

June 13, 1888.

CHAP. 389.—An act to establish a department of Labor.Department of Labor
established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be at the seat of Government a Department of Labor, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

Commissioner.

SEC. 2. That the Department of Labor shall be under the charge of a Commissioner of Labor, who shall be appointed by the President, by and with the advice and consent of the Senate; he shall hold his office for four years, unless sooner removed, and shall receive a salary of five thousand dollars per annum.

Compensation.

Clerical force.

SEC. 3. That there shall be in the Department of Labor, to be appointed by the commissioner of Labor: One chief clerk, at a salary of two thousand five hundred dollars per annum; four clerks of class four, all to be statistical experts; five clerks of class three, one of whom may be a stenographer; six clerks of class two, one of whom may be a translator and one of whom may be a stenographer; eight clerks of class one; five clerks, at one thousand dollars per annum; one disbursing clerk, who shall also have charge of accounts, at a salary of one thousand eight hundred dollars per annum; two copyists, at nine hundred dollars each per annum; two copyists, at seven hundred and twenty dollars each per annum; one messenger; one assistant messenger; one watchman; two assistant watchmen; two skilled laborers, at six hundred dollars each per annum; two charwomen, at two hundred and forty dollars each per annum; six special agents, at one thousand six hundred dollars each per annum; ten special agents, at one thousand four hundred dollars each per annum; four special agents, at one thousand two hundred dollars each per annum, and an allowance to special agents for traveling expenses not to exceed three dollars per day while actually employed in the field and outside of the District of Columbia, exclusive of actual transportation including sleeping-car fares; and such temporary experts, assistants, and other employees as Congress may from time to time provide, with compensation corresponding to that of similar officers and employees in other departments of the Government.

Messengers, etc.

Special agents.

Chief clerk.

SEC. 4. That during the necessary absence of the Commissioner, or when the office shall become vacant, the chief clerk shall perform the duties of Commissioner.

Disbursing clerk.

SEC. 5. That the disbursing clerk shall, before entering upon his duties, give bond to the Treasurer of the United States in the sum of twenty thousand dollars, which bond shall be conditioned that the said officer shall render a true and faithful account to the Treasurer, quarter-yearly, of all moneys and properties which shall be by him received by virtue of his office, with sureties to be approved by the Solicitor of the Treasury. Such bond shall be filed in the office of the First Comptroller of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

Custody of building
and property.

SEC. 6. That the Commissioner of Labor shall have charge in the building or premises occupied by or appropriated to the Department of Labor, of the library, furniture, fixtures, records, and other property pertaining to it, or hereafter acquired for use in its business, and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the Department of Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time.

SEC. 7. That the Commissioner of Labor, in accordance with the general design and duties referred to in section one of this act, is specially charged to ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully-Specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of the manufacturers and producers of such articles; and the comparative cost of living, and the kind of living. "It shall be the duty of the Commissioner also to ascertain and report as to the effect of the customs laws, and the effect thereon of the state of the currency, in the United States, on the agricultural industry, especially as to its effect on mortgage indebtedness of farmers;" and what articles are controlled by Trusts, or other combinations of capital, business operations, or labor and what effect said trusts, or other combinations of capital, business operations, or labor have on production and prices. He shall also establish a system of reports by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country. The Commissioner of Labor is also specially charged to investigate the causes of, and facts relating to, all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. The Commissioner of Labor shall also obtain such information upon the various subjects committed to him as he may deem desirable from different foreign nations, and what, if any, convict made goods are imported into this country, and if so from whence.

Duties of Commissioner.

SEC. 8. That the Commissioner of Labor shall annually make a report in writing to the President and Congress, of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the Department. He is also authorized to make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it. He shall, on or before the fifteenth day of December in each year, make a report in detail to Congress of all moneys expended under his direction during the preceding fiscal year.

Reports.

SEC. 9. That all laws and parts of laws relating to the Bureau of Labor created under the act of Congress approved June twenty-seventh, eighteen hundred and eighty-four, so far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect, and the Commissioner of Labor appointed under said act, approved June twenty-seventh, eighteen hundred and eighty-four, and all clerks and employees in the Bureau of Labor authorized to be appointed by said act or subsequent acts, shall continue in office and employment as if appointed under the provisions of this act, and until a Commissioner of Labor, other officer, clerks, and employees are appointed and qualified as herein required and provided; and the Bureau of Labor, as now organized and existing, shall continue its work as the Department of Labor until the Department of Labor shall be organized in accordance with this act; and the library, records, and all property now in use by the said Bureau of Labor are hereby transferred to the custody of the Department of Labor hereby created, and on the organization of the Department of Labor on the basis of this act the functions of the Bureau of Labor shall cease.

Labor Bureau merged.

Vol. 23, p. 60.

Estimates.

SEC. 10. That on the passage of this act the Commissioner of Labor shall at once submit estimates for the expenses of the Department of Labor for the next fiscal year, giving in detail the number and salaries of officers and employees therein.

Approved, June 13, 1888.

June 18, 1888.

CHAP. 390.—An act to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River in the Choctaw Nation, near Fort Smith, Arkansas.

Fort Smith and Choctaw Bridge Company may bridge Poteau River, Ind. Ter., near Fort Smith, Ark.

Post, p. 884.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Fort Smith and Choctaw Bridge Company, a corporation duly created and organized under the laws of the State of Arkansas, their successors or assigns, to build, construct, and maintain a bridge and approaches thereto for the passage of wagons, cars, and vehicles of all kinds for the transit of animals and for foot-passengers across the Poteau River in the Choctaw Nation at or near Fort Smith, upon the land owned and claimed by Mrs. M. A. Bower, a member of the Choctaw tribe of Indians.

Construction.
Spans.

SEC. 2. That if said bridge shall be made with unbroken and continuous span, the spans shall not be less than seventy feet in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least thirty feet above extreme high water, as understood at the point of location: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be over the main channel of the river at an accessible navigable point, and give a clear opening of seventy feet in width, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats.

Provisos.
Draw.

Right of way for approaches.

SEC. 3. That said corporation is authorized to take and use for all purposes of a highway or approaches to said bridge, and for no other purpose, a right of way not exceeding fifty feet in width on each side of said Poteau River, over the lands claimed by individuals under the laws and usages of said tribe of Choctaw Indians, and may contract for and obtain the same from such Indian or Indians by purchase: *Provided*, That no part of the lands herein authorized to be taken be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said highway; and when any portion thereof shall cease to be so used, such portion shall revert to the individual Indian or Indians from which the same shall have been taken.

Proviso.

Lands to revert if not used for highway.

Compensation for lands.

SEC. 4. That before said highway shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of the Choctaw nation, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of such highway. In case of failure to make amicable settlements with any occupant, such compensation shall be determined by the appraisement of three disinterested referees, to be appointed, one, who shall act as chairman, by the President, one by the chief of the nation to which said occupant belongs, and one by the said bridge company; who, before entering upon the duties of their appraisements, shall take and subscribe before a district judge, clerk of a district court, or United States commissioner, an oath that they will faithfully and impartially discharge the duties of their appraisement, which oath, duly certified, shall be returned with their award to and filed with the Secretary of the Interior within

Referees.