

EFFORT TO COMPROMISE THE STRIKE IS NOT SUCCESSFUL

President's Conference Ends, Leaving Matters Where It Found Them—Mitchell Offers to Order a Resumption If the Points at Issue Are Referred for Arbitration to a Commission to Be Appointed by the President and If the Operators Will Agree to Embody the Award in This Commission in a Term Contract with the Union—The Operators Flatly Refuse to Recognize Mitchell or the Union in Any Way, but Will Submit to Arbitration by Pennsylvania Common Pleas Judges Any Grievance of Any Miner Which Cannot Be Settled in Direct Conference at Mine.

Washington, Oct. 3.—The great conference between the president and representatives of the operators and miners came to an end at the temporary white house, facing Lafayette square, at 4.55 o'clock this afternoon, with a failure to reach an agreement. Apparently the rock upon which the conference split was recognition of the miners' union. The president had urged the contending parties to cease strife, in interest of the public welfare; the miners, through the president of their union, had expressed a willingness to submit differences to arbitration of a tribunal to be named by the president, and to enter into an agreement to abide by terms fixed by the arbitration for a period of from one to five years, and the employers, through the presidents of the railroad and coal companies and leading independent operator, had squarely refused arbitration and denounced the miners' labor organization as a lawless and anarchistic body, with which they could and would have no dealings; had demanded federal troops to insure complete protection to workers and their families in the mining region and court proceedings against the miners' union, and had offered, if the men returned to work, to submit grievances at individual collieries to the different judges of the courts of common pleas for the district of Pennsylvania in which the colliery was located. There the matter closed. Tonight the miners and operators are still in the city, but tomorrow they return to their several localities, each saying at a late hour that the struggle will continue.

The immediate parties to the strike say they will continue as heretofore. What course the administration will take next, no one is prepared to say. One of the operators, as he left the white house with closely set jaw, was asked regarding this, and replied: "If any one knows what the president will do next, that is more than I know."

It was announced at the white house tonight that the president had no comment to make on today's conference.

WHAT WAS DONE AT THE MORNING SESSION

Washington, Oct. 3.—At 11:10 o'clock, ten minutes after the hour fixed for the conference, every person who had been invited to participate, with the exception of President Olyphant, of the Delaware and Hudson, and President Cassatt, of the Pennsylvania company, was present at the executive residence. Mr. Olyphant, sent as his personal representative, David Wilcox, vice president and general counsel of the road. The conference was held in the second-story front room, where the president since his return from Indianapolis has transacted necessary public business.

The president during the conference was seated in a large invalid chair, his left leg extended at full length, resting upon a cushion. The president greeted most cordially each of his guests as they appeared, and when all were assembled he stated in a brief preliminary his object in calling them together. The president, fully realizing the importance of the communication that he was to make, had prepared a carefully worded paper, setting forth in detail his position on the pending controversy. The president said:

STATEMENTS OF PRINCIPALS

Washington, Oct. 3.—The statements to the president were made in the following order: President Baer, of the Reading railroad; President Mitchell, of the Mine Workers; President Thomas, of the Erie railroad; Mr. Markle, an independent operator; President Truesdale, of the Lackawanna railroad; Mr. Wilcox, vice president and general counsel of the Delaware and Hudson railroad, and Mr. Fowler, of the New York, Ontario and Western railroad.

GEORGE F. BAER, President of the Reading Railroad.

"To the President of the United States: We understand your anxiety as far as the situation at issue which has led to the situation at issue immediately the parties concerned—the operators and the miners—but the situation itself vitally affects the public. As long as there seemed to be a reasonable hope that these matters could be adjusted between the parties it did not seem proper to my intervention in any way. I disclaim any right or duty to intervene in this way upon legal grounds or upon any official relation that I bear to the situation, but the urgency and impending nature of the catastrophe upon the people in the shape of a winter fuel famine impel me, after much anxious thought, to believe that my duty requires me to use whatever influence I personally can to bring to an end a situation which has become literally intolerable."

"I wish to emphasize the character of the situation, and to say that its gravity is such that I am constrained to insist that each one of you realize the heavy burden of responsibility upon him. We are upon the threshold of winter, with an already existing coal famine, the future terrors of which we can hardly yet appreciate. The evil possibilities are so far-reaching, so appalling, that it seems to me that you are not only justified in sinking, in the common plan of the necessities of the public. With all the earnestness there is in me I ask that there be an immediate resumption of operations in the coal mines in some such way as will, without a day's unnecessary delay, meet the crying needs of the people."

"I do not invite a discussion of your respective claims and positions. I appeal to your patriotism, to the spirit that sinks personal considerations and makes individual sacrifices for the general good."

When the president concluded the reading of his statement he said he did not expect that either party would be ready to submit propositions at this

time, but he asked them to take into consideration what he had said, and to return at 3 o'clock. He said he hoped that some proposition might be presented at that time which would furnish the basis of an adjustment. The conference then terminated. It had lasted less than fifteen minutes.

"The duty of the hour is not to waste time negotiating with the fomenters of this anarchy, and insolent defiance of law, but to do as was done in the war of the Rebellion, restore the majesty of law, the only guardian of a free people, and to re-establish order and peace at any cost."

"The government is a contemptible failure if it can only protect the lives and property, and secure the comfort of the people by compromising with the violators of law and the instigators of violence and crime."

"Just now it is more important to teach ignorant men, dwelling among us, misled and used as tools by citizens of other states, that at whatever cost and inconvenience to the public, Pennsylvania will use the whole power of government to protect, not only the men who want to work, but his wife and children while he is at work, and to punish every man who attempts to deprive any man of his liberty to work."

"Under these conditions, we decline to accept Mr. Mitchell's considerate offer to let our men work on terms he names. He has no right to come from Illinois to dictate terms on the acceptance of which anarchy and crime shall cease in Pennsylvania. He must stop his people from killing, maiming and abusing Pennsylvania citizens and from destroying property. He must stop it because it is unlawful, and not because of any bargain with our offer, to continue the wages existing at the time of strike and to take up at each colliery and adjust any grievance the further condition, if the employers and employees at any particular colliery cannot reach a satisfactory adjustment of any alleged grievance, it shall be referred to the judges of the court of common pleas of the district in which the colliery is situated for final determination."

PRESIDENT MITCHELL, United Mine Workers of America

The following is the text of the statement made to the president this afternoon by the official representatives of the miners' union:

"Washington, D. C., Oct. 3, 1902. 'Mr. President: At the conference this morning, we, the accredited representatives of the anthracite coal mine workers, were much impressed with the views you expressed and the dangers to the welfare of our country from a prolongation of the coal strike that you so clearly pointed out. Conscious of the responsibility resting upon us, conscious of our duty to society, conscious of our obligation to the one hundred and fifty thousand mine workers whom we have the honor to represent, we have, after most careful consideration, and with the hope of relieving the situation and averting the sufferings and hardship which would inevitably follow in the wake of a coal famine, decided to propose a resumption of coal mining upon the lines hereinafter suggested. 'Before doing so, Mr. President, we desire to say that we are not prompted to suggest this course because of any doubts of the justice of our claims. In

defering to your wishes we are prompted by no fear on our part of our ability to continue the contest to a successful issue, thanks to the generous assistance rendered us by our fellow-workers in this and other lands; thanks to a justice-loving American public, whose sympathies are always on the side of right, we are able to continue the struggle indefinitely. But, confident of our ability to demonstrate to any impartial tribunal the equity of our demands for higher wages and improved environment, we propose that the issues culminating in this strike shall be referred to you and a tribunal of your own selection, and agree to accept your award upon all or any of the questions involved."

"If you will accept this responsibility and the representatives of the coal operators will signify their willingness to have your decision incorporated in an agreement, valid for not less than one year or more than five years, as may be mutually determined, between themselves and the anthracite coal mine workers, and will pay the scale of wages which you shall award, we will immediately call a meeting and recommend a resumption of work, upon understanding that the wages which shall be paid, are to go in effect from the day upon which work is resumed."

"Very respectfully yours, 'John Mitchell, 'President United Mine Workers of America. 'John Fahy, 'Thomas Duffy, 'T. D. Nicholls, 'District Presidents United Mine Workers of America."

E. B. THOMAS, President of the Erie Railway.

"No one can more fully realize the gravity of the situation or the grave responsibilities resting upon them than the men who for months have been endeavoring to protect their property under their charge as well as the lives of loyal employees from the attacks of misguided men incited by people foreign to the state and to the industry we are seeking to defend. We are doing all in our power and with increasing success. Mr. Mitchell and his lieutenants are doing all in their power to prevent us. We ask that such efforts cease, or, failing that, that the state of Pennsylvania, and if she is unable, the powers of the United States shall be exerted to afford full protection to employees not only in their homes, but to and from their homes, as well as to their families, and that the reign of terror, riots, intimidation and murder which for months has prevailed in the anthracite region shall cease. A record of twenty killed, over 40 injured and with constant and increasing destruction of dwellings, works, machinery and railway by mob violence, with no proper enforcement of the law or order by the proper officials, is not the time to act on Mr. Mitchell's suggestion of submission to arbitrate with men not loyal to our employ. There are no laws in this country by which the American citizen to work without regard to creed, nationality or association. To seek to prevent this is a crime and we cannot by implication sanction such a course. We ask the enforcement of law and order in the state, that we be permitted to deal with our employes free from foreign interference, convinced that under such conditions we can fully perform our full duty to the public, our owners and to our employes. I fully concur in the suggestion of Mr. Baer, which can be pursued in case of failure to agree with our employes, but in many years of such dealing it has never yet been requisite to call in assistance to fairly and satisfactorily deal with our own men."

DAVID WILCOX, Vice-president and General Counsel of the Delaware and Hudson Railway Company.

The statement of David Wilcox, vice-president and general counsel of the Delaware and Hudson Railway company, was of considerable length. It told of the mine workers' organization, its growth throughout the country, its methods, etc. He said the United Mine Workers of America, composed of a large number of miners and mine laborers, is divided into districts and local unions and seeks to compel every one engaged in the industry throughout the country to join the organization which is managed by an executive committee at Indianapolis. It thus consists of one central organization, which restrains and controls the production of fuel everywhere throughout the country and monopolizes the labor engaged therein. It is, therefore, the most extensive combination and monopoly which the country has ever known. It habitually enforces its orders and directions by whatever means may be most effectual, including strikes, boycotts, picketing, besetting and the like, not confined to its own members alone, but in which are compelled to join as far as possible all other persons similarly employed. Mr. Wilcox cited from legal records three instances where the United States Circuit court has condemned the violent methods of the miners' organization.

"Continuing, he said, since the strike was ordered last May, all persons willing to work have been forced to cease and that within a few days one or more miners who had returned to work, having been formerly connected with the mine workers' association, have been murdered."

These facts show that the mine workers' association is not within the rules regarding ordinary labor organizations. On the contrary, the association and all of its members constitute a combination or conspiracy not only at common law, but also in restraint of trade and commerce among the several states and also an attempt to monopolize the labor necessary in supplying coal found in one state to the markets of other states, and thus to monopolize this part of the commerce among the several states. The courts, he said, have already many times held that such a combination is unlawful within the act of congress of July 2, 1890, passed for the purpose of preventing restraints of interstate commerce and known as the Sherman act, and in addition the Sherman act of the United States for the western district of Virginia, upon March 25 last, held that this identical United Mine Workers' association was illegal."

Continuing, Mr. Wilcox said the anthracite coal companies are making every effort to mine coal as rapidly as possible. They are obstructed by the failure of the state authorities to fully protect those who desire to work for them and by the failure of the National guard to enforce the statute under which the mine workers' association has already been held to be illegal. As soon as action of that sort is effectively taken, there can be no doubt that the supply of coal will be ample. The question at present is merely whether an unlawful association shall be permitted in this country by means which are illegal to decide who shall be allowed to work, what shall be his hours of work and what he shall be paid. This is contrary to the spirit and the letter of our laws. If they are enforced such an effort will cease at once. While the United Mine Workers have been endeavoring ever since the strike began to prevent the production of coal, the operators have been actively endeavoring to increase the same, and now are actually producing about 15 per cent. of the normal output. This company, respectively and earnestly urges upon the president the use of his lawful powers in the premises, which was made in the Debs case of one of his predecessors, and which was

sustained by all the courts. If the national government would now enforce the law with equal promptness, the strike would end next week. "The representative of the United Mine Workers makes a condition of returning to work, that a commission be appointed by the president to investigate existing conditions and that the mine workers and the operators agree to abide by its recommendation. The personnel of such a commission is uncertain; its action would be without authority of law or precedent, and it would be without knowledge of the varying conditions in the different collieries and regions. This company has no power to commit the welfare and existence of the property to such uncertainties. Moreover, as already pointed out, the mine workers is an illegal body and has no lawful control over its members."

In concluding Mr. Wilcox said: "In order, however, that this company may be under no charge of unwillingness to endeavor in good faith to remedy any grievances which may exist upon the part of its employees at its several collieries, it is willing that the same shall be ultimately passed upon by the judges of the court of common pleas of the state of Pennsylvania for the district of which such collieries are situated. These are the local officers of the law having knowledge of the facts. It is willing, therefore, in case of a resumption of work to add to its notice already posted, a provision to that effect."

THOMAS R. FOWLER, President of the New York, Ontario and Western Railway Company.

"To the President: 'I beg leave to state that I fully concur in the statements submitted this time by the other gentlemen who have invited to be present at today's conference. I, however, ask leave to present my views more fully at a later day and hope to have in your hands early next week a statement presenting in some detail the serious situation and conditions prevailing throughout the anthracite coal regions at the present time."

JOHN MARKLE, Coal Operator.

John Markle, in opening his statement, said he thoroughly appreciated the seriousness of the situation in the anthracite field, and agreed with the president's expression that the "situation has become literally intolerable."

"With all the earnestness in me," he continued, "I ask that there be an immediate resumption of operations in the coal mines in some such way as will, without a day's unnecessary delay, meet the crying needs of the public. 'I fully endorse these remarks from you and as an American citizen and a citizen of the commonwealth of Pennsylvania, I now ask you to perform the duties vested in you as the president of these United States: to at once sanction the anarchistic condition of affairs existing in the anthracite coal regions by the strong arm of the military at your command. A record of twenty-one murders, a long list of brutal assaults, houses and bridges dynamited, daily acts of violence now taking place, and several washeries burned down, are actual evidences of this condition of lawlessness existing there. Are you asking us to deal with a set of outlaws? I can hardly conceive of such a thought. The respectable citizens of these United States will insist upon the officers in power giving to the citizens of Pennsylvania law and order, and the right to work if they so desire. 'Mr. Mitchell's organization is a small minority of the total number of workers in the anthracite coal field and he is holding a large majority by intimidation, coercion and attempts at bodily harm. If you desire anthracite coal to be placed in the market quickly,

take the necessary steps at once and put the federal troops in the field, and give to those desiring to work proper protection."

W. H. TRUESDALE, President of the Delaware, Lackawanna and Western Railroad Company.

Statement in part of Mr. W. H. Truesdale, president of the Delaware, Lackawanna and Western Railroad company: "Mr. President, representing the interests of the Delaware, Lackawanna and Western Railroad company, its board of managers and its stockholders, permit me to say that realizing fully the gravity of the situation as stated by you and appreciating the burden of responsibility which this situation imposes upon us, we feel it is first and foremost our duty and press it upon your consideration and, through you, upon that of the authorities of the state of Pennsylvania, to at once sanction the conditions of anarchy and lawlessness, of riot and rapine, a condition which has been raging with more or less violence throughout the anthracite regions during the past five months, be immediately and permanently suppressed. That we further ask that the entire authority and power of the state of Pennsylvania, civil and military, and if need be that of the United States government as well, be exercised forthwith."

"We further ask that the civil branch of the United States government, taking cognizance of and following the decisions of its courts rendered in litigation growing out of previous similar conditions, at once institute proceedings against the illegal organization known as the United Mine Workers' association, its well-known officers, agents and members, to restrain them and restrain permanently from continuing this organization and requiring them to assist immediately from conspiring, aiding, abetting or abetting the outbreak and intolerable conditions in the anthracite region for which they, and alone, are responsible. We are advised by our counsel that such civil action will be on the part of the United States government, as it is well known that United States statutes are daily being openly and grossly violated, that previous decisions of the courts justify fully such action being taken at this time."

"Then, Mr. President, there is a great, pressing duty imposed upon you at this time to the thousands of true loyal citizens of Pennsylvania who have been lawfully pursuing their various vocations or professions under great difficulties and who, with great sacrifice, have been abused, vilified, boycotted and in many cases almost ruined because they had the manhood to raise

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YESTERDAY'S WEATHER

Local data for October 3, 1902. Highest temperature 65 degrees. Lowest temperature 49 degrees. Relative humidity: 8 a. m. 87 per cent. 8 p. m. 68 per cent. Precipitation, 24 hours ended 3 p. m., none.

WEATHER FORECAST

Washington, Oct. 3.—Forecast for Saturday and Sunday: Eastern Pennsylvania—Increasing clouds; near Saturday, followed by rain; Sunday rain; fresh north to east winds.