

1914

EIGHT HOUR LAW

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Recommended Citation

EIGHT HOUR LAW California Proposition 35 (1914).
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EIGHT HOUR LAW.

Initiative act adding section 393½ to the Penal Code.

Declares it a misdemeanor, punishable by fine or imprisonment in county jail or both, for an employer to require or permit, or to suffer or permit his overseer, superintendent, foreman or other agent to require or permit, any person in his employ to work more than eight hours in one day, or more than forty-eight hours in one week, except in case of extraordinary emergency caused by fire, flood, or danger to life or property.

The electors of the State of California present to the secretary of state this petition, asking that the proposed amendment to the Penal Code hereinafter set forth be submitted to the electors of the State of California for their approval or rejection.

An act to amend the Penal Code by adding a new section thereto, to be numbered 393½, limiting the hours of labor of employees and providing a penalty for violation of the provisions of this act.

The people of the State of California do enact as follows:

HOURS OF LABOR.

Any employer who shall require or permit, or who shall suffer or permit any overseer, superintendent, foreman, or other agent of such employer, to require or permit any person in his employ to work more than eight hours in one day, or more than forty-eight hours in one week, except in case of extraordinary emergency caused by fire, flood, or danger to life or property, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50 nor more than \$500, or imprisoned in the county jail not less than 10 nor more than 90 days, or both so fined and imprisoned.

ARGUMENT IN FAVOR OF EIGHT HOUR LAW.

The fight for a shorter work day began with the wage system. It is a vital part of the labor program. The workers of California should take advantage of this opportunity to crystallize into law what has already been accomplished by organized effort.

The progress of civilization is indicated in the capacity of the workers to sustain themselves with a minimum expenditure of energy. To organized labor, more than to any other one agency, are we indebted for the shorter work day.

An eight hour day means an increased demand for men. It relieves the unemployment pressure. Under a long hour day some men work while others are idle. Enforced idleness is not leisure. Idleness will impoverish, degrade and dwarf. Leisure will enrich and elevate character. It will give the workers opportunity for study and organization. More idlers working, more workers thinking.

The eight hour day does not reduce wages. Men are not paid according to what they produce, but according to the law of supply and demand. As the competition for jobs becomes less fierce, wages correspondingly rise. Shorter hours mean a reduction in profits and fortunes made from labor.

Labor has had but a meager share in the benefits of improved machinery. The introduction of labor saving devices demands a corresponding reduction in the hours of labor.

The eight hour day conserves the health of the worker, and extends the working period of his life.

The passage of this bill will discourage the importation of cheap labor, and prevent the employing class from manipulating the labor market when it shall have become flooded by immigration through the Panama canal. Employers of labor in this state are planning to abolish the eight hour day. It rests with the voters to decide whether the standard of living in California shall be reduced to the level of southern Europe.

Eight-hour

The eight hour day will not paralyze industry. Skilled labor and women are already operating on this basis. California's industries are still growing.

The farm laborer now bears the brunt of the extortions of railroads and middlemen, by working long hours for low wages. This bill will place him on the same basis as other workers, and shift the burden where it rightly belongs.

The domestic servant will be relieved of unbroken daily drudgery.

Shorter hours of labor promote purer and better family life. Long hours exhaust the toiler, and unfit him for social pleasures. They divorce the parent from the child. An eight hour day will effectively diminish the vast number of criminals, paupers and idlers who consume the people's substance.

All the arguments against this measure resolve themselves into this one—it will encroach on the profits of the exploiters of labor. All the arguments in its favor converge finally into this one—for the great majority of the common people, it will bring more abundant life.

THOS. W. WILLIAMS,

State Secretary Socialist Party of California.

ARGUMENT AGAINST EIGHT HOUR LAW.

This measure proposes an arbitrary eight hour day in all occupations, whether or not it suits the interests of laborer or employer.

It substitutes rigid rule of law for reasonable liberty of action. It prohibits "overtime" by which employees and employers divide the burdens of emergency by co-operation. Without overtime ships would wait at the docks for loading and repairs; delayed trains could not reach destination; business and industry would be in continual confusion. It limits "piecework," the employee's reward for efficiency; increases the cost of living, and adds to the expense of child-birth, illness and death. It affects all labor for hire, including household helpers, hospital attendants, newspapermen and professors.

All engaged in manufacture and trade will pay the penalty, also farming, which produces "food for all." The farmer sustains manufacturing and trade; he makes opportunity for transportation and labor, and is the basic factor in the development of the state; but neither he nor the rule of law can regulate the weather or govern conditions which control the production of land. He cannot fix prices on export products, which must compete in the world's markets, hence he must recover added cost of production from domestic consumers.

If the farmer is prevented from getting full service from his teams and implements, seeding operations will be retarded, grains may rot in the fields and fruits may perish in the orchard. His teamster may be stopped on a long haul and delayed by a sixteen-hour layover. Is it reasonable, then, to impose upon the farmer a law which subjects him to heavy penalty and makes him a criminal if the weather, which holds him to idleness today, compels him to work overtime tomorrow? He can not substitute other men for the stroke of the clock; besides, there is no labor supply for substitution, and, in view of the lack of winter employment, it would be unjust and foolish to attract to California for harvest work

many thousands of additional workers by promising an alluring and easy life under the proposed universal eight hour law.

To the employee, also, the results would be disastrous, for to him would fall not only the higher cost of living, but matters would finally so adjust themselves that the employee would be paid for his hours of work only, shortening his hours of labor and lessening his daily pay. And he would still have to meet the higher cost of living.

Limitation of hours means increased cost of production, and thus would compel California to compete on this basis with states none of which

have such law. It would be stupid business to thus limit our productive power and place California at a disadvantage in the world's markets.

An eight hour day would lessen employment for white farm labor, and increase leasing to Oriental "partnerships" which would escape the proposed law; it would compel many farmers to send wives and children into the field, as in Europe. Both alternatives are offensive to American standards and should be opposed. This measure, if carried, will further increase the existing industrial depression. Vote "No."

G. H. HECKER

LAND TITLE LAW.

Initiative act amending act for certification of land titles.

Constitutes county recorders registrars of title; prescribes procedure for obtaining decree establishing title and ordering registration; provides for issuance of certificates of title, method of effecting transfers, notation of liens, encumbrances and charges, correction of register and certificates, protection of bona fide purchasers, registration fees, and penalties for fraud and forgeries; regulates transactions respecting registered land; creates from certain fees, paid on original registration, title assurance fund held by state treasurer to indemnify persons for loss of any interest in land through operation of act.

The electors of the State of California hereby petition, and present this, their petition, to the secretary of state, that there be submitted to the electors of the State of California, for their adoption or rejection, the following proposed law:

An act to amend an act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897.

The people of the State of California do enact as follows:

An act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897, is hereby amended to read as follows:

Section 1. Recordors and ex officio recordors in the several counties of this state shall be registrars of titles in their respective counties, and their deputies shall be deputy registrars. All laws relative to recordors and their deputies, including their compensation, clerk hire, and expenses, shall extend to registrars and their deputies, so far as the same may be applicable, except as otherwise provided in this act. Registrars of titles shall be county officers within the meaning of the laws of this state.

Sec. 2. The official bonds now required by law to be given by recordors before entering upon the discharge of their duties, shall also apply to and cover the faithful discharge of their duties as registrars, and of their deputies, whether such additional condition be specifically provided for in such bonds or not; provided, however, that recovery on such bond be had only for damages sustained through the gross or wilful negligence or gross or wilful neglect of duty or gross or wilful mismanagement on the part of such recorder or registrar or any of his deputies.

Sec. 3. Deputies may perform any and all duties of the registrar, in the name of the registrar, and the acts of such deputies shall be held to be the acts of the registrar.

Sec. 4. Registrars and deputy registrars are prohibited from practicing law, or acting as attorneys or counselors at law, or having as a partner a lawyer or any one who acts as such, or from acting as searchers of title under this act, excepting only such deputies as may be appointed as attorneys pursuant to the provisions of section 108 of this act.

Sec. 5. All land may be brought under the operation of this act by the owner or owners of any estate or interest therein, whether legal or

equitable (other than an undivided share or an easement) by filing with the county clerk his or her or their verified petition to the superior court of the county within which such land is situated, which petition shall set forth the following facts, to wit: The full name, occupation, residence, and post-office address of the applicant or applicants, and where any applicant appears by any representative because of any disability, also, the full name, occupation, residence and post-office address of the person so representing the applicant and the reasons for his so acting; if the application is by a corporation, its name, when and where incorporated, its principal place of business and the names and post-office addresses of its president and secretary, or if none, its executive officers; whether or not the applicant is married and if married, the full name and residence of the husband or wife; and if unmarried, whether he or she has been married, and if so, how the marriage relation terminated, and if the marriage relation was terminated by annulment or divorce, where and by what court; that each of the applicants is of the full age of twenty-one years and free from any disability, or if a minor or under disability, his age and the nature of such disability; a description of the land; the value at which the land and permanent improvements, if any, were assessed on the last assessment for county taxation; and if the application is by more than one person, any one of whom claims title in severalty to any part of the land described in the petition, the particular part of the land to which each petitioner severally claims title; a statement of the estate or interest which each applicant has or claims and whether or not the same is community property or is subject to a homestead or to any easement, lien or incumbrance and if so the name and post-office address, if known, of each holder thereof, the nature and the amount of the same, and if recorded, the book and page of the record; a statement of whether or not the land is occupied and if so, the full name and post-office address of each occupant and what interest he has or claims; a statement of any other person who has any estate or claims any interest in the or any part of the land, in law or equity, in possession, remainder, reversion or expectancy and the names and post-office addresses, if known, of every such person together with the names and post-office addresses of all the owners of adjoining lands, so far as the same can be ascertained upon diligent inquiry if the application is by a husband or