

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.

(b) Provided, however, that when the District Inspector discovers or learns that there is an imminent danger existing in a mine or portion of a mine, he shall immediately notify the person then in charge of the mine and request said person then in charge of the mine to immediately remove all persons from the mine or that portion of the mine wherein the danger exists, and should the person in charge of the mine fail to comply with the request of the said District Inspector, the District Inspector shall personally take whatever steps he deems necessary to remove or have removed all persons from the said mine or that portion thereof wherein the danger exists, and the persons shall remain out of the mine or that portion thereof until the said danger has been removed therefrom.

62. In order to secure efficient management and proper ventilation of the mines, to promote the health and safety of the persons employed therein, and to protect and preserve the property connected therewith, the operator of any coal mine in this State shall employ a competent and practical mine foreman in every mine where eight or more