

be known as the "Bureau of Markets Fund." All moneys in said fund from time to time hereby are appropriated specifically to the Department of Agriculture, for the use of the Bureau of Markets, for the purpose of assisting with the expense and maintenance of said bureau in carrying out the provisions of this act. All moneys shall be paid from aforesaid fund upon requisition of the Secretary of Agriculture and warrant of the Auditor General on the State Treasurer, after the filing of itemized vouchers.

Bureau of  
Markets Fund.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.

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No. 289.

AN ACT

To repeal an act, approved the third day of April, one thousand eight hundred and seventy-two (Pamphlet Laws, seven hundred and eighty-six), entitled "An act to provide for the detection of crime in the county of Dauphin."

Section 1. Be it enacted, &c., That the act, approved the third day of April, one thousand eight hundred and seventy-two (Pamphlet Laws, seven hundred and eighty-six), entitled "An act to provide for the detection of crime in the county of Dauphin," is hereby repealed.

Dauphin  
County.

Act of April  
3, 1872  
(P. L. 786).  
repealed.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.

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No. 290.

AN ACT

Providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines.

ARTICLE I.

Section 1. Be it enacted, &c., That the Governor shall, during the month of May, one thousand nine hundred and twenty-one, and every four years thereafter, appoint five citizens of this Commonwealth, residents of the anthracite region, to compose the Anthracite Mine Inspectors' Examining Board, who shall examine applicants for the office of mine inspector in

Anthracite  
Mine Inspectors'  
Examining Board.

Appointment.

Qualifications.	the anthracite region of this Commonwealth. Two of the members of the board shall be mining engineers who have had experience in the anthracite mines of Pennsylvania, and three of the members shall be coal miners in actual practice who have had at least five years' practical experience as miners in the anthracite mines of this Commonwealth in which explosive gas is liberated.
Salaries.	Appointees to the examining board shall be men of good repute and at least thirty years of age. The members of said board shall each receive the sum of ten dollars a day for each day actually employed, not exceeding forty days in all, and all necessary expenses incurred in carrying out the provisions of this act, which shall be paid out of the State Treasury, on warrant of the Auditor General issued upon presentation of vouchers properly made out and sworn to by each member of the board and approved by the Chief of the Department of Mines. The board is hereby authorized to engage the services of a clerk, who shall be a stenographer, and whose compensation shall be the same as that of the members of the board.
Clerk.	
Vacancies.	Any vacancy that may occur in the membership of the board shall be filled by appointment of the Governor according to the provisions of this section.
Organization.	Section 2. The said examining board shall meet in the city of Wilkes-Barre, on the second Tuesday in September following its appointment, to prepare questions and formulate rules to be used in conducting and governing the examination, provided there be a vacancy in the office of inspector. The members of the board, after being duly organized, shall each take and subscribe to, before any officer authorized to administer the same, the following oath, namely:
Oath.	"I do solemnly swear that I will perform the duties of examiner of applicants for the office of inspector to the best of my ability, and that, in recommending or rejecting said applicants, I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor, and that I will certify all applicants who may be found qualified, and no others, according to the true intent and meaning of the law."
Examination of applicants.	The oaths of the members of the examining board shall be filed in the Department of Mines. Section 3. On the fourth Tuesday of September, public notice having been given for two weeks prior thereto in two newspapers published in the district where a vacancy exists, the board shall meet again in the city of Wilkes-Barre to examine applicants for the office of inspector, whose qualifications shall be certified to the board and be as follows: They shall be citizens of this Commonwealth and residents of the
Qualifications of applicants.	

anthracite region, of temperate habits, of good repute, of personal integrity, in good physical condition, and not under thirty or over fifty years of age: Provided, however, That any person who is now serving as inspector under the provisions of the act of June eighth, one thousand nine hundred and one, entitled "An act amending article two of an act, entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith,' approved the second day of June, Anno Domini one thousand eight hundred and ninety-one," and its amendments, shall be eligible for appointment, even if beyond fifty years of age, if in good physical condition. They shall have a comprehensive knowledge of the different systems of working and ventilating coal mines, and shall have had at least ten years' practical experience in the anthracite mines of this Commonwealth, five years of which shall be as coal miners in the anthracite mines of this Commonwealth. They shall have had practical experience with explosive gas, dangerous and noxious gases generally found in coal mines, and shall have a general knowledge of mines, mining, and machinery, and of the chemistry of gases generally found in coal mines. They shall be conversant with the work of first aid corps and with the work and requirements of the rescue corps. They shall be conversant with the science and use of electricity as applied to coal mines, and shall have sufficient knowledge of the science of mining engineering to enable them to understand and read the mine workings of any mine as shown on maps presented at the examination. and to make a cross section of any mine from said maps, when required by the examining board. They shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the board of their capability and fitness for the important duties imposed upon the inspectors.

Inspectors now  
in office.

Practical  
knowledge.

Theoretical  
knowledge.

Examination.

Section 4. The examination shall be in writing, and the applicants who have made an average of at least ninety per centum shall be deemed successful: Provided, however, That those now acting as inspectors in the anthracite mines of this Commonwealth, and who have served in such capacity for four years, and have passed one examination as required by the provisions of the act of June eighth, one thousand nine hundred and one, entitled "An act amending article two of an act, entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith,' approved the second day of June, Anno Domini one thousand

Inspectors now  
in office.

eight hundred and ninety-one," and its amendments, may continue in office without further examination, and are eligible for appointment under the provisions of this act.

Filing of examination papers.

Certification of averages obtained.

Certificates of qualification.

Inspectors now in office.

Chief of Department of Mines. Marks on certificates.

Certificates shall be permanent.

Terms of office of inspectors.

Section 5. The manuscripts and all other papers of the applicants in the examination, together with the tally sheets and the correct solution of each question as prepared by the examination board, shall be filed in the Department of Mines. The examining board, or at least four members thereof, shall certify to the Governor and also to the Chief of the Department of Mines the names and percentages of all successful applicants who are properly qualified, under the provisions of this act, to fill the office of inspector. A certificate of qualification, prepared by the Chief of the Department of Mines, shall be issued to each successful applicant. A certificate so issued shall remain in full force for a period of four years only, unless the holder of same has served one full term as mine inspector in the anthracite mines of this Commonwealth, in which case the certificate becomes permanent.

Section 6. It shall be obligatory on the Chief of the Department of Mines to issue a certificate of qualification to each inspector now acting in the anthracite region of this Commonwealth and who has acted as such continuously for four years. A similar certificate shall be issued to the Chief of the Department of Mines. The mark or per centum to appear on each individual certificate shall be the same as that appearing on the last certificate obtained, prior to the passage of this act, by the individual inspectors, as required by the provisions of the act of June eighth, one thousand nine hundred and one, entitled "An act amending article two of an act, entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith,' approved the second day of June, Anno Domini one thousand eight hundred and ninety-one," and its amendments. The certificate issued as required by this section shall be of a permanent nature, and the holders of such certificates shall not be required to submit to further examinations, and such certificates shall be issued immediately upon the passage of this act, and the percentages of each inspector shall be certified to the Governor.

Section 7. In order to make uniform the method of selecting mine inspectors for this Commonwealth, the term of office of inspectors of mines in the anthracite coal mines of Pennsylvania, as heretofore existing, shall, upon the passage of this act, be terminated, and the Governor shall proceed to fill the offices of inspector of mines in the anthracite coal region of this Commonwealth as provided for in this act.

Section 8. If at any time a vacancy shall exist in the office of mine inspector in the anthracite region of Pennsylvania, the Governor shall, from the names certified to him by the examining board or by the Chief of the Department of Mines, commission the person having the highest percentage, whose commission shall be for four years or until removed as provided by section fifteen of this act. Vacancies.

Section 9. When a vacancy occurs in the office of inspector, by death or otherwise, the Governor shall commission, for the unexpired term, from the names of the successful applicants on file in the Department of Mines, the person having the highest percentage in the examination.

When the applicants who have received an average of at least ninety per centum shall be exhausted, the Governor shall cause the examining board to meet for a special examination. Special examinations shall be conducted in the same manner as required in this act for the conducting of regular examinations.

Section 10. The salary of the inspectors shall be four thousand eight hundred dollars (\$4,800) a year, to be paid monthly by the State Treasurer, on warrant of the Auditor General issued upon presentation of voucher approved by the Chief of the Department of Mines. Each inspector may also incur traveling and such other expenses as may be necessary for the proper discharge of his duties, which shall be paid quarterly by the State Treasurer, on warrant of the Auditor General issued upon presentation of vouchers made out and sworn to by the inspector and approved by the Chief of the Department of Mines. Salaries.

Section 11. Each inspector shall, before entering upon the discharge of his duties, give a bond to the Commonwealth, in the sum of five thousand dollars, with sureties to be approved by a judge of the court of common pleas of the district in which he resides, conditioned for the faithful discharge of his duties, and shall take an oath or make affirmation that he will discharge his duties with impartiality and fidelity. Bond.

Section 12. The Chief of the Department of Mines shall have authority to procure for the inspectors, on their request, furniture, instruments, chemicals, typewriters, stationery, and all other necessary supplies, which shall be paid for by the State Treasurer, on warrant of the Auditor General issued upon presentation of vouchers approved by the Chief of the Department of Mines. All furniture, instruments, plans, books, memoranda, notes, and other materials, pertaining to the office of the inspector, shall be the property of the State, and shall be delivered by the inspector to his successor in office. Supplies.

Section 13. In case the inspector becomes incapacitated to perform the duties of his office, or is granted a Temporary inspectors.

leave of absence by the Chief of the Department of Mines for thirty days or more, it shall be the duty of the Governor, at the request of the Chief of the Department of Mines, to appoint temporarily to the office a person on the eligible list of applicants filed in the Department of Mines. The temporary inspector shall act until the regular inspector is able to resume the duties of his office, and shall be paid in the same manner as hereinbefore provided for the payment of the regular inspector.

Persons interested  
in mining opera-  
tions.

Section 14. No inspector under this act shall act as manager of any coal mine or as agent or as mining engineer for any coal company, or be interested in the operation of any anthracite coal mines in this Commonwealth.

Petitions for  
removal of  
inspectors from  
office.

Section 15. Upon a petition signed by not less than fifteen reputable citizens, who shall be miners or operators of mines, and with the affidavit of one or more of said petitioners attached, setting forth that any inspector of mines is holding office illegally, or is neglectful of or is incompetent to perform the duties of his office, or that he is guilty of malfeasance in office, or upon petition of the Chief of the Department of Mines setting forth any of the above charges, the court of common pleas in the county in which the inspector is acting and is a resident shall issue a citation, in the name of the Commonwealth, to the said inspector to appear at not less than ten days' notice on a day fixed before said court, and the court shall then proceed to inquire into and investigate the allegations of the petitioners. If said charges are not sustained, and the court believes there was sufficient ground for said charges, the costs shall be placed on the county.

Hearing.

Costs.

Decree of court.

If the court finds that the said inspector is incompetent to perform the duties of his office, or that he is guilty of malfeasance in office, the court shall declare the office of said inspector vacant, and shall so certify to the Governor, who shall proceed, in compliance with the provisions of this act, to fill the vacancy.

Costs.

The cost of said investigation shall, if the charges are sustained, be imposed upon the inspector.

When effective.

Section 16. This act shall go into effect from the first day of May, Anno Domini one thousand nine hundred and twenty-one.

Violations.

Misdemeanor.

Section 17. Any person failing to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of three hundred dollars, or undergo imprisonment in the county jail for a period of thirty days, or both, at the discretion of the court.

Penalty.

Repeal.

Section 18. All acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED—The 17th day of May, A. D. 1921.

WM. C. SPROUL.