

CHAPTER 53.

PROVIDING FOR THE WEIGHING OF COAL AT MINES.

H. F. 55. AN ACT to Amend Chapter 21 of the Acts of the 20th General Assembly, Providing for the Weighing of Coal at Mines.

Be it enacted by the General Assembly of the State of Iowa:

Scales provided.

SECTION 1. That the owner or agent of each coal mine within this State, at which the miners are paid by weight shall provide at such mine suitable scales of standard make for the weighing of all coal mined.

Weigh master to be sworn.

SEC. 2. The owner or agent of such mine shall require the person authorized to weigh the coal delivered from said mine to be sworn before some person having authority to administer an oath, to keep the scales correctly balanced, to accurately weigh, and to record a correct account of the amount weighed of each miners car of coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing. The record of the coal mined by each miner shall be kept separate and shall be open to his inspection at all reasonable hours and also for the inspection of all others pecuniarily interested in such mine.

Check - weighman may be furnished.

SEC. 3. In all coal mines in this State the miners employed and working therein may furnish a competent check-weighman, who shall at all proper times have full right of access and examination of such scales, machinery or apparatus, and seeing all measures and weights of coal mined and accounts kept of the same, provided that not more than one person on behalf of the miners collectively shall have such right of access, examination and inspection of scales, measures and accounts at the same time and that such person shall make no unnecessary interference with the use of such scales, machinery or apparatus. The agent of the miners, as aforesaid shall, before entering upon his duties, make and subscribe to an oath before some officer duly authorized to administer oaths, that he is duly qualified and will faithfully discharge the duties of check-weighman. Such oath shall be kept conspicuously posted at the place of weighing.

Oath of check weighman.

Penalty for fraud in weighing.

SEC. 4. Any person, company or firm having or using any scale or scales for the purpose of weighing the output of coal at mines so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act; or any weighman or check-weighman who shall fraudulently weigh or record the weights of such coal, or connive at or consent to such fraudulent weighing, shall be deemed guilty

of a misdemeanor and shall, upon conviction for each such offense be punished by a fine of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period not to exceed sixty days or by both such fine and imprisonment; proceedings to be instituted in any court of competent jurisdiction.

SEC. 5. Any person, owner or agent, operating a coal mine in this State who shall fail to comply with the provisions of this act, or who shall obstruct or hinder the carrying out of its requirements, shall be fined for the first offense not less than fifty dollars (\$50) nor more than two hundred dollars (\$200); for the second offense not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500); and for a third offense not less than five hundred dollars (\$500); provided, that the provisions of this act shall apply only to coal mines whose product is shipped by rail or water. Failure to comply with the law.

SEC. 6. That section 17 of chapter 21 of the laws of 1884 is hereby repealed.

Approved April 6, 1888.

CHAPTER 54.

WEIGHING COAL AT MINES.

AN ACT to Establish a Uniform System of Weighing Coal at the Mines of this State, and to Punish certain Irregularities connected therewith. H. F. 24.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all coal mined in this State under contract for payment by the ton or other quantity shall be weighed before being screened unless otherwise agreed upon in writing, and the full weight thereof shall be credited to the miner of such coal; and eighty pounds of coal as mined shall constitute a bushel, and two thousand pounds of coal as mined shall constitute a ton. *Provided* that nothing in this act shall be so construed as to compel payment for sulphur rock slate black jack or other impurities including slack and dirt which may be loaded with or amongst such coal. Coal to be weighed before screening.

SEC. 2. Each State Mine inspector shall procure from the State Superintendent of weights and measures at the expense of the State, a full and complete set of standards, balances and other means of adjustment such as are necessary in the comparison and adjustment of the scales, beams and other apparatus used in weighing coal at the mines to the State Standards of weight; And it shall be the duty of said inspectors to exam- Mine Inspectors' apparatus.