

CHAPTER 314.

[S. F. No. 260.]

AN ACT TO RAISE THE WATERS OF A CERTAIN LAKE IN WASECA COUNTY, AND TO REPEAL CHAPTER TWO HUNDRED AND SIXTY-ONE (261) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-THREE (1883), RELATING TO THE WATERS OF SAID LAKE,

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

SECTION 1. The board of county commissioners of the county of Waseca, are hereby authorized to issue warrants of said county, upon the treasurer of said county, in the sum of fifty (50) dollars in favor of Edward Crane and Deloso Young, of the town of Alton in said county, to compensate said Crane and Young for any and all labor performed by them in filling any ditch or ditches which it may be necessary to fill in order to raise the waters of Buffalo Lake in said township to about the level of the waters of said lake in the year one thousand eight hundred and eighty-two (1882).

SEC. 2. The board of county commissioners of Waseca county, are hereby directed to employ said Crane and Young to perform the works and labor aforesaid.

SEC. 3. Chapter two hundred and sixty-one (261) of the special laws of one thousand eight hundred and eighty-three (1883) is hereby repealed.

SEC. 4. After the level of the waters of said Buffalo Lake shall have been raised as hereinbefore provided for, it shall be unlawful for any one, by ditching or otherwise, to in any wise interfere with the level of the waters of said lake, and any one so interfering shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred (100) dollars, or by imprisonment in the county jail not exceeding three (3) months or both.

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

Approved Feb. 10, 1887.

CHAPTER 315.

[S. F. No. 651.]

AN ACT TO REGULATE THE CONSTRUCTION OF BUILDINGS OR STRUCTURES WITHIN THE CITY OF ST. PAUL USED OR INTENDED TO BE USED FOR PUBLIC AMUSEMENTS, INSTRUCTION OR ENTERTAINMENT OF ANY KIND. WITHIN THE CITY OF SAINT PAUL.

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

SECTION 1. In all places of public amusement and instruction in St. Paul already erected, the halls, doors, stairways, seats and aisles

shall be so arranged as to facilitate egress in case of fire or accident, as the inspector of buildings may deem necessary for the public protection in such cases; and all aisles and passageways in said buildings devoted to purposes of amusement or instruction shall be kept free from camp stools, chairs, sofas, stoves or any other obstructions, and no person or persons shall be allowed to stand in or occupy any of the aisles or passageways during any performance, service, exhibition, lecture, concert, ball or any public assemblage; and the inspector of buildings may make uniform regulations binding upon the owner, lessee or manager of any of said buildings, directing any act or thing to be done in or about the arrangement of said buildings, and the several appliances therewith connected, such as halls, doors, stairs, windows, seats, aisles, skylights, fire walls and fire escapes, as the inspector of buildings may deem necessary to afford the greatest possible security to the public, in the uses to which they may be severally applied, and the owner, lessee or manager of any place of public amusement or instruction shall put in such water pipes and apparatus, and arrange the gas lights electric lights and water pipes in such manner as the inspector may deem necessary for the public safety. Nothing herein contained shall be construed to authorize or require any other alterations to existing theaters than are specified in this section.

SEC. 2. Every theater or opera house, concert hall or other building, intended to be used for theatrical or operatic purposes, or for concerts, lectures or public entertainments of any kind, hereafter erected, or which may be altered to be used for such purposes, in the city of Saint Paul, shall be built in compliance with the following regulations relating to its structure, and no building hereafter erected for the aforesaid purposes shall be opened to the public until the same has been approved by the inspector of buildings; and the mayor of the City of Saint Paul shall have power, with the aid of the police force to take possession of and close said building until the inspector shall issue such certificate as aforesaid. And in all cases under the provisions of this act, whenever the inspector of buildings may deem it for the public safety to limit the number of persons that shall be permitted to occupy the interior of any building as aforesaid, and the owner, lessee or manager neglects or refuses to comply with any order or requirement of the inspector in relation thereto, the mayor of the said city is hereby authorized and required upon application to him by the inspector, to take possession of and close said building, or perform such other acts in the premises as shall prevent the improper occupation of the same, and the prevention of accidents to the public. And in all other cases where there is any impending danger to any building, under the provisions of this act, as shall require immediate action, the inspector shall, as above stated, apply to the mayor of said city, who is hereby required to take possession of said premises and retain said possession until the inspector of buildings shall permit said building to be released from said possession or closing, upon compliance with the order or requirements of the inspector in the premises.

SEC. 3. Every theater, opera house, or building hereafter erected

for theatrical, operatic, or for any public amusement, or the remodeling of any building for the aforesaid purposes, in Saint Paul, shall have at least one front on the public highway or street, and in such there shall be suitable means of entrance and exit for the audience.

In addition to the aforesaid entrances and exits on the public highway or street, there shall be reserved for service in case of an emergency, in every and all such buildings, an open space equal to one-sixth of the width of the building, outside to outside measurement, and in no case less than eight (8) feet in width in the clear in its narrowest part on the one side not bordering on the street where said building is located on a corner lot, and on both sides of said building where there is but one frontage on the street or public highway. Said open space to begin from the line of the proscenium wall and to extend the full length of the auditorium proper to the wall separating the same from the entrance lobby or vestibule. A separate and distinct corridor shall continue to the street from each space through such superstructure as may be built on the street side of the auditorium, said corridor to be reduced in width not more than may be required for the thickness of outer wall forming one side of the corridor.

The openings into and out of said corridor shall not be reduced in width more than three (3) feet less than the width of said open space, said openings to be provided with doors or gates opening toward the street; the outer or street doors or gates shall not project beyond the street line when opened. Recesses not exceeding four (4) inches in depth may be left in the walls on each side to receive said gates when opened.

During the performance, said doors or gates shall be kept open by strong locks; at other times they may be closed or fastened by movable bolts or locks.

The said open space and corridors are not to be used for storage purposes, or for any purpose whatsoever, except for the several exits from the auditorium and stage, and must be kept free and clear during the performance. The said corridor shall have continuous walls of brick on each side the entire length. The level of said corridor shall not be greater than one step above the level of the sidewalk where it begins at the street entrance. To overcome any difference of level existing between exits from the parquet and stage and level of corridor, gradients shall be employed of not over one (1) foot in ten (10) feet with no perpendicular risers.

From the auditorium opening into the said open space there shall be two exits on each side (unless one side is on the street, in which case there may be more than two if desired) in each tier, from and including the parquet and each and every gallery. Each exit to be at least five (5) feet in width in clear, and provided with doors of iron or wood; if wood, to be covered with iron or tin, both sides and edges. All of said doors shall open outwards and must be fastened with movable bolts, the bolts to be kept drawn during the performance.

There shall be a balcony not less than four (4) feet in width in the said open spaces at each level or tier above the parquet on each side of the auditorium, of sufficient length to embrace the two exits, and from

said balconies there shall be staircases extending to the ground level, with a rise of not over eight and one-half ($8\frac{1}{2}$) inches to a step, and not less than nine (9) inches tread. The staircase from the upper balcony to the next below must be not less than thirty (30) inches in width in the clear; and from the first balcony to the ground, not less than four (4) feet in width in the clear. All the before mentioned balconies and staircases shall be constructed of iron throughout, including the floor of said balconies, and of ample strength to sustain the load to be carried. Where one side of said building borders on a street, there shall be balconies of like capacity with staircases carried to the ground, and all to be constructed of fire-proof materials, approved by the inspector of buildings.

No portion of any building hereafter erected, used or intended to be used for theatrical or other purposes, as in this section specified, shall be occupied or used as an hotel, boarding and lodging house, factory, workshop or manufactory, or for storage purposes, except as may be hereafter specially provided for. Said restriction relates not only to that portion of the building which contains the auditorium and the stage, but applies also to the entire structure in conjunction therewith.

No workshop, storage or general property room shall be allowed above the auditorium or stage, or under the same, or in any of the fly galleries. All of said rooms or shops may be located in the rear or at the side of the stage, but in such cases they shall be separated from the stage, by a brick wall and the openings leading into said portions shall have wrought iron doors on each side of the openings, and hung to iron eyes built in the wall.

No store or room contained in the building shall be let or used for carrying on any business dealings in articles designated by insurance companies as hazardous or extra hazardous materials. No lodging accommodation, except for the janitor, shall be allowed in any part of the building communicating with the auditorium.

The exterior walls of all theaters shall be built of stone or brick, and any facades or front constructed of iron filled in with brick of such thickness as to make the brickwork independent of the facing, shall conform as to thickness with the requirements of this act and the ordinances of the city of Saint Paul in relation to the same. Interior walls of masonry, hereafter described, shall separate the auditorium from the stage, from the entrance vestibule, and from any room or rooms over the same, also from any lobbies, corridors, refreshment, or other rooms. All staircases shall be enclosed with brick walls or with fire-proof materials, approved by the inspector of buildings, in the stories through which they pass, and the opening of said staircases from each tier shall be the full width of said staircases. A firewall to be built of bricks shall separate the auditorium from the stage, and the same shall extend at least four (4) feet above the roof and shall be coped. Above the proscenium opening there shall be an arch of fire-proof materials to protect it from the heat; if a girder, there shall be constructed a relieving arch over the same, the intervening space to be filled in with hollow bricks of the full

thickness of the wall. The brick wall shall then be carried up above the roofs as above mentioned. Should, however, there be constructed an orchestra over the stage above the proscenium opening, either used in conjunction with the theater or otherwise, as the case may be, then the said orchestra shall be placed on the auditorium side of said wall. The moulded frame around the proscenium opening shall be formed in metal or plaster, and filled in solid with non-combustible materials, and securely anchored to the wall with iron.

A shaft or shafts shall be provided over the stage, to and out of the roof, made of fire-proof materials throughout, and of an area, or combined area of at least one-eighth ($\frac{1}{8}$) of said stage, fitted up with skylights having sliding sash and glazed with double thick sheet glass, not exceeding one-eighth ($\frac{1}{8}$) of an inch thick, and each pane measuring not less than three hundred (300) square inches, and the whole of which skylights shall be so constructed as to open instantly on the cutting or burning of an hempen cord, which shall be arranged to hold said skylights closed, or some other equally simple approved device for opening them may be provided.

All doorways or openings through the proscenium wall in every tier, shall have wrought iron or heavy wood doors on each face of the wall, (if the doors are of wood then to be covered with iron or tin on both sides and on the edges,) which can be opened from either side at all times. Direct access to these doors shall be provided on both sides and the same shall always be kept free from any incumbrance. Wrought iron ladders securely fixed to the wall on the stage side, shall be provided to overcome any difference of level existing between the floor of galleries on the stage side of the fire wall and those on the side of the auditorium.

All walls separating the auditorium from any vestibule, refreshment or other rooms, shall be built of brick or stone. The entire main floor of the auditorium and vestibule, also the entire floor of the second story of the front superstructure, over the entrance lobby and corridors shall be fire proof, and the partitions in that portion of the building which contains the auditorium, the entrance vestibule, or any room or passage devoted to the use of the audience, shall be constructed of fire proof materials, and none of the walls or ceilings shall be covered with wood sheathing or canvass; but this shall not exclude the use of wood wainscoting to a height not to exceed six (6) feet, which shall be filled in solid between the wainscoting and the wall with fire proof materials.

The walls separating the actors dressing rooms from the stage and the partitions dividing the dressing rooms, together with the partitions of any passage from the same to the stage, and all other partitions on or about the stage shall be constructed of some fire proof material approved by the inspector of buildings. All doors in any of said partitions shall be constructed of wood, and covered with iron or tin on both sides and edges including the frame to which the doors are hung. All the shelving and cupboards in each and every dressing room, property room or other storage room, shall be constructed of metal, slate or some fire proof material. All that portion of the

stage not comprised in the working of scenery, traps and other mechanical apparatus for the presentation of a scene, usually equal to the width of the proscenium opening, shall be built of iron beams, filled in between with fire proof materials, and all girders for the support of said beams shall be of wrought iron. The ceiling or under side of the fly galleries shall be covered with iron or tin over the entire exposed woodwork.

All stage scenery, curtains and decorations made of combustible material, and all woodwork on or about the stage, shall be saturated with some non-combustible material or otherwise rendered safe against fire to the satisfaction of the inspector of buildings. The proscenium curtain shall be placed at least three (3) feet distant from the footlights at the nearest point. The proscenium opening shall be provided with a fire proof metal curtain, or a curtain of asbestos or similar fire proof material; and if of metal, it may be made with an iron frame, well braced in sections, and sliding at each end within iron grooves securely fastened to the brick wall, and each section to be filled in with iron mesh work, the meshes being not over one (1) inch, and the wire being not less than number fourteen (14), American gauge; or some other approved construction of sliding or rolling metal curtain may be used. Said fire proof curtain shall be raised at the commencement of each performance and lowered at the close of said performance, and to be operated by approved machinery for that purpose.

All seats in the auditorium, excepting those contained in the boxes, shall be firmly secured to the floor, and no seat in the auditorium shall have more than six (6) seats intervening between it and an aisle, and no camp stools shall be placed in any aisle. All aisles in the auditorium shall have at least a width of twenty-two (22) inches for every one hundred (100) persons or part thereof, and no aisle shall be less than three (3) feet wide at its narrowest part, and the same shall be increased in width toward the exit, at least one (1) inch for every five (5) running feet or part thereof.

Every doorway of communication between aisles in the auditorium, and any lobby, corridor or passage, shall have a clear opening of not less than the full width of the aisle leading to such doorway.

The aggregate capacity of the lobbies, corridors, passages and rooms for the use of the audience must, on each floor or gallery, be sufficient to contain the entire number to be accommodated on said floor or gallery in the following ratio, viz: two hundred and fifty (250) superficial feet of floor room to be allowed for every one hundred (100) persons.

Gradients or inclined planes, as heretofore described, shall be employed instead of steps, where possible, to overcome slight differences of level in or between aisles and passages. All inclosed passages, corridors and staircases shall have on both sides a strong hand rail, firmly secured in the wall about three (3) inches distant therefrom, and about three (3) feet above the floor or stairs. No passage leading to any stairway communicating with any entrance or exit shall be less than four (4) feet in width in any part thereof. Every theatre

accommodating three hundred (300) persons shall have two (2) exits at least; when accommodating five hundred (500) persons, at least three (3) exits shall be provided; and no doorway of exit or entrance for the use of the public shall be less than five (5) feet in width, and for every additional one hundred (100) persons or portions thereof to be accommodated in excess of five hundred (500), twenty (20) inches additional exit width must be allowed; all doors of exit or entrance shall open outward, and no such doors shall be closed and locked during any representation, or when the building is open to the public.

Distinct and separate places of exit and entrance shall be provided for each gallery above the first (1st.) A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery. All stairs shall be constructed of fire proof material throughout. Stairways serving for the exit of fifty (50) people must, if straight, be at least four (4) feet wide between rails, and if curved or winding, five (5) feet wide, and for every additional fifty (50) people to be accommodated, six (6) inches must be added to their width. In no case shall the risers of any stairs exceed seven and a half ($7\frac{1}{2}$) inches in height, nor shall the treads be less than eleven (11) inches wide in straight stairs. In circular or winding stairs the width of the tread at the narrowest end shall not be less than seven (7) inches. At least two (2) independent staircases, with direct exterior outlets, shall be provided for each gallery in the auditorium, and the same shall be located on opposite sides of said gallery. At least two (2) independent staircases, with direct exterior outlets, shall also be provided for the service of the stage, and shall be located on the opposite sides of the same.

All stairways leading to the upper galleries of the auditorium shall be inclosed between walls of masonry on both sides. Stairs leading to the first (1st) or lower gallery may be left open on one side, in which case they must be constructed as herein provided for in similar stairs leading from the entrance hall to the main floor of the auditorium. But in no case shall stairs leading to any gallery be left open on both sides. When straight stairs return directly on themselves, a landing of the full width of both flights without any steps must be provided. Stairs turning at an angle must have a proper landing at said turn introduced without winders. In stairs, when two (2) flights connect with one (1) main flight, no winders shall be introduced, and the width of the main flight shall at least be equal to the aggregate width of the side flights. Circular or winding stairs shall have proper landings introduced at convenient distances.

Any steam boiler which may be required for heating or other purposes shall be located outside of the building, and the space allotted to the same shall be inclosed by walls of masonry on all sides and the ceiling shall be constructed of fire proof material; all doorways in said walls to have wrought iron doors.

Stand pipes will be provided with hose attachments on every floor and gallery as follows, viz: one (1) on each side of the auditorium in each tier, and at least one (1) in the property room, and one (1) in

the carpenter shop, if the same be contiguous to the theatre, and all kept clear from obstruction; said stand shall be kept constantly filled with water by means of an automatic pump or pumps of sufficient capacity to supply all the lines of hose operated simultaneously, and said pump or pumps shall be ready for immediate use at any time during a performance in said building. Said stand pipes shall also connect with a separate and distinct system of automatic sprinklers with fusible plugs, approved by the chief of the fire department; said sprinklers to be placed up and around the proscenium opening and on the ceiling or roof over the stage at such intervals as will protect every square foot of stage surface when said sprinklers are in operation. A proper and sufficient amount of hose, not less than fifty (50) feet, shall be kept always attached to each hose attachment. There shall also be kept in readiness for immediate use on the stage, buckets of water, hand pumps or other portable fire extinguishing apparatus, and at least four (4) axes on each tier or floor.

Every portion of the building devoted to the uses or accommodation of the public, also all outlets leading to the highway, shall be well and properly lighted during every performance, and the same shall remain lighted until the entire audience has left the premises. Gas mains supplying any theatre shall have independent connections for the auditorium and the stage, and provision shall be made for shutting off the gas from the outside. When interior gaslights are not lighted by electricity, other suitable appliances, to be approved by the inspector of buildings, must be provided. All suspended or bracket lights surrounded by glass in the auditorium, or in any part of the building devoted to the public, shall be provided with a proper wire netting underneath. All lights in passages and corridors, and wherever deemed necessary by the inspector of buildings, shall be protected by a strong wire guard not less than two (2) feet distant. All border lights shall be constructed according to the best known methods and subject to the approval of the inspector of buildings. All ducts or shafts used for conducting heated air from the main chandelier, and from any other light or lights shall be constructed of metal and made double, with an air space between. All stage lights shall have strong metal wire guards or screens so constructed that any material in contact therewith shall be out of the reach of the flames. In some conspicuous place on every gallery or floor the regulation for the public protection against fire or other accidents, shall be posted, together with a diagram or plan of said gallery or floor, showing distinctly the exits therefrom, and every exit shall have over the same, on the inside, the word "EXIT" painted in legible letters not less than eight (8) inches high. The inspector of buildings and the deputy inspector of buildings shall have power and they are hereby authorized to enter any theatre or other place of amusement or instruction within the limits of said city without hindrance from anyone, for the purpose of examination and enforcement of the provisions of this act whenever the same may be deemed necessary.

The stand pipes, gas pipes, hose, footlights, and all apparatus for the extinguishing of fires or guarding against the same, as in this sec-

tion specified, shall be in charge of the chief of the fire department, and the inspector of buildings is hereby directed to see that the arrangements in respect thereto are carried out and enforced.

SEC. 4. Any person violating any of the provisions of this act (where no other penalty is provided) shall, upon conviction thereof, before a court of competent jurisdiction, be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00), or imprisoned in the county jail for a period not exceeding six (6) months, or both at the discretion of the court.

SEC. 5. Nothing in this act shall be construed to affect any right existing or accrued, or liability incurred by reason of any violation of any acts or ordinances of the city of St. Paul heretofore existing, or any suit or proceeding already instituted under said acts or ordinances, except as to the manner of enforcing the same, and all right of action given or secured by said acts or ordinances, shall be prosecuted.

SEC. 6. This act shall be in force from and after its passage.

Approved, March 7, 1887.

CHAPTER 316.

[S. F. No. 277.]

AN ACT TO ESTABLISH A DOCK LINE IN ST. LOUIS BAY IN THE COUNTY OF ST. LOUIS AND STATE OF MINNESOTA.

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

SECTION 1. There is hereby established on the northerly side of the Bay of St. Louis, in the county of St. Louis and state of Minnesota, the following described dock line, to-wit:

Commencing at the point of intersection of the dock line heretofore established in said St. Louis Bay by the corporate authorities of the Village of Duluth, with the westerly line of Twenty-second (22d) avenue west, in said village of Duluth, prolonged, thence southeasterly on a line parallel with the westerly line of Third (3d) street on Rice's Point in said village to a point of intersection with the northerly line of Elm avenue on Rice's Point in said village prolonged, thence southeasterly to a point on the west line of Mountain avenue in the town of Oneota in said county prolonged, distant three thousand (3,000) feet from the monument at the corner of First (1st) street and Mountain avenue in said town of Oneota, thence south five (5) degrees and thirty (30) minutes east, for a distance of about twenty-five hundred (2,500) feet to the eight (8) feet curve of depth of the natural channel of the St. Louis river, and thence following