

Laws, nineteen), entitled "An act relating to warehouse receipts," are hereby amended to read as follows:

Section 40. A negotiable receipt may be negotiated,—

Who may negotiate receipts.

a. By the owner thereof; or,

b. By any person [to whom the] *in* possession [or custody] of the receipt, [has been entrusted by the owner] *however such possession may have been acquired*, if by the terms of the receipt the warehouseman undertakes to deliver the goods to the order of [the] *such* person, [to whom the possession or custody of the receipt has been entrusted] or if, at the time of [such entrusting] *negotiation*, the receipt is in such form that it may be negotiated by delivery.

Section 47. The validity of the negotiation of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation; or by the fact that the owner of the receipt was [induced] *deprived of possession of the same by loss, theft, accident, conversion, fraud, mistake, or duress*, [to entrust the possession or custody of the receipt to such person] if the person to whom the receipt was negotiated, [or person to whom the receipt was subsequently negotiated] paid value therefor *in good faith*, without notice of the breach of duty or *loss, theft, accident, conversion, fraud, mistake or duress*.

When not impaired by loss, theft, accident, conversion, fraud, mistake, or duress.

APPROVED—The 29th day of April, A. D. 1937.

GEORGE H. EARLE

No. 135

AN ACT

Prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certificated by a miners' examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation.

Section 1. Be it enacted, &c., That from and after the first day of April, one thousand nine hundred and thirty-eight, no person shall be employed or engaged as a miner in any bituminous coal mine in this Commonwealth, except as hereinafter provided for, without first having obtained a certificate of competency and qualification from a miners' examining board appointed under this act: Provided, however, That any miner holding such certificate may have one person working with him and under his direction as an apprentice for the purpose of learning the business of mining. For the purposes of this act, the term "miner" shall mean all underground workers in bituminous coal mines, except as hereinafter provided.

Coal miners.

Miners must secure certificate of competency.

Miners' examining boards.

Section 2. The Secretary of Mines, with the approval of the Governor, shall appoint as many miners' examining boards as may be deemed necessary, but not exceeding five in number, each board to be composed of three practical and experienced bituminous miners who shall have had at least ten years experience in the bituminous mines of this Commonwealth, and who shall be at least thirty years of age. Each member of an examining board shall hold office at the pleasure of the appointing authority.

Qualifications of members.

The boards first appointed shall have authority to issue to their respective members the certificates of competency required by this act without examination.

The boards first appointed shall be so located by the Secretary of Mines as to meet the needs of the various regions in which bituminous coal is mined.

Organization.

Each miners' examining board shall organize by the selection of one of its members as chairman and one as secretary. All records, reports, books, and papers of a board shall be kept by the secretary who shall also be furnished with a seal by the Department of Mines.

Compensation.

Each member of a miners' examining board shall be entitled to compensation at the rate of ten dollars for each day of seven hours necessarily employed and all necessary and legitimate expense incurred in the discharge of his duties, which compensation and expenses shall be paid from appropriations made for such purposes.

The number of miners' examining boards may be reduced at the pleasure of the Secretary of Mines after the first day of March, one thousand nine hundred and thirty-eight.

Examinations.

Section 3. The several miners' examining boards shall hold examinations at such times and places prior to the thirty-first day of March, one thousand nine hundred and thirty-eight, as the Secretary of Mines may designate, and thereafter shall meet at least once every three months in each mine inspection district, at such places as the Secretary of Mines may designate, so that all persons in the State who wish to engage in coal mining may be examined as to their competency and qualifications. Public notice of the time and place of examinations shall be given through the press, or otherwise, by the board not less than seven days in advance of the date set for the examination.

Record of meetings.

Each board shall keep an accurate record of its proceedings and meetings, and in said record shall show a correct detailed account of the examination of each applicant with questions asked and their answers. Such records shall be open to public inspection.

Examination fee.

Section 4. Each applicant for examination shall pay to the miners' examining board a fee of two dollars. All

fees collected by a miners' examining board shall be promptly transmitted to the Department of Mines and by it paid into the State Treasury, through the Department of Revenue.

Section 5. All examinations held by miners' examining boards shall be conducted in the English language and shall be of a practical nature so as to determine the competency and qualifications of the applicant to engage in the mining of bituminous coal. The board or boards shall examine under oath all applicants as to their previous experience in mines. Each member of the examining board or boards shall have power to administer oaths, and any false statement wilfully made by an applicant under oath shall be deemed perjury. All persons who shall be actually engaged as miners in a bituminous mine in this State at the time of the passage of this act, and who shall have reached the age of twenty-one years and have had at least two years' practical experience as mine workers, shall be entitled to a certificate without examination upon the payment of a fee of one dollar and after producing satisfactory proof that they have been employed in a bituminous mine in this Commonwealth, but no certificates of service shall be issued after the first day of April, one thousand nine hundred and thirty-eight. The form and manner of issuing such certificates shall be designated by the Secretary of Mines. Certificates granted by a board shall entitle the holder thereof to be employed as, and to do the work of, a miner in the bituminous mines of the Commonwealth.

Examinations
to be conducted
in English.

All persons possessing certificates of qualification issued by the Commonwealth of Pennsylvania entitling them to act as mine foreman, assistant mine foreman or fire boss shall be eligible to engage at any time as miners in bituminous mines of this State. Supervisory and technically trained employes of the operator, whose work contributes only indirectly to mine operations, shall not be required to possess a miner's certificate.

No person shall be qualified to take the examination unless he produces evidence of having had not less than two years' practical experience in the bituminous coal mines of this Commonwealth as a miner or who has served as a miner's apprentice for a period of two years. A certificate shall not be granted unless the applicant appears in person before the board and answers orally, intelligently and correctly at least eight practical questions propounded to him.

Qualifications
necessary before
person is eligible
to take an
examination.

A certificate granted by a board shall not be transferable, and a transfer shall be deemed a violation of this act.

Certificate not
transferable.

Certificates shall be issued only at meeting of the board, and shall be signed by at least three members of the board, and sealed with the seal of the board.

No person after April 1, 1938, may engage as a miner without a certificate.

Section 6. No person shall, after the first day of April, one thousand nine hundred and thirty-eight, engage as a miner, other than as an apprentice, in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification as provided for in this act, except as hereinbefore stated; nor shall any person, firm or corporation, or his or its agent, employ as a miner, other than as an apprentice, any person who does not hold such certificate, except as aforesaid. Any person, firm or corporation violating any of the provisions of this act, shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not less than twenty-five dollars and costs nor more than one hundred dollars and costs, and, in default of the payment of such fine and costs, be imprisoned in the county jail for a period of ten days.

Section 7. The sum of seventy thousand dollars (\$70,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Mines for the purpose of carrying out the provisions of this act.

APPROVED—The 29th day of April, A. D. 1937.

GEORGE H. EARLE

No. 136

AN ACT

To amend the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred sixteen), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," by limiting the scope of practice as a dental hygienist; providing additional causes for the revocation and suspension of licenses and registrations; making appeals from actions of the board a supersedeas in the discretion of the court; making additional penal provisions; and further regulating the practice of dentistry and as dental hygienists.

The Dental Law.

Section 1. Be it enacted, &c., That section two, clause (i) of section three, and sections five, ten and eleven of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred sixteen), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Ex-