

An. Code, 1924, sec. 34. 1922, ch. 307, sec. 33.

34. It shall be the duty of each inspector to see to the strict enforcement of all laws and regulations relating to mining; to investigate all violations thereof; to file complaints and to make affidavits against any violators before the proper courts or tribunals, and to see to the enforcement of all penalties prescribed for disobedience to such laws and regulations. Each of such inspectors shall exercise sound discretion in such enforcement; if in his judgment any matter, thing or practice in or connected with any mine is or may become dangerous or defective and thereby endanger the bodily safety of any person, such inspector may give written notice to the operator of such mine by way of special safety order, a copy of which shall also be sent to the Chief Mine Engineer; in which safety order shall be stated in detail the particulars wherein such matter, thing or practice is or may become dangerous or defective, and require it to be remedied, suggesting such changes as the conditions described may require. If the operator contends that the matter, thing or practice is not in fact dangerous, nor likely to become dangerous, such inspector shall refer the subject matter to the Chief Mine Engineer for his examination and determination; provided, that if the matter, thing or practice involve the safety of a mine or any considerable portion of a mine, and the operator after receipt of such order neglects or refuses to take immediate steps to remedy such matter, thing or practice, the inspector shall notify the Chief Mine Engineer, who shall with a district mine inspector immediately make a full investigation, and provided further, that if the Chief Mine Engineer and district inspector agree as to the danger and confirm such safety order, or modify and confirm such safety order as modified, the Chief Mine Engineer shall have power to institute proceedings before the Circuit Court of the county within which the affected mine is located, to restrain such operator from further operating such mine until compliance with such safety order. Such court, or if not in session, then a judge thereof in chambers, shall immediately proceed to fully hear and determine the case, and may make such orders therein, confirming, modifying, correcting and enforcing or vacating said safety order as may appear just and proper; and the costs thereof may be awarded as the court may think just.

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35. Each of such district mine inspectors shall annually, on such date and as the Bureau by regulation may prescribe, report to the Bureau such data and information as the Bureau may require, including reports upon each accident during the year, with the name, special occupation and service in which engaged at the particular time, of any person injured or killed, the mine, and the nature and cause of the accident; together with recommendations tending to prevent similar accidents.

### TITLE III—EXAMINING BOARD.

#### CHAPTER V—*Creation, Duties and Powers.*

An. Code, 1924, sec. 36. 1922, ch. 307, sec. 35.

36. Upon the recommendation of the Chief Mine Engineer, the Governor shall appoint two persons, one a miner and the other an operator, who with the Chief Mine Engineer shall constitute an Examining Board, of which the Chief Mine Engineer shall be chairman, *ex officio*. Each of