

A BILL

FOR AN ACT TO REGULATE THE WEIGHING AND SCREENING OF COAL AT MINES, AND TO ESTABLISH A JUST AND UNIFORM SYSTEM OF WEIGHTS OF COAL BETWEEN EMPLOYERS AND EMPLOYEES.

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

SECTION 1. That all merchantable coal mined in this State under contracts for payment
2 by the bushel, ton or other quantity therefor, shall be weighed, and the miner or other
3 employe mining such coal shall be credited with the full weight thereof, and eighty pounds
4 of such merchantable coal shall constitute a bushel, and two thousand pounds shall con-
5 stitute a ton, and the weight of such coal shall be the basis upon which the wages of persons
6 mining said coal shall be computed, and the person mining said coal shall have full credit
7 at a uniform price for all merchantable coal mined by him ; and so far as relates the compu-
8 tation of the wages and compensation for mining coal is concerned there shall be but one
9 grade of coal, that of merchantable coal as fixed by section two of this act.

SEC. 2. Any coal that will pass through a diamond bar, or wire mesh screen, the bars of
2 which are not much more than one-half of one inch apart, or a flat bar screen with
3 the bars not over three-fourths of one inch apart, shall not be deemed to be merchantable
4 coal under the provisions of this act, but all other coal, and all coal that will pass over any
5 of such screens shall be deemed to be merchantable. The length of any such screen not to
6 exceed twelve feet, and the width thereof not to exceed five feet, and the bars of said screen
7 to be stayed with iron bars not more than two feet apart. That it is the duty of any coal
8 mine operator, or person engaged in the business of employing others to mine coal, to keep
9 said screen in good repair, and not permit the bars or meshes thereof to become and remain
10 loose, and wider apart than is provided and stipulated by this section ; and any coal opera-
11 tor, manager of any coal mine, or agent of any coal operator, or any person having the
12 care, control, or management of any coal mine or of any screen used thereat for screening
13 coal, that shall violate any of the provisions of this section shall be deemed guilty of a mis-
14 demeanor and shall be punished for each violation by a fine of not more than two hundred
15 dollars or by imprisonment in the county jail not exceeding sixty days.

SEC. 3. That it shall be unlawful for any coal mine operator or other person to use any
2 apparatus or contrivance of any kind or discription to hinder or delay the free and
3 unobstructed passage of coal over any screen, or to break up or reduce the size of any coal
4 before said coal is weighed as provided by this act, and that it shall be unlawful for any
5 said coal operator or manager of any coal mine, or any agent of said operator or manager to

6 use any screen for the purpose of screening coal as provided by this act that shall not be
7 placed at a less angle than thirty-five degrees from the horizontal.

SEC. 4. That all of said merchantable coal shall be weighed at the mine at which the
2 same is mined, and at the time it is sent to the surface.

SEC. 5. The weighman employed in any coal mine shall subscribe an oath or affirmation,
2 before an officer authorized by law to administer oaths, to weigh said merchantable coal cor-
3 rectly; and he shall furnish a correct written report of the weight of said coal to the em-
4 ployer and to the employe mining said coal. Said oath or affirmation shall be kept con-
5 spicuously posted in the weigh office, and any weigher of coal who shall knowingly violate
6 any of the provisions of this act shall be deemed guilty of a misdemeanor and punished
7 accordingly.

SEC. 6. It shall be lawful for the miners employed in any coal mine or colliery in this
2 State to furnish a check weigher at their own expense, whose duty it shall be to balance
3 the scales on which said coal is weighed and see that the coal is correctly weighed and keep
4 a correct account of the same, and for such purpose he shall have access at all times to the
5 beam of said scales while such weighing is being done; and shall be permitted and allowed
6 to enter and remain in the room or place where the accounting by him of the weights of the
7 coal is to be taken and done, any person refusing to allow or permit said check weighman
8 to any of the rights or privileges allowed and conferred by this section shall be punished by
9 a fine not exceeding two hundred dollars or imprisonment in the county jail for sixty days.

SEC. 7. Any person or persons having or using any scale or scales for the purpose of
2 weighing any output of coal at mines, so arranged or constructed that fraudulent weighing
3 may be done thereby, or who shall resort to or employ any means whatsoever, by reason of
4 which such coal is not correctly weighed or reported in accordance with the provisions of
5 this act, shall be deemed guilty of a misdemeanor, and shall upon conviction, for each of-
6 fense be punished by a fine not less than two hundred dollars, nor more than five hundred
7 dollars, or by imprisonment in the county jail not to exceed six months, or by both such
8 fine and imprisonment.

SEC. 8. Any provision, contract or agreement between mine or operators thereof and the
2 miners employed therein, whereby any of the provisions of this act are waived, modified or
3 annulled shall be void and of no force or effect, and any person engaged in mining coal
4 shall be entitled to receive and recover the stipulated and agreed price per bushel, ton or
5 other quantity for his output of merchantable coal.

SEC. 9. That any coal mine operator, or any manager of any coal mine, or any agent of
2 any said operator or manager who shall violate any of the provisions of this act shall be
3 punished for each offense, by a fine not exceeding two hundred dollars, or by imprisonment
4 in the county jail not exceeding ninety days, except when otherwise provided.