

their agents or workmen, or the constable and his assistants in the performance of their duties, under this sub-title, such person shall be guilty of a misdemeanor and shall be punished by fine not exceeding one hundred dollars or by imprisonment in the county jail for not exceeding three months, or by both fine and imprisonment.

Protection of Workingmen and Others Against Unsafe Scaffolding.

1894, ch. 158, sec. 1.

77. Whenever complaint is made to the commissioner of police or to the marshal, or other persons in charge of the police force of any city or town in this State, that the scaffolding used in the construction, altering, repairing or painting of any building within the limits of such city or town is unsafe and dangerous to the life and limb of any person, it shall be the duty of such police commissioners, marshal of police, or other persons in charge of the police force to immediately detail a competent police officer to inspect such scaffolding forthwith, with instructions to prohibit the further use of such scaffolding, and, if after proper examination he find the complaint well founded, to require that it be altered or reconstructed in such manner as to render it no longer dangerous to life or limb. It shall be the duty of the officer making the examination to attach a notice to such scaffolding, stating that he has made such examination, and that he has found it safe or unsafe, as the case may be. If he declares it to be unsafe, he shall at once, in writing, notify the person or persons responsible for its erection of the fact, and warn them against using it, or permitting or suffering any person or persons to use it, and such notice may be served upon the responsible person or persons, or by conspicuously affixing it to the scaffold declared to be unsafe; after such notice is served or affixed, it shall be the duty of the persons responsible therefor to immediately remove such scaffolding, or to alter or strengthen it in such a manner as to render it safe, in the discretion of the officer who has condemned it or of his superiors.

Ibid sec. 2.

78. It shall be the duty of the police commissioners, marshal of police, or other persons in charge of the police force of any city or town of this State, when complaint is made to them or any of them that the slings, hangers, blocks, pulleys, stays,