

# 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, 2 ton, or other quantity, shall be weighed in the car or other receptacle in which it is placed 3 by the employe at his working place in the mine, and shall be so weighed before being 4 screened, and such employe shall be credited with the full weight thereof, and eighty 5 pounds of coal as mined shall constitute a bushel, and two thousand pounds shall consti- 6 tute a ton.

SEC. 2. The weighman employed in any mine shall subscribe an oath or affirmation be- 2 fore a justice of the peace or other officer authorized to administer oaths, to do justice be- 3 tween employers and employes, and to weigh all coal and report the weight thereof, in 4 accordance with the provisions of section one of this act, which said oath or affirmation 5 shall be kept conspicuously posted in the weigh office, and any weighman or person so em- 6 ployed, who shall violate any of the provisions of this act, shall be deemed guilty of a mis- 7 demeanor, and for each such violation shall be punished by a fine not exceeding one hund- 8 red 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 2 weighing coal at the mines, so constructed, arranged or adjusted, that fraudulent weighing 3 may be done thereby, or who shall resort to or employ any means whatsoever, by reason 4 whereof such coal is not correctly weighed or reported, and in accordance with the provis- 5 ions of this act, shall be deemed guilty of a misdemeanor, and shall for each such offense be 6 punished by a fine not exceeding one hundred dollars, or by imprisonment in the county 7 jail not exceeding thirty days.

SEC. 4. Any provision, stipulation or condition of any contract between employer and em- 2 ploye, whereby the provisions of this act are waived or modified, shall be void and of no 3 effect, and any person engaged in mining coal shall for his labor be entitled to receive the 4 stipulated prices per bushel, ton or other quantity therefor, the amount of coal mined by

5 him, to be estimated according to the system of weights and measures established by this  
6 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 damages  
3 in a civil action against the employer, but such action must be begun within two years after  
4 the right thereto accrued, but his right to recover in such action shall not be barred by rea-  
5 son of his having knowledge of the violation of the provisions of this act, at the time nor by  
6 reason of his having consented thereto.