

A BILL

FOR AN ACT TO REPEAL SECTIONS 1, 2, 3, 4, 5 AND 6, OF CHAPTER 21, ACTS OF THE TWENTIETH GENERAL ASSEMBLY, AND TO ENACT A SUBSTITUTE THEREFOR, RELATING TO MINES AND MINING.

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

SECTION 1. That there shall be appointed by the Governor, with the advice and consent of the Senate, three inspectors of mines, who shall hold their offices for two years ; the said inspectors subject, however, to be removed by the Governor for neglect of duty or malfeasance in office ; said term of office shall commence on the first day of April of each even-numbered year. Said inspectors shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines and of mining engineering ; and said inspectors, before entering upon the discharge of their duties, shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be indorsed upon their commissions, and their commissions so indorsed shall be forthwith recorded in the office of the Secretary of State, and such inspectors shall each give bonds in the sum of two thousand (\$2,000) dollars, with sureties to the approval of the Governor, conditioned for the faithful discharge of their duties. The Governor shall divide the State into inspection districts, and shall assign the inspectors to duty in such place or districts as he shall deem proper.

SEC. 2. Said inspectors shall give their whole time and attention to the duties of their offices respectively, and shall examine all the mines in this State as often as their duties will permit, to see that the provisions of this act are obeyed, and it shall be lawful for such inspectors to enter, inspect and examine any mine in this State, and the works and machinery belonging thereto, at all reasonable times, by night or by day, but so as not to unnecessarily obstruct or impede the working of the mines, and to make inquiry and examination into the state and condition of the mine as to ventilation and general security, as required by the provisions of this act. The inspectors shall make a record of all examinations of mines inspected by them, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries or deaths in or

13 about the mines, the number of mines visited, the number of persons employed in or about
14 the mines, together with all such facts and information of public interest concerning the
15 condition of mines as they may think useful and proper, and so much thereof as may be of
16 public interest, to be included in their biennial report. The owner and agents of all coal
17 mines are hereby required to furnish the means necessary for such inspection, and it shall
18 be the duty of the person having charge of any mine, whenever any loss of life shall occur
19 by accident connected with the workings of such mine, to give notice forthwith by mail or
20 otherwise, to the inspector of mines of his district and to the coroner of the county in which
21 such mine is situated, and the coroner shall hold an inquest on the body of the person or
22 persons whose death has been caused, and inquire carefully into the cause thereof, and shall
23 return a copy of the verdict and all testimony to the said inspector. No person having a
24 personal interest in or employed in the mine when a fatal accident occurs shall be qualified
25 to serve on the jury empaneled on the inquest, and the owner or agent of all coal mines
26 shall report to the inspector all accidents to miners in and around the mines, giving cause
27 of same; such report to be made in writing, and within ten days from the time any acci-
28 dent occurs.

SEC. 3. Said inspectors while in office shall not act as agents or as managers or mining
2 engineers, or be interested in operating any mine, and the inspectors shall biennially on or
3 before the fifteenth day of August, preceding the regular session of the General Assembly,
4 make a report to the Governor of their proceedings and the condition and operation of the
5 mines in this State, enumerating all accidents in or about the same, and giving all such in-
6 formation as they may think useful and proper, and making such suggestions as they may
7 deem important as to future legislation on the subject of mining.

SEC. 4. The inspectors provided for in this act shall each receive a salary of twelve hun-
2 dred (1200) dollars per annum, payable monthly, and shall be furnished with necessary
3 stationery, and actual traveling expenses not to exceed five hundred (500) dollars per annum;
4 *provided*, that each inspector shall file at the end of each quarter of his official year with
5 the Auditor of State a sworn statement of his actual traveling expenses incurred in the
6 performance of his official duty for such quarter. The said salary and expenses to be paid
7 by the State as the salaries and expenses of other State officers are provided for. They shall
8 have and keep an office in the capitol at Des Moines, in which shall be kept all records, cor-
9 respondence, papers, apparatus and property pertaining to their duties belonging to the
10 State and which shall be handed over to their successors in office.

SEC. 5. Any vacancy occurring in the office of inspector when the Senate is not in session,
2 either by death or resignation, removal by the Governor or otherwise, shall be filled by ap-
3 pointment by the Governor, which appointment shall hold good until his successor is ap-
4 pointed and qualified.

SEC. 6. There shall be provided for such inspectors all instruments necessary for the dis-
2 charge of their duties under this act, which shall be paid for by the State on the certificate
3 of the inspectors, and shall be the property of the State.

SEC. 7. This act being deemed of immediate importance shall take effect and be in force
2 from and after its publication in the Des Moines Leader and the Iowa State Register, news-
3 papers published at Des Moines, Iowa.

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FOR AN ACT TO REPEAL SECTIONS 1, 2, 3, 4, 5, AND 6, OF CHAPTER 21, ACTS OF THE TWENTIETH GENERAL ASSEMBLY, AND TO ENACT A SUBSTITUTE THEREFORE RELATING TO MINES AND MINING.

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

SECTION 1. That there shall be appointed by the Governor with the advice and consent of the Senate, one chief inspector of mines who with the approval of the Governor, shall appoint two assistant inspectors who shall hold their offices for two years. The chief inspector subject however to be removed by the Governor for neglect of duty or malfeasance in office. Said terms of office shall commence on the first day of April of each even numbered year. Said inspector shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines, and of mining engineering; and said inspectors, before entering upon the discharge of their duties shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be endorsed upon their commissions, and their commissions so endorsed shall be forthwith recorded in the office of the Secretary of State, and such inspector shall give bonds in the sum of two (2000) thousand dollars, with sureties to the approval of the Governor, conditioned for the faithful discharge of their duties.

SEC. 2. The chief inspector, and the assistant inspectors shall give their whole time and attention to the duties of their offices respectfully and shall examine all the mines in this State as often as their duties will permit, to see that the provisions of this act are obeyed, and it shall be lawful for such inspectors to enter, inspect and examine any mine in this State, and the works and machinery belonging thereto, at all reasonable times by night or by day, but so as not to unnecessarily obstruct or impede the working of the mines, and to make inquiry and examination into the state and condition of the mine as to ventilation and general security as required by the provisions of this act. The assistant inspectors shall make a record of all examinations of mines inspected by them, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries or deaths in or about the mines; the number of mines visited, the number of persons employed in or about the mines, together with all such fact and infor-

15 mation of public interest concerning the condition of mines as they may think useful and
16 proper, which record shall on or before the first Monday of every month be filed in the office
17 of the chief inspector to be by him recorded, and so much thereof as may be of public in-
18 terest to be included in his biennial report. In case of any controversy or disagreement
19 between any assistant inspector and the owner or operator of any mine, or persons working
20 therein, or in case of conditions or emergencies requiring counsel, the assistant inspectors
21 may call on the chief inspector for such assistance and counsel as may be necessary, and the
22 owner and agents of all coal mines are hereby required to furnish the means necessary for
23 such inspection, and it shall be the duty of the person having charge of any mine, whenever
24 any loss of life shall occur by accident connected with the workings of such mine to give
25 notice forthwith by mail or otherwise to the chief inspector of mines, and to the coroner of
26 the county in which such mine is situated, and the coroner shall hold an inquest on the
27 body of the person or persons whose death has been caused, and inquire carefully into the
28 cause thereof and shall return a copy of the verdict and all testimony to the chief inspec-
29 tor. No person having a personal interest in or employed in the management of or em-
30 ployed in any coal mine shall be qualified to serve on the jury empaneled on the inquest
31 and the owner or agent of all coal mines shall report to the chief inspector all accidents
32 to miners in and around the mines, giving cause of same. Such report to be made in
33 writing and within ten days from the time any accident occur.

SEC. 3. Said inspectors while in office shall not act as agents or as managers or mining
2 engineers, or be interested in operating any mine, and the chief inspector shall biennially,
3 on or before the fifteenth day of August preceding the regular session of the General As-
4 sembly make a report to the Governor, of the proceedings of himself and his assistants, and
4 the condition and operation of the mines in this State, enumerating all accidents in or about
6 the same, and giving all such information as he may think useful and proper, and making
7 such suggestions as he may deem important as to future legislation on the subject of
8 mining.

SEC. 4. The assistant inspectors provided for in this act shall each receive a salary of fif-
2 teen hundred (1500) dollars per annum, payable monthly. The chief inspector shall be fur-
3 nished with necessary stationery and office expenses, and shall receive a salary of seventeen
4 (\$1,700) hundred dollars per annum, payable monthly, and actual traveling expenses not to
5 exceed five hundred (500) dollars per annum; *Provided*, that he shall file at the end of each
6 quarter of his official year with the Auditor of State a sworn statement of his actual travel-
7 ing expenses incurred in the performance of his official duty for such quarter. The said
8 salary and expenses to be paid by the State as the salaries and expenses of other State
9 officers are provided for. He shall have and keep an office in the capitol at Des Moines, in
10 which shall be kept all records, correspondence, papers, apparatus and property pertaining
11 to his duties belonging to the State and which shall be handed over to his successor in office.

SEC. 5. Any vacancy occurring in the office of chief inspector when the Senate is not in session either by death or resignation, removal by the Governor or otherwise, shall be filled by appointment by the Governor which appointment shall hold good until the close of the next session of the Senate. The chief inspector shall issue such instructions, make such rules, and regulations for the government of his assistant inspectors not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceeding throughout the State, and he may with the consent of the Governor remove any assistant inspector at pleasure. The chief inspector shall render such personal assistance to the assistant inspectors as they from time to time may require, and shall make such personal inspection of mines as he may deem necessary, and as his other duties will permit.

SEC. 6. There shall be provided for said inspectors all instruments necessary for the discharge of their duties under this act, which shall be paid for by the State on the certificate of the chief inspector, and shall be the property of the State.

SEC. 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa State Register, newspapers published at Des Moines, Iowa.