

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 12, 1919.

CHAPTER 240—S. F. No. 356.

An act to amend Sections 2168, 2174, 2180, 2181 and 2184, Revised Laws of 1905, being part of Chapter 31 thereof, which chapter relates to the inspection of steam vessels and boilers and the licensing of engineers; also amending said Chapter 31 by adding thereto three (3) new sections, said amendments and new sections providing for the appointment of a board of boiler inspectors, a chief boiler inspector and a deputy chief boiler inspector, fixing their salaries, prescribing their powers and duties, providing a fund for the payment of their salaries and expenses, providing for the licensing of masters and pilots of steam vessels and boats and gasoline boats and vessels carrying passengers for hire, fixing fees for the inspection of boilers and licensing of engineers, masters and pilots, creating a boiler inspector's fund and imposing certain charges and duties on insurance companies doing a boiler insurance business in this state.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Appointment of district, chief and deputy chief boiler inspectors and duties.—That section 2168, Revised Laws 1905, be and the same is hereby amended to read as follows:

2168. In the month of January in every odd-numbered year the governor shall appoint a board of boiler inspectors consisting of one resident of each senatorial district, except that where there is more than one senatorial district in any county, there shall be but one inspector in such county. *Such inspectors shall be known as district boiler inspectors. The district boiler inspector shall inspect all steam boilers and pressure vessels in use in his respective district not subject to inspection under the laws of the United States and not hereinafter excepted, and the chief boiler inspector hereinafter provided for shall examine and grant license certificates to steam engineers entrusted with the management of steam boilers, except those in heating plants in private residences as hereinafter defined.*

The governor shall also appoint one chief boiler inspector, who may, with the consent of the governor, appoint one deputy chief boiler inspector. The chief boiler inspector shall have his office in the capitol. The deputy chief boiler inspector may exercise the powers of the chief boiler inspector in case of the absence or inability of the latter to act.

The district inspectors shall make monthly reports to the chief boiler inspector of all business transacted, in such form as shall be prescribed by the chief boiler inspector. The chief boiler inspector and each district boiler inspector shall hold office for the term of two years, provided, however, that the term of the first appointees

pursuant to this act shall expire February 1st, 1921, unless sooner removed by the governor. Appointments to fill vacancies shall be for the unexpired term. The district boiler inspector shall examine all applicants for second-class and special engineer licenses and certify the results of their examinations to the chief boiler inspector, whereupon such chief boiler inspector shall issue the required licenses in case the certification made by the district boiler inspector shows the applicant therefore entitled thereto.

The chief boiler inspector or his deputy shall at least once each year visit each district for the purpose of holding examinations therein of applicants for chief and first-class engineers' licenses and shall give to the public thirty (30) days published notice in some paper published in the district of the time and place such examination shall be held.

All fees collected by the chief boiler inspector under the provisions of this act shall be paid into the state treasury in the manner provided by law for fees received by other state departments; except 50 per cent of license fees which shall be turned over to the district inspector of district in which examination was held.

The chief boiler inspector shall receive an annual salary of \$2,400 payable monthly from the fund hereinafter created in the same manner as the salaries of other state officers are paid and the deputy chief boiler inspector shall receive \$2,000 per annum, payable monthly from said fund in the same manner as the salary of the chief boiler inspector. The chief boiler inspector and his deputy shall be entitled to reimbursement out of said boiler inspectors' fund for their necessary traveling and other expenses while engaged in the performance of their official duties. The expense of maintaining the office of chief boiler inspector shall also be paid from said fund. The district inspectors shall receive as full compensation for their services all fees collected by them for the inspection of boilers, pressure vessels and hulls and fifty per cent (50%) of all fees collected by them for the examination of applicants for engineers' licenses and also fifty per cent (50%) of the annual renewal fees received from such engineers and fifty per cent (50%) of renewal fees shall be sent to chief boiler inspector, who shall turn same over to state treasury, as herein prescribed.

Sec. 2. Examinations of master and pilots, establishing of regulations, licensing and revocations.—That section 2174, Revised Laws 1905, be and the same is hereby amended to read as follows:

2174. The chief boiler inspector or his deputy shall examine all masters and pilots of steamboats and vessels and all gasoline boats and vessels carrying passengers for hire on the inland waters of the state as to their qualifications and fitness, and if such persons be found trustworthy and competent to perform their duties as master or pilot, as the case may be, he shall issue a certificate author-

izing the applicant to act as such master or pilot on the inland waters of the state designated in the certificate. The chief boiler inspector shall also make such regulations for the navigation of any such boat or vessel as will require the operation of the same without danger to life or property. He shall revoke the license of any master, pilot or engineer found under the influence of intoxicating liquor when on duty or who otherwise disregards any prescribed regulation.

The chief boiler inspector or his deputy shall collect a fee of five dollars (\$5.00) for the examination of any applicant for a master or pilot's license and one dollar (\$1.00) for the annual renewal of any such license. In case the applicant for license as master or pilot successfully passes an examination, a license shall be issued to him without any other fee. Every owner, lessee, master or pilot violating any provision of this section or section 2173, shall be guilty of a misdemeanor.

Sec. 3. License to be renewed annually and grade authorized.—That section 2180, Revised Laws 1905, be and the same is hereby amended to read as follows:

2180. Every owner or manager of a steam boiler shall allow inspectors full access to the same, and every engineer operating the same shall assist the inspector in his examination, and point out any known defects in the boilers or machinery in his charge. No person shall be entrusted with the operation of any steam boiler or steam machinery who has not received a license of such grade as to cover said steam boilers or steam machinery, which license shall be renewed annually. Every person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and punished by a fine of not less than ten (\$10.00) dollars or more than fifty (\$50.00) dollars.

Sec. 4. Examinations for classifications and qualifications.—That section 2181, Revised Laws of 1905, be and the same is hereby amended to read as follows:

2181. Engineers shall be divided into four (4) classes: (1) Chief engineers; (2) first-class engineers; (3) second-class engineers; (4) special engineers.

To entitle them to licenses they shall make written application on blanks furnished by the inspector and shall successfully pass an examination for such grade of license as applied for.

1. A chief engineer shall be at least twenty-one (21) years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers and steam machinery, and before receiving a license he shall take and subscribe an oath that he has had at least five years' actual experience in operating such boilers and machinery.

2. A first-class engineer shall be at least twenty-one (21) years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam

boilers and steam machinery of not more than three hundred (300) horsepower. Before receiving a license he shall take and subscribe an oath that he has had at least three years' actual experience in operating such boilers and machinery.

3. A second-class engineer shall be at least twenty-one (21) years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers and steam machinery of not more than one hundred (100) horsepower. Before receiving a license he shall take and subscribe an oath that he has had at least one year of actual experience in operating such boilers and machinery.

4. A special engineer, upon examination, shall be sufficiently acquainted with the duties of an engineer as to justify the belief that he can be safely intrusted with steam boilers and steam machinery of not more than thirty (30) horsepower.

Sec. 5. District boiler inspector to deliver certificates—Fees for inspection.—That section 2184, Revised Laws 1905, be and the same is hereby amended to read as follows:

2184. *After examination and tests, if the district boiler inspector shall find any steam boiler or pressure vessel safe and suitable for use, he shall deliver to the chief boiler inspector a verified certificate in such form as the chief boiler inspector shall prescribe, containing a specification of the tests applied and the working pressure allowed, a copy of which the district boiler inspector shall furnish to the owner of the boiler or pressure vessel, who shall post and keep the same in a conspicuous place on or near such boiler or pressure vessel. The district boiler inspector shall be entitled to a fee of three (\$3.00) dollars for the inspection of each boiler or pressure vessel and its connections, payable on delivery of the certificate. The fee for the examination for an engineer's license shall be: Chief engineer, \$7.00; first-class, \$5.00; second-class, \$3.00, and special, \$2.00, and for each yearly renewal, \$1.00. Fifty per cent (50%) of all license fees shall go to create a fund to be known as the boiler inspectors' fund and fifty per cent (50%) to the inspector of the district where the examination is held or renewal made. Which fee shall accompany the application.*

Sec. 6. Additional help for chief boiler inspector and limitation of expenditures.—That section 2185, Revised Laws 1905, be and the same is hereby amended to read as follows:

2185. *The chief boiler inspector may with the consent of the governor appoint such additional help as shall require to carry out the work of his office. But at no time shall the salaries and expenses authorized by this act exceed the amount appropriated for carrying out the provisions thereof; provided, that in no event shall the disbursements of this act exceed the fees collected.*

Sec. 7. Residence boilers and railroad locomotives excepted.—That section 2186, Revised Laws of 1905, be and the same is amended to read as follows:

2186. *The provisions of this act shall not apply to heating plants in buildings occupied solely for residence purposes with accommodations herein not to exceed four families, nor to railroad locomotives, nor to railroad locomotive engineers employed by railroad companies.*

Sec. 8. Insurance companies to report to chief inspector.—That a new and additional section be and the same is hereby added to chapter 31, Revised Laws, 1905, which new section shall be numbered and read as follows:

2186. (a) *Every insurance company insuring boilers and pressure vessels in this state shall within fifteen days after inspecting any such boiler or pressure vessel make, in duplicate, a report in writing, showing the date of such inspection, the name of the person making the inspection, the condition of such boiler or pressure vessel as disclosed by such inspection, whether the same is operated by a licensed engineer and whether a policy of insurance has been issued by said company with reference to said boiler or pressure vessel. Such insurance company shall within said period of fifteen days mail one of such reports to the chief boiler inspector and shall deliver one of such reports to the person, firm or corporation owning or operating such boiler or pressure vessel.*

Every boiler or pressure vessel as to which any insurance company authorized to do business in this state has issued a policy of insurance, after the inspection thereof, shall be exempt from other inspection under the provisions of this act, while the same continues to be insured, provided the person, firm or corporation owning or operating the same shall have an unexpired certificate of exemption from inspection, which certificate shall be issued by the chief boiler inspector upon application by the holder of a report of inspection made by the insurance company as hereinbefore set forth and showing that a policy of insurance has been issued by such insurance company with reference to such boiler or pressure vessel and the payment to the chief boiler inspector of a fee of fifty cents therefor. Such certificate of exemption shall expire one year from the date of the report of inspection of the boiler or pressure vessel to which it relates. Such certificate shall be posted in a conspicuous place near the boiler or pressure vessel described therein and to which it relates. Every insurance company shall notify the chief boiler inspector, in writing of the cancellation or expiration of every policy of insurance issued by it with reference to policies in this state, and the cause or reason for such cancellation or expiration. Such notice of cancellation or expiration shall show the date of the policy and the date when the cancellation has or will become effective.

Any insurance company which shall fail to comply with the requirements of this section shall be deemed guilty of a misdemeanor and fined not more than fifty dollars.

Sec. 9. Applications—To whom made—Sealing authorized in case of failure to make payment.—That a new and additional section be and the same is hereby added to chapter 31, Revised Laws, 1905, which new and additional section shall be numbered and read as follows:

2186. (b) *The chief boiler inspector shall prepare blank applications on which applications for engineers' licenses shall be made under oath of the applicant. Such blanks shall be so formulated as to elicit such information as is desirable to pass on the qualifications of the applicant.*

Every applicant for an engineer's license shall make his application to the district boiler inspector of the district wherein the applicant resides and no license shall be granted by the district boiler inspector of any other district of this state if such applicant's license has been refused.

If the owner or lessee of any boiler or pressure vessel, which boiler or pressure vessel has been duly inspected, refuses to pay the required fee as provided by law within thirty (30) days from the date of such inspection, the district boiler inspector or the chief boiler inspector or his deputy, as the case may be, is hereby authorized and empowered to seal said boiler or pressure vessel until said fee is paid, and the owner, lessee, or agent who breaks said seal or operates said boiler or pressure vessel before the fee has been paid shall be guilty of a misdemeanor.

Sec. 10. \$1,000 loaned from revenue fund.—That a new and additional section be and the same is hereby added to chapter 31, Revised Laws 1905, which new and additional section shall be numbered and read as follows:

2186. (c) *Until sufficient fees have been collected for maintaining the boiler inspection department herein provided for, the state auditor may temporarily transfer from the revenue fund the sum of one thousand dollars to be used for such purpose. Said sum to be transferred back to the revenue fund six months thereafter.*

Approved April 14, 1919.

CHAPTER 241—S. F. No. 128.

An act entitled, An act to legalize certain proceedings in probate court.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Certain probate court proceedings legalized.—That any hearing or proceeding heretofore had or held in any probate court in this state, under the provisions of the probate code relating to the probating of a will, the appointment of an executor or administrator, or the issuance of a final decree, where