of the Municipal Council. Each vote bears the names showing the qualification for the delegate or for the assistant delegate in each candidate.

No one is elected on the first round of the ballot if he has not obtained the complete majority of votes given, and a number of votes equal to at least a quarter of the number of the electors enrolled.

At the second round of the ballot the majority is sufficient, whatever number of votes there may be. In case of an equal number of votes the eldest of the candidates is elected. If a second ballot is necessary it must take place on the following Sunday, under the same conditions with regard to formalities and duration.

The voting is effected under cover of a fixed form left at the prefecture under pain of becoming void.

ARTICLE 10.—Those who have influenced the vote by blows, violence, threats, bribes, or promises, whether by causing an elector to fear loss of his appointment, or deprivation of his work, or by exposing his person, his family or his fortune to injury, shall be punished with an imprisonment of one month to one year and a fine of 100 to 2,000 francs.

Article 463 of the the Penal Code may be applied.

ARTICLE 11.—Every election may be annulled in which the candidates elected shall have influenced the voting by promising to interfere in questions or claims foreign to the delegate's functions, such as are defined in section 1 of the 1st Article.

ARTICLE 12.—After the counting of the votes the president proclaims the result. He draws up and delivers to the prefect the official report of the proceedings. Petitions must be recorded in the official report or be directed, under penalty of becoming void, within three days from the day of election, to the prefect, who acknowledges receipt of the same.

The directors, as well as the electors, can within the same time, direct their petitions to the prefect. In case of petition, or if the prefect considers that the conditions prescribed by law are not carried out, a brief is sent at latest on the fifteenth day after the election to the Council of Prefecture, who must decide within the following eight days.

In case of annulment the election must take place within a month.

ARTICLE 13.—The delegates and assistant delegates are elected for three years; but they must continue their duties until they are replaced. At the end of three years new elections take place within one month.

In the month which follows a vacancy arrangements are made for supplying the place of the delegate or assistant delegate who has died, or resigned, or been dismissed, or who has failed in qualifications necessary for the post.

The newly-elected delegate is nominated for the period still to run up to the time which was assigned for the functions of the official whom he replaces.

Fresh elections will have to take place for the districts which are created or changed by applica-

tion of paragraph 4 of the 1st Article of the present law.

ARTICLE 14.—Article 7, paragraph 3, of the decree of the 3rd January 1813, is altered thus:—

In case of disputes, three experts will be ordered to carry out the necessary examinations. The first shall be nominated by the prefect, the second by the director, and the third shall *ex-officio* be the delegate of the district, or will be appointed by the justice of the peace, if a district does not exist.

If the examination concerns several districts the delegates of these districts shall nominate the third official from amongst themselves.

ARTICLE 15.—Each delegate or assistant delegate can be suspended for serious negligence or abuse in the exercise of his duties, or in consequence of convictions pronounced by virtue of Articles 414 and 415 of the Penal Code, but only for three months at the most by a resolution of the prefect, taken after inquiry, with advice given by the engineers of mines, and the delegate having been informed (*le délégué entendu*). The order for suspension is submitted within a fortnight by the prefect to the Minister of Public Works, who can increase or reduce the period of suspension, and if necessary, pronounce the revocation of the delegate.

The delegates and assistant delegates who have been revoked cannot be re-elected for a period of three years.

ARTICLE 16.—The delegate is paid by the Treasury for the visits ordered by the present law, as days of work.

In the month of December of each year the prefect, upon the advice of the engineers of mines, and by the authority of the Minister of Public Works, fixes for the following year and for each district, the maximum number of days to be taken by the delegate for his visits and the price by day. Likewise he fixes the minimum of the monthly indemnity for the districts containing at most 120 workmen. In other cases the indemnity to be granted to the delegates for the monthly regulation visits shall not be less than the price of 10 days' work a month. The supplementary visits made by a delegate, either to accompany the engineers or comptrollers of mines, or to inquire into accidents, shall be paid to him as an extra and at the same rate.

The delegate draws up, monthly, an account of the days employed on visits both by himself and by his assistant. This account is verified by the engineers of mines and checked (*arrêté*) by the prefect.

The amount due to each delegate is paid him by the Treasury upon an order delivered monthly by the prefect.

The sums advanced by the Treasury are recovered from the directors, as in the case of direct contributions.

ARTICLE 17.—Those persons will be prosecuted and punished in accordance with the law of the 21st April 1810, who put any obstacle in the way of visits and statements of the delegates, or who transgress the provisions of the present law.

ARTICLE 18.—The workings of open mines, *minieres* and quarries, shall, by reason of the dangers which they present, be put on the same footing as underground workings as regards the application of the present law, by order of the prefect given upon the report of the engineers of mines.

Workmen in these undertakings shall be treated as underground workers in the matter of elections and eligibility.

Given at Paris, July 8, 1890,

CARNOT.

By the President of the Republic:
The Minister of Public Works,

YVES GUIZOT.

APPENDIX XII.

SUMMARY of TEXT of BILL regulating WORKMEN'S ASSOCIATIONS.(1)

PART I.

GENERAL PROVISIONS.

ARTICLE 1.—Co-operation is an association of persons sharing in a common work, in order to obtain, under the best conditions, the necessities of life, to realise

economy, or to obtain, the best possible profit from their resources of labour.

ARTICLE 2.—Co-operative societies are either private or commercial, according to their method of working. They can only be constituted as societies, with variable capital.

ARTICLE 3.—They cannot be composed of less than seven persons.

(1) No. 29 Sénat. Session 1892.

ARTICLE 4.—They can be formed by private deed, properly dated, and made out in duplicate. A notary deed is optional.

ARTICLE 5.—Every co-operative society must be registered, as well as its statutes and deeds.

ARTICLE 6.—The initial capital will be determined by the statutes of the society; it can be increased by the addition of new members or by increased payments of the associates. The shares cannot be under 20 francs nor over 100 francs. The part that each member can have in the society can not exceed 5,000 francs.

ARTICLE 7.—No co-operative society can be definitely established before the registration of the deed and the payment of the tenth part at least of each share. A declaration signed by the founders of the association to this effect must be filed at the first general assembly of the shareholders.

ARTICLE 8.—The first general assembly must be composed of at least half of the members, and half of the capital must be represented.

ARTICLE 9.—In the first meeting the administrators are chosen; they may be paid or unpaid, but they must belong to the society and can be revoked. A director is elected from among the administrators, who must be a Frenchman, and in full possession of all his civil and political rights. The inventory will take place at least once a year at a date fixed in the statutes.

ARTICLE 10.—The administrators and the director are only responsible for the proper execution of the trust confided to them; they contract no personal obligation during a period of their administration.

ARTICLE 11.—The capital may be diminished by reason of the withdrawal, exclusion, or decease of one or several members or for any other cause. When the capital shall have decreased by one-half, the society will be dissolved, unless a majority in the general assembly convoked by the chairman decides otherwise.

ARTICLE 12.—In all deeds, papers, and publications, printed or otherwise, the name of the society shall be followed by the words: *Co-operative society with variable capital.*

ARTICLE 13.—Each year a general assembly must be held, in which the books are produced and the balance-sheet read and submitted to the approval of the meeting.

ARTICLE 14.—If a general meeting finds itself outside the conditions determined in the statutes, a second will be convoked 15 days later; and in this assembly any deliberation will be legal, irrespective of the number of members present.

ARTICLE 15.—When a general assembly has to deliberate on a proposed modification of the statutes or on the dissolution of the society, each member must be notified a fortnight in advance, both of the day and the hour of the meeting and of the nature of the convocation. One-half of the members at least must be present, and one-half of the capital represented; however, where the society counts more than 4,000 members, one-fifth of the capital and one-fifth of the members will constitute a legal assembly.

ARTICLE 16.—Each member has only one vote, and cannot represent more than one absent member. A roll will be called at the commencement of each meeting.

ARTICLE 17.—The necessary deeds for the constitution or dissolution of a co-operative society are exempt from stamp duties and registration tax. Shares bear stamp duty under Article 18 of the law of April 23, 1871.

ARTICLE 18.—The allowance for stamp duty on shares shall not decrease with decrease of share capital, but in case of new issues stamp duties shall remain the same.

ARTICLE 19.—Co-operative societies are not dissolved by the death, withdrawal or bankruptcy of one of several members; they may be continued among the other associates.

ARTICLE 20.—Any member can withdraw under the conditions prescribed by the statutes.

ARTICLE 21.—In every co-operative society the general assembly convoked for the purpose has the right to decide by a majority of three-fourths of the voters present on the exclusion of one or more of its members. The share of the excluded member is returned to him after deduction is made of that portion which is destined to the reserve fund.

ARTICLE 22.—Every year the tenth part of the net profits of the society, and before declaring a dividend, is to be contributed to the reserve fund; yet where this fund exceeds the fifth part of the social capital, this injunction ceases to be obligatory.

ARTICLE 23.—Co-operative societies are not allowed to profit by the disposition of the present law, except on the condition that no more than 5 per cent. be asked on the capital as remuneration.

ARTICLE 24.—Co-operative societies can be represented before the courts by the director or a delegate of the council, unless the statutes may have disposed otherwise.

ARTICLE 25.—Co-operative societies with a variable capital may profit by the present law on the condition that they fulfil all the requirements of Part I. as well as of the part specially applying to them.

ARTICLE 26.—Co-operative societies that have been legally constituted can form among themselves "unions" for the study of their interests and the purchase and sale of different articles for the good of the society; these unions must declare, at the town hall, the names and addresses of the members, their statutes and the office of the union.

PART II.

RELATIVE TO SUPPLY ASSOCIATIONS OR STORES.

ARTICLE 27.—The deposits prescribed in Article 5 must be effected by co-operative supply societies at the office of the clerk of the court. In order to constitute the society the following papers must be put in: A copy of the Act of the society, a declaration similar to that contained in Article 7, and a declaration signed by the administrators of the general assembly to the effect that the prescriptions of the same Article have been obeyed.

ARTICLE 28.—Supply associations can admit adherents to the distribution of the objects purchased on the payment of an entry fee fixed by the statutes. The adherent can take no part in the administration or direction of the society, nor can he vote in the assemblies. The entry fee is put down to his account, to which is added annually his part in the bonus. As soon as the amount of his account reaches that of a share, he will take his place among the members of the society.

ARTICLE 29.—Supply associations which sell exclusively to their members and adherents and divide the bonus between all the clients according to the amount expended by each maintain their character of civil societies and pay no tax on the revenue, nor do they require any liquor licenses, but they must provide themselves with a wholesale and retail license.

PART III.

LOAN SOCIETIES.

ARTICLE 30.—Co-operative loan societies must fulfil the conditions prescribed in Article 5.

ARTICLE 31.—These societies can only be composed of members.

ARTICLE 32.—The loan societies which alone are admitted to benefit by the present law are those which effect discounting, advances, or deposits with their associates.

ARTICLE 33.—Loan societies are allowed to make advances of money to their members, and only to them, for a period not less than one year, and at a rate not exceeding 3 per cent.

PART IV.

BUILDING SOCIETIES.

ARTICLE 34.—Co-operative societies for the construction of workmen's houses have for their aim the rendering of their members proprietors of the habitation, either by lending on mortgage a sum of money to effect or complete the purchase, or by building the dwelling and selling it by annuities.

ARTICLE 35.—They are subjected to all the formalities of the supply and loan societies.

ARTICLE 36.—The loans or sale price cannot exceed 5,000 francs.

ARTICLE 37.—They can admit adherents in consideration of a monthly payment to be fixed by the statutes. These adherents can become members of the society when their payments reach to a tenth part of a share.

ARTICLE 38.—The reserve fund of each savings bank can be employed in loans made to co-operative societies up to one-tenth of the total. Each request on the part of these societies must be submitted to the approval of the Government.

ARTICLE 39.—The national insurance bank is authorised to treat with co-operative societies and effect insurances, having for its object to guarantee to them, in case of the premature death of one of its members, the entire payment of the sums remaining due at his death. These loans can, by exception, attain the sum of 5,000 francs.

PART V.

CO-OPERATIVE PRODUCTIVE SOCIETIES.

ARTICLE 40.—Co-operative productive societies have all the character of commercial societies. They maintain, however, their private character if they do business exclusively with their own members.

ARTICLE 41.—When a member brings to the society a share not in money, commissioners will be appointed by the general assembly to determine the value of the share.

ARTICLE 42.—Co-operative productive societies will have to conform to the rules laid down in Article 5.

ARTICLE 43.—Co-operative productive societies are bound to conform in all their transactions to the prescriptions of the commercial code.

ARTICLE 44.—In the societies the capital can not be increased until the half at least of the shares previously subscribed be paid up.

ARTICLE 45.—Co-operative productive societies are exempt from the income tax as long as the nominal capital of the society, divided by the number of associates, does not exceed 2,000 francs for each member.

PART VI.

TRANSFER OF SHARES.

ARTICLE 46.—The shares of a co-operative society having a commercial character are not negotiable until

after the definite constitution of the society and its registration. The negotiation must be exclusively by means of transfer on the registers of the society.

The statutes may authorise the council of administration or general assembly to oppose the transfer.

ARTICLE 47.—In the transfers of credit effected by co-operative societies, the assignee shall enter into possession by the act of accepting the endorsed transfer of the debtor under whatever form. Article 1,690 of the Civil Code applies to those who cannot write.

ARTICLE 48.—After receipt of his signature the debtor shall be held liable for declaration of the fact, if he has given any other signature for transfer or notification of the amount.

ARTICLE 49.—Registration duties are fixed at 50 centimes for 100 francs for transfer of debts; 3 francs on the principal for deeds of acceptance; and one franc for witnessing of signatures.

PART VII.

PROFIT-SHARING.

ARTICLE 50.—Any merchant, manufacturer, or farmer and any commercial, manufacturing or agricultural, society, can admit its workmen or employés to a share in the profits in the enterprise without incurring responsibility in case of loss.

ARTICLE 51.—In accepting the share in profits, the interested parties can expressly renounce all control or verification. In case there be no specified renouncement, the control and verification can be regulated by agreement. In the case where there is no agreement, an accountant agreeable to both parties can be named by a civil magistrate.

ARTICLE 52.—In the case where, according to the statutes, the whole or a part of the profits annually distributed is kept in the business, and gives the right to a new share in the profits, the participants will possess no other rights as regards the control of the books than that defined in the last paragraph of the previous Article.

ARTICLE 53.—The profits distributed to the workmen in any industrial, commercial, or agricultural undertaking are exempt from all tax.

ARTICLE 54.—All the previous laws, in so far as they are contrary to the present law, are abolished. Co-operative societies already established can profit by the present law by conforming to its prescriptions.

APPENDIX XIII.

DRAFT BILL DRAWN UP BY THE COMMISSION ON LABOUR FOR THE CREATION OF A NATIONAL PROVIDENT FUND FOR INDUSTRIAL WORKERS.⁽¹⁾

ARTICLE 1.—A national provident fund for French industrial workers of both sexes is hereby created, which shall be maintained by contributions of investors, of employers or masters, and by subsidies from the State.

ARTICLE 2.—The national provident fund for workers aims at forming pensions for labourers and, in general, at permitting them to make all the life assurances or settlements of capital which shall be provided and determined in the regulations for the fund. It is directed by the general director of the fund for deposits and consignments, assisted by a Higher Central Council.

ARTICLE 3.—It includes branches or local funds administered by a local council, and deputed specially to receive sums collected in the district, and turn them to best account either by investment in French Government Stock and guaranteed State securities or by loans to departments and communes, by investments in industrial, agricultural and commercial enterprises, public works, landed property, &c. An administrative order shall determine the number, position and scope of the local funds, as, likewise, the relations of the local councils to the Higher Central Council and to the

cantonal committee, which will be further treated of in Articles 19 and 20 of the present law.

ARTICLE 4.—The Higher Central Council, meeting in Paris, shall determine the general conditions of investments, which shall not be made without being so authorised:

It shall further be held responsible for the control of the management of the national fund and the branch funds, shall determine the various conditions of assurance both in life annuities and in stock, and shall fix the rate of interest adopted for the tariffs.

ARTICLE 5.—The Higher Central Council is presided over by the Minister of Commerce, and consists of:—

- Two senators nominated by the Senate;
- Two deputies nominated by the Chamber of Deputies;
- Two members of the Accountant-General's office, and two members of the Council of State nominated by the Minister of Commerce;
- The general director of the Fund for Deposits and Consignments;
- The general director of Funds for the Minister of Finance;
- The general director of assessed taxes (*Directeur Général des Contributions directes*);

(1) No. 2,076. Chambre des Députés, 1893.

Two inspectors of finance;

Two presidents of the local funds, and ten members chosen from among the Fellows of the Institute of French Actuaries, or persons well informed on the subject of provident institutions, and nominated by the Minister of Commerce.

The members of the Council, with the exception of those who are members by right of office, are appointed for four years.

ARTICLE 6.—The Local Councils consist of:—

An inspector of finances nominated by the Minister of Commerce;

The treasurer general and the director of assessed taxes of the department at the head quarters of the local fund.

And for each of the departments included in the district:—

Two general councillors appointed by the General Council;

Six members chosen from among the employers or masters who form part of the cantonal committees and nominated by them;

Six members, chosen from among the beneficiaries of the National Fund, who form part of the cantonal committee, and nominated by them. The nominated or eligible members of these councils are elected for four years; they elect their own president.

ARTICLE 7.—The following are admitted as beneficiaries of the National Provident Fund for Workers:—

1. All paid workers of French nationality not attached to a public or private administration which already possesses a pension fund regulated or recognised by the State;
2. Artisans, piece-workers, masters, contractors, or traders, on the condition always that they do not permanently employ more than two workers outside the family;
3. Members of productive co-operative societies;
4. Farmers and *métayers* on condition that they do not employ permanently more than two workers outside the family, and small proprietors working their business themselves with the aid of their families.

ARTICLE 8.—Registration in the National Provident Fund for Workers is not obligatory. The investors (*adherents*) classed under one of the preceding categories are bound to make their declaration of agreement (*declaration d'adhésion*) on proving their qualifications, before the mayor of the locality in which they are resident. They will thereupon receive a certificate of nomination for the provident fund.

ARTICLE 9.—There shall be kept in each town hall (*mairie*) a public register containing the names of all the investors resident in the commune. When any one of them removes, he shall give notice thereof to the mayor, who shall examine his certificate, and he shall have his name registered again in the town hall of his new place of residence.

ARTICLE 10.—The investors in the National Fund must be of the age of 12 years at least; but, up to the age of 16 years, the consent of the father, mother or guardian is necessary. Married women may sign a certificate of enrolment (*acte d'adhésion*) without the consent of their husbands. The payment of the certified annuity cannot fall due within fifty years, except in case of disablement or under conditions within the discretion of the Higher Central Council. The date of the payment of the certified annuity can be fixed in advance, at the pleasure of the beneficiary, or entrance into enjoyment of the pension may be deferred to a later date.

ARTICLE 11.—Payments are made by the investors either directly by means of pension stamps or by money placed in the hands of the collector, or indirectly in the same way by the masters, or by the representative of benefit societies and savings banks. The collector settles each year the account of each certificate entered by him in a special register, inscribing officially the amount of the masters' contributions and the subsidies owed by the State (regulated by Articles 14, 15, 16, 17 below), and he sends a certified copy of this register to the local fund.

ARTICLE 12.—Payments made by the investors are applicable for any form of life assurance (life annuities *constitution de capitaux*). At the same time, assurances payable at death can only be contracted on coming of age.

ARTICLE 13.—Payments from investors cease to be received after they have sufficed to constitute a life annuity of 600 francs at the age of 50 years whatever may be the form of assurance adopted. Every investor may cease to make payments at will without incurring risk of forfeiture. Every annual payment gives an official right (to an amount of the maximum value of 30 francs) to a State subsidy for any investor, and to a contribution from the master for wage-earning investors. These sums being once registered in a certificate become definitely the property of the beneficiary, whether they consist of payments made by the beneficiary, of contributions from the masters, or of State subsidies. Life annuities and capital guaranteed by the sums entered in the certificate cannot be transferred and are not liable to seizure.

ARTICLE 14.—The State subsidy is equal to the amount of the annual payments of the investors, and can only be used for the purchase of a life annuity, by transferred capital (*à capital aliéné*) in consequence of this, it cannot exceed 30 francs per annum for each individual, and ceases by law when its total amount reaches the value of 1,000 francs. Notwithstanding, if the investor has employed the whole or part of his payments giving a right to a State subsidy in the purchase of a life assurance, a supplementary subsidy shall be granted to him by the State equal to the third part of this payment and applicable for the same purpose.

ARTICLE 15.—A masters' contribution must be paid to the National Provident Fund for workers by every employer or master who has employed in any form the labour of paid outside workers.

For each of these masters' contributions there is entered in the certificate of the respective beneficiary a sum equal in amount to his annual payments, but which shall not exceed 30 francs per annum.

The masters' contribution is paid every year by the Higher Central Council, in such a way as to insure the normal working of the National Provident Fund. For employers or masters engaged in agriculture, it must not be less than 2 francs or more than 6 francs for 300 days' labour employed. For all other employers or masters it must not be less than 3 francs, or more than 9 francs for 300 days' labour. In case of insufficiency, the amount of the contribution shall be determined by a special law. The masters' contribution, as in the case of the State, can only be used in the purchase of a life annuity by transferred capital.

ARTICLE 16.—Declaration of the numbers of days' labour employed is made each year by the employer or master at the town hall of the commune in which the labour has been employed, the number of days, for one worker, not to be reckoned as more than 300 in one and the same year. These declarations are controlled by a committee of three members, appointed by the Municipal Council. They are entered in a register, a duplicate copy of which is sent to the tax-collector of the commune. Every false declaration is punished by a fine of 16 to 200 francs. In case of repetition of the offence the fine shall be doubled.

ARTICLE 17.—The tax collector recovers the rates due from the employer or masters in the same form and under the same conditions as assessed taxes. He transmits the amount to the local fund through the representative of the treasurer general of the department.

Employers or masters who satisfy the regulations of the following Article are not liable for the aforesaid tax.

ARTICLE 18.—From the masters' rates defined in Articles 15, 16 and 17, are exempt all employers or masters who shall have established in favour of their employés and workers individual pensions which are provided by annual payments, at least equal on the one side to the maximum provided for by Article 15, and on the other, to the payments made by the employés and workers, the limits to compulsory payment, at the same time, being fixed at 30 francs per annum.

Notifications of payment shall be made to the mayor of the commune, and to the tax-collector, who shall collect these payments on behalf of the local fund, as in the case of other contributions from masters.

ARTICLE 19.—A central committee of control is instituted in each canton; it consists of the justice of the peace as president, three employers or masters, and three investors in the National Provident Fund for Workers elected by those persons who are enrolled on the respective communal registers and chosen from

among themselves. These members are appointed for four years.

ARTICLE 20.—The cantonal committees hold the first judgment on all complaints made by masters with regard to the official declaration or calculation of days of work, as well as to the amount of the masters' contributions.

Similarly they receive complaints made by investors relative to the state of their certificates.

ARTICLE 21.—The local councils hold final judgments on appeal, if such be made, on the decisions given by the cantonal committees. Matters for appeal are sent to them by the prefect of the department, notice thereof being given with cause shown by the director of assessed taxes.

ARTICLE 22.—Every employer or master making use of foreign employés or workers shall pay double the maximum masters' contribution fixed by Article 15.

ARTICLE 23.—The amount of the masters' contributions paid on behalf of foreigners shall be paid into the local

fund to constitute a sick fund, the purpose of which will be defined in Article 24 following. This fund shall receive also State donations, gifts and legacies, as also the amount of certificates which are unpaid through absence of rightful holders and have fallen into abeyance (*en déshérence*).

ARTICLE 24.—The sick fund shall serve to constitute life pensions in favour of workers who through infirmities, setting aside accidents, in the course of work, have become incapable of providing for their own needs and those of their families, and shall give temporary relief in favour of workers overtaken by sickness. It may also be employed in aiding workers who are sick or burdened with a large family, in the payment of their subscriptions to the National Provident Fund for Workers.

The local councils shall regulate the distribution of this relief.

ARTICLES 25 to 27 complete the bill and present certain temporary provisions for transference or investments of capital.

APPENDIX XIV.

PENSION SCHEME OF M.M. CONSTANS ET ROUVIER.⁽¹⁾

ARTICLE 1.—A pension fund for workers which is attached to the National Fund for Old Age Pensions, regulated by the law of July 20th, 1886, is hereby created for the benefit of workers, employés, *métayers*, or domestic servants, of both sexes, who are French by birth or naturalisation, and whose annual earnings are below 3,000 francs.

ARTICLE 2.—This fund is supported by:—

1. Direct payment from depositors, increased by equal grants from their employers;
2. Payments made by the State, under the conditions stated below.

ARTICLE 3.—The worker is assumed to have the desire to participate in the benefits of the law, unless express declaration to the contrary be made before the mayor of the district in which he lives; a formal acknowledgment of this declaration shall be issued. In the case where this acknowledgment is not laid before him for inspection the master shall withhold from the sums owed by him to the worker in his service a sum of the minimum value of 5 centimes, and of the maximum value of 10 centimes for a day's work, and shall be bound to contribute an equal sum to the savings of his employés.

ARTICLE 4.—The sums thus constituted shall be paid at least quarterly, either into the Pension Fund for Workers, or to some mutual aid society, or pension society, or trade syndicate, or properly authorised provident fund. They shall be entered in a special certificate mutual aid societies, trade syndicates, pension societies, and other provident institutions, shall be empowered either to invest the funds thus received under the conditions stipulated by the law concerning mutual aid societies, or to deposit them in the pension fund for workers.

ARTICLE 5.—Societies other than the authorised mutual aid societies can only confer upon their members the right to participate in the benefits of the present law by virtue of an order from the Minister of the Interior.

ARTICLE 6.—Payments entered in the depositors' certificate shall be increased by the State to the extent of two-thirds of their amount. These additional sums shall be entered in the certificate at least once a year.

ARTICLE 7.—On making a first application for State subsidy (*majoration*), the depositor shall make a formal declaration, certified by his master and the mayor of his commune, that his annual income does not exceed 3,000 francs. At the date of payment of his pension, he is required to show that his income does not exceed 600 francs.

A false declaration shall be punished by a fine of from 50 to 500 francs, and entails the loss of the State subsidy.

ARTICLE 8.—The depositors may contract with the life insurance fund instituted by the law of July 11th, 1868, by means of 30 annual premiums, for a capital varying from 500 to 1,000 francs, equal to the total sums that he would have to contribute to the National Pension Fund.

The State will be responsible for a third of the annual premiums.

ARTICLE 9.—In order that the sums completed by the State may be definitely acquired by the depositor he must have made his payments from the age of twenty-five years.

Interruptions in payments (which may not at most exceed five years) are admitted in cases of necessity (*force majeure*) for depositors who can prove them. The interrupted payments must be taken up and carried on for a length of time equal to the interruptions.

ARTICLE 10.—The life annuities to which the sums inscribed on the worker's certificate give a claim shall be entered in the ledger of the National Fund for Old Age Pensions. The payments arising from the State contribution shall serve for the settlement of the income (*serviront à la constitution de la rente*), but this pension, taken together with the other revenues of the depositor, may not exceed 600 francs.

ARTICLE 11.—Every master employing foreign workers of either sex shall contribute 10 centimes a day for each of these workers.

ARTICLE 12.—A common fund shall be formed with the help—

1. Of gifts and bequests made to the workmen's pension fund;
2. Of the contribution by employers of foreign workers;
3. Of the sums remaining at the disposal of the State in consequence of liquidation of pensions above 600 francs, or on account of depositors having revenues higher than 600 francs;
4. Of sums arising from State payments which were not continued on behalf of depositors in consequence of interruptions in payments;
5. Of payments or arrears of income charged with prescription (*atteints par la prescription*);
6. Of interest on the common funds.

ARTICLE 13.—The proceeds which go annually to the common funds shall be applied:—

1. To complete, up to the half, the annual premiums paid to the life insurance fund by depositors whose funds would have been invested by a mutual aid society or other provident society;
2. To anticipate the liquidation of the pensions of workers, employés, *métayers* or domestics, whose infirmities prevent them from working up to the total amount of the pension for those whose payments shall have been invested by a mutual

⁽¹⁾ No. 2,576, Chambre des Députés, Session 1893.

aid society or provident society, and up to the amount of the half of the pension for those whose funds shall have been paid to the workmen's pension fund;

3. To give exceptional help to those who are temporarily prevented from making their payments by accidents;
4. To the expenses of working the worker's pension fund.

ARTICLE 14.—Pensions which have been liquidated under the present law are not transferable and cannot be seized.

ARTICLE 15.—Persons indicated in the 1st Article above 25 years and less than forty years of age may profit by the provisions of the preceding Articles

on condition of commencing their payments in the year following promulgation of the law.

ARTICLE 16.—Life annuities already paid by the National Pension Fund shall be subsidised to the amount of two-thirds and within the limits indicated in Article 9, provided that they have been purchased by at least ten annual payments.

ARTICLE 17.—Likewise life annuities proceeding from payments already made by depositors or invested by mutual aid societies shall be subsidised to the amount of two-thirds under the same limits and conditions.

ARTICLE 18.—An administrative order shall determine the measures suitable for assuring execution of the present law.

APPENDIX XV.

SOCIALISTIC PROPOSAL for PROVIDING PENSIONS for OLD AGE. Presented to the Chamber by M. CHASSAING, Deputy, and others.⁽¹⁾

Draft Bill.

ARTICLE I.—A fund is instituted, independent of the budget, to be called "The General Pension Fund for Aged Persons."

ARTICLE II.—All French citizens of either sex, residing on French territory, shall benefit thereby from and after January 1 following the completion of their sixtieth year. Officials, workmen, and employés of the public force and public administrations, who receive pensions from the State or districts, are excepted, as well as those living exclusively on their own incomes, if such pensions or incomes exceed the amount of the pensions stated below.

ARTICLE III.—The pension is paid by twelfths and in advance, at the birthplace of the person entitled thereto. In case such person has not retired to the district in which he was born, he shall receive the pension allowed to the natives of such district, wherever may be his place of residence.

ARTICLE IV.—The rate of pensions is as follows:—

	Francs.
For Paris - - - - -	800
Districts of over 100,000 inhabitants -	700
" from 50,000 to 100,000 inhabitants - - - - -	600
" from 25,000 to 50,000 inhabitants - - - - -	500
" from 12,000 to 25,000 inhabitants - - - - -	400
" under 12,000 inhabitants -	300

ARTICLE V.—Every year, at the beginning of December, each district shall make known to the central administration of the general pension fund the number of persons, then alive, born in the district, who will have completed their sixtieth year on December 31, so that they receive, before the end of the year, the sum required for the payment from and after January 1, of the first twelfth.

This same sum shall be sent to them every month until the next year.

ARTICLE VI.—At the end of each year, the districts shall return to the central administration the sums remaining in their possession in consequence of death or unclaimed pensions, &c.

ARTICLE VII.—In order to facilitate the execution of the two foregoing Articles, each time death occurs the registrar of the place of decease shall inform the registrar of the place of birth, and mention of the death shall be made in the margin of the birth register.

ARTICLE VIII.—The general pension fund is provided by:—

1. The sums to be derived from the suppression of inheritance in collateral line.
2. Succession duties paid by each heir upon the share coming to him after deduction of charges, and at:—

	Francs.	Francs.	Per Cent.
1. Up to 10,000			1
2. From 10,000 to	15,000		2
3. " 15,000 "	20,000		3
4. " 20,000 "	25,000		4
5. " 25,000 "	30,000		5
6. " 30,000 "	50,000		10
7. " 50,000 "	100,000		20
8. " 100,000 "	500,000		40
9. " 500,000 "	1,000,000		50
10. Upon sums exceeding 1,000,000 francs.			75

3. Similar duties payable upon donations during the donor's lifetime.
4. Donations and bequests to the pension fund.
5. Sums paid by the State in case the resources of the fund be insufficient.

ARTICLE IX.—At the end of every year the capital not employed by the pension fund shall be handed over to the general budget.

ARTICLE X.—Under any circumstances pensioners shall not be prevented from improving their circumstances by means of insurance or membership of private benefit or pension societies or by work, but they cannot be admitted to public employment in the district of the State.

ARTICLE XI.—Foreigners who have become naturalised French citizens for more than twenty years, may claim under the same conditions as French-born citizens retiring pensions, which shall be paid them by the district in which they obtained naturalisation.

APPENDIX XVI.

EMPLOYERS' LIABILITY and COMPULSORY INSURANCE against ACCIDENTS.⁽²⁾

DRAFT BILL.

SECTION I.

ENTERPRISES SUBJECT TO INSURANCE. ACCIDENTS. COMPENSATION.

ARTICLE I.—All accidents happening by and during the performance of their duties to workmen and

employés engaged in building works, factories, manufactures, yards, transport, loading and unloading of merchandise, public warehouses, mines, mining stores, quarries, and generally in all establishments or branches thereof in which explosive materials are manufactured or employed, or where use is made of steam engines or machines worked by elementary power (air, water, steam, gas, hot air, electricity, &c.), or by animals, give right in favour of the sufferer or his representatives to

(1) F. O. Report Misc. Ser., No. 258.
(2) From the F. O. Report, Misc Ser., No. 268, p. 148.

compensation, the importance and character of which are hereinafter determined.

This provision is applicable to workmen and employers engaged in enterprises and works connected with the State, the departments, districts and public establishments.

ARTICLE II.—Employers and workmen whose annual wages exceed 2,000 francs only benefit by the provisions of this law up to that amount.

ARTICLE III.—When the accident causes permanent and absolute incapacity to work, the sufferer is entitled to a life annuity equal to two-thirds of his annual wages.

Blindness, the complete loss of the use of two limbs, or any incurable infirmity which renders the workman unable to work and provide for his maintenance, are considered as permanent and absolute incapacity to work.

ARTICLE IV.—When the accident causes permanent partial incapacity, the compensation allowed to sufferers by the preceding Article is diminished in proportion to the capacity to work still retained.

ARTICLE V.—At the time of the final settlement of the compensation the sufferer may demand that one-fourth of the capital required to constitute a life annuity shall be paid him in cash.

This capital is calculated according to the provisions of Article LXXIII. of the present law.

The sufferer may also demand that the capital required for the constitution of his pension, reduced or not, as provided by the preceding paragraphs, shall be employed, up to one-half at least, for the constitution of a life annuity in favour of his wife.

ARTICLE VI.—When the accident is fatal the compensation shall be composed of—

(1.) The value of 20 days' pay for funeral expenses

This sum is not to exceed 100 francs, and shall be paid to the representatives within eight days from the date of death. It may be advanced by the head of the establishment, who shall be reimbursed by the district.

(2.) A pension paid to the persons hereafter indicated from the date of death under the following conditions:—

(a.) A life annuity equal to 20 per cent. of the deceased's annual wages in favour of the conjoint survivor, his widow, not divorced, nor against whom judicial separation has been pronounced, on condition that the marriage had been contracted previous to the accident.

(b.) For the children or orphans of father or mother up to the full age of 16 years an annuity calculated on the deceased's annual wages at the rate of 15 per cent. if there be one child only, 25 per cent. if there be two, 35 per cent. if there be three, and 40 per cent. if there be four or more children.

The annuity to each of the children, orphans of both parents, shall be 20 per cent. of the wages.

Illegitimate children who have been recognised previous to the accident have right to the same annuities, and come under the same conditions as the legitimate offspring.

The total annuities granted to the children cannot exceed 40 per cent. of the wages in the first case, nor 60 per cent. in the second. Each of the above annuities may be proportionally reduced according to circumstances.

(c.) If the deceased be unmarried, or leaves neither widow nor child, a life annuity to such of his ascendants who were supported by him shall be paid at the rate of 10 per cent. of his annual wages on condition that the total amount does not exceed 20 per cent.

Each of these annuities may be proportionally reduced according to circumstances.

ARTICLE VII.—The representatives of a foreign workman who at the time of the accident did not reside in France, are not allowed to claim under the foregoing provisions, unless they can prove that in the country of which the sufferer by the accident was a native, French citizens enjoy such privilege without condition of residence.

ARTICLE VIII.—In all accidents which have caused incapacity to work during more than three days, the head of the establishment shall bear the expense of medical attendance and medicines. He shall also pay

during the illness arising from the accident a sum equal to one-half of the sufferer's wages, on condition that such sum does not exceed 3f. 50c. per diem.

The head of the establishment is only responsible for this compensation for a period not exceeding 30 days from the date of the accident. After the thirtieth day, if the sufferer be not in a fit state to return to his work, the temporary indemnity above provided and cost of attendance and medicines shall be at the charge of the district. The head of the establishment shall, however, continue to provide them up to the time when a definite decision has been pronounced by competent jurisdiction, but as an advance only, and at the expense of the district, which shall reimburse him.

This temporary compensation shall be paid from the date of the accident at the usual periods of payment of wages, and at latest every 15 days.

ARTICLE IX.—Heads of establishments, may relieve themselves of the obligation to pay the cost of the illness and temporary compensation during the first 30 days following the accident, if they can prove—

(1.) That they have at their own cost founded special benefit funds, or have associated their workmen to approved or authorised mutual aid societies.

(2.) That such funds or societies are bound to pay, independently of the treatment of the wounded, a compensation equal to one-half of their daily wages, on condition that this indemnity shall not be obliged to exceed 3f. 50c. per diem during the illness, or at least during the first 30 days.

ARTICLE X.—The Articles of Association of private benefit societies mentioned in the foregoing Article shall be drawn up in accordance with the laws relating to mutual aid societies and professional syndicates.

A regulation of the public administrative authorities shall settle the modifications to be made in the existing Articles of Association of mutual aid societies in order to adapt them to the new powers conferred upon them.

SECTION II.

AMOUNT OF WAGES TO BE TAKEN AS A BASIS FOR FIXING ANNUITIES AND COMPENSATION.

ARTICLE XI.—The annual wages to workmen employed in the works during the 12 months preceding the accident shall be understood to include the actual remuneration granted him by the head of the establishment either in money or in kind.

For those who have been employed less than 12 months prior to the accident, the annual wages shall include the actual remuneration they have received since they were engaged, increased by the average pay that workmen of the same class have received during the period required to complete these 12 months.

In industries where the work is intermittent the annual wages are calculated equally upon the active period of work and the earnings of the workmen during the rest of the year.

If a portion of the wages be paid in kind, the valuation shall be estimated according to the customs and tariffs of the place.

In the case of workmen under 18 years of age, or apprentices, the amount of compensation to be paid, as provided by Articles III. to VI., shall not be less than the lowest wages paid to valid workmen of the same class employed on the works.

The temporary compensation and funeral expenses shall in every case be calculated upon the daily pay of the sufferer at the time the accident occurred.

SECTION III.

DECLARATION OF ACCIDENTS.—INQUIRY.

ARTICLE XII.—Every accident causing incapacity to work and happening in establishments of the class mentioned in Article I., shall be declared by the head of the establishment or his representative.

This declaration shall be made within 48 hours of the occurrence to the mayor of the district, who shall draw up an official report in the form to be settled by a Ministerial decree.

The head of the establishment shall annex to this declaration a medical certificate setting forth the state of the injured person, the probable consequences of the accident, and the date when it may be possible to learn the positive result.

A voucher for the declaration and medical certificate shall be immediately given by the mayor to the deponent.

Similar declarations and productions of certificates may be made by the injured man or his representatives.

ARTICLE XIII.—When the injuries appear likely to become fatal or to entail permanent incapacity for work, the mayor shall send copies of the declarations and medical certificate to the justice of the peace for the district.

Within 24 hours of the receipt of such notice the justice of the peace shall institute an inquiry for the purpose of learning—

- (1.) The cause, nature, and circumstances of the accident.
- (2.) The names of the sufferers.
- (3.) The kind of injuries sustained.
- (4.) The place where the killed or wounded are to be found.
- (5.) The relatives of the sufferers who may present claims for compensation.
- (6.) The daily and annual wages of the sufferers.

ARTICLE XIV.—The inquiry shall be held in the manner prescribed by Articles 35, 36, 37 and 39 of the Code of Civil Procedure in the presence of the parties concerned, or those duly and specially convened by registered letters.

The justice of the peace shall visit those injured by the accident, who, by reason of their injuries, cannot possibly attend the inquiry.

When the medical certificate does not appear to him sufficient, the justice of the peace may appoint a doctor to examine the sufferer.

He may also nominate an expert to assist him in the inquiry.

Nevertheless there shall be no need to nominate an expert when the enterprise is under administrative control, or in cases of State enterprises or works submitted to a service of control distinct from the system of management, and in Government establishments in which operations are carried on which the necessities of public safety require to be kept secret.

In these various cases the officials charged with the survey or control shall transmit to the justice of the peace, to be annexed to the official report of the inquiry, a copy of the report which they are required to send to the judicial authorities.

The justice of the peace may claim from those concerned all such further information as may be of use for ascertaining the truth.

ARTICLE XV.—Except in cases of material impossibility, duly set forth in the official report, the inquiry shall be closed with the shortest possible delay, and at latest within 10 days from the date of the accident.

The justice of the peace shall give notice by registered letters to the parties of the inquiry being closed, and of the report being lodged at the registry, where, during five days, they may take cognizance thereof, and obtain unstamped copies.

After the expiration of the said five days the documents relating to the inquiry shall be transmitted to the president of the district civil court.

ARTICLE XVI.—Heads of establishments or their representatives who neglect to comply with the provisions of Article XII., shall be punished by a fine of 16 francs at least, such fine not to exceed 200 francs.

In case of repeated neglect within 12 months, the fine may be increased from 200 francs to 100 francs.

Article 463 of the Civil Code is applicable to offences provided for by the present Article.

SECTION IV.

COMPETENCE, JURISPRUDENCE.

ARTICLE XVII.—Disputes between sufferers from accidents, the heads of establishments, or the district, with regard to temporary compensation, medical attendance, cost of medicines, and funeral expenses shall be decided, without appeal, by the justice of the peace of the district where the accident occurred.

ARTICLE XVIII.—With regard to the other compensations provided for by the present law, within eight days of the reception of the documents relating to the inquiry, the president of the civil tribunal shall convene the injured person or his representatives, the head of the establishment, and the representative of the district. If the parties agree, the amount of the compensation shall be definitely settled by an order of the president, who delivers an act to this effect.

When the parties do not agree, the dispute shall be settled at the chief town of the district, where the accident occurred, by a court composed of three heads of establishments and three workmen assembled before the president of the tribunal or in his absence before the judge appointed by him.

ARTICLE XIX.—For this purpose, during the month of February in each year a commission, composed of the justice of the peace and the mayors of the cantons, shall draw up two lists containing, the one, the names of all the heads of establishments, partners of firms, directors and managers; the other, the names of all the workmen employed in such establishments.

Only those heads of establishments or workmen who are 30 years of age, able to read and write, residing in the district for at least two years, and possessing their civil and political rights, can figure in the above lists.

ARTICLE XX.—The lists of each canton shall be drawn up in duplicate; one shall be lodged at the registry of the justice of the peace, and the other at the registry of the civil tribunal of the district.

Interested parties may take cognizance of these lists during the 15 days which follow their being lodged at the registry of the justice of the peace.

ARTICLE XXI.—During the month of April a commission, composed of the president of the civil tribunal and four members appointed by the prefect, from among the councillors-general and district councillors, shall draw up district lists of heads of establishments and workmen.

This commission may enter on the lists the names of those omitted from the cantonal lists, and cancel those which have been entered therein by mistake.

The district lists, when definitely settled, shall be signed immediately, and lodged before May 1 at the registry of the civil tribunal.

ARTICLE XXII.—Whenever necessity arises for application to the court of arbitration, the district tribunal shall draw lots at a public meeting from the district lists for 12 jurymen, six among the heads of establishments, six among workmen and employers. Four extra jurymen residing in the chief town of the district are to be appointed in the same manner.

ARTICLE XXIII.—The president of the tribunal, or the judge who takes his place, causes the parties and the jury to be summoned by giving them notice at least five days in advance of the date and place of meeting. The notice to the parties shall contain the names of the jurymen.

ARTICLE XXIV.—Every jurymen who, without lawful reason, fails to attend or refuses to take part in the deliberation, incurs a fine of 16 francs to 300 francs. The fine is pronounced by the president of the court of arbitration, who delivers judgment, without appeal, upon the defence put forward by the jurymen so fined.

This magistrate also pronounces, without appeal, upon the causes of hindrance put forward by the jurymen, and upon all causes of incapacity and exclusion.

In case of insufficient numbers, the president shall select from the lists drawn up, according to Article XXI., the persons, heads of establishments, or workmen required to complete the court of arbitration.

ARTICLE XXV.—The registrar of the civil tribunal shall draw up an official report of the proceedings. He shall call in due order the causes upon which the court of arbitration has to decide.

When the case is called the parties have each the right to three peremptory challenges.

When several parties interested appear in the same case they shall settle among themselves their right to challenge or draw lots to decide which of them shall exercise this right.

If the right to challenge be not exercised, or only partially, the president shall first constitute the court of arbitration from among the regular jurymen, and afterwards among the extra members.

ARTICLE XXVI.—When the court has been formed every jurymen shall take oath to fulfil his duties impartially.

The parties or their attorneys may summarily present their observations.

The court of arbitration may hear all those whom it believes capable of throwing light on the subject, and also use any means for information that it deems necessary.

The discussions shall be public. The provisions of Section V. of the Code of Civil Procedure on the order

of public audiences are applicable to the court of arbitration. After the discussion is declared to be closed by the president, the court shall immediately retire to deliberate without quitting the place.

The motives of the decision shall be stated.

ARTICLE XXVII.—The decision of the court of arbitration can only be appealed against by a petition of appeal, and then only for excess of power or violation of the law. The appeal must be made by declaration at the registry of the civil tribunal within 15 days from the date of the decision.

The appeal shall be notified to the parties interested within the week under penalty of forfeiture. **

Within the 15 days of notice of appeal the documents shall be sent to the civil chamber of the court of appeal, which shall deliver judgment in the course of the following month.

The judgment, if delivered by default at the expiration of this delay, is not subject to opposition.

When a decision has been reversed, the court shall choose the court of arbitration to which the case is referred, and may select the one which gave decision in the first instance.

ARTICLE XXVIII.—Within the limit of his competency the justice of the peace may, on an express request, after having consulted the list of taxpayers and ascertained the position of the party making the request, order urgent judicial aid, which in such case is by right extended to Acts relating to the executions of the judgment delivered.

The justice of the peace shall order a process server to serve the necessary notices.

ARTICLE XXIX.—A regulation of public administration shall enact the rules relating—

- (1.) To the working of the cantonal and district commission.
- (2.) To the organisation of such commissions in Paris.
- (3.) To the forms to be used before the court of arbitration, the manner in which this court shall deliberate, and how its decisions shall be notified.
- (4.) The organisation of judicial aid.
- (5.) The indemnity to be allowed to jurymen.

SECTION V.

RESPONSIBILITY.—ACTIONS FOR COMPENSATION.—REVISION.

ARTICLE XXX.—Neither of the compensations settled by the present law may be allowed to the injured persons who intentionally caused the accident.

Judgment should be deferred by the court of arbitration so long as no final decision has been pronounced in the public action brought before or during the claim for compensation.

ARTICLE XXXI.—The court of arbitration has the right, if it be proved by the employer or the district that the accident was due to the serious default of the workman, to diminish or even to refuse any pension whatsoever to the sufferer or his representatives.

ARTICLE XXXII.—When it has been proved that the accident was due to the serious fault of the head of the establishment, or of one of those placed by him in the charge of, or to survey, the works, the court of arbitration may increase the compensation provided under Section I.

The normal compensation is alone carried to the account of the district, or included in its expenditure. The payment of the supplementary compensation shall be recovered from the head of the establishment.

The injured person or his representatives have full right to benefit by judicial aid for the recovery of this compensation, which is guaranteed by the privilege conferred by Article 2, 101 of the Civil Code, and mentioned therein under No. 6.

ARTICLE XXXIII.—Actions to recover the amount of the compensation provided for by the foregoing Articles are limited to one year from the date of the accident.

ARTICLE XXXIV.—The head of the establishment, the injured person or his representatives, and the district may appeal to the court of arbitration during three years from the date of the final decision in order to obtain a modification in case of improvement or aggravation of the state of the sufferer, and, in case of his death, the revision of the compensation originally allowed him.

ARTICLE XXXV.—Sufferers from accidents whose wages exceed 2,000 francs, or their representatives, may make their claim for compensation against the head of

the establishment either before the court of arbitration in the manner settled by Article II. or before any other jurisdiction according to the rules of common law.

Nevertheless, when such jurisdiction has been competently applied to they cannot have recourse to another.

Sufferers by accidents whose wages do not exceed 2,000 francs, or their representatives, can only claim from the head of the establishment the compensation provided by the present law.

ARTICLE XXXVI.—The injured person, or his representatives, reserve against the authors of the accident, other than the head of the establishment, a right to compensation for the injuries received according to the rules of common law, but the damages thus obtained shall not accumulate with the compensation provided by Article III. and those which follow it.

In such case the district or heads of establishments who are insured according to the provisions of Article LXXV., Section VIII., are not responsible for the compensation provided by the present law, except in so far as it exceeds the amount of damages to which the authors of the accident are liable, and only for the portion exceeding the amount of such damages.

When the damages thus allowed consist of capital, the life annuity to which this capital corresponds should be calculated in order to settle the portion of the compensation remaining due by the district or the heads of establishments, as provided by Article LXXIII.

SECTION VI.

COMPULSORY MUTUAL INSURANCE.

1. Districts and Sections.

ARTICLE XXXVII.—As regards the annual distribution of the duties resulting from the present law, heads of establishments mentioned in Article I. who are not insured on their own account and not members of a syndicate according to Article LXXV., shall be compulsorily united on districts comprising one or more departments.

These districts shall be divided into sections.

The department of the Seine may be divided into several districts.

ARTICLE XXXVIII.—The district shall possess a special administration entrusted to a committee of management. Each section shall be administered by a committee subordinate to the committee of management.

The district may take action at law, and is represented, with regard to third parties and the administration by the president of the committee of management.

ARTICLE XXXIX.—The mission of the committee of management is—

1. To draw up the annual statement of the subordinate establishments and the list of subscriptions to be collected from the heads of establishments in the district.
2. To settle the amount of the bonus which heads of establishments are entitled to receive as provided by Article LXI.
3. To deliberate upon the demands made by sufferers from accidents, or their representatives, and to authorise the representative of the district to accede, if need be, to such demands as are provided by Article XVIII.
4. To cause the suppression of all compensations not due by the district.
5. And generally to look after and watch over all interests of the district.

ARTICLE XL.—The mission of the committee of sections is:—

1. To give its opinion on the classification of the establishments in the section, the regulation of their relative proportion of risk, and upon the reduction of the subscription which heads of establishments may be entitled to:
2. To cancel all compensations paid in the section which are no longer due:
3. To keep the committee of management informed on all points of interest to the district, and to perform the duties delegated to it by this committee.

ARTICLE XLI.—Heads of establishments may vote, and are eligible for the committees of sections if they possess civil and political rights and form part of the section.

Members of the committee of management are elected by the committee of sections, and may only be chosen from among the electors of these committees.

Heads of establishments, insured in the manner provided by Article LXXV., and following, can neither be electors nor are they eligible for the committees of section or districts.

Members of the committees are appointed for four years.

Each committee elects its own president.

Objections relative either to the list of electors or to the election of members of committees are decided upon according to the forms and conditions prescribed by the law of December 8th, 1883, on the election of consular judges.

Members of committees shall receive compensation, the amount of which is fixed, on the proposal of the committee of management, by the Minister of Commerce and Industry.

The committee of management nominates and revokes the secretaries, employés, and inspectors required for the working of the district, and fixes the amount of their salaries and compensations.

It also settles, on the proposal of the committees of sections, the number of the secretaries, employés, and inspectors of the sections and their salaries.

ARTICLE XLII.—A regulation of public administration shall settle :—

1. The respective boundaries of the districts and sections.
2. The seat of the district and of each of the sections.
3. The number of the members of the committees of management and of sections.
4. The industries which, according to the districts, should necessarily be represented on these committees.
5. The regulations relating to the formation of electoral lists, elections, deliberations, and the working and dissolution of committees.

2. Higher Councils on Accidents resulting from Labour.

ARTICLE XLIII.—A Higher Council on Accidents resulting from Labour is instituted by and under the presidency of the Minister of Commerce and Industry.

This council is composed of two senators, two deputies, two Councillors of State, the Director-General of the deposit and lodgment office, and of 10 persons chosen equally from among the members of the Institute of Actuaries, and such others as are well-known for their competency in matters relating to accidents from labour.

The Minister nominates the members of the Higher Council and chooses from among them a vice president; he also appoints the secretary.

The Higher Council may call upon the directors of different State departments to take part in its deliberations.

A regulation of public administration shall fix the rules relating to the working of the Higher Council.

ARTICLE XLIV.—The Higher Council shall draw up within six months of the promulgation of the law a list, in which shall be enumerated all the industries and professions subject to its provisions. It shall set forth the series of the relative proportions of risks to which each industry or profession is liable according to the conditions under which they are carried on, which conditions should be stated in the said list.

To each class of industry at least three graduated proportions shall correspond.

The list shall be approved and made executory by decree, and shall be revised every three years.

In case of omission of an industry the parties interested may apply at all times to the Minister to obtain its insertion, and it shall be added, if need be, to the general list by means of a decree to that effect.

ARTICLE XLV.—The Higher Council advises upon all matters submitted to it by the Minister.

It must be consulted upon all the regulations, decrees, and Ministerial decisions delivered with regard to the application of the present law.

3. Distribution of Compensation; Drawing up of Lists; Objections.

ARTICLE XLVI.—The sum to be distributed each year according to district comprises :—

1. The capital required to constitute the incomes and pensions entered on the books during the preceding year:

2. The sums charged during the same period to the account of the district for funeral expenses, temporary compensation, and cost of administration and collection.
3. Additional capital for a reserve fund, the amount of which shall be settled annually by the committee of management and shall not exceed one fourth of the sum distributed during the preceding year.

ARTICLE XLVII.—For this purpose the committee of management shall draw up every year for each parish of the district, according to notice and proposal of the committee of sections, a list of names according to the heads of all the establishments under the control of the parish or commune, with particulars of their classification, their relative proportion of risk, and, if need be, the reduction of subscription allowed to each of them.

The denomination of every establishment on the list according to the character of the business carried on there must necessarily be taken from the decree of classification provided by Article XLIV.

The committee of management decides which of the various proportions of risk specified by the decree shall be assigned to each respective establishment.

If several industries having a series of different proportions on the general list are carried on in the same establishment each of these industries requires a distinct classification with the assignment of a special proportion to each.

ARTICLE XLVIII.—All heads of establishments who have carried on a trade or profession classified during the preceding year, and who have not fulfilled the provisions of Article LXXV., and following, should be entered on the list each year.

At the end of the list drawn up for each parish or commune shall be entered the names of all those heads of establishments who have declared their desire to benefit by the provisions under Section VIII.

ARTICLE XLIX.—The list is addressed to the mayor of the commune during the first fortnight of December, to be placed at the disposal of interested parties during 10 consecutive days.

Notice thereof shall be given by posters and publication at the places set apart for this purpose.

A special sheet, previously marked and initialed by the mayor, shall, during such period, be lodged at the town hall for the reception of objections to which the list may give rise.

Each interested party may protest against the classification of his establishment and the proportion of risk attributed to him. Anyone may call attention to the establishments omitted.

ARTICLE L.—At the expiration of the delay fixed by the preceding Article the mayor shall send the list, together with the sheet of observations, to the committee of the section, which shall transmit it with its own decisions to the committee of management.

If this committee be of opinion that it is right to act upon the observations transmitted, it shall rectify the list.

Its decision is final as far as regards the settlement of the co-efficient of risk.

ARTICLE LI.—During the month of January every head of establishment so classified shall remit to the mayor of the district, who shall give an acknowledgment for the same, a declaration stating the number of workmen and employés engaged by him during the preceding year, the number of working days, and the total wages paid to them.

These declarations, collected by the committee of section, shall be transmitted by its means, and with its opinion to the district committee.

They may be rectified by the committee of management, which settles *ex-officio* the amount of wages in the establishments for which no declaration has been presented within the time allowed.

ARTICLE LII.—When an establishment comprises several industries or professions, with separate proportions of risk, the declaration as to the amount of wages should be made separately for each of them.

ARTICLE LIII.—The surveyor of direct taxes shall send each year to the committee of management a copy of the list of trade licences in each district.

They shall also furnish to these committees or their agents all useful information at their disposal.

ARTICLE LIV.—The annual distribution is made between each classified industry, or, if required, between each separate trade forming part of the same

classified establishment in proportion to the product of its share of risk and the amount of wages of its workmen and employés.

ARTICLE LV.—The districts may relieve themselves of the obligation to pay to workmen and employés temporary compensation and costs of illness beyond the thirtieth day by means of subscriptions deposited for this purpose with private benefit funds or mutual aid societies in the manner prescribed by Articles IX. and X.

ARTICLE LVI.—The committee of management shall draw up a list for each parish or commune. This list is made executory by the prefect of each department; it shall be published, and the amounts recovered in the same way as direct taxes.

ARTICLE LVII.—Heads of establishments whose names were omitted from the original roll, who were engaged in any subordinate business or profession prior to January 1 of the year the roll was issued shall be assessed by means of supplementary rolls, which may be published at any time in the course of the year.

The assessment of these heads of establishments is settled in proportion to the share of risk and the amount of wages assigned to them by the committee of management at the rate of distribution resulting from the original roll.

ARTICLE LVIII.—Interested parties may within a delay of three months from the date of the publication of the roll protest against the classification assigned to their establishment, and the amount at which they are assessed.

Such claims are decided upon after notice by the committee of direction by the prefectural council of the department in which the seat of the district is placed.

The prefectural council is bound in its decisions to conform itself to the general classification of the industries mentioned in Article XLIV., and to the coefficient fixed by the committee of management in accordance with Articles XLVII. and L. Nevertheless, in cases where the proportions of risk assigned to an establishment by the committee of management is not of the kind applicable by virtue of the decree of classification to establishments of this class, the prefectural council fixes the coefficient *ex-officio*.

ARTICLE LIX.—In default of the distributions of assessment by the committee of management within the first four months of the year, the Minister of Commerce and Industry designates the persons who should proceed *ex-officio* with such distribution, in accordance with the foregoing regulations.

4. Fines.

ARTICLE LX.—Every false declaration of the number of workmen shall be punished by a fine of 10 francs for each workman undeclared.

Moreover, all delays in making the declarations, every false declaration relative to the number of workmen and employés, the amount of their wages or the period during which the business has been carried on, shall be punished by a fine of 16 francs to 200 francs. In cases of offences repeated within five years the courts of justice may increase the fine up to 1,000 francs.

5. Bonuses.

ARTICLE LXI.—The following persons are allowed to benefit by a reduction of assessment up to 30 per cent.

1. Heads of establishments under Government inspection who produce annually a certificate given by the board of control or inspection, stating that they have taken steps considered necessary for the prevention of accidents.
2. Heads of all other establishments who produce annually a similar certificate given to them by the engineers specially delegated for this purpose.

The amount of bonuses granted by virtue of the foregoing paragraph is borne by the other heads of establishments in the district and increases to that extent the amount they have to subscribe.

A Government order shall decide the conditions under which the present article is applicable.

SECTION VII.

NATIONAL INSURANCE FUND; PAYMENT AND CLASS OF COMPENSATION.

ARTICLE LXII.—The insurance fund against accidents founded by virtue of the Law of July 11, 1868, takes

the title of "The National Fund for Insurance against Accidents."

ARTICLE LXIII.—The payment of incomes and pensions due by virtue of the present law is effected at Paris by the National Insurance Fund, and in the provinces through the receivers of the funds and the collectors.

These incomes and pensions are entered upon presentation of the copy of the decision of the court of arbitration, on the order of the president stating the terms agreed upon between the parties.

ARTICLE LXIV.—Funeral expenses, temporary compensations, cost of administration, and, generally, all other expenses at the cost of the district, are reimbursed or paid on presentation of orders from the representative of the district, issued in accordance with the decisions of the committee of management or on communication of the judgment of the justice of the peace.

ARTICLE LXV.—The incomes and temporary compensations granted to those injured by accidents, or their representatives, are not alienable, and cannot be seized or attached.

ARTICLE LXVI.—After three years of unclaimed arrears these incomes are struck off the books of the National Fund, and their re-establishment gives no ground for claim of any kind for arrears prior to the demand for re-inscription.

ARTICLE LXVII.—The right of obtaining or the enjoyment of such incomes shall be suspended by virtue of a criminal sentence and during the term of the penalty.

ARTICLE LXVIII.—The subscriptions collected by virtue of Article XLVI. and following, and the amount produced by fines inflicted under the present law, shall be paid into the National Fund, and carried to the special account of each district.

ARTICLE LXIX.—The following items shall be carried to the account of the reserve fund of the district:

1. The subscriptions which cannot be recovered;
2. The amount of discharges and reductions;
3. The interest on advances by the National Fund;
4. The compensation to sworn members of the Court of Arbitration, and the costs of organisation of such courts incumbent upon the district;
5. The sums arising from the reduction or increase of the compensation according to the conditions provided by Article XXXIV.;
6. The subscriptions recovered by virtue of the supplementary rolls;
7. The amount produced by the fines inflicted by application of the present law;
8. The arrears of incomes unclaimed during three years, according to Article LXVI., and those on incomes suspended by the application of Article LXVII.

ARTICLE LXX.—The advances required for the due working of the fund shall be made by the Deposit and Consignments Fund at a rate to be fixed by decree issued by the Minister of Commerce and Industry and the Minister of Finance.

During the first year the National Fund shall operate by means of capital belonging to the fund for insurance against accidents founded by the Law of July 11, 1868.

ARTICLE LXXI.—The capital of the fund shall be employed in the same manner as that of the National Pension Fund.

ARTICLE LXXII.—In each department an account of the sums paid or collected for the National Fund shall be kept at the office of the Paymaster-General.

ARTICLE LXXIII.—Within six months of the promulgation of the present law the National Fund shall establish the tables required for the constitution of the incomes to be paid by it to the injured, their widows, children, or other relatives. These tables shall comprise all ages from the date of birth up to the age of 80 years. Pensions in favour of persons over 80 years of age shall be paid according to rates fixed for that age.

These tables shall be revised at least every five years.

ARTICLE LXXIV.—A Government order shall decide the conditions of the organisation and working of the National Fund and the publicity to be given to its operations.

SECTION VIII.

INDIVIDUAL AND SYNDICAL INSURANCES; SPECIAL GUARANTEES.

ARTICLE LXXV.—Heads of establishments, who desire, either individually or in the form of a syndicate, to remain their own insurers shall make a declaration before December 1 every year to the prefect of their department, and to the committee of management of their district. They shall at the same time prove the deposit with the National Fund of the guarantee to which they are subjected.

The articles of association of the syndicates shall be approved by the Minister of Commerce and Industry, after notice from the Council of State.

ARTICLE LXXVI.—A Government order shall settle the basis and nature of the guarantee, taking into account the dangers of the industry, the number of workmen, the relative proportion of risk, and the hours of labour.

It shall set forth the rules according to which heads of establishments insured, either individually or as a syndicate, shall contribute to the cost of organisation and working of the Court of Arbitration.

It shall fix the procedure to be followed for the information of such syndicates.

ARTICLE LXXVII.—The amount of the interest on the guarantees shall be settled by the Minister of Commerce on the motion of the Director-General of the Deposit and Lodgment Fund.

ARTICLE LXXVIII.—Compensation due in respect of accidents provided for by the present law, shall in every case be decided in accordance with the foregoing regulations. Disputes arising between the persons injured, or their representatives, and the heads of establishments, shall be settled in the manner prescribed by Article XVII. and following.

The pensions allowed to the sufferers or their representatives shall be paid by the National Insurance Fund.

The capital required for the constitution of these pensions shall be taken from the guarantee fund, and shall be replaced within 15 days from the date of application to the National Fund.

If the syndicates or heads of establishments neglect to conform to this condition, the latter, whether they be syndicated or not, shall be officially subjected to the provisions of Section VI. of the present law, from and after the date when the security is no longer adequate.

Members of syndicates remain jointly and severally responsible toward the National Fund for the amounts advanced by it for the purchase of pensions, not entirely covered by the guarantee deposited.

ARTICLE LXXIX.—Sufferers by accidents, or their representatives, have a privileged claim according to the terms of Article 2,102 of the Civil Code upon securities lodged as a guarantee.

SECTION IX.

GENERAL RULES.

ARTICLE LXXX.—The official reports, certificates, notarial acts, writs, judgments, and other legal documents made or delivered by virtue of and for the execution of the present law shall be delivered without fee, and stamped and registered gratis whenever the formality of registration is deemed necessary.

ARTICLE LXXXI.—Every agreement contrary to the present law is, as such, null and void.

ARTICLE LXXXII.—The present law shall take effect from and after January 1 of the year following its promulgation.

ARTICLE LXXXIII.—Heads of establishments are bound under penalty of a fine of 16 francs to 100 francs to post up in every workshop a copy of the present law and the decree of classification prescribed by Article XLIV.

ARTICLE LXXXIV.—No derogation whatever is made with respect to the laws, ordinances, and regulations concerning pensions to workmen, apprentices, and labourers employed in the arsenals and navy yards, and those workmen regularly inscribed in manufactories of arms depending on the War Department.

A special law shall decide the consequences of accidents happening to sailors and fishermen in the exercise of their occupation.

APPENDIX XVII.

LAW relating to FREE MEDICAL AID,⁽¹⁾

The Senate and the Chamber of Deputies have adopted, the President of the Republic promulgates the following law :—

PART I.

ORGANISATION OF MEDICAL AID.

ARTICLE 1.—Every sick French person without means of subsistence may receive free medical aid in his own home from the commune, department or the State, according to his relief domicile, or if this cannot be satisfactorily done, then in a hospital. Women lying-in are regarded as sick. Foreign sick persons without means are regarded as French in all cases in which the Government shall have passed a treaty of reciprocal assistance with their country.

ARTICLE 2.—The commune, department or the State may always call for help, if occasion arises, either from each other or other persons, societies or bodies charged with provision of medical aid to the indigent sick, notably from the members of the family of the person claiming relief, as indicated in Articles 205 to 207 and 212 of the Civil Code.

ARTICLE 3.—Every commune is attached, for the purpose of treatment of the sick persons belonging to it, to one or more of the nearest hospitals.

In those cases in which it is impossible to give adequate treatment to a sick person in his home the doctor delivers a certificate of admission to the hospital. This certificate should be countersigned by the president of the board of aid (*bureau d'assistance*) or his representative.

The hospital may not claim back the expenses of the day except on presentation of the above-mentioned certificate.

ARTICLE 4.—In each department a service of medical aid for the sick poor is established under authority of the prefect and according to the conditions laid down by the present law. The general council deliberates, in accordance with the conditions provided by Article 48 of the law of August 10, 1871: (1) upon the organisation of medical aid, the determination as to sites and foundation of the hospitals to which each commune or syndicate of communes is attached; (2) upon the share of the expense to fall on the communes and the department.

ARTICLE 5.—In default of deliberation by the general council upon the matters mentioned in the preceding Article, or in case of suspension of the deliberation in execution of Article 49 of the law of August 10, 1871, the regulation of the service may be provided for by a decree given in the form of an administrative order.

PART II.

RELIEF DOMICILE.

ARTICLE 6.—Relief domicile is acquired:

- (1.) By habitual residence during one year in a commune after majority is attained.
- (2.) By birth (*filiation*). A child has the same relief domicile as its father. If the mother has survived the father, or if the child is illegitimate and recognised only by the mother, it has the domicile of its mother. In case of separation or divorce of its parents a legitimate child shares the domicile of the parent who has the care of its education.

⁽¹⁾ Journal Officiel, July 18, 1898.

(3.) By marriage. The wife from the day of her marriage acquires the relief domicile of her husband. Widows and wives divorced or separated from their husbands retain the relief domicile that they had before the dissolution of the marriage or the judgment of separation.

In cases not mentioned in the present Article the relief domicile is the place of birth up to the attainment of majority.

ARTICLE 7.—Relief domicile is lost:—

- (1.) By an uninterrupted absence of one year after majority is attained.
- (2.) By acquisition of a new relief domicile. If the absence is occasioned by circumstances excluding all liberty in choice of residence or by necessity of treatment in a hospital at some distance from the habitual residence of the invalid, the period of one year shall be reckoned from the day when these circumstances cease to exist.

ARTICLE 8.—In default of a communal relief domicile the duty of administering medical aid falls upon the department in which the sick person without means has acquired his relief domicile.

When the sick person has neither a communal nor departmental relief domicile, the cost of medical aid falls upon the State.

ARTICLE 9.—Charity children have their domicile in the department which has the charge of them, up till the time when they acquire another relief domicile.

PART III.

BOARD AND ROLL OF AID.

ARTICLE 10.—In each commune a board of aid (*bureau d'assistance*) provides a service of medical aid.

The administrative committee of the board of aid is formed from the administrative committees of the charity hospice and board of charity (*bureau de bienfaisance*) or by the latter only when there is no hospice in the commune.

In default of a hospice or board of charity the board of aid is governed by the law of May 21, 1873 (Articles 1 to 5), modified by the law of August 5, 1879, and possesses, in addition to the attributes bestowed by the present law, all the attributes which appertain to a board of charity.

ARTICLE 11.—The president of the board of aid has the right to accept gifts and bequests as a trustee (*à titre conservatoire*) and to raise every question in the transfer, without special authorisation (*former toute demande en délivrance*).

The decrees of the President of the Republic or the resolution of the prefect which follow afterwards take effect from the day of this acceptance.

The board of aid is legally represented (*représenté en justice et dans tous les actes de la vie civile*) by one of its members elected by his colleagues for this purpose at the beginning of every year.

Administration of the foundations, gifts and bequests which have been made to the poor or to the communes in favour of medical aid, devolves upon the board of aid.

The boards of aid are subject to the regulations which apply to the administration and book-keeping of the hospices, in so far as they have nothing in them contrary to the present law.

ARTICLE 12.—The administrative committee of the board of aid meets at least four times a year at the instance of its president.

One month before the first ordinary meeting of the municipal council this committee prepares a list of the persons holding relief domicile within the commune, who in case of sickness should be admitted to medical aid and it revises this list one month before each of the other three sessions.

The relief doctor or a delegate of the doctor's, the municipal collector and one of the assessors chosen by the sub-prefect may take a consultative part in the proceedings.

ARTICLE 13.—The medical aid roll should include by name all those who are admitted to relief even when they are members of one family.

ARTICLE 14.—The roll is checked by the Municipal Council which deliberates upon it in private; it is deposited with the secretary to the *mairie*. The mayor gives notice of this deposit in the usual manner.

ARTICLE 15.—A copy of the roll and the official report^t stating the accomplishment of the formalities prescribed by the preceding Article is sent at the same time to the sub-prefect of the district (*arrondissement*). If the prefect deems that the formalities prescribed by the law have not been observed he refers the operations, within eight days, to the council of the prefecture which takes a decision within eight days and fixes, if necessary, the time within which the annulled operations shall be repaired.

ARTICLE 16.—Within 20 days from the time of depositing the roll, claims for inscription or erasure should be made by any inhabitant or ratepayer of the commune.

ARTICLE 17.—A cantonal committee decides without appeal upon these claims, the mayor concurring or being duly appealed to. This committee is composed of the sub-prefect of the district, of the councillor general, of a councillor of the district in order of nomination, and of the justice of the peace for the canton. The sub-prefect or, in his default, the justice of the peace, presides over this committee.

ARTICLE 18.—The president of the committee, within eight days, gives notice to the sub-prefect and the mayor of the decisions as to additions or withdrawals effected on the roll.

ARTICLE 19.—In urgent cases between two sessions, the board of aid may provisionally, and under the conditions in Article 12, admit a sick person not inscribed on the list to relief.

When it is impossible to call the board of aid together in time, admission may be pronounced by the mayor, who gives a private account of the matter to the municipal council at its next sitting.

ARTICLE 20.—In case of accident or acute disease, medical aid to persons not having relief domicile in the commune where the accident or illness occurred devolves upon the commune, under the conditions defined in Article 21, if no hospital exists in the commune. Admission of these sick persons to medical aid is pronounced by the mayor, who gives notice of it immediately to the prefect and gives a private account of the matter to the Municipal Council at its next sitting.

The prefect acknowledges receipts of the notice and decides within 10 days on the admission to relief.

ARTICLE 21.—The expenses advanced by the commune in virtue of the preceding Article, except the first 10 days of treatment, are re-imbursed by the department according to a regular statement prepared conformably to a tariff fixed by the general council. The department which has afforded aid can call for assistance from certain people. If the person aided has his relief domicile in another department the claim is against that department, which may in turn exercise its claim for assistance from others.

ARTICLE 22.—The inscription on the roll, provided in Article 12, continues to hold good during one year, in respect of the third (*au regard des tiers*) from the day on which the person inscribed has left the commune, saving only the right of the commune to prove that this person is no longer in need of free medical aid.

ARTICLE 23.—The prefect pronounces admission to relief of medical aid in the case of sick persons without means and deprived of communal relief domicile. The prefect is bound at the beginning of each month to send the list of names of sick persons so admitted at the end of each month to the departmental committee or to the Minister of the Interior, according as it falls upon the department or the State.

PART IV.

HOSPITAL RELIEF.

ARTICLE 24.—The charge per diem for sick persons placed in hospitals at the expense of the communes, of the departments or the State is regulated by a resolution of the prefect after a proposal by the administrative committees of these establishments and after an opinion has been expressed by the general council of the department, with the provision that a charge per diem may not be imposed which is less than the average determined during five preceding years.

ARTICLE 25.—Rights arising out of founder's deeds (*actes de fondations*), orders for amalgamation (*édits*)

d'amalgamation), or special agreements (*contractions particulières*) are and remain reserved. There is no departure from Article 1 of the law of August 7th, 1851.

All beds not occupied under the provisions of the previous paragraph, or not considered necessary for the use of old people or incurables, of soldiers, charity children or maternity cases, are devoted to the service of medical aid.

PART V.

EXPENSES, WAYS AND MEANS.

ARTICLE 26.—Expenses for the service of medical aid are divided into ordinary and extraordinary.

The first include:—

1. Fees for doctors, surgeons and midwives in the service of home aid;
2. Medicaments and instruments;
3. Hospital expenses.

These are obligatory. They are borne by the communes, the department and the State, according to the rules established in Articles 27 to 29.

Extraordinary expenses include the cost of enlarging and constructing hospitals. The State contributes to these expenses by subventions determined by the credits voted. Each year a sum to this effect is inscribed in the budget.

ARTICLE 27.—The communes, the special and ordinary resources of which are insufficient to cover the costs of this service, are authorised to vote certain additions (*centimes additionnels*) to the four direct rates, or to the octroi duties in order to obtain the complement for necessary resources. The octroi duties voted in virtue of the preceding paragraph are submitted for the approval of the competent authority according to the dispositions of Article 137 of the law of April 5th, 1884. . . .⁽¹⁾

ARTICLE 28.—The department, in addition to the expenses falling upon them by the preceding Articles, are bound to grant subventions to the communes which are compelled to have recourse to increased rates.⁽¹⁾ . . .

ARTICLE 29.—The State subscribes to departmental expenses for medical aid, by subventions, which may vary from 10 to 70 per cent. of the total expenses covered by the additional centimes.⁽¹⁾ . . .

The State is moreover charged:—

- (1.) With the expenses occasioned by the treatment of sick persons without relief domicile.
- (2.) The expenses of administration relative to the execution of the present law.

PART VI.

GENERAL PROVISIONS.

ARTICLE 30.—The communes, departments, boards of charity and hospitals, possessing properties through foundations, the revenue of which is devoted by the founder to medical aid for sick persons in their homes, are bound to contribute to the expenses of medical aid

up to the amount of the said revenue, excepting for what has been said in Article 25.

ARTICLE 31.—All the collections relative to the service of medical aid are made through the local tax gatherers (*comme en matière de contributions directes*). All the receipts of the boards of aid for which the laws and regulations have not provided a special mode of collection are effected through forms prepared by the president. These take effect (*sont exécutoires*) after they have been overlooked (*visés*) by the prefect or sub-prefect. Oppositions put in are judged as summary affairs when the dispute is as to the competence of the ordinary tribunals, and the board may put in a defence without authorisation of the Council of the Prefecture.

ARTICLE 32.—The certificates, signatures, judgments, contracts, receipts, and other acts accomplished in virtue of the present law, and relating exclusively to the service of medical aid are exempt from stamp duties, and registered freely without prejudice to the benefit of the law of January 22nd, 1851, on judicial aid.

ARTICLE 33.—All disputes relating to execution of the law, whether as to the deliberation of the general council in virtue of Article 4, or the decree in virtue of Article 5, or in case of claims of the administrative commissions relating to the execution of the resolution of the prefect provided for in Article 24, are brought before the council of prefecture of the department in which the plaintiff resides, or in case of appeal before the council of State.

Proceedings before the council of State in the case provided in the preceding paragraph can dispense with intervention of an advocate.

ARTICLE 34.—The doctors in the service of medical aid must be considered as ineligible for the general council or the council of the arrondissement on account of their payment through the departmental estimates.

ARTICLE 35.—The communes or syndicates of communes which prove a complete fulfilment of their duty of aid to sick persons may be authorised to have a special organisation by a special decision of the Minister of the Interior, given after consultation with the Higher Council of Public Relief.

ARTICLE 36.—The provisions of the decree of 24 *vendémiaire an II.* are repealed in so far as they are contrary to the present law.

Executed at Paris, July 15th, 1893.

CARNOT,

President of the Republic.

President of the Council and Minister of the Interior,

CH. DUFOUR.

Keeper of the Seals and Minister of Justice,

E. GUÉRIN.

Minister of Finance,

P. PETRAL.

APPENDIX XVIII.

Strikes in 1892.

By the courtesy of the director of the "Office du Travail," advance proof sheets have been received of the forthcoming work on Strikes in 1892. One or two of the more interesting among them, of which no details could hitherto be procured, can thus be treated here.

The first selected is the strike of September 9th to 29th, among the workwomen (breakers of sugar) in the refinery of Messieurs Sommier et Cie., Paris.

On September 8th a notice was posted up in the works to the effect that from the 19th the pieceworkers in the breaking department would be paid 50 centimes the 100 kilogrammes of sugar broken, instead of the

60 centimes which they had earned on each quintal of sugar placed in the boxes and between the boards. This decision really only affected the workwomen employed at the boards. The boxes contained 60 kilogrammes and the boards from ten, or five, down to one kilogramme; but hitherto the boxes were counted as 50 kilogrammes instead of 60, while in the case of the boards the weights were more exact. When deciding to lower the rate M. Sommier undertook to pay the boxes at their real weight, that is, the workwomen, instead of receiving 60 centimes for 120 kilogrammes, received 50 centimes for 100 kilogrammes.

The breakers of sugar decided that they would not accept the new rate, and on the 9th 90 of them ceased work. The other workwomen, earning by time-work from 3 francs to 3.25 a day in other departments,

Strike of
workwomen
in sugar
refineries,
Paris.

⁽¹⁾ A reference to schedules follows here. See "Journal Officiel," July 13, 1893.

joined, and so brought up the number of strikers to 160. The situation remained unchanged until September 14, on which day M. Sommier received a deputation of workwomen who demanded a restoration of the old rate. No agreement, however, was arrived at, as the strikers refused a slight concession (the substitution of 53 centimes for 50) offered by the employer.

The same day a meeting was held at the Labour Exchange and a general strike in the trade was determined on; a subscription list was opened to provide necessary funds. On the 15th 35 workwomen left the breaking department in the works of M.M. Lucas and Descambre. Their example was followed next day by 250 workwomen of the firm Lebaudy, 110 (out of 120) in the firm François, and by 24 (out of 30) workwomen in the French sawyards (*scierie française*). This result was accompanied or preceded by several interferences with freedom of labour which, however, were quickly repressed. At a meeting of the Labour Exchange on the 16th the following resolutions were taken:—“The workwomen (*casseuses de sucre*) in the firms of “Lebaudy, Sommier et Cie., Lucas et Descambre, and “François, undertake not to begin work until they have obtained: (1) at the works Lebaudy, 80 centimes per 100 kilos.; suppression of fines; Saturday payment of wages; payment by the employer and not by the employed of the weighers and tarers; a rise of ten centimes an hour for the time-workers. (2) At the works of Sommier and Company: maintenance of the rate of 60 centimes per 100 kilos.” At the same time an appeal was addressed to all the workwomen in the refineries to join a syndicate, in process of formation, as soon as possible.

On September 17th, however, 60 workwomen returned to work at the refinery of Lebaudy, 50 at the works of François and all the sugar breakers at the works of Lucas and Descambre, so abandoning the struggle.

On the 19th a fresh deputation to the firm of Sommier asked for a return to the old rate. The reply was that this was impossible, but that the works were open to all who would return to work. A meeting in the large hall of the Labour Exchange next day adopted the following resolution:—“The workmen and workwomen of the Sommier refinery, in general assembly on “September 20, in view of the revolting attitude of the exploiter Sommier, decide to continue the strike more firmly than ever, and declare that the readiness of the syndicates at the Labour Exchange to subscribe subsidies offer them every encouragement in maintaining their claims.”

A small number of the strikers attempted a third approach to M. Sommier on September 26. He was desirous of ending the strike, renewed his offer of September 14, promising 53 centimes per 100 kilos. of sugar broken. Seeing that they could obtain no better conditions, the workwomen informed M. Sommier on the 27th that work would be resumed the following day. This they did, but a new incident arose; the drawers and pushers refused to work except at the same rate as the breakers. To avoid prolongation of the strike M. Sommier, consented to grant this demand, and on the 29th work was resumed by all.

Strikes among cabdrivers.

Three strikes among cab-drivers (*cochers de fiacre*) took place during 1892 in Paris:—

—	Dates.	Firms affected.	No. of Strikers	Claims of Strikers.	Results for Strikers.
1	Jan. 3 to Mar. 7.	One	1,800	Reduction of hire from 22 to 15 francs.	Defeat.
	Mar. 26 to Ap. 6.	Eight	600	Daily wage of 5 francs, and suppression of hire.	Defeat.
3	Aug. 16 to 19.	Eight	900	Reduction of hire, and application of the horo-kilometric measure.	Defeat.

The first of these, which is chosen for illustration as the longest and most interesting, arose among the em-

ployés of the *Compagnie Urbaine* and began at the dépôt Batignolles. An unsigned notice was distributed among the cab-drivers, complaining of a rise in hire from 20 to 22 francs, which was announced, they said, in spite of an attempt to arrange the matter by a deputation to the “council of administration,” and calling upon the men to come out on strike with a demand for a fixed daily rate of 15 francs. Several dépôts were deserted in response to this at once, and by January 4th the strike was universal. Further demands were put in: (1) that the cabs should not be at the charge of the drivers on the days when they did not leave the yards, (2) that delegates should be neither threatened nor dismissed.

M. Lamonta, president of the council, replied that the latter points would be considered, and that while the company had hitherto found it quite impossible to establish a fixed daily rate, they were disposed to show as much consideration as possible in establishing an average.

A meeting was held at once, January 4th, at the Labour Exchange, at which it was resolved to continue the strike until all claims were satisfied. A subscription list was opened, and from that date until the close of the strike not less than 3,000 francs in all were received.

On the 12th a deputation of cab-drivers was received by the company. The former then declared that they were ready to re-commence work if the company would allow them to work at choice, according to an average or a market rate (*soit à la moyenne, soit à la feuille*). The company at once agreed, but no cabs were taken out of the yard on the following day. At a meeting at the Labour Exchange the action of the deputation was repudiated, and continuation of the strike voted. On the 14th, offers of conciliation were sent to M. Lamonta through the Municipal Council of Paris. He replied that he would meet the latter if the following were associated with him in consultation, as the matters in question were vital to the whole trade:—

M. le Président de la Compagnie générale des voitures;

M. le Président de la Compagnie l'Abeille;

The principal cab-owners and the president of their syndical chamber.

This reply was taken as a refusal of mediation. On the 19th it was decided to continue the strike with the utmost energy (*dernière énergie*), and the Municipal Council voted a credit of 10,000 francs to the strikers. On their part the “Urbaine” company were supported by all the greater cab-owners. No important incident took place until February 12th, when a proposal for arbitration was sent to M. Lamonta, the drivers suggesting M. Mesureur, deputy for the Seine, as their representative. This proposal was rejected. On February 16th the Marquis de Morès explained to a mass meeting of drivers the details of a scheme, whereby (with the aid of a loan from the bank of France) they might become co-proprietors of the plant of the company. A number of other orators addressed the meeting, which eventually adopted a long series of resolutions; of these the most practical was that the drivers were “compelled to carry the strike on in its natural course” (*marche normale*) until the prince financier Lamonta “submitted or resigned (*as soumette ou se démette*).” Protests were entered against the action of the police in interfering with a strike which had been carried on in a “most calm and dignified” manner. It should be noted in passing, in connection with this contention, that one hundred actions (*procès-verbaux*) for interference with freedom of labour were brought against strikers, and that the greater number of arrests were followed by sentences varying from 15 days to six months’ imprisonment.

Whether the arrests had any effect or not, it was from February 18th that cabs belonging to the Urbaine company began to be seen in the streets again. On March 2nd a fresh attempt at conciliation was unsuccessfully made, followed by fresh declarations of “solidarité” and “fraternité” on the part of the drivers. On March 4 three delegates from the drivers’ syndicate were received by M. Lamonta, who refused their proposals. A last meeting of the drivers took place on the 5th. It was resolved that “while closing “the strike . . . the remaining strikers, certain

" that they had fulfilled their whole duty . . . would continue to relieve their comrades languishing in prisons for no worse crime than that of defending a just cause against capitalist and police tyranny . . . and would organise a strike fund for the future which would assure eventually the triumph of their unappreciated rights."

Tanners' strike, Châteaurenault.

A strike in which arbitration was successfully applied took place among the working tanners of the firm *Bienvenue et Cie* at Châteaurenault, in the end of 1892. The cause of the strike was a demand for increased wages. It commenced on November 28th, and was only terminated in January 25th, 1893. Initiative in application of the new law of conciliation and arbitration, December 27th, 1892, was taken by the *juge de paix* directly after its promulgation, in default of initiative by the disputing parties. Several unavailing attempts at conciliation under the provisions of the law were made. The first meeting took place on January 11th, before Lucien Davoy, *juge de paix* of the Canton Châteaurenault in the *arrondissement* Tours (Indre-et-Loire). Five working tanners and carriers' delegates appeared for the one side, and two members of the firm *Bienvenue* for the other. These stated that 54 workmen out of 84 had left the works of *Bienvenue aîné et Cie.* on November 28th, and that the cause was alleged by them to be insufficient wage. The preliminaries having been settled, the workmen opened the debate (*pris la parole*), and expressed surprise that MM. *Bienvenue* had not appeared in person to defend their action, and stated that they themselves desired conciliation rather than arbitration. The delegates for the firm replied that they (MM. *Bienvenue*) had every wish to act in conformity with the law, and that this permitted them to send delegates. The claims then put forward by the workmen were: (1) a price of 10 francs the 100 kilos, of dried, glazed, and cut hides; (2) 40 centimes an hour for time-work at the river, and in the drying rooms; (3) 30 centimes an hour for work in the yards, beginning at the age of 16.

MM. Foucher and Aubin, the delegates for the employers, then put forward a tariff in the name of their principals: (1) specifying rates varying from 4f. 50c. to 17f. for various kinds of hides; (2) offering 1f. 40c. per hide for every sort treated at the river; (3) and 3 francs a day (of 12 hours) for men and lads working in the court, the latter to be chosen by capacity and not by age.

The working delegates then replied that they could not accept any alteration in their own terms, and asked for a postponement of the consultation until the 13th, when they should have consulted their fellow workers. MM. Foucher and Aubin promised that a member of the firm would meet the workers at the date specified.

When the meeting took place the workers objected to the presence of the delegates of the employers along with a member of the firm, M. Nioré. They retired, and M. Nioré then asked for arrangement of an arbitration. No agreement on the subject of arbitrators could be arrived at, but at another meeting on January 18th, an arrangement was made. Three working curriers, outside the disputing parties, were nominated on behalf of the workers, and two master curriers on behalf of the employers. At a meeting of the arbitrators on January 23rd, the following award was given:—

- (1.) In the currying and glazing departments prices to be paid varying from 18 francs to 4f. 50c., the greater part of this tariff being that proposed by MM. Foucher and Aubin.
- (2.) For work by the river 1 franc 40 per hide of every kind.
- (3.) The work in the yards to be paid entirely according to the aptitude of the men "in accordance with the just appreciation of the employers and their old customs." This was unanimously agreed on by the arbitrators.
- (4.) In case of strike while hides are still in the water the 1f. 40c. mentioned in Article (2) to be paid only after completion of the task.

This arbitration was accepted and put into force from January 24th.

The following table shows the strikes in 1892 from the point of view of the trades:—

Trades.	No. of Strikes.	No. of Days' work lost.
A.—Mining, Quarrying, and Engineering Trades.		
1. Mines - - - - -	15	255,000
2. Quarries - - - - -	5	6,000
3. Iron, engineering, and metal works	40	61,000
B.—Transport and Agriculture.		
1. Railways - - - - -	1	60
2. Other forms of transport - - -	14	125,000
3. Agriculture and forests - - -	6	235,000
C.—Textiles, Clothing and Miscellaneous Trades.		
1. Textiles - - - - -	79	82,000
2. Clothing, dyeing, &c. - - -	5	900
3. Chemicals - - - - -	3	150
4. Printing trades - - - - -	5	850
5. Provision trades - - - - -	4	10,000
6. Leather - - - - -	14	35,000
7. Cabinet trade - - - - -	23	35,000
8. Cutting and polishing stones - -	15	46,000
9. Construction and canal works -	32	29,000
Totals - - - - -	261	920,960

TABLE, showing CAUSES and RESULTS OF STRIKES, 1892.

Chief causes or Claims of Strikers.	Successful.	Compromise.	Defeat.	Unknown.	Total.
Demand for increase in wages.	31	31	29	2	103
Against reduction of wages.	10	17	31	—	58
Demand for reduction of hours.	2	10	5	—	17
Miscellaneous disputes about wages.	11	6	20	1	38
Refusal by employers of general rights or rules claimed by syndicates.	3	1	1	—	5
Dismissal of workmen - - - - -	2	6	12	1	21
Demand for dismissal of members of staff.	4	5	26	—	35
Protests against fines and regulations of works.	0	5	8	—	14
Demand for reform of relief and pension funds.	—	1	—	—	1

Of all these strikes, 138 lasted for one week or less; 50 from 8 to 15 days; 27 from 16 to 30 days; 30 from 31 to 100 days; 5 for more than 100. In 11 cases the duration was unknown.

TABLE of STRIKES in 1892 by Departments.

Departments.	Number of Strikes.	Number of Days of Work lost during the Strikes.
1. Ain - - - - -	—	—
2. Aisne - - - - -	3	7,500
3. Allier - - - - -	4	5,500
4. Alpes (Basses) - - - - -	1	400
5. Alpes (Hautes) - - - - -	1	85
6. Alpes (Maritimes) - - - - -	—	—
7. Ardèche - - - - -	2	4,700
8. Ardennes - - - - -	10	8,500
9. Ariège - - - - -	1	130
10. Aube - - - - -	4	5,500
11. Aude - - - - -	1	700
12. Aveyron - - - - -	2	120
13. Bouches-du-Rhône - - - - -	—	—
14. Calvados - - - - -	2	30
15. Cantal - - - - -	—	—
16. Charente - - - - -	—	—
17. Charente-Inférieure - - - - -	2	1,700
18. Cher - - - - -	8	170,000
19. Corréze - - - - -	—	—
20. Corse - - - - -	2	475
21. Côte-d'Or - - - - -	2	—
22. Côtes-du-Nord - - - - -	2	700

Departments.	Number of Strikes.	Number of Days of Work lost during the Strikes.	Departments.	Number of Strikes.	Number of Days of Work lost during the Strikes.
23. Creuse	—	—	59. Oise	7	2,400
24. Dordogne	1	600	60. Orne	—	—
25. Doubs	3	4,400	61. Pas-du-Calais	10	3,300
26. Drôme	—	—	62. Puy-de-Dôme	—	—
27. Eure	1	1,000	63. Pyrénées (Basses)	—	—
28. Eure-et-Loire	—	—	64. Pyrénées (Hautes)	1	170
29. Finistère	1	5,000	65. Pyrénées (Orientales)	1	60
30. Gard	2	800	66. Territoire de Belfort	—	—
31. Garonne (Haute)	2	6,500	67. Rhône	5	100
32. Gers	—	—	68. Saône (Haute)	1	220
33. Gironde	4	11,000	69. Saône-et-Loire	—	—
34. Hérault	7	17,000	70. Sarthe	—	—
35. Ille-et-Vilaine	3	350	71. Savoie	—	—
36. Indre	2	6,800	72. Savoie (Haute)	—	—
37. Indre-et-Loire	5	850	73. Seine	31	150,000
38. Isère	1	6,800	74. Seine Inférieure	7	11,000
39. Jura	1	3,600	75. Seine-et-Marne	2	300
40. Landes	—	—	76. Seine-et-Oise	3	300
41. Loire-et-Cher	3	26,000	77. Sèvres (Deux)	—	—
42. Loire	6	21,000	78. Somme	—	—
43. Loire-Haute	—	—	79. Tarn	6	240,000
44. Loire (Inférieure)	2	7,000	80. Tarn-et-Garonne	—	—
45. Loiret	2	4,600	81. Var	—	—
46. Lot	—	—	82. Vaucluse	1	120
47. Lot-et-Garonne	2	1,000	83. Vendée	—	—
48. Lozère	—	—	84. Vienne	—	—
49. Maine-et-Loire	8	2,200	85. Vienne (Haute)	1	85
50. Manche	—	—	86. Vosges	2	4,400
51. Marne	11	13,000	87. Yonne	1	450
52. Marne (Haute)	1	325			
53. Mayenne	1	1,200			
54. Meurthe-et-Moselle	3	1,800			
55. Meuse	1	—			
56. Morbihan	6	600			
57. Nièvre	4	10,000			
58. Nord	54	60,000			
			Total	263	920,000

N.B.—One strike (among wood-cutters) extended to three departments, and this brings up the total to two more than in the last table.

APPENDIX XIX.

EXPLANATIONS of certain LEGAL and POLITICAL TERMS not already given in the TEXT.

Conseil Communal ou municipal; maire.—The municipal body in each commune is composed of a municipal council, a mayor, and one or more assistants (see law of April 4, 1884, Article 1). The law of 1884 in giving the Municipal Council a foremost place, was intended to put into application the principle of universal suffrage, and Article 76 of this law lays down that the mayor holds his office in virtue of election by universal suffrage. It is in his quality of president of the council that he walks always at the head of it. In principle the exercise of municipal functions is gratuitous, but the law has especially reserved the power of granting re-imbursements to members and the mayors out of ordinary communal resources. Since the law of March 28, 1882, the mayor has been elected from among the councillors by ballot in the council, and by an absolute majority, in all the communes, except Paris. The mayor takes precedence in public functions immediately after the President of the Tribunal of Commerce, and if he is a Catholic has an *ex officio* place on certain ecclesiastical bodies (*conseil de fabrique, banc d'œuvre*). His attributes vary according as he is considered an agent of the central power or of the communal association.

A. The first of his attributes under the former head is the publication or posting up (to be carefully distinguished from the promulgation) of laws, administrative orders, and prefectural resolutions (*arrêtés préfectoraux*).

The mayor is also charged by the higher administrative powers—(1) with the carrying into effect of laws and administrative orders of general measures relating to safety and public order; (2) with the fulfilment of special functions, such as registration of the civil state of citizens, control of the police, and matters appertaining the administrative law.

B. As head of the communal administration the mayor may formulate special resolutions (*prend des arrêtés*) on local affairs generally confided to his care, e.g.,

sanitation; he also has to defend the financial interests of the commune, and to represent it when necessary in the law courts.

If resolutions taken by the mayor are of a temporary character they may be put into operation immediately after notice of them has been sent to and acknowledged by the sub-prefect, without objection on the part of the prefect; if they apply permanently they must remain under consideration of the prefect for not less than one month. "The mayor is the link joining the administration and the administered. He sees to the effective operation of the laws of the higher authorities. Although hierarchically subordinated to the prefect and the Minister, his powers are extended and varied, while limited to his own commune."

The number of municipal councillors in a commune varies with the population, and may be 10 for 500 inhabitants, or less, 12 for 500 to 1,500, 16 up to 2,500, and 50 on. The prefect determines the number after each quinquennial census.

(See Block, *Dictionnaire de l'Administration Française*. Articles, *Organisation Communal, Administration*.)

Conseil d'Etat.—This is the chief council of the head of the State and his Ministers. It assists in the preparation of laws and administrative orders in all departments of the public service. It also has to decide or pronounce judgment on litigations arising within the domain of administrative law (see *Droit administratif*). "In some cases it is the court of first instance, but it is more often a court of appeal, sometimes even a court of cassation for administrative affairs." The institution of the Council of State is traditional in France, although its actual composition has varied at different epochs. It is now composed—(1) of 32 ordinary State councillors, and 18 extraordinary; (2) of 30 *maîtres des requêtes*; (3) of 36 auditors and a secretary-general. The presidency of the council belongs to the office of the Keeper of the Seals and Minister of Justice. The

other Ministers have a place in the general assembly of the council, but they have no concern with litigations, and only deliberate upon the affairs belonging to their own Ministry. The President of the Republic nominates the vice-president of the council, and the presidents of sections (see Block, cited, Dicey, Law of the Constitution, Lecture V).

Conseil de Préfecture.—This institution is one of the elements of the executive system founded at the beginning of the century. It has judicial as well as executive functions to fulfil, and is the administrative (or executive) tribunal, which takes cognisance of the most varied matters, although it has not a universal jurisdiction like the civil tribunal. It only pronounces judgment on certain categories of affairs which are expressly confided to its care by the laws. Appeal from its decisions lies to the Conseil d'Etat. Besides its legal attributes the Conseil de Préfecture is specially charged with repression of certain contraventions and auditing of communal accounts. The numbers of members of the Council of the Prefect vary. In the Seine department there are nine, including the president, and in 29 others, including e.g., Nord, Rhône, Loire, Bouches du Rhône, there are four councillors. In a certain number there are only three members. The importance of the affairs to be administered in the Seine department have led to the institution there of a permanent president of the council (see below, *Prefet de la Seine*). The councillors in all the departments are nominated by the head of the State (*Chef de l'Etat*). (See Block, cited.)

The *Conseil Général* is an assembly of an elective character for each department, which is entrusted with the care of certain special interests of that district, and which also exercises certain functions from the point of view of general interests which are delegated to it by the State. Each canton of the department elects a member of the *Conseil Général* by universal suffrage. Members may not be chosen among prefects or other members of the prefecture, *procureurs généraux*, *juges de paix* and certain other legal and state officers. (See Block's Dictionary for further information.)

Cour de Cassation.—This institution which "is intended to lead the various tribunals of France to a strict observation of the forms of the law and to maintain a uniformity of jurisprudence amongst them," was founded by the law of December 1, 1790. At first the members of the court were elected for four years with re-eligibility at the end of the term. Since 1815 the members have been 49 judges, appointed for life, and from among these a president and three vice-presidents are chosen. Since 1826 the court has been divided into three chambers, viz., The chamber of requests, the civil chamber and the criminal chamber; these may unite in formal sitting (*audience solennelle*). The functions of the court were defined by the law of November 27, 1790:—

"Article 2. The functions of the Court of Cassation are to pronounce on all demands on appeal (i.e., any of the ordinary law courts whether courts of appeal or not) to judge the demands for reference from one tribunal to another . . . on account of conflicts of jurisdiction and rulings of judges . . ."

"Article 3. It shall annul all proceedings (*procédures*) in which forms have been violated, and every judgment which contains an express contravention of the text of the law. Under no pretext and in no case may this tribunal take cognisance of the ground of the action; after having quashed the proceedings or judgment it sends back the affair to the competent tribunal."

Droit Administratif.—This term, though not directly used in the text of the report is implied whenever a fundamental distinction existing between French and English law is touched upon. In England, officials of the State are liable before the ordinary law courts like any ordinary citizen in their own persons for damages, in case of acts done in excess of their lawful authority, even if done in official character and in obedience to commands of a superior. In France no official can be brought before the ordinary courts (*la justice*) for the performance of any act done in his official character. He must be tried by the "body of rules which regulate the relations of the administration or of the administrative authority towards private citizens."⁽¹⁾ At the

head of all the administrative courts stands the Conseil d'Etat. Professor Dicey describes *Droit Administratif* as "that portion of French law which determines, (i.) The position and liability of all State officials; (ii.) the civil rights and liabilities of private individuals in their dealings with officials as representative of the State; (iii.) the procedure by which these rights and liabilities are enforced." According to M. Block the relations of the administration with the ordinary law courts (*avec la justice*) are of a delicate nature. The two authorities are parallel and independent of each other; they "mutually complete each other and are equally indispensable to the well-being of the State." They differ in nature, because judicial authority is delegated to immoveable judges while administrative authority is given to removable functionaries. They differ in power, because the administration has the power of initiative and of prescribing, while ordinary justice only judges. They differ in object, because the administration is entrusted with care of general interests, while ordinary justice has intended to solve the difficulties which arise through conflict of private interests.

The vagueness of these descriptions would lead one *a priori* to expect a debatable land between the two spheres of law. As a matter of fact there exists of necessity in France a special, tribunal the *Tribunal des Conflits*, which has to decide on conflicts of jurisdiction. "The special function of this body is to determine finally whether a given case," say an action against a policeman for an assault, "comes within the jurisdiction of the civil courts or of the administrative courts."

Ester en Justice.—To be a party to an action before a tribunal or judge, either as plaintiff or defendant.

Juge de Paix.—The justices of the peace in France (like certain courts of a special character, such as the tribunals of commerce) are an exception to the general rule of irremovability of judges. Under a name borrowed from England the Assembly of 1790 created an institution peculiar to France, which has survived all subsequent changes. Originally each canton elected a *juge de paix* and two assessors; since 1814 the head of the Government alone nominates or revokes a *juge de paix*. The fundamental principle of the institution is that the justice of the peace should act as a moderating or conciliating power. No affairs can be brought before the tribunals of the arrondissement without first being cited before the justice of the peace. When the justice decides as judge he sometimes acts as a court of first instance, sometimes without appeal. He may never decide on questions belonging to the commercial or administrative tribunals, but may give judgment on questions outside those spheres relating to personal or moveable property (*de l'ordre civil*) up to 100 francs if it is without appeal, up to 200 francs if it is in first instance. Certain special laws provide for intervention of the *juge de paix* in some cases of infraction of the customs laws. (For procedure, &c., see Block, article *Juridictions Civiles*.)

Prefet de la Seine.—The Prefect of the Seine is nominated by decree, at the instance of the Minister of the Interior, like other prefects, but is of exceptional rank, and has a special yearly provision (*traitement*) of 50,000 francs. His secretary also is of exceptional position and receives 18,000 francs yearly. The Prefect of the Seine is at the same time the representative of the State, the administrator of the department, and (except where police affairs are concerned), the Mayor of Paris.

Procès Verbal.—The legal statement of a fact or facts (*fait*) by a public official or agent (whether belonging to the administration or to the civil courts) is called a *procès verbal* (see Block, *procès verbal*).

Procureurs Généraux.—Public functionaries attached for the safeguarding of public order and morality to all the various courts and tribunals of France, excepting only the Councils of the Prefects, the tribunals of Commerce, justices of the peace, and councils of experts.

Tribunal d'Arrondissement.—These tribunals are something more than the term suggests, for in certain cases they apply to more than one arrondissement. They cannot be considered as courts of first instance only, for they act as courts of appeal from decisions of the *juge de paix*, nor can they be considered as purely civil courts, for they also judge in certain commercial

(1) Dicey, Law of the Constitution, p. 184, quoting from Aucoc.

cases and take cognisance of certain misdemeanours (*délits*). In the latter sphere they are known as *tribunaux correctionnels*.

The number of judges on these tribunals varies from 3 to 12 according to population. They are divided into three classes, outside the Seine department: (1) those sitting in towns containing 80,000 inhabitants; (2) those in towns containing 20,000 inhabitants; those in towns of less than 20,000 inhabitants. (For a full account of their competence and procedure, see Block's Dictionary, article "Jurisdictions Civiles.")

Règlement Administratif.—This is to be distinguished from the *Règlement d'Administration Publique*. The latter, which is referred to so often in the text of the report, is a "complementary legislative act, the preparation of which has been specially delegated to the head of the State by an express or special provision of the law."

The former term applies to a spontaneous action of the Government formulating an assemblage of prescriptions, binding upon all citizens or a certain category of

citizens, and this in virtue of general powers conferred on the head of the Government by constitutional laws.

Tribunal de simple Police.—This jurisdiction appertains exclusively to the *juges de paix*. The police courts take cognisance of contraventions of laws punishable by fines up to 15 francs, or imprisonment for five days. The judgment is only one of first instance and is subject to appeal where imprisonment is inflicted.

Tribunal Commercial.—These are elective tribunals to be found wherever commercial interests are of sufficient importance to call for such an institution. They take cognisance of commercial disputes which ordinarily come before the civil courts, but only at first instance and subject to appeal. The latest statistics showed that there were 222 such courts in France.

The election of judges to serve on them is for two years. Each court is composed of a president, of a certain number of judges not more than 14 and not less than two, and a certain number of deputy judges in a suitable proportion.

APPENDIX XX.

DECREE of MARCH 25, 1852, regulating BUREAUX DE PLACEMENT.(1)

ARTICLE 1.—In future no person may open a registry office under any pretext or for any trades whatsoever, without a special permission, given by the municipal authority to those persons only who are of recognised character. Actual possessors of registry offices are allowed a period of three months in which to provide themselves with this permission.

ARTICLE 2.—The request for a permission should furnish a statement of the conditions under which the applicant proposes to carry on his trade. He is bound to conform not only to these conditions but to any further orders which may be issued under Article 3.

ARTICLE 3.—The municipal authority shall so supervise the registry offices that it is assured of the maintenance of order in their conduct. It shall also draw up the necessary resolutions to this effect, and regulate the rate of fees charged by the owner of the office.

ARTICLE 4.—Every contravention of Article 1, or the second paragraph of Article 2, or of regulations made in virtue of Article 3, shall be punished by a fine of 1 franc to 15 francs with an imprisonment of not more than five days, or by only one of these punishments. The maximum punishment allowed shall always be inflicted where the offender has undergone a

sentence for contravention of the present decree, or the police regulations above referred to, within the preceding 12 months. These punishments do not include the restitutions or damages due on account of the actions imputed to the owner of the office. Article 463 of the Penal Code is applicable to the contraventions above indicated.

ARTICLE 5.—The municipal authority may withdraw permission:—(1) from individuals who have incurred or are about to incur sentences under Articles 15 and 16 of the decree of February 2, 1852; (2) from individuals who have been or are about to undergo sentence for coalition; (3) from those who have been sentenced to imprisonment for contravention of the present decree or of resolutions issued under Article 3.

ARTICLE 6.—The powers above conferred on the municipal authority shall be exercised by the Prefect of Police for Paris and the province of his jurisdiction, and by the Prefect of the Rhône for Lyons and the other communes in which he fulfils the functions attributed to him by the law of June 24, 1851.

ARTICLE 7.—Withdrawals of permission and orders issued by the municipal authority are not binding until after the approval of the prefect.

APPENDIX XXI.

NOTE ON INDUSTRIAL and AGRICULTURAL TECHNICAL EDUCATION.

There is no completely organised system of technical education (*i.e.*, industrial as distinct from agricultural) in France, but technical schools, national, departmental, communal, and private, exist in most important centres, and may be considered under the heads: primary, secondary, and higher. It is only the first class of schools that is specially regulated as to course of instruction by laws. The national and departmental schools of apprentices (*écoles professionnelles ou d'apprentissage*) and the communal primary technical schools are specially recognised or provided for by the law of December 11, 1880, and by decrees of March 17 and July 28, 1888, which further determine the conditions under which the law shall apply. The law was promoted by its supporters with a view to filling the gap left by the decay of the old industrial system of apprenticeship and the rise of the factory system. These schools are placed under the double authority of the Minister of Public Instruction and the Minister of Commerce and Industry. National schools are created by a decree after proposition by two Ministers. Departmental and communal schools are authorised by the

Minister of Public Instruction on advice (*sur l'avis conforme*) from the Minister of Commerce and Industry, and also after advice from a delegate for both these Ministers and from the Departmental Committee of Public Instruction. When a general council (*Conseil Général*) desires to found a school, with or without co-operation of the communes, it takes a resolution setting forth the expenses which will be at the charge of a department. When it is a commune that desires to found a school the procedure is the same as in the case of establishment of ordinary primary schools.

Each school has attached to it a local committee formed by local government and municipal officials. The director and staff of a national school are nominated by the two Ministers above mentioned. In the case of a departmental school they are nominated by the prefect, and in a communal school by the mayor. State funds provide for the national schools, while in departmental and communal schools general expenses of maintenance are provided out of primary education, funds and staff expenses out of local general funds.

(1) See "Le Placement des Ouvriers," p. 134, Paris, 1888.

The schools are under the ordinary system of inspection for primary education, as well as being subject to special inspection determined by the Ministers. No child enters these schools under 12 years of age, and the course is then three years at least. To a certain complement of primary instruction the primary technical school adds teaching in drawing, applied science, and manual work. The first of all these schools was established by special decree at Vierzon to serve as a model for subsequent attempts. But the school which is still considered one of the finest in France was established by the Municipality at Havre in 1866. It was designed for and admirably fulfils the purpose of supplying skilled workers and foremen for workshops in iron and wood industries. The instruction, which is theoretical and practical, includes, (1) under the former head, the French language, history, geography, arithmetic, elements of physics, chemistry, mechanics, political economy, hygiene, algebra (elementary), geometrical and freehand drawing, (2) under the second head, lock-making, forging, founding and moulding, coppersmiths' work, cabinet and furniture making, carving, and modelling. The number of pupils is 250, all of whom are day scholars (*externats*), and the expenses annually 58,000 francs.

Secondary technical education generally aims at forming managers and directors of industrial undertakings. There are four national schools of arts and crafts for this end, one of them founded in 1788 by the Duke de la Rochefoucauld-Liancourt at Compiègne, which was removed in 1806 to Châlons. These schools are regulated by a decree of April 4, 1885, and are partly for boarders. The instruction in theoretical subjects is very extended in scope, and includes various branches of mathematics, pure and applied, applied science and construction of machinery, geography, history, industrial finance, and hygiene. Practical instruction is given in the trades relating to iron and wood.

Higher technical education aims so far at forming engineers, and is provided by the Central School of

Arts and Manufactures, the National Conservatoire of Arts and Crafts, the School of Bridges, Causeways, and Mines, the School of Telegraphy, and the School of State Manufactures.

Agricultural education is relatively new in France, but has already been highly organised. Governmental initiative in this direction began in 1848, but it should be noted that the first attempt was made in 1818 by Matthieu de Dombasle. He founded a school at Roville specially designed for peasant proprietors and stewards of larger properties. The example was followed, but no system was founded until the State came to the aid of farm-schools which were designed for the instruction of the agricultural labourer. At the time when the law of October 3, 1848, was passed there were 25 farm-schools besides the Institutes of Grignon and Grand-Jouan. This law organised a scale of instruction as follows:—Primary, the farm-schools; secondary, the district schools; higher, a national institute for the theory of agriculture. Various subsequent decrees and laws modified the system. At the present day there are four stages. There are 30 farm schools and schools of agricultural apprentices, where practical instruction is given in various kinds of cultures and dairy farming. Then follow the secondary schools, which give a certain amount of theoretical teaching. Thirdly, the national schools of agriculture are designed to train large farmers in the theory and practice of farming and rural administration. Finally there is the *Institut National Agronomique*, re-constituted by the law of August 9th, 1876, which holds a somewhat similar position in agriculture to that occupied in the letters, arts and sciences by the various academies of the *Institut de France*.

Auxiliary instruction in agriculture is provided for by departmental chairs, courses, and fields for experiments. (See Block's *Dict. de l'Administration Française*, articles *Enseignement Agricolaire*, *Enseignement Technique*.)

APPENDIX XXII.

REGULATIONS drawn up by M. ÉMILE THOMAS for the NATIONAL WORKSHOPS in 1848.

REPUBLIC OF FRANCE.¹

NATIONAL WORKS.

REGULATIONS FOR ENROLMENT IN BRIGADES.

§ I. Enrolment in brigades will take place for the different districts (*arrondissements*) in the order, and at the time indicated by an order of the day sent to the offices of the mayors.

§ II. No enrolment in brigades takes place on Sundays or national holidays.

§ III. In order to be enrolled a workman must—

- (a.) Certify at the office of the mayor of his district, that he is over 16 years of age, or else fatherless, or the eldest of a family of six children.
- (b.) He must appear in person, and only on the day and at the hour specified for his district, provided with a note bearing his name, calling, address, the stamp of the mayor of his district, and dated at least the day previous to the enrolment.
- (c.) If a workman is on guard on the day of admission for his district, he shall ask leave from the officer in charge of the guard in order to go to the central bureau.
- (d.) A workman who desires to be enrolled in a brigade which has already been formed, must appear in person on the day and at the time fixed for his district, with a message from the chief of that brigade, stating his own number, that of the company and of the service.
- (e.) A workman who has lost his book shall call at the inquiry office with a certificate from the chief of his company, in order to obtain a fresh one; he shall then pay 50 centimes.

(f.) The workmen shall enter by brigades made up of 56 of the men who are present. Each brigade which presents itself incomplete shall be completed by the latest arrivals of the following brigade. No brigade shall start uncompleted from the bureau of enrolment, except the last.

(g.) Brigadiers and chiefs of squads are elected beforehand by the workmen; but their brigade or squad may be taken to fill up incomplete lists belonging to the same district. Their nomination is not confirmed until after the enrolment in brigades.

(h.) Every day a lieutenant sent by the head of the district shall come to announce the service numbers of the companies and brigades to which newly-enrolled workmen belong, in order that these numbers may be entered on their books. These books, moreover, shall bear the names and addresses of the managers (*chefs de service*) of the heads of companies, of the lieutenants, brigadiers, and heads of squads.

The Commissary of the Republic,
Director of National Works,
ÉMILE THOMAS.

REPUBLIC OF FRANCE.

MINISTRY OF PUBLIC WORKS.

NATIONAL WORKS.

GENERAL REGULATIONS FOR WORKMEN ENGAGED ON THE WORKS OR AWAITING ENGAGEMENT.

The Commissary of the Republic, Director of the National Works, considering that different orders of the

¹ Histoire des Ateliers Nationaux, pp 59-73.

day have hitherto regulated the measures adopted for the administration of these works :

That it is important to combine in one regulation the different orders of the day enumerated above :

Enacts the following provisions which have been discussed in a council of heads of the districts, and laid before the assembly of workmen's delegates engaged in the national works, who have adopted them in their entirety.

The payment of brigadiers, heads of squads, and workmen are fixed as follows:—

Days of Work.

			fr.	c.
Brigadiers	-	-	-	3 0 per day.
Heads of squads	-	-	-	2 50
Workmen	-	-	-	2 0

Non-working Days.

			fr.	c.
Brigadiers	-	-	-	3 0 per day.
Heads of squads	-	-	-	1 50
Workmen	-	-	-	1 0

On Sundays work is suspended; brigadiers, heads of squads, and workmen receive no pay.

No person enrolled in a brigade shall be entitled to two days' work until after the first Monday following his enrolment.

Heads of squads, and workmen selected for guard duty on any day except Sundays, or legal holidays, shall be considered as discharging a public duty, and shall be entitled to the payment accorded for days of active work, provided that within 24 hours they deliver to the chief of their company the document summoning them on guard, stamped with the seal of the staff officer of their legion, which document must bear the Christian name of the workman. After 24 hours the document will not accepted.

The document, handed as aforesaid to the head of the company, shall be transmitted to the director through the manager (*chef de service*) stating the district, the service, the company, and the brigade to which the workman belongs.

Extra guard duty, and similar duty when performed as a punishment, are excepted from the above provisions.

Lieutenants and brigadiers are exempted from national guard duty by the head of the district, who shall write to the sergeant-major who has summoned them.

The list of the men who have received the indemnity for guard duty shall be forwarded on the Monday and Tuesday of each week, at one o'clock, to the office of the sub-directorate of M. Dellisse, with the names and addresses of the men who have been summoned.

Men who are ill and confined to bed, and not admitted to the hospitals, receive without distinction, the payment of two francs per day from the special agents of the medical bureau if their state of health has been previously attested by a medical certificate, registered by the commissary of police, and verified by one of the doctors of the central bureau.

Men admitted to the hospitals shall not be paid, as the State bears the cost of the hospital treatment; if they are married their wives and children shall receive indoor relief.

The family of every workman admitted to the hospital in consequence of injuries sustained during work receives the wages payable to the latter when not engaged in actual work.

On days when the weather is considered too bad for the proper execution of the works, operations shall be suspended. The head of the district shall decide as to the possibility of carrying on the work.

Any workman who, having presented himself in his turn for work, leaves without the permission of the manager, shall be considered as absent.

Should he obtain leave to absent himself there will be deducted, at the time of payment, quarter, half, or three-quarters of the day's pay, according to the time at which he has left.

With a view to simplifying and reducing the number of separate accounts the squad roll sheets are from this

day suppressed, and new roll sheets by brigades will be established after the following modal:—

PUBLIC WORK. REPUBLIC OF FRANCE. NATIONAL WORK.

ROLL SHEET.

Arrondissement. Day of		Service. Brigade.			Company. 1848.		Remarks. State cause of Punishment, Absence, &c.
Squad No.	Consecutive Number.	Surnames, Christian Names and Ranks. The Brigadier should place his Name and Signature first.	Wages to pay.	Sums paid.	Fines.	Signature.	

Companies not occupied in active work shall receive payment in a place determined by the manager, and of which the lieutenants, brigadiers, and chiefs of squads shall be notified.

Payment will begin at half-past three, and conclude at half-past four.

The lieutenants are responsible for the payment to the heads of their companies. This payment shall be made, under the superintendence of the lieutenant, by the brigadiers, assisted by a pay clerk.

The roll sheet bears the names of the 56 men who make up a brigade, including the brigadier and the heads of squads. This sheet shall be delivered on the preceding day to the brigadier, who shall first write his name at the top and then enter those of his 55 men. Each man must always occupy the same place in the numerical order of the roll sheet.

When the head of a brigade pays a workman, he shall make the latter sign opposite to his name in the column provided for that purpose. Anyone refusing to sign shall not be paid. If the workman is unable to sign, a man belonging to his squad, and the delegate of the same, shall certify by their signatures that the payment took place in their presence.

The workman, on receiving his pay, shall hand his book to the brigadier, who shall initial it, inserting the date, and the sum paid.

The lieutenant shall receive the roll sheet from the brigadier, and return it, immediately after the payment has concluded, to the head of his company, so that the latter may in his turn send it back to his manager.

Fines for Breaches of Regulations.

Heads of brigades whose roll sheets are not drawn up as prescribed by the present regulation shall be liable to a fine of one franc. In the case of serious irregularities they shall be dismissed.

Any workman who, without just cause, fails to reply when his name is called, shall not be paid, unless his absence be duly justified on the following day.

Any workman who, without just cause, has on two successive occasions failed to reply to his name at pay-time, shall be struck off the lists.

A daily report of the fines shall be transmitted by the managers to the heads of the district.

Any brigadier, head of a squad, or workman fined three times in one fortnight shall be struck off the lists.

Fines are inflicted on workmen by the heads of companies on the reports of the brigadiers and lieutenants.

The accumulated fines shall be distributed every fortnight among the workmen of each brigade.

SPECIAL PROVISIONS AFFECTING BRIGADIERS AND HEADS OF SQUADS.

No chief elected by the workmen may resign his post, except for very grave reasons, of which the administration shall be the judge.

A stoppage of 5 francs shall be made from the pay of chiefs of squads, for the purpose shown further on under the article "Tools."

Stoppages shall be made from the pay of brigadiers, the total of which will form a guarantee of 15 francs. When this sum has been reached no further stoppage shall be made.

Tickets for Relief in Kind.

Tickets for bread, meat, and soup are distributed at the relieving office, 4, Rue de Chartres, between 8 a.m. and 4 p.m. every day to the indigent fathers of families belonging to each brigade, in the following proportion, and on presentation of the list given by the delegate, verified and visad by the chief of the company.

No. of children.	<i>Bread.</i>				Kilo-grams.	Weight. (Avoir.) lbs. oza.
1	-	-	-	-	$\frac{1}{4}$	0 9
2	-	-	-	-	$\frac{1}{2}$	1 1
3	-	-	-	-	$\frac{3}{4}$	1 10
4	-	-	-	-	1	2 3
5	-	-	-	-	$1\frac{1}{4}$	2 12
6	-	-	-	-	$1\frac{1}{2}$	3 5
7	-	-	-	-	$1\frac{3}{4}$	3 13
8	-	-	-	-	2	4 6
9	-	-	-	-	$2\frac{1}{4}$	4 15
10	-	-	-	-	$2\frac{1}{2}$	5 8

Bread and Meat.

(1.) Fathers of families who are ill and treated at the hospital are not paid. Their wives and children shall receive assistance in bread, meat, and soup daily.

(2.) Fathers of families who are ill, but are treated at their own homes, receive working pay—that is to say, two francs; medicines and medical attendance are rendered gratis. In this case they are only entitled to the allowance of bread, meat, and soup granted to all indigent fathers of families.

General Regulations.

(3.) For families numbering from six to ten children and over, the distribution of food shall take place three times a week.

For families of three to five children, twice a week.

For families of one to two children, once a week.

Medical Office.

An office is organised under the direction of the Chief Physicians Bujson and Gaston Gaudinot, 14, Avenue Chateaubriand.

The workmen engaged in the national works alone are admitted—

(1.) For consultation, which takes place every day between the hours of 8 and 10 in the morning.

(2.) For the delivery of applications from sick persons confined to bed for domiciliary visits, daily between the hours of 8 and 4. These visits are made by the chief and assistant physicians.

Consultations.

All workmen who are ill are admitted to consultation on presenting their book. They receive (1) advice, medicine, and the dressing of any wounds or injuries; (2) temporary dispensations from work, in the case of simple indisposition; such dispensations may not exceed the term of 10 days.

For any workman who presents himself for consultation, and only obtains a medical prescription, without dispensation from work, the fixing of the seal and date on his book shall certify to the brigadier that the workman has presented himself for consultation without receiving the indemnity, and that he is entitled to the pay of one franc.

Domiciliary Visits.

Workmen confined to bed receive domiciliary visits in response to an application transmitted by the head of their brigade or delegate, and addressed to the medical bureau, open between the hours of 8 and 4. In case of urgency patients may apply to the physician nominated by the administration.

Twelve physicians are attached to the medical office; a list of the patients whom they have to visit is sent to them every morning. These patients receive attendance on the same day. In case of urgency patients may, as already stated in the order of the day of May 10th, apply to the nearest doctor, who shall receive two

francs for his visit. The patient must, at the same time, give notice to the medical office, so that the physician of the administration may visit him on the following day.

The wives and children of workmen are likewise entitled to medical assistance.

The delegates shall receive the list of the addresses of the physicians in the various districts.

The applicant, in case of simple indisposition, receives—

(1.) Advice; medicines, which are supplied by certain stated apothecaries; and a few days' dispensation from work, towards which he will be assisted with 1 f. 25 c. per day. Only workmen confined to bed, and who have families dependent on them, shall be entitled to the pay of 2 francs.

(2.) In the case of serious illnesses requiring a period of more than 10 days, workmen must obtain admission to a hospital, or apply to the ordinary physicians of the benevolent institutions.

Payment and Assistance to Sick Persons.

1. Workmen who, after consultation, have received a dispensation from work, shall receive, in addition to attendance and medicine, a sum of 1 f. 25 c. per day until the expiration of that period. This payment shall be made at the medical office by the cashier, who shall sign his name below the seal of the medical department. He shall only remit 25 centimes for each day's leave. The pay of 1 franc is to be remitted to the house by the delegate of the brigade.

The payment allowed by the physician to a patient confined to bed shall each day be discharged by the medical office.

The physician summoned to the house of a sick workman shall in case of urgency attend to the family of the latter.

Workmen at the Works.

The heads of companies, lieutenants, brigadiers, heads of squads, and workmen must be assembled at half-past six at the meeting place, whence they are to set out for the works.

The head of the district shall determine the hour of arrival at the works according to the distance to be traversed by the men in order to reach them.

The meal times are fixed as follows:—

Morning meal, 1 hour, 9 to 10.

Evening meal, 1 hour, 2 to 3.

Work shall cease at six o'clock in the evening.

Two roll-calls at least shall be undertaken every day by the heads of companies. Any inspector passing through the works may demand a supplementary roll-call from the head of a company, or, in the absence of the latter, from the lieutenants, or even from the brigadiers.

Any workman failing to answer incurs a fine of 25 centimes. Failure to respond at two calls entails the loss of a day's pay.

Any workman who fails during two days to appear at his yard shall be struck off the lists, except in one of the circumstances provided for by the above order of the day regulating payment.

Any workman leaving the works for a moment without the permission of the head or deputy head of the company shall be fined 50 centimes.

The delegates shall not make inquiries of the workmen, nor receive their claims during working hours.

Only the central delegates shall be admitted to the relieving offices; they must present the lists which have been handed them by the three other delegates.

Any workman neglecting his work, on being reported by the chief of his company, by the lieutenant, or inspector, shall be fined 50 centimes.

All gaming is prohibited during working hours; infractions of this clause shall entail a fine of 50 centimes.

Any workman, or person in charge of a squad or brigade, refusing to obey his superiors, or found under the influence of drink on the works, shall forfeit his day's pay. If he repeat the offence he shall be struck off the lists.

Under certain circumstances of a grave nature, not provided for in the regulations, the head of the district is authorised to suspend any officer or workman from his duties pending the decision of the administration. A report on the step taken shall be immediately made to the director.

No officer elected by the workmen can be deprived of his office until the matter has been inquired into by the administration.

Every workman must carry his book about his person, and show it at the first request of one of his superiors.

The heads of squads are always at the disposal of the brigadier and the delegate to aid them in their duties.

Any brigadier or head of a squad deprived of his rank on the report of one of his superiors, may make a written appeal to the director, but should his claims not be found valid, he shall return to the ranks as a simple workman, and shall not be eligible for re-election.

No measure, purchase, or payment is valid without the written authority of the director.

Tools.

The depôt for all tools belonging to the national work, is situated in the rue Chartres, No. 4.

Divisional depôts shall be established in the yard; the tools must be deposited there every evening. Special keepers, selected and appointed by the sub-director of stores, shall be responsible for the tools during the time they are not in use.

The brigadiers shall, every morning and evening, sign the sheet regarding the putting in and taking out of the tools.

All the tools shall be marked "A. N." This mark shall be placed on the sheds by the storekeepers for tools already taken out.

No tool may leave the depôt without a ticket from the head of the service for whom it is intended, registered by the sub-director of stores.

No purchase of a tool shall take place without a written order of the sub-director; this order is to be kept by the merchant to establish his claim for payment.

No tool shall be replaced in the depôt except on presentation to the keeper of a ticket from the sub-director.

No tool shall be used which has not first been entered and sent out from the store in the regular way.

Brigadiers are responsible for all the tools of their brigade. The sum of 15 francs, which is deducted from their pay, shall answer for the consequence of this responsibility.

The person in charge of a squad is answerable to his brigadier for the tools of his squad. The 5 francs deducted from his pay shall also be guarantee for the consequences of this responsibility.

Every workman is responsible to the man in charge of his squad for the tools entrusted to him.

Tools broken or unfit for service, should be returned to the depôt in order that they may be replaced by an equal number of serviceable ones.

Commissary of the Republic,
Director of National Works,

ÉMILE THOMAS.

APPENDIX XXIII.

REPORT on certain SYNDICATES, addressed to the MINISTER OF JUSTICE by the *Procureur-Général* of Douai.

French administrative methods have recently been illustrated by the publication of a confidential report addressed by the Attorney-General of Douai to the Minister of Justice (M. Guérin) and forwarded by him to the President of the Council (M. Dupuy). This document was given in full in *La Petite République*, the organ of M. Millerand, Socialist Deputy, on November 13th. In reply to inquiries of the Minister of Justice, the Attorney-General (M. Chenest) gives details as to the origin and organisation of the syndicates among the miners in the Pas-de-Calais and Nord Departments. The former was established in 1884, the latter formed in 1892 by the amalgamation of several smaller societies; the number enrolled in the syndicate of the Pas-de-Calais miners is estimated as greater than 30,000; no proper record can be obtained in the case of the other syndicate. Both are shown to have failed to comply regularly with the provision of the law of 1884, which exacts an accurate registration of the numbers of the association and of the names of the governing body. Further, it is shown that members are admitted and objects pursued which cannot be described as professional, under the terms of the law. The syndicates are united in a federation, of which, again, no record can be found in the official registers at the Prefectures or Sub-Prefectures. In view of the illegal character of the two syndicates and the federation, their action in connection with strikes, and the avowedly socialistic character of their objects, M. Chenest reports to the Minister of Justice on the advisability of attempting a prosecution. He judges the question to be rather one of a political than a legal character. If these syndicates are not prosecuted it becomes impossible for

the department to equitably prosecute any other syndicate for failure to comply with the law. From the point of view of expediency no better moment could be seized for instituting legal proceedings. "The syndicates have just sustained a marked defeat; they have drawn their members into a profitless struggle, and it is certain that they have lost something of their popularity. I do not say that a prosecution may not lead to some agitation among the miners, but my formal opinion, and I know it is that of *M. le Préfet du Pas-de-Calais*, is that a resuscitation of the strike could not result from it. The workmen, defeated and discouraged, only protest very timidly against the heavy blows that the company are dealing on the ranks of their men; they would not protest to any purpose in favour of a syndicate which has lost a notable part of its prestige, and which has led them to defeat. If you decide, *M. le Garde des Sceaux*, to institute proceedings, it will be desirable that I should have your instructions at once. It seems to me indispensable to institute a search immediately at the offices of the syndicates and in the houses of their administrators, with a view to seizure of books and correspondence; amongst the administrators are the two deputies, M.M. Basly and Lamendin. If proceedings are not instituted until after Parliament meets, an authorisation from the Chamber will be necessary, and the persons concerned will be warned in time to conceal any compromising documents that they may possess."

(Signed) E. CHENEST.
Procureur-Général.

Douai, 19 Novembre.

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