

## CHAPTER XLV.

[H. B. No. 135.]

## RELATING TO PERSONS EMPLOYED IN COAL MINES.

AN ACT for the protection of persons working in coal mines.

*Be it enacted by the Legislature of the State of Washington:*State dis-  
tricted.Appointment  
of inspectors.Board of  
examination  
appointed,  
how.Inspector's  
commission.Removal of  
inspector.Board  
constituted.Inspectors'  
qualifications.Inspector's  
bond.Conditions  
of bond.

SECTION 1. For the purposes of this act, this state shall be divided into inspection districts, each district to contain not less than ten nor more than sixty coal mines, each district to be under the supervision of an inspector of coal mines, the manner of whose appointment shall be as follows: *Provided*, That there shall be appointed but one inspector until sixty coal mines shall be in operation in this state. The governor shall, upon the recommendation of a board, to be by him selected and appointed for the purpose of examining candidates for appointment to the office of mine inspector under the provisions of this act, appoint a properly qualified person or persons to fill the office of inspector of coal mines for this state. The commissions of said inspector or inspectors shall be for the term of four years, and inspectors shall be at all times subject to removal from office for neglect of duty or malfeasance in the discharge of their duties. Said board shall consist of one practical coal miner, one owner or operator of a coal mine, and one mining engineer, all of whom shall be sworn to a faithful discharge of their duties. The said inspectors shall be citizens of the State of Washington, and shall have had at least five years practical experience in coal mining. Such person or persons so appointed as inspector shall devote their entire time to the duties of the office, and shall possess other qualifications at present defined by the laws of the State of Washington, and not inconsistent with the provisions of this act. Each of such inspectors shall give bond in the sum of two thousand dollars, with sureties to be approved by a judge of a superior court of the county in which he resides, conditioned for the faithful performance of his duties, and take an oath (or affirmation) to discharge his duties impartially and

with fidelity, to the best of his knowledge and ability. The salary of each of such inspectors shall be fifteen hundred dollars (\$1,500) per annum, and he shall have in addition thereto his actual mileage paid out for traveling while in the performance of his duties under the provisions of this act, and the auditor of the state is hereby authorized and directed to draw his warrant on the state treasurer in favor of each of such inspectors for the amount due them for their salaries quarterly, to be paid out of any moneys in the treasury not otherwise appropriated.

Inspector's salary.

Paid quarterly.

SEC. 2. The board of examiners provided for in the next preceding section, shall be appointed by the governor and shall hold office for four years. They shall meet immediately after the passage of this act, at the state capital, for the purpose of examining candidates for the office of mine inspector under the provisions of this act, and at such times thereafter when notified by the governor that from any cause the office of mine inspector has or is about to become vacant. They shall receive as compensation five dollars per day while actually and necessarily employed, and five cents per mile for distance necessarily traveled.

Term of board.

Time of meeting.

Pay of board.

SEC. 3. Where a mine has only one means of ingress and egress, a daily record must be kept by the owner or person in charge of said mine, showing the actual number and the names of each and every person entering the mine for any purpose whatever, and should a greater number of persons than twenty-four be allowed in the mine, under any circumstances, at any time, it shall be the duty of any judge of the superior court of the county in which said mine is situate, when it shall be shown to the satisfaction of said court that more than twenty-four persons were allowed in said mine at any one time, to issue an order closing said mine until a second opening is completed.

Number and names of persons entering mine.

Duty of superior court.

SEC. 4. The owner, agent or operator of every coal mine, whether operated by shafts, slopes or drifts, shall provide in every coal mine a good and sufficient amount of ventilation for such persons and animals as may be employed therein, the amount of air in circulation to be in no case less than one hundred cubic feet per minute for each man, boy, horse or mule employed in said mine, and as much

Ventilation to be provided.

more as the inspector may direct, and said air must be made to circulate through the shafts, levels, stables and working places of each mine, and on the traveling roads to and from all such working places. Every mine shall be divided into districts or splits, and not more than seventy-five persons shall be employed at any one time in each district or split: *Provided*, That where the inspector gives permission in writing a greater number than seventy-five men, but not to exceed one hundred men may be employed in each of said splits: *Provided also*, That in all mines already developed, where, in the opinion of the mining inspector, the system of splitting the air cannot be adopted except at extraordinary or unreasonable expense, such mine or mines will not be required to adopt said split air system, and the owner or operator of any coal mine shall have the right of appeal from any order requiring the air to be split, to the examining board provided for in section 1 of this act, and said board shall, after investigation, confirm or revoke the orders of the mining inspector. Each district or split shall be ventilated by a separate and distinct current of air, conducted from the downcast through said district, and thence direct to the upcast. On all main roads where doors are required, they shall be so arranged that when one door is open the other shall remain closed, so that no air shall be diverted. In all mines where fire-damp is generated, every working place shall be examined every morning with a safety lamp by a competent person, and a record of such examination shall be entered by the person making the same in a book to be kept at the mine for that purpose, and said book must always be produced for examination at the request of the inspector.

**SEC. 5.** The quantities of air in circulation shall be ascertained with an anemometer; such measurements shall be made by the mine inspector at the inlet and outlet airways, also at or near the face of each gangway, and at the nearest cross-heading to the face of the inside and outside chamber, breast or pillar where men are employed, and the headings shall not be driven more than sixty feet from the face of each chamber, breast or pillar, unless for the reason

Division of mine into splits.

Number of persons in split.

Certain mines excepted.

Appeal from order requiring split.

Ventilation of each split.

Daily examination for fire damp.

Measurement of air.

that he deems the same impracticable, the inspector gives permission in writing to extend the distance beyond sixty feet.

SEC. 6. No coal mine shall be considered a coal mine for the purpose of enumeration in a district to increase the number of inspectors unless ten men or more are employed at one time in or about the mine, nor shall mines employing less than ten men be subject to the provisions of this act. It shall be the duty of the owner, agent or operator of any mine employing less than ten men in or about said mine to immediately notify the inspector when ten men or more are employed at any one time, said notice to be given within one week. Failure on the part of any owner, agent or operator to comply with this provision shall render the offender liable to a fine of not less than twenty dollars or more than one hundred dollars, with an additional penalty of five dollars per day for each day said notice is neglected to be given.

Coal mine defined.

Owner employing less than ten men shall give notice to inspector.

Penalty.

SEC. 7. It shall be the duty of the inspector of mines to enforce the provisions of this act, and of all other acts for the regulation of coal mines, in accordance with section 2230, vol. 1, Hill's Code, and any infringement of the provisions of this act shall subject the offender to the same penalties as are provided in section 2232, and 2238 of vol. 1, Hill's Code, unless otherwise provided for in this act.

Inspector's duty.

Penalty for violation of law.

SEC. 8. If at any time the ventilating machinery should break down or otherwise cease operation, or if it is found by the person for the time being in charge of the mine, or any part thereof, that by reason of noxious gases prevailing in such mine, or such part thereof, or of any cause whatever, the mine or the said part is dangerous, every workman shall be withdrawn from the mine, or such part thereof as is so found dangerous, and a competent person, who shall be appointed for the purpose, shall inspect the mine or such part thereof as is so found dangerous, and if the danger arises from inflammable gas, shall inspect the same with a locked safety lamp, and in every case shall make a true report of the condition of such mine, or the part thereof, and a workman shall not, except in so far

Machinery breaking down.

Men to be withdrawn.

Inspection.

as is necessary for inquiring into the cause of danger, or for the removal thereof, or for exploration, be readmitted into the mine, or such part thereof as was so found dangerous, until the same is stated in such report not to be dangerous. Every such report shall be recorded in a book which shall be kept at the mine for that purpose, and shall be signed by the person making the same.

Record  
of tests.

Fan breaking  
down.

SEC. 9. The engineer in charge of any ventilating fan or apparatus must keep the same running as the manager of the mine directs in writing. In case of accident to the boiler of fan machinery, he shall immediately notify the mine manager or foreman. If ordinary repairs of the fan or machinery become necessary, he must give timely notice to the mine manager or foreman and await his instructions before stopping it. He shall also examine, at the beginning of each shift, all the fan bearings, stays and other parts, and see that they are kept in perfect working order. He shall not stop the fan except on the order of the mine manager or foreman, unless it should become impossible to run the fan or necessary to stop it to prevent destruction. He shall then at once stop it and notify the mine manager or foreman immediately and give immediate warning to persons in the mine.

Repairs.

Examin-  
ations.

Shall not  
stop fan.

May stop fan.

Passed the House February 6, 1897.

Passed the Senate March 3, 1897.

Approved by the Governor March 6, 1897.