

## A BILL

FOR AN ACT ENTITLED "AN ACT TO REGULATE THE WEIGHING OF COAL IN MINES, AND TO ESTABLISH A UNIFORM SYSTEM OF WEIGHTS AND MEASURES BETWEEN THE OPERATORS OF COAL MINES AND THEIR EMPLOYEES.

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

SECTION 1. That all coal mined in this State under contracts for payment by the bushel, ton, or other quantity, shall be weighed in the car or other receptacle in which it is placed by the employe at his working place in the mine, and shall be so weighed before being screened, and such employe shall be credited with the full weight thereof, and eighty pounds of coal as mined shall constitute a bushel, and two thousand pounds shall constitute a ton.

SEC. 2. The weighman employed in any mine shall subscribe an oath or affirmation before a justice of the peace or other officer authorized to administer oaths, to do justice between employer and employes, and to weigh all coal and report the weight thereof, in accordance with the provisions of section one of this act, which said oath or affirmation shall be kept conspicuously posted in the weigh office, and any weighman or person so employed, who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and for each such violation shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days.

SEC. 3. Any person or corporation having or using any scale or scales, for the purpose of weighing coal at the mines, so constructed, arranged or adjusted, that fraudulent weighing may be done thereby, or who shall resort to or employ any means whatsoever, by reason whereof such coal is not correctly weighed or reported, and in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and shall for each such offense be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days.

SEC. 4. Any provision, stipulation or condition of any contract between employer and employe, whereby the provisions of this act are waived or modified, shall be void and of no effect, and any person engaged in mining coal shall for his labor be entitled to receive the stipulated prices per bushel, ton or other quantity therefor, the amount of coal mined by him, to be estimated according to the system of weights and measure established by this act, anything in the contract of employment to the contrary notwithstanding.

SEC. 5. Any person damaged by reason of coal mined by him not having been weighed  
2 and credited to him in accordance with the provisions of this act, may recover his dam-  
3 ages in a civil action against the employer, but such action must be begun within two years  
4 after the right thereto accrued, but his right to recover in such action shall not be barred  
5 by reason of his having knowledge of the violation of the provisions of this act, at the time  
6 nor by reason of his having consented thereto.