

"Commercial fertilizer" defined.

Section 7. The term "commercial fertilizers," as used in this act, shall be construed to mean any and every substance imported, manufactured, prepared, or sold for fertilizing or manuring purposes, except the dung of domestic animals, marl, lime, and wood-ashes, and not exempt by the provisions of section one of this act.

Act of March 26, 1901, cited for repeal.

Section 8. This act shall go into effect on and after the thirty-first day of July, one thousand nine hundred and nine; and the act, entitled "An act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement, and prescribing penalties for its violation," approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one, is hereby repealed.

APPROVED—The 1st day of May, A. D. 1909.

EDWIN S. STUART.

No. 206.

AN ACT

Regulating, requiring, and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring, and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof; and providing that the provisions thereof shall not apply to cities of the first and second classes.

Moving-picture machines.

General specifications for the use and construction of permanent booths.

Section 1. Be it enacted, &c., That it shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines, unless they are built, erected, and constructed as follows:

Size.

All permanent booths or enclosures to be at least seven feet high, the floor space to vary according to the number of machines in booths or enclosures, as follows:

One picture machine, six feet by eight feet.

One picture machine and one stereopticon, nine feet by eight feet.

Two picture machines and one stereopticon, twelve feet by eight feet.

The same to be made of structural steel, as follows:

Four outside horizontal members at top and bottom.

Four corner uprights and members supporting roof.

to be made of one and one-half inch by one and one-half by one-fourth inch angle-irons.

Intermediate uprights to be spaced every two feet, and to be made of either one and one-half inch by one and one-half inch by one-fourth inch angle-iron or two inch by two inch by one-fourth inch tee-irons.

Tee-irons, to which roof is attached, to be made of one and one-half inch by one and one-half inch by three-sixteenth inch tee-irons.

All joints to be made with a three-sixteenth inch steel plate, to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets.

All bolts or rivets in frame to have flat heads, said heads always to be placed on exterior side of booth; all angle- or tee-irons being so countersunk as to accomplish this result.

Frame to be built with a six-foot by two-foot doorway; frame of said doorway to be built of one inch by one inch by three-sixteenth inch angle-irons, which are to be joined together by the use of a three-sixteenth inch steel plate.

Covering of Booth.

Sides and top of booth to be covered with asbestos boards of at least one-fourth inch in thickness; said boards to be cut and arranged that vertical joints between boards shall always come over an angle- or tee-iron, so that both boards may be securely fastened to the same.

After booth is complete, all openings where combustible material is exposed must be plugged with asbestos cement, or other equally satisfactory material. When joints of asbestos boards, on outside of booth, do not come over angles of tee-irons, the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide; said strips to be securely fastened to both boards in such manner as to cover the exposed joints. The above-mentioned strips and all asbestos boards shall be secured in the proper place by the means of proper bolts and nuts; said bolts and nuts to be spaced not more than six inches apart.

Flooring.

Floor shall be made of two parts, an upper and a lower floor. Lower floor shall be made of boards seven-eighth inches minimum thickness, supported on lower leg of horizontal angle-irons. Resting on this floor shall be a floor made of asbestos boards of three-eighth inch minimum thickness, or an equally good material.

Windows.

There shall not be more than two windows per machine in the booth,—one for the operator and one for the machine. Window for machine shall not be more than six inches high and twelve inches long, and shall be located and cut after machine is set up. Operator's window shall not be more than four inches wide or more than twelve inches high.

All windows shall be provided with gravity-doors, which, when closed, shall overlap the window opening at least one inch on all sides; said doors to be held open normally by use of a fine combustible cord in series with a fusible link, so arranged that the doors may easily be released by hand.

Main Door.

Outside of door to be provided with a substantial spring, sufficient to keep door closed. Door to be provided with stop to prevent it from swinging into booth or injuring the hinges.

Shelves.

To be made up of slate slabs or board not less than seven-eighth inches thick, not exceeding four feet in length or twelve inches in width. Said shelves, if of board, to be painted with at least three coats of asbestos paint, and supported by means of angle-irons. Upper shelf to be used for the rewinding and the repairing of films; the lower shelf to be used for the storage of films. A separate metal case, made without solder, shall be provided for each film when the same is not in the magazine or in the process of winding; said films to be kept in these cases.

Ventilation.

Booths to be provided with an inlet in each of four sides; said inlets to be fifteen inches long, three inches high, the lower side of the same not to be more than three inches above floor level. Said inlets to be covered on the inside by a wire net of not greater than one-eighth inch mesh netting, to be firmly secured to the asbestos boards by means of iron strips and screws.

Near the center of the top of the booth shall be a circular opening of not less than ten inches in diameter; the upper side of said opening to be provided with an iron flange, which flange is to be securely fastened to the tee-irons supporting the roof. Securely fastened to this flange shall be a vent-pipe of not less than ten inches in diameter; said pipe leading to the outside of the building or to a special incombustible vent-flue. In this vent-pipe shall be placed a box containing a twelve-inch electric fan; said

box to be provided with a door of sufficient size to permit of the examination or removal of this fan; this door to be made tight, and provided with proper fastenings. Box and vent-pipes to be made of galvanized iron or other non-combustible material; fan to be so connected that it can be controlled from within the booth.

Wiring.

If house lights are controlled from within the booth, an additional emergency control must be provided near the main exit, and kept at all times in good condition.

All electric wires to be brought in to the booth and carried to all machines, lights, et cetera, in conduits; one light will be allowed for each machine, and one for the rewinding-bench; but all such lights shall be provided with wire guards.

Rheostats.

All rheostats to be mounted on slate insulator, properly supported; said supports to be made of iron, and securely fastened to the floor; rheostats to be securely fastened to slate insulator.

Machines.

Must be securely fastened to the floor to prevent accidental overturning of the same: Provided, That this section shall not apply to cities of the first and second classes.

Section 2. That it shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any portable booth or enclosure, for the purpose of operating therein moving-picture machines, unless they are built, erected and constructed as follows:—

Portable booths.

Size.

Portable booths or enclosures are to be at least six and one-half feet high and five feet square, and are permitted for the use of one picture machine only.

Frame.

The frame is to be made of standard pipe angle-iron, ventilator trap, and suitable fittings. The pipe frame and angle-iron trap are to conform strictly to specifications hereinafter set forth, and the fittings and details of construction must be approved by the Department of Factory Inspection of the Commonwealth of Pennsylvania.

Skeleton Frame.

Four corner uprights, to be made of three-quarter inch standard pipe.

Eight horizontal members, to be made of three-quarter inch standard pipe.

Eight corner fittings, to be made of iron or bronze castings.

Ventilator Trap.

Ventilator trap, to be made of one inch by one-eighth inch angle-iron, shall extend full width of the top and two inches beyond the front of the top pipe; shall be suitably hinged, not less than two feet from the edge of the front angle corners, and joints to be made with one-eighth inch steel plates, riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts.

Covering of Booth.

The side and top covering of the booth shall be made of an approved pure asbestos cloth, same as used for asbestos curtains, weighing not less than two pounds to the square yard. Seams and hems in the asbestos cloth shall lap at least one inch, and be stitched on each edge with asbestos sewing twine. The top covering shall be made separate from the side covering. It shall completely cover the top, and have the outside flap hang down all around the sides, not less than six inches deep. It shall be fastened tightly, and secured to the top pipes and ventilator trap by means of asbestos cords. The side covering shall be made in one piece, extending around all four sides, and overlapping at the rear of the booth not less than eighteen inches, so as to form a flap doorway. The side covering shall extend from top pipes—to which it shall be suspended by approved metal hooks or rings, spaced not more than twelve inches apart—to the floor, with a flap of not less than three inches all around resting on the floor. The metal hooks or rings, for suspending the side covering, shall be attached to the hem of the cloth by means of a metal strap and two rivets. The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords. The cloth covering for top and sides must, at all times, be kept free from rents or holes, and be maintained in good condition.

Door.

The side covering shall overlap eighteen inches in the rear of the booth. This overlap shall extend from top to bottom, and shall be so arranged as to form a means of entrance and egress.

Flooring.

The frame shall be placed on a mat or carpet made of approved asbestos cloth, not less than seven feet square. This mat must be spread out smoothly on a

substantial floor or platform, so that it shall extend one foot from the frame on all sides. This mat must at all times be kept free from rents or holes, and in good condition.

Ventilation.

The top of the frame shall be fitted at the rear with a hinged ventilator trap, as described in foregoing section of frame. The asbestos cloth top covering shall be so arranged, and so attached to the frame, that, when the hinged trap is raised, the asbestos covering shall be raised also in the rear. Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position, so as to form a clear ventilating space, at the rear, of not less than six inches high, extending across the full width of the booth.

Windows.

The look-out window for the operator shall be not more than four inches wide and twelve inches high. The windows for the machine shall not be more than six inches high and twelve inches long. All windows shall be located and cut after machine is set up.

The openings shall be cut in the cloth with care, and the edges reinforced by stitched hem of asbestos cloth; they shall be provided with asbestos flaps, securely stitched at the top of the openings. These flaps, when closed, shall overlap the window opening at least two inches on the bottom and sides, and shall be weighted across the bottom edge by a piece of three-eighth inch pipe, or equal weight of metal, securely sewed in the pocket in the cloth.

Window Shutters and Ventilator Trap.

The window flaps or shutters are to be held open normally, by the use of a fine combustible cord. The hinged ventilator trap is to be raised, for ventilation, not more than six inches at the rear, and shall be held open by a collapsible prop sustained by fine combustible cord. The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension-clip, so arranged that the automatic opening of the link, or release of the tension clip by the operator, will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap. This fusible link and tension clip shall be arranged in a position directly over the machine, within reach of the operator.

Provided, however, That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed: it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in

places of assemblage—such as schools, churches, association halls, lodge-rooms, theatres—without permanent booths: Provided, That this section shall not apply to cities of the first and second classes.

Duties of Department of Factory Inspection.

Section 3. It shall be the duty of the Department of Factory Inspection, by and through its Chief Factory Inspector, his deputy or deputies, to take such means as it may deem necessary to enforce the provisions of this statute. It shall be the duty of said Chief Factory Inspector, his deputy or deputies, within a reasonable time after the approval of this act, to inspect all booths or enclosures in which moving-pictures are now being operated; and should any be found in a dangerous condition, in that they lack adequate fire protection, he or they shall immediately order the abatement and discontinuance of such use of such booth and enclosure. The owner, agent, superintendent, person or persons, in charge and control of said booth or enclosure, shall abate and discontinue the use of same within ten days after the service of the notice of abatement or discontinuance. Any such person or persons, who shall fail to comply with the said order of abatement or discontinuance, so issued as aforesaid, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars, or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days, within the discretion of the court, for each and every such violation.

Order of abatement.

Failure to comply with order.

Penalty.

Section 4. Any person or persons who violate or ignore any of the provisions of sections one and two of this act shall be deemed guilty of misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars and not more than five hundred dollars, or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days, for each and every violation. In all cases of violation of sections one and two of this act, the prosecutions shall be instituted in the name of the Commonwealth by the Chief Factory Inspector, his deputy or deputies, and hearing shall be conducted by the alderman, justice of the peace, or other committing magistrate before whom the information is lodged; after full hearing of the parties in interest, the alderman, justice of the peace or other committing magistrate shall, if the evidence warrants it, impose the penalty herein provided, which shall be final to the party against whom the penalty is imposed, unless the said party shall furnish good and sufficient bail for his or her appearance at the next term of the court of quarter sessions of the county wherein the offense is alleged to have been committed.

Section 5. All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector, who shall pay the same into the office of the State Treasurer, for the use of the Commonwealth of Pennsylvania.

. APPROVED—The 1st day of May, A. D. 1909.

EDWIN S. STUART.

No. 207.

AN ACT

To classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish, and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same, to protect the waters within this Commonwealth from unfair, improper, wasteful, and destructive fishing, and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish-wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth, and regulate the free distribution of the same by the Department of Fisheries, in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit; to forbid the sale of unlawful devices for catching fish; and to provide penalties and punishments for the violation of the provisions of this act, and providing how and by whom the costs shall be paid.

Section 1. Be it enacted, &c., That the fish within this Commonwealth are hereby designated and classified, for the purposes of this act, as follows; to wit, The following are classified as game fish: Charr, commonly called brook trout; all species of trout and of the salmon family; blue pike; pike-perch, otherwise known as Susquehanna salmon, or wall-eyed pike; pickerel, western pike; muscallonge; small-mouth bass, otherwise called black bass; large-mouth bass, otherwise called Oswego, green, or yellow bass; crappie, grass, strawberry, or calico bass; white bass; rock bass, otherwise known as red-eye, or goggle-eye; and all other species or varieties of fresh water fish, called or commonly known as bass, except striped bass, or rock fish, and fall fish. The following are classified as bait fish; to wit, All forms of minnows, all forms of killifishes, and stone catfish. That all other species or variety of fish, whatsoever, in the waters within this Commonwealth, are hereby classified as food fish.

Section 2. That it shall be unlawful to use any device, means, or method whatsoever, for taking fish from the waters within this Commonwealth, except the following; to wit, For game fish, with rods and lines, or with hand line, and for pickerel and yellow perch, also with tip-up, and for suckers, through the ice, with pole and burr hook; for bait fish, in any