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now or hereafter imposed by law upon the chief state factory inspector, the assistant chief factory inspector, and the deputy factory inspectors. Said chief state factory inspector, assistant chief factory inspector and deputy factory inspectors shall visit and inspect at all reasonable hours, as often as practicable, the factories, mercantile establishments, mills and workshops, and commercial institutions in this State, where goods, wares or merchandise are manufactured, stored, purchased or sold, at wholesale or retail. And the chief state factory inspector shall report in writing to the Governor on the fifteenth day of December annually, the result of his inspections and investigations, together with such other information and recommendations as he may deem proper. And said inspectors shall make a special investigation into the conditions of labor in this State, or into any alleged abuses in connection therewith, whenever the Governor shall direct, and report the results of the same to the Governor. It shall be the duty of said inspectors to enforce the provisions of this act, and perform such other duties as now are or shall hereafter be prescribed by law, and to prosecute all violations of law relating to the inspection of factories, mercantile establishments, mills, workshops and commercial institutions in this State before any magistrate or any court of competent jurisdiction in this State. And it shall be duty of the State's Attorney of the proper county, upon request of the chief State factory inspector or his deputies, to prosecute any violation of law which it is made the duty of the factory inspectors to enforce. And it shall be the duty of the attorney for such department to prosecute, when required by the chief State factory inspector, any infractions or violations of law which is now or may be hereafter made the duty of the factory inspectors to enforce. Said chief State factory inspector shall, by written order filed with the Governor, divide the State into inspection districts, due regard being had to the number of factories and the amount of work required to be performed in each district. And he shall assign to each district a deputy inspector, who shall have charge of the inspection in the district to which he is assigned, under the supervision of the chief State factory inspector. The chief State factory inspector may at any time, when in his discretion the good of the service requires, change a deputy inspector from one district to another, or re-assign the districts of the State among the several deputy inspectors under his charge. He may at any time, when the conditions are changed or in his discretion the good of the service requires, by a like order filed with the Governor, re-divide the State into inspection districts, changing the territory embraced within the several districts, as to him may seem advisable.

73. REPEAL.] § 3. Section Nine (9) of an act entitled, "An act to regulate the manufacture of clothing, wearing apparel and other articles in this State, and to provide for the appointment of State Inspectors to enforce the same, and to make an appropriation therefor," approved June 17, 1893, in force July 1, 1893, as amended by an act approved May 15, 1903, in force July 1, 1903, being in conflict herewith, is hereby repealed.

#### PROTECTION IN STRUCTURAL WORK.

AN ACT providing for the protection and safety of persons in and about the construction, repairing, alteration, or removal of buildings, bridges, viaducts, and other structures, and to provide for the enforcement thereof. (Approved June 3, 1907. In force July 1, 1907. L. 1907, p. 312.)

79. SCAFFOLDS, HOISTS, ETC.—ERECTION AND CONSTRUCTION.] SECTION 1.  
Be it enacted by the People of the State of Illinois, represented in the General Assembly: That all scaffolds, hoists, cranes, stays, ladders, supports, or other mechanical contrivances, erected or constructed by any person, firm or corporation, in this State, for the use in the erection, repairing, alteration, removal or painting of any house, building, bridge, viaduct, or other structure, shall be erected and constructed in a safe, snitable and proper manner, and shall be so erected and constructed, placed and operated, as to give proper and adequate protection to the life and limb of any person or persons employed or engaged thereon, or passing under or by the same, and in such manner as to prevent the falling of any material that may be used or deposited thereon.

Scaffolding, or staging, swung or suspended from an overhead support, more than twenty (20) feet from the ground or floor, shall have where practicable a safety rail properly bolted, secured and braced, rising a [at] least thirty-four (34) inches above the floor, or main portion of such scaffolding or staging, and extending along the entire length of the outside and ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

**80. INTERMEDIATE SUPPORTS FOR JOISTS, ETC.] § 2.** If in any house, building or structure in process of erection or construction in this State (except a private house, used exclusively as a private residence), the distance between the enclosing walls, is more than twenty-four (24) feet, in the clear, there shall be built, kept and maintained, proper intermediate supports for the joists, which supports shall be either brick walls, or iron or steel columns, beams, trusses [trusses] or girders, and the floors in all such houses, buildings or structures, in process of erection and construction, shall be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions, and permanent fixtures and mechanisms that may be set upon the same, a live load of fifty (50) pounds for every square foot of surface in such floors, and it is hereby made the duty of the owner, lessee, builder or contractor or sub-contractor, of such house, building or structure, or the superintendent or agent of either, to see that all the provisions of this section are complied with.

**81. PLACARD STATING LOAD ALLOWED.] § 3.** It shall be the duty of the owner of every house, building or structure (except a private house, used exclusively as a private residence) now under construction, or hereafter to be constructed, to affix and display conspicuously; on each floor, of such building, during construction, a placard, stating the load per square foot [foot] of floor surface, which may with safety, be applied to that particular floor, during such construction; or if the strength of different parts of any floor varies, then there shall be such placards for each varying part of such floor. It shall be unlawful to load any such floors or any part thereof, to a greater extent, than the load indicated on such placards, and all such placards shall be verified and approved by the State factory inspector, a deputy factory inspector, or by the local commissioner or inspector of buildings or other proper authority, in the city, town or village charged with the enforcement of building laws.

**82. INSPECTION—NOTICE—FREE ACCESS OF INSPECTOR—DEVICES REGULATED.] § 4.** Whenever it shall come to the notice of the State factory inspector, or the local authority in any city, town or village in this State, charged with the duty of enforcing the building laws, that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any swinging or stationary scaffolding, platform or other similar device used in the construction, alteration, repairing, removing, cleaning or painting of buildings, bridges or viaducts within this State are unsafe, or liable to prove dangerous to the life or limb of any person, the State factory inspector, or such local authority or authorities shall immediately cause an inspection to be made of such scaffolding, platform or device, or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination, such scaffolding, platform or device or any of such parts, is found to be dangerous to the life or limb of any person, the State factory inspector, or such local authority shall at once notify the person responsible for its erection or maintenance, of such fact, and warn him against the use, maintenance or operation thereof, and prohibit the use thereof, and require the same to be altered, and reconstructed so as to avoid such danger. Such notice may be served personally upon the person responsible for its erection or maintenance, or by conspicuously affixing it to the scaffolding, platform or other such device, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible therefor shall cease using and immediately remove such scaffolding, platform or other device, or part thereof, and alter or strengthen it in such manner as to render it safe.

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The State factory inspector, or any of his deputies, or such local authority, whose duty it is, under the terms of this act, to examine or test any scaffolding, platform or other similar device, or part thereof, required to be erected and maintained by this section, shall have free access at all reasonable hours, to any building, or structure, or premises containing such scaffolding, platform or other similar device, or parts thereof, or where they may be in use. All swinging and stationary scaffolding, platforms and other devices shall be so constructed as to bear four times the maximum weight required to be dependent therein, or placed thereon, when in use, and such swinging scaffolding, platform or other device, shall not be so overloaded or overcrowded as to render the same unsafe or dangerous.

§ 3. WATER PIPE, SMOKE STACK, ETC., DEVICES REQUIRED.] § 5. That any person, firm or corporation in this State, hiring, employing or directing another to perform labor of any kind, in the erecting, repairing, altering or painting of any water pipe, stand pipe, tank, smoke stack, chimney, tower, steeple, pole, staff, dome or cupola, when the use of any scaffold, staging, swing, hammock, support, temporary platform or other similar contrivance are required or used, in the performance of such labor, shall keep and maintain at all times, while such labor is being performed, and such mechanical device is in use or operation, a safe and proper scaffold, stay, support or other suitable device, not less than sixteen (16) feet or more below such working scaffold, staging, swing, hammock, support or temporary platform, when such work is being performed, at a height of thirty-two (32) feet, for the purpose of preventing the person or persons performing such labor, from falling in case of any accident to such working scaffold, staging, swing, hammock, support or temporary platform.

§ 4. FLOORING—REGULATION.] § 6. All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors of [or] filling in between the floors are fire-proof material or brick work, shall complete the flooring or filling in as the building progresses, to not less than within three tiers or beams below that on which the iron work is being erected. If the plans and specifications of such buildings do not require filling in between the beams or floors with brick or fire-proof material, all contractors for carpenter work in the course of construction shall lay the under flooring thereof or a safe temporary floor on each story as the building progresses to not less than within two stories or floors below the one to which such building has been erected. Where double floors are not to be used, such owner or contractor shall keep planked over the floor two stories or floors below the story where the work is being performed. If the floor beams are of iron or steel the contractors for the iron or steel work of buildings in the course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work and for the raising and lowering of materials, to be used in the construction of such buildings, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts.

§ 5. ELEVATING MACHINES—REQUIREMENTS.] § 7. If elevating machines or hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a substantial barrier or railing at least eight feet in height. Any hoisting machine or engine used in such building construction, shall where practicable, be set up or placed on the ground, and where it is necessary in the

construction of such building to place such hoisting machine or engine on some floor above the ground floor, such machine or engine must be properly and securely supported with a foundation capable of safely sustaining twice the weight of such machine or engine. If a building in course of construction is five stories or more in height, no material needed for such construction shall be hoisted or lifted over public streets or alleys unless such street or alley shall be barricaded from use by the public. The chief officer in any city, town or village charged with the enforcement of local building laws, and the State factory inspector are hereby charged with enforcing the provisions of this act. *Provided*, that in all cities in this State, where a local building commissioner is provided for by law, such officer shall be charged with the duty of enforcing the provisions of this act, and in case of his failure, neglect or refusal so to do, the State factory inspector shall, pursuant to the terms of this act, enforce the provisions thereof.

**86. SIGNALS.] § 7a.** If elevating machines or hoisting apparatus, operated or controlled by other than hand power, are used in the construction, alteration or removal of any building or other structure, a complete and adequate system of communication by means of signals shall be provided and maintained by the owner, contractor or sub-contractor, during the use and operation of such elevating machines or hoisting apparatus, in order that prompt and effective communication may be had at all times between the operator of engine or motive power of such elevating machine and hoisting apparatus, and the employes or persons engaged thereon, or in using or operating the same.

**87. PLANS TO PROVIDE FOR STRUCTURAL FEATURES—PENALTY.] § 8.** It shall be the duty of all architects or draftsmen engaged in preparing plans, specifications or drawings to be used in the erection, repairing, altering or removing of any building or structure within the terms and provisions of this act to provide in such plans, specifications and drawings for all the permanent structural features or requirements specified in this act; and any failure on the part of any such architect or draftsman to perform such duty, shall subject such architect or draftsman to a fine of not less than twenty-five (25) dollars nor more than two hundred (200) dollars for each offense.

**88. PENALTIES—RECOVERY OF DAMAGES—ATTORNEY'S FEES.] § 9.** Any owner, contractor, sub-contractor, foreman or other person, having charge of the erection, construction, repairing, alteration, removal, or painting of any building, bridge, viaduct or other structure within the provisions of this act, shall comply with all the terms thereof, and any such owner, contractor, sub-contractor, foreman or other person, violating any of the provisions of this act shall upon conviction thereof be fined not less than twenty-five (25) dollars, nor more than five hundred (500) dollars or imprisoned for not less than three (3) months nor more than (2) years, or both fined and imprisoned in the discretion of the court.

And in case of any such failure to comply with any of the provisions of this act, any State factory inspector may, through the State's attorney, or any other attorney, in case of his failure to act promptly, take the necessary legal steps to enforce compliance therewith.

If it becomes necessary, through the refusal or failure of the State's Attorney to act, for any other attorney to appear for the State in any suit involving the enforcement of any provision of this act, reasonable fees for the services of such attorney shall be allowed by the board of supervisors or county commissioners in and for the county in which such proceedings are instituted.

For any injury to person or property, occasioned by any wilful violations of this act, or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured, for any direct damages sustained thereby; and

in case of loss of life by reason of such wilful violation or wilful failure as afore-  
said, a right of action shall accrue to the widow of the person so killed, his lineal  
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loss of life, dependent for support on the person or persons so killed, for a like  
recovery of damages for the injuries sustained by reason of such loss of life or lives.

# CHAPTER 49.

## ESCHEATS.

SECTION

- 1. To county.
- 2. Personal property—administration, etc.
- 3. Proceedings by county for escheated property.
- 4. Detense.

SECTION

- 5. Judgment—execution—record.
- 6. Appeal—error
- 7. Duty of county treasurer—proceedings to recover back escheated property.

AN ACT to revise the law in relation to escheats. [Approved March 24, 1874. In force July 1, 1874.]

**1. TO COUNTY.] § 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if any person shall die seized of any real or personal estate without any devise, and leaving no heirs or representatives capable of inheriting the same, or the devisees thereof be incapable of holding the same, and in all cases when there is no owner of real estate capable of holding the same, such estate, both real and personal, shall escheat to and vest in the county in which said real or personal estate, or greater portion thereof, is situated. [R. S. 1845, p. 225, § 1.

**2. PERSONAL PROPERTY—ADMINISTRATION, ETC.] § 2.** In case said estate shall consist of personal property, letters of administration shall be granted thereon, as in other cases, and the same shall be administered in conformity with the probate laws of this state. Should there be any balance left in the hands of said administrator after the payment of debts and costs of administration, said administrator shall report the same to the probate court, with a statement of all the facts within his knowledge as to the heirship of said decedent, which facts shall constitute a part of his report, and be spread upon the records of said court; and it shall be the duty of said court to enter an order directing said administrator to pay over the balance found in his hands to the county treasurer of said county, taking his receipt therefor, which receipt shall be filed with the county clerk and entered of record, and shall be a good and sufficient voucher to said administrator. The said county clerk shall also charge said amount to the county treasurer as an escheat fund, specially designating from whose estate the same was derived.

**3. PROCEEDINGS BY COUNTY FOR ESCHATED PROPERTY.] § 3.** When the state's attorney of said county shall be informed or have reason to believe that any real estate within his county has escheated to said county by reason that any person has died seized thereof without devising the same, and leaving no heir capable of inheriting the same, or by reason of the incapacity of the devisee to hold the same, and such estate shall not have been sold according to law within five years after the death of the person last seized, for the payments of the debts of the deceased, or when he shall be informed, or has cause to believe that any such estate within his county has otherwise escheated to his county, it shall be his duty to file an information in behalf of the county in the circuit court of said county, setting forth a description of the estate, the name of the person last lawfully seized, the names or the *terre* tenants, and persons claiming such estate, if known, and the facts and circumstances in consequence of which such estate is claimed to have escheated, and alleging that by reason thereof said county has a right by law to such estate. Whereupon such court shall issue a *scire facias* against such persons, bodies politic or corporate, as shall be alleged in such information, to hold, possess or claim such estate, requiring them to appear and show cause

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