

any exigency arises whereby it is impossible for any operator to secure the immediate services of a certified man, he may employ any trustworthy and experienced man as mine foreman or assistant mine foreman for a period not exceeding thirty days, and in the event that no person possessing a certificate of competency, satisfactory to such operator, can be found to fill the position, then the Chief Mine Engineer may grant a temporary certificate to some person satisfactory to such operator whom such Chief Mine Engineer may deem qualified, who may fill the position until thirty days from and after the next meeting of the Examining Board held for the purpose of granting certificates of competency. In the event the said appointee shall fail to take such examination or fail to pass the same, he shall not thereafter be permitted to fill said position until such time as he shall have passed such examination.

An. Code, 1924, sec. 64. 1922, ch. 307, sec. 63.

64. The mine foreman shall devote his entire time to his duties, when the mine is in operation; and shall, subject to the supervision and control of the operator thereof, have charge of the inside workings of such mine and of all persons therein employed; and he shall see that all applicable provisions of this sub-title and regulations thereunder are strictly obeyed. For such purpose, such mine foreman shall, personally or by his assistant—

(a) Visit each working place once each day while the employees are at work, to see that each place is properly timbered, drained, secured and reasonably safe; that a sufficient supply of timber and other facilities is on hand ready for use; that all loose coal or other dangerous material is taken down or secured, especially upon traveling ways and airways; that standing water is drained from passageways and working places; that explosive and noxious gases and dangerous accumulations of dust are removed; and that in general the ventilation, stoppings, doors, timbering, drainage, traveling and air ways, trackage and other mine works and ways are in good working order and in reasonably safe condition.

(b) Instruct all employees in safety measures, including placing of timber to prevent falls and other accidents; to safeguard moving parts of machinery which may injure persons passing nearby; and to see that all persons and property are at all times protected against mining risks as required by this sub-title.

(c) Attend promptly to removal of any dangerous conditions coming to his knowledge; and in case it is impracticable to remove such danger at once, to order every person whose safety is menaced thereby, to leave and remain away from the vicinity of such danger until notified that it has been removed.

(d) Post danger signals of uniform type across the entrance to any mine or portion of such mine or other conspicuous point in case of danger, and see that such signals are kept there until the danger has been removed.

(e) Report immediately to the operator of such mine whenever the ventilation or other machinery fails to discharge its functions adequately, or upon discovery of accumulations of gas or water, or any other unusually dangerous condition.

An. Code, 1924, sec. 65. 1922, ch. 307, sec. 64.

65. When assistant mine foremen are employed, their duty shall be to assist the mine foreman in complying with the provisions of this sub-title,