

neglect or refuse to abate such nuisance upon order of any health officer shall be guilty of a misdemeanor and punished as provided in the next section, and in addition to such punishment, the court or justice shall assess judgment against the defendant for the expenses of abating such nuisance, which judgment shall be enforced in the same manner as an execution in a civil action.

Guilty of  
misdemeanor.

Approved March 11, 1937.

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## CHAPTER 53.

### AN ACT

[S. B. 14]

To amend Section 2288, Article IV, Chapter XLIII, Compiled Laws of Alaska, 1933, relating to ventilation in mines.

*Be it enacted by the Legislature of the Territory of Alaska:*

Section 1. That Section 2288, Article IV, Chapter XLIII, Compiled Laws of Alaska, 1933, be, and the same is hereby amended to read as follows:

Amended.

#### Section 2288. Ventilation In Mines.

(a) In all underground openings where mining work is being carried on, an adequate amount of ventilation shall be provided and maintained so that all workings and all passages used by employees in approaching and leaving such workings, shall be free from a harmful quantity of any deleterious gases, fumes or dust; and the air must be maintained in such a state that a candle will burn freely at all times in any portion of such workings and passages.

Mines to be  
ventilated.

No boring or drilling permitted underground unless proper equipment used to allay dust.

(b) No operator or person in charge of any underground mine shall cause, or permit, to be drilled, or bored, by machinery, a hole or holes in any working place in ground that causes dust from drilling; unless there is provided and used for such purpose a drilling machine equipped with a water jet, or spray, efficient in allaying dust from drilling; or unless some other means, equally effective, which has been approved in writing by the Commissioner of Mines, is used to prevent the inhalation of dust.

Sprinkler or other device to be used.

(c) Every mine operator shall equip all chutes, from which dusty ore or rock is taken, with an efficient sprinkler, or other device, with which to dampen or remove such dust, and prevent its escape into the air. The use of respirators shall not be accepted as a substitute for this requirement; unless the U. S. Bureau of Mines shall have approved the respirators as equivalent protection; and the inspector is satisfied that discipline is maintained at the point where such respirators are used; and that they will actually provide equivalent protection.

Exception.

Other mine departments must use proper equipment to allay dust.

(d) Every mill, ore-house, or treatment plant where dry, or dusty ore, or rock is handled, sorted, crushed, concentrated or treated, shall be supplied at all times with suitable clean water, and sprinkling equipment which shall be used for the purpose of wetting the ore, or rock, to allay the dust; or else equivalent protection shall be provided. Restrictions as to respirators shall be the same as for underground work, as given in paragraph (c) of this Section.

Restrictions.

Approved March 11, 1937.