

## No. 96.

## AN ACT

To amend an act, approved May first, one thousand nine hundred and nine, entitled "An act regulating, requiring, and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring, and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof; and providing that the provisions thereof shall not apply to cities of the first and second classes;" providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry; and providing for appeal to the said Industrial Board; and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof; and providing that the provisions thereof shall not apply to cities of the first and second classes.

Section 1. Be it enacted, &c., That so much of section one of an act, approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws, three hundred forty-six), entitled "An act regulating, requiring, and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring, and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof; and providing that the provisions thereof shall not apply to cities of the first and second classes," which reads as follows:—

"Section 1. Be it enacted, &c., That it shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines, unless they are built, erected, and constructed as follows:

## "Size.

"All permanent booths or enclosures to be at least seven feet high, the floor space to vary according to the number of machines in booths or enclosures, as follows:

"One picture machine, six feet by eight feet.

"One picture machine and one stereopticon, nine feet by eight feet.

"Two picture machines and one stereopticon, twelve feet by eight feet.

Moving-picture  
machines.  
Industrial Board.

Section 1. act of  
May 1, 1909 (P. L.  
346), cited for  
amendment.

"The same to be made of structural steel, as follows:

"Four outside horizontal members at top and bottom.

"Four corner uprights and members supporting roof, to be made of one and one-half inch by one and one-half by one-fourth inch angle-irons.

"Intermediate uprights to be spaced every two feet, and to be made of either one and one-half inch by one and one-half inch by one-fourth inch angle-iron or two inch by two inch by one-fourth inch tee-irons.

"Tee-irons, to which roof is attached, to be made of one and one-half inch by one and one-half inch by three-sixteenth inch tee-irons.

"All joints to be made with a three-sixteenth inch steel plate, to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets.

"All bolts or rivets in frame to have flat heads, said heads always to be placed on exterior side of booth; all angle- or tee-irons being so countersunk as to accomplish this result.

"Frame to be built with a six-foot by two-foot doorway; frame of said doorway to be built of one inch by one inch by three-sixteenth inch angle-irons, which are to be joined together by the use of a three-sixteenth inch steel plate.

#### "Covering of Booth.

"Sides and top of booth to be covered with asbestos boards of at least one-fourth inch in thickness; said boards to be cut and arranged that vertical joints between boards shall always come over an angle- or tee-iron, so that both boards may be securely fastened to the same.

"After booth is complete, all openings where combustible material is exposed must be plugged with asbestos cement, or other equally satisfactory material. When joints of asbestos boards, on outside of booth, do not come over angles of tee-irons, the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide; said strips to be securely fastened to both boards in such manner as to cover the exposed joints. The above-mentioned strips and all asbestos boards shall be secured in the proper place by the means of proper bolts and nuts; said bolts and nuts to be spaced not more than six inches apart.

#### "Flooring.

"Floor shall be made of two parts, an upper and a lower floor. Lower floor shall be made of boards seven-eighth inch minimum thickness, supported on lower leg of horizontal angle-iron. Resting on this floor shall

be a floor made of asbestos boards of three-eighth inch minimum thickness, or an equally good material.

#### "Windows.

"There shall not be more than two windows per machine in the booth,—one for the operator and one for the machine. Window for machine shall not be more than six inches high and twelve inches long, and shall be located and cut after machine is set up. Operator's window shall not be more than four inches wide or more than twelve inches high.

"All windows shall be provided with gravity-doors, which, when closed, shall overlap the window opening at least one inch on all sides; said doors to be held open normally by use of a fine combustible cord in series with a fusible link, so arranged that the doors may easily be released by hand.

#### "Main Door.

"Outside of door to be provided with a substantial spring, sufficient to keep door closed. Door to be provided with stop to prevent it from swinging into booth or injuring the hinges.

#### "Shelves.

"To be made up of slate slabs or board not less than seven-eighth inch thick, not exceeding four feet in length or twelve inches in width. Said shelves, if of board, to be painted with at least three coats of asbestos paint, and supported by means of angle-irons. Upper shelf to be used for the rewinding and the repairing of films; the lower shelf to be used for the storage of films. A separate metal case, made without solder, shall be provided for each film when the same is not in the magazine or in the process of winding; said films to be kept in these cases.

#### "Ventilation.

"Booths to be provided with an inlet in each of four sides; said inlets to be fifteen inches long, three inches high, the lower side of the same not to be more than three inches above floor level. Said inlets to be covered on the inside by a wire net of not greater than one-eighth inch mesh netting, to be firmly secured to the asbestos boards by means of iron strips and screws.

"Near the center of the top of the booth shall be a circular opening of not less than ten inches in diameter; the upper side of said opening to be provided with an iron flange, which flange is to be securely fastened to the tee-irons supporting the roof. Securely fastened to this flange shall be a vent-pipe of not less than ten

inches in diameter; said pipe leading to the outside of the building or to a special incombustible vent-flue. In this vent-pipe shall be placed a box containing a twelve-inch electric fan; said box to be provided with a door of sufficient size to permit of the examination or removal of this fan; this door to be made tight, and provided with proper fastenings. Box and vent-pipes to be made of galvanized iron or other non-combustible material; fan to be so connected that it can be controlled from within the booth.

#### “Wiring.

“If house lights are controlled from within the booth, an additional emergency control must be provided near the main exit, and kept at all times in good condition.

“All electric wires to be brought into the booth and carried to all machines, lights, et cetera, in conduits; one light will be allowed for each machine, and one for the rewinding-bench; but all such lights shall be provided with wire guards.

#### “Rheostats.

“All rheostats to be mounted on slate insulator, properly supported; said supports to be made of iron, and securely fastened to the floor; rheostats to be securely fastened to slate insulator.

#### “Machines.

“Must be securely fastened to the floor to prevent accidental overturning of the same: Provided, That this section shall not apply to cities of the first and second classes,” be amended to read as follows:—

General specifications for the construction and use of permanent booths.

Section 1. That in all theatres and opera houses where moving-pictures are exhibited, and in all other buildings where moving-pictures are usually or regularly exhibited, or where a moving-picture machine is regularly housed and held in readiness for the purpose of exhibiting moving-pictures, there shall be provided a permanent booth or enclosure of fireproof construction; and all moving-picture machines and stereopticons, operated or used in connection therewith, shall be installed, maintained, and kept within the said booth or enclosure at all times; and all moving-picture films exhibited, stored, held, or used in connection therewith shall be stored and kept within the said booth or enclosure at all times, and in such manner as is herein-after provided.

It shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any permanent booth or enclosure for the purpose of

operating therein moving-picture machines, unless such booth or enclosure is built, erected, constructed, and maintained as follows:

#### Size.

All permanent booths or enclosures shall be at least seven feet high, and the floor space shall vary according to the number of machines in such booths or enclosures, as follows:

One picture machine, six feet by eight feet.

Two picture machines, or one picture machine and the stereopticon, nine feet by eight feet.

Three picture machines, or two picture machines and one stereopticon, twelve feet by eight feet.

Such booths or enclosures shall be made of structural steel, as follows:

Four outside horizontal members at top and bottom.

Four corner uprights and members supporting roof, to be made of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons.

Intermediate uprights shall be spaced every two feet, and shall be made either of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons, or of two inch by two inch by one-fourth inch tee-irons.

Tee-irons to which roof is attached, shall be made of one-and-one-half inch by one-and-one-half inch by three-sixteenth inch tee-irons.

All joints shall be made with a three-sixteenth inch steel plate, to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets.

All bolts or rivets in frame shall have flat heads, and said heads shall always be placed on the exterior side of the booth or enclosure; and all angle-irons and tee-irons shall be so countersunk as to accomplish this result.

The frame of the booth or enclosure shall be provided with a doorway six feet high by two feet wide. The frame of the doorway shall be built of one inch by one inch by three-sixteenth inch angle-irons, which shall be joined together by the use of a three-sixteenth inch steel plate.

#### Covering of Booth.

The sides and top of booth shall be covered with asbestos boards of at least one-fourth inch in thickness; and said boards shall be cut and arranged in such manner that all vertical joints between boards shall always come over an angle-iron or tee-iron, so that both boards may be securely fastened to such angle-irons or tee-irons.

After the booth is complete, all openings where combustible material is exposed must be plugged with asbestos cement, or with other equally satisfactory material. Where joints of asbestos boards, on the outside of the booth, do not come over angle-irons or tee-irons, the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide. Such strips shall be securely fastened to both boards in such manner as to cover the exposed joints. The above-mentioned strips and all other asbestos boards shall be secured in the proper place by means of proper bolts and nuts; and all such bolts and nuts shall be spaced not more than six inches apart.

#### Flooring.

The floor of the booth shall be made of two parts,—an upper and a lower floor. The lower floor shall be made of boards of seven-eighths inch minimum thickness, supported on the lower legs of the horizontal angle-irons. Resting on this floor there shall be a floor made of asbestos boards of three-eighth inch minimum thickness, or an equally good fireproof material:

Proviso.

Provided, That such permanent booths or enclosures may be constructed of concrete, brick, or hollow tile, in a substantial manner; provided the herein prescribed regulations as to size, windows, door, shelves, ventilation, wiring, rheostats, machines, and all other structural features and equipment, are fully met, observed, and furnished; and that no wood or other combustible material shall be used in the construction of such booths.

#### Windows.

There shall be not more than two windows per machine in the booth,—one for the operator and one for the machine. The window for the machine shall be not more than six inches high and twelve inches long, and shall be located and cut after the machine is set up. The operator's window shall be not more than four inches wide or more than twelve inches high.

All windows in the booth shall be provided with gravity-doors, which, when closed, shall overlap the window opening at least one inch on all sides. Such gravity-doors shall be held open normally by use of a fine combustible cord in series with a fusible link directly over each machine, and so arranged that the doors may easily be released by hand.

#### Main Door.

The main door of the booth shall be provided with substantial spring hinges and heavy steel spring or

springs, sufficient to keep door closed, and said door shall be kept closed at all times. The door frame shall be provided with a stop to prevent the door from swinging into the booth or injuring the hinges.

#### Shelves.

Two shelves shall be permitted in the booth, each of which shall not exceed four feet in length or twelve inches in width. Such shelves shall be made up of slate slabs or boards of not less than seven-eighth inch thickness, and shall be substantially supported by means of angle-irons. If such shelves are made of boards, they shall be painted with at least three coats of asbestos paint. Additional wooden shelves or cupboards shall not be installed.

#### Film Cases.

A separate fireproof metal case, made without solder, shall be provided for each individual film, and such film cases shall be tightly closed at all times. Each film shall be kept in one of such cases at all times, when the same is not in the magazine of the machine or in the process of rewinding.

#### Ventilation.

Each booth shall be provided with an inlet in each of four sides. Such inlets shall be fifteen inches long and three inches high, and the lower side of each shall be not more than three inches above the floor level. Such inlets shall be covered on the inside by a wire net of not greater than one-eighth inch mesh netting, and the wire net shall be firmly secured to the asbestos boards or walls of the booth by means of iron strips and screws.

Near the center of the top of the booth there shall be a circular opening of not less than ten inches or more than twelve inches in diameter. The upper side of said opening shall be provided with an iron flange, which flange shall be securely fastened to the tee-irons supporting the roof. Securely fastened to this flange shall be a vent-pipe of not less than ten inches or more than twelve inches in diameter. Such vent-pipe shall lead directly to the outside of the building, or to a special incombustible vent-flue, and shall be provided with asbestos or other approved non-combustible fireproof material wherever such pipe shall pass through the roof of the building, or wherever such pipe shall pass through or come within six inches of any combustible material. Into this vent-pipe shall project by means of an elbow pipe a secondary metal pipe, which shall be four inches in diameter, and which shall enter the

main vent-pipe from outside the booth, and where such secondary pipe passes into the main pipe a metal flange shall be provided. To the outside end of the four-inch pipe there shall be connected a motor-driven blower, with a capacity for exhausting fifty cubic feet of air per minute. Leading to this motor-driven blower there shall be an air inlet pipe of five inches in diameter, and such air inlet pipe shall be so arranged that the air shall be taken from without the booth. All vent-pipes shall be made of galvanized iron or other non-combustible material, and shall be connected without the use of solder. The motor of the motor-driven blower shall be connected to the electric circuit which controls the exit lights; and such electric circuit shall be independent of the main electric circuit which controls the house lights; and the said motor shall be so connected that it shall be controlled only from the switch controlling the said exit lights:

*Provided.*

That nothing in this section shall interfere with vent-pipes and electric fans installed prior to the enactment of this act, and in strict accordance with the regulations and specifications prescribed by the provisions of the act of May first, one thousand nine hundred and nine, and approved by the proper authorities.

#### Wiring.

Where the house lights are controlled from within the booth, an additional emergency control shall be provided near the main exit, and maintained at all times in good condition.

All electric wires shall be brought into the booth, and carried to all machines, lights, et cetera, in conduits. There shall be permitted one electric lamp for each machine, and one electric lamp for the rewinding bench, and all such lamps shall be provided with wire guards. All electric wiring and electric equipment shall conform with the rules and regulations of the National Board of Fire Underwriters.

#### Rheostats.

All rheostats shall be mounted on, and securely fastened to, slate insulators. Such insulators shall be rigidly supported by means of angle-iron supports, which shall be securely fastened to the angle-irons or tee-irons in the roof or side of the booth, in such a manner that the rheostats shall be, as near as practical, to the ceiling of the booth:

*Provided.*

That, wherever practical, rheostats may be put up outside of the booth. Where rheostats are placed outside of the booth they shall be properly en-



closed and mounted on slate insulators, in a manner approved by the Department of Labor and Industry.

#### Machines.

All moving-picture machines and stereopticons shall be securely fastened to the floor, and all moving-picture machines shall be provided with automatic shutters.

#### Fire Protection.

Every moving-picture booth shall be provided with not less than one approved one-quart fire extinguisher of the pump type. There shall be provided also one twelve-quart bucket of sand for each machine in the booth, and one small metal fireproof can with self-closing cover. The booth shall be kept free of loose ends or strips of film, paper, oils, rags, and all other rubbish. It shall be unlawful for any person to smoke or strike matches within the booth.

It shall be unlawful for any operator to leave the booth while a moving-picture machine, under his control, is in operation:

Provided, That this section shall not apply to cities of the first and second classes. Proviso.

Section 2. That section two of said act, which reads as follows:—

“Section 2. That it shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any portable booth or enclosure for the purpose of operating therein moving-picture machines, unless they are built, erected, and constructed as follows:

Section 2, act of  
May 1, 1909 (P. L.  
346), cited for  
amendment.

#### “Size.

“Portable booths or enclosures are to be at least six and one-half feet high and five feet square, and are permitted for the use of one picture machine only.

#### “Frame.

“The frame is to be made of standard pipe angle-iron, ventilator trap, and suitable fittings. The pipe frame and angle-iron trap are to conform strictly to specifications hereinafter set forth, and the fittings and details of construction must be approved by the Department of Factory Inspection of the Commonwealth of Pennsylvania.

#### “Skeleton Frame.

“Four corner uprights, to be made of three-quarter inch standard pipe.

“Eight horizontal members, to be made of three-quarter inch standard pipe.

“Eight corner fittings, to be made of iron or bronze castings.

“Ventilator Trap.

“Ventilator trap, to be made of one inch by one-eighth inch angle-iron, shall extend full width of the top and two inches beyond the front of the top pipe; shall be suitably hinged, not less than two feet from the edge of the front angle corners, and joints to be made with one-eighth inch steel plates, riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts.

“Covering of Booth.

“The side and top covering of the booth shall be made of an approved pure asbestos cloth, same as used for asbestos curtains, weighing not less than two pounds to the square yard. Seams and hems in the asbestos cloth shall lap at least one inch, and be stitched on each edge with asbestos sewing twine. The top covering shall be made separate from the side covering. It shall completely cover the top, and have the outside flap hang down all around the sides, not less than six inches deep. It shall be fastened tightly, and secured to the top pipes and ventilator trap by means of asbestos cords. The side covering shall be made in one piece, extending around all four sides, and overlapping at the rear of the booth not less than eighteen inches, so as to form a flap doorway. The side covering shall extend from top pipes—to which it shall be suspended by approved metal hooks or rings, spaced not more than twelve inches apart—to the floor, with a flap of not less than three inches all around resting on the floor. The metal hooks or rings, for suspending the side covering, shall be attached to the hem of the cloth by means of a metal strap and two rivets. The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords. The cloth covering for top and sides must, at all times, be kept free from rents or holes, and be maintained in good condition.

“Door.

“The side covering shall overlap eighteen inches in the rear of the booth. This overlap shall extend from top to bottom, and shall be so arranged as to form a means of entrance and egress.

“Flooring.

“The frame shall be placed on a mat or carpet made of approved asbestos cloth, not less than seven feet

square. This mat must be spread out smoothly on a substantial floor or platform, so that it shall extend one foot from the frame on all sides. This mat must at all times be kept free from rents or holes, and in good condition.

#### “Ventilation.

“The top of the frame shall be fitted at the rear with a hinged ventilator trap, as described in foregoing section of frame. The asbestos cloth top covering shall be so arranged, and so attached to the frame, that when the hinged trap is raised, the asbestos covering shall be raised also in the rear. Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position, so as to form a clear ventilating space, at the rear, of not less than six inches high, extending across the full width of the booth.

#### “Windows.

“The look-out window for the operator shall be not more than four inches wide and twelve inches high. The windows for the machine shall not be more than six inches high and twelve inches long. All windows shall be located and cut after machine is set up.

“The opening shall be cut in the cloth with care, and the edges reinforced by stitched hem of asbestos cloth; they shall be provided with asbestos flaps, securely stitched at the top of the openings. These flaps, when closed, shall overlap the window opening at least two inches on the bottom and sides, and shall be weighted across the bottom edge by a piece of three-eighth inch pipe, or equal weight of metal, securely sewed in the pocket in the cloth.

#### “Window Shutters and Ventilator Trap.

“The window flaps or shutters are to be held open normally, by the use of a fine combustible cord. The hinged ventilator trap is to be raised, for ventilation, not more than six inches at the rear, and shall be held open by a collapsible prop sustained by fine combustible cord. The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension-clip, so arranged that the automatic opening of the link, or release of the tension-clip by the operator, will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap. This fusible link and tension-clip shall be arranged in a position directly over the machine, within reach of the operator:

“Provided, however, That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures

## Portable booths.

have been installed; it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage—such as schools, churches, association halls, lodge-rooms, theatres—without permanent booths: Provided, That this section shall not apply to cities of the first and second classes," be erected, and constructed as follows:

Section 2. That in all buildings where moving-pictures are exhibited, and where a permanent booth or enclosure is not required by section one of this act, there shall be provided a portable booth or enclosure of fireproof material.

It shall be unlawful for any person, firm, association, or corporation to erect, set up, construct, maintain, or use any portable booth or enclosure, for the purpose of operating therein a moving-picture machine, unless said portable booth or enclosure is built, erected, and constructed as follows:—

## Size.

Portable booths or enclosures shall be at least six and one-half feet high and five feet square, and shall be permitted for the use of one picture machine only.

## Frame.

The frame shall be made of standard pipe, angle-iron ventilator trap, and suitable fittings. The pipe frame and angle-iron trap shall conform strictly to specifications hereinafter set forth, and the fittings and details of construction shall be approved by the Department of Labor and Industry of the Commonwealth of Pennsylvania.

## Skeleton Frame.

There shall be four corner uprights, to be made of three-quarter inch standard pipe.

Eight horizontal members, to be made of three-quarter inch standard pipe.

Eight corner fittings, to be made of iron or bronze castings.

## Ventilator Trap.

The ventilator trap shall be made of one inch by one-eighth inch angle-iron; shall extend full width of the top, and two inches beyond the front of the top pipe; shall be suitably hinged, not less than two feet from the edge of the front angle corners, and joints shall be made with one-eighth inch steel plates, riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts.

### Covering of Booth.

The side and top covering of the booth shall be made of an approved pure asbestos cloth, same as used for asbestos curtains, weighing not less than two pounds to the square yard. Seams and hems in the asbestos cloth shall lap at least one inch, and be stitched on each edge with asbestos sewing twine. The top covering shall be made separate from the side covering. It shall completely cover the top, and have the outside flap hang down all around the sides, not less than six inches deep. It shall be fastened tightly, and secured to the top pipes and ventilator trap by means of asbestos cords. The side covering shall be made in one piece, extending around all four sides, and overlapping at the rear of the booth not less than eighteen inches, so as to form a flap doorway. The side covering shall extend from top pipes—to which it shall be suspended by approved metal hooks or rings, spaced not more than twelve inches apart—to the floor, with a flap of not less than three inches all around resting on the floor. The metal hooks or rings, for suspending the side covering, shall be attached to the hem of the cloth by means of a metal strap and two rivets. The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords. The cloth covering for top and sides must, at all times, be kept free from rents or holes, and be maintained in good condition.

### Door.

The side covering shall overlap eighteen inches in the rear of the booth. This overlap shall extend from top to bottom, and shall be so arranged as to form a means of entrance and egress.

### Flooring.

The frame shall be placed on a mat or carpet made of approved asbestos cloth, not less than seven feet square. The mat must be spread out smoothly on a substantial floor or platform, so that it shall extend one foot from the frame on all sides. This mat must at all times be kept free from rents or holes, and in good condition.

### Ventilation.

The top of the frame shall be fitted at the rear with a hinged ventilator trap, as described in foregoing section of frame. The asbestos cloth top covering shall be so arranged, and so attached to the frame, that, when the hinged trap is raised, the asbestos covering shall be raised also in the rear. Suitable devices shall be supplied for maintaining this ventilator trap in a

lifted position, so as to form a clear ventilating space, at the rear, of not less than six inches high, extending across the full width of the booth.

#### Windows.

The look-out window for the operator shall be not more than four inches wide and twelve inches high. The windows for the machine shall not be more than six inches high and twelve inches long. All windows shall be located and cut after machine is set up.

The opening shall be cut in the cloth with care, and the edges reinforced by stitched hem of asbestos cloth; they shall be provided with asbestos flaps, securely stitched at the top of the openings. These flaps, when closed, shall overlap the window opening at least two inches on the bottom and sides, and shall be weighted across the bottom edge by a piece of three-eighths inch pipe, or equal weight of metal, securely sewed in the pocket in the cloth.

#### Window Shutters and Ventilator Trap.

The window flaps or shutters shall be held open, normally, by the use of a fine combustible cord. The hinged ventilator trap shall be raised, for ventilation, not more than six inches at the rear, and shall be held open by a collapsible prop sustained by fine combustible cord. The cord from the window shutters and the ventilator prop shall be in series with a fusible link, and also approved tension-clip, so arranged that the automatic opening of the link, or release of the tension clip, by the operator, will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap. This fusible link and tension-clip shall be arranged in a position directly over the machine, within reach of the operator:

Proviso.

Provided, however, That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed; it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage; such as schools, churches, association halls, or lodge-rooms, without permanent booths: And provided, That no licensed operator or booth shall be required for any moving-picture exhibition in which the apparatus for projecting such moving pictures uses only an enclosed incandescent lamp, and only cellulose, acetate or other slow-burning films, of a size and perforation differing from the standard as used in regular licensed theatres, moving-picture theatres, or other similar establishments; providing such exhibition is approved by the State or municipal au-

Proviso.

thorities having jurisdiction: And provided further, That this section shall not apply to cities of the first and second classes. Proviso.

Section 3. That section three of said act, which reads as follows:—

“Section 3. It shall be the duty of the Department of Factory Inspection, by and through its Chief Factory Inspector, his deputy or deputies, to take such means as it may deem necessary to enforce the provisions of this statute. It shall be the duty of said Chief Factory Inspector, his deputy or deputies, within a reasonable time after the approval of this act, to inspect all booths or enclosures in which moving-pictures are now being operated; and should any be found in a dangerous condition, in that they lack adequate fire protection, he or they shall immediately order the abatement and discontinuance of such use of such booth and enclosure. The owner, agent, superintendent, person or persons, in charge and control of said booth or enclosure, shall abate and discontinue the use of same within ten days after the service of the notice of abatement or discontinuance. Any such person or persons who shall fail to comply with the said order of abatement or discontinuance, so issued as aforesaid, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars, or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days, within the discretion of the court, for each and every such violation,” be amended to read as follows:—

Section 3, act of May 1, 1909 (P. L. 346), cited for amendment.

Section 3. Any person who shall believe the specifications set forth in sections one and two of this act will work unnecessary hardship upon him, or do not in the best manner provide for the safety and health of the operators of the moving-picture machines, or users of a building, as described in the foregoing sections of this act, may appeal to the Industrial Board of the Department of Labor and Industry for relief. The said Industrial Board may, after due investigation of the ground for such appeal, and not less than one public hearing, order such modifications as will best accomplish the intent and purposes of this act. And the said Industrial Board may make, modify, or repeal rulings related to the safety and health of employes and users of such buildings, where nothing hereinbefore provided covers, or where the intent and purposes of this act can be better obtained by methods other than those hereinbefore specified: Provided, That no ruling shall be made which does not, in the judgment of the Industrial Board, after public hearing and investigation, maintain a condition of safety and health for the

Appeals.

Authority of Industrial Board.

Hearing.

Rulings.

Proviso.

employes and users of such buildings as herein described, as is intended by this act.

Duty of Commissioner of Labor and Industry.

It shall be the duty of the Commissioner of Labor and Industry, by and through its Chief Inspector and its authorized inspectors, to take such means as may be deemed necessary to enforce the provisions of this act. It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect, from time to time, all booths or enclosures in which moving-picture machines or stereopticons are operated; and should any such booth or enclosure be found which does not comply in all respects with the specifications and requirements of sections one or two of this act, the said inspectors shall immediately order the correction of all existing deficiencies, or the discontinuance of the use of such booth or enclosure. The owner, agent, superintendent, person or persons, in charge and control of such booth or enclosure, shall correct all such deficiencies, or shall discontinue the use of such booth or enclosure, within ten (10) days after the service of such order or notice by the said inspector.

Correction of deficiencies.

Section 4. That section four of said act, which reads as follows:—

Section 4. act of May 1, 1909 (P. L. 316), cited for amendment.

“Section 4. Any person or persons who violate or ignore any of the provisions of sections one and two of this act shall be deemed guilty of misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than fifty dollars and not more than five hundred dollars, or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days, for each and every violation. In all cases of violation of sections one and two of this act, the prosecutions shall be instituted in the name of the Commonwealth, by the Chief Factory Inspector or his deputy or deputies, and hearings shall be conducted by the alderman, justice of the peace, or other committing magistrate before whom the information is lodged; after full hearing of the parties in interest, the alderman, justice of the peace, or other committing magistrate shall, if the evidence warrants it, impose the penalty herein provided, which shall be final to the party against whom the penalty is imposed, unless the said party shall furnish good and sufficient bail for his or her appearance at the next term of the court of quarter sessions of the county wherein the offense is alleged to have been committed,” be amended to read as follows:—

Section 4. Any person, firm, association, corporation, owner, agent, or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies, or for the discontinuance of the use of such booth or enclosure, or who shall violate or ignore any of the provisions of this act, shall, upon con-

Violations.



viction thereof before an alderman, magistrate, or justice of the peace, be punished by a fine of not less than twenty-five dollars or not more than two hundred dollars, or an imprisonment in the county jail for a term of not less than ten days or more than sixty days, for each and every such violation.

Fine.

Penalty.

Prosecutions.

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry, upon oath or affirmation. All prosecutions for violations of this act shall be in the form of summary criminal proceedings, instituted before an alderman, magistrate, or justice of the peace. Upon conviction, after a hearing, the sentences provided for in this act shall be imposed.

Section 5. That section five of said act, which reads as follows:—

“Section 5. All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector, who shall pay the same into the office of the State Treasurer, for the use of the Commonwealth of Pennsylvania,” be amended to read as follows:—

Section 5, act of May 1, 1909 (P. L. 346), cited for amendment.

Section 5. All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry, who shall pay the same into the office of the State Treasurer, for the use of the Commonwealth of Pennsylvania.

Disposition of fines.

APPROVED—The 10th day of May, A. D. 1917.

MARTIN G. BRUMBAUGH.

No. 97.

AN ACT

To amend section two of an act, approved the twelfth day of June, one thousand nine hundred and seven, entitled “An act to provide for the election of three directors of the poor, for the county of Schuylkill, at the general election of one thousand nine hundred and eight, and every third year thereafter; and fixing the salary of the three said directors, to be paid out of the treasury of the county of Schuylkill; and providing for the continuance of the service of the directors now serving.”

Section 1. Be it enacted, &c., That section two of the act, approved the twelfth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred and twenty-nine), entitled “An act to provide for the election of three directors of the poor, for the county of Schuylkill, at the general election of one thousand nine hundred and eight, and every third

Schuylkill County.

Directors of the poor.