

OPERATORS TAKE UP MINERS' GAUNTLET

Unexpected Turn in Proceedings of the First Session of Anthracite Strike Commission.

RECOGNITION IS MADE AN ISSUE

Operators' Side Devotes Its Energies Almost Exclusively to Assailing Mitchell's Laudation of the Union—Interesting Contest Between a Big Corporation Lawyer and the Miners' Leader.

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All the operators declared that the matter of recognizing the United Mine Workers of America was not a subject for the consideration of the commission, and several of them, in their formal answers, explicitly stated they were unwilling to have the question of the propriety or necessity of an agreement with the union submitted for investigation or adjudication by the commission.

Despite this, President Mitchell insisted on injecting it into the hearing; in fact, he made it the most prominent feature of his opening statement, and to the surprise of those not in the councils of the companies, the operators, with evident eagerness, picked up the gauntlet and proceeded to give battle where the enemy invited.

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they rose for the noon recess, but the commissioners did not wait to be "snapped," and the camera man went away.

It was 10:05 when the commissioners entered from the consulting room at the rear. As they appeared, Assistant Recorder Mosely announced, "The Anthracite Mine Strike Commission" and everybody stood and remained standing until the commissioners took their seats.

Judge Gray, president of the commission, took the middle seat. On his right, in the order named were seated Recorder Wright, Mr. Clark and Mr. Watkins, and on his left, General Wilson, Recorder Mosely and Mr. Parker. This is the same order in which they sat at their first meeting in Washington.

Judge Gray opened the session by simply announcing that the commission was assembling pursuant to an adjournment of the parties to the controversy to prepare their cases and were now ready to proceed. As had been understood, the miners' side would be heard first. They might present their case, he said, in their own way.

Raised New Issues.

Attorney Darrow was the first of the attorneys to speak. He called attention to the fact that some of the answers to the miners' statement raised or sought to raise some new issues, and as the last of the answers had been received only the day before, the miners would like to have an opportunity to make replication next Monday.

Judge Gray looked quizzically at the counsel for the other parties and no objections being forthcoming declared that there were no objections to this request and it was granted.

Hon. Wayne McVeagh, of counsel for the Erie company, suggested that the names of the parties to the controversy be called that their respective attorneys might announce their appearances. This suggestion was adopted by the commissioners and responses were made as follows:

For the Miners—Clarence S. Darrow, of Chicago; J. P. Murphy, of Scranton; John J. Murphy, of Scranton; James Lenahan, John F. Shea, James H. Shea, of Wilkes-Barre; Mr. Darrow also announced that he would appear generally for the miners' side.

Philadelphia and Reading—Hon. Simon P. D'Alton, of Scranton; H. T. Newcomb, of New York; J. P. Newcomb, of Philadelphia; George E. Brown, of New York; and Major Everett Warren, of Scranton.

Delaware, Lackawanna and Western—W. W. Ross, of New York, and John R. Wilson, of Scranton.

Ontario and Western Companies—John B. Kerr, of New York; ex-justice Alfred Hand and J. E. Burr, of Scranton.

Delaware and Hudson—John Wilcox, of New York, and James H. Torrey, of Scranton.

Loblich Valley Coal Company—Francis L. Gowen, of Scranton; and Willard, Warren & Knapp, of Scranton.

Loblich and Wilkes-Barre—De Forest Brothers, of New York, and A. H. McClelland, of Scranton.

Independent Operators—C. C. Reynolds and I. L. Burns, of Scranton.

Other attorneys who will come into the case later are George R. Bedford, of Wilkes-Barre, representing Markle and Co.; H. A. Fuller, of Wilkes-Barre, representing the independent operators.

The Non-union Men. John T. Lenahan, of Wilkes-Barre, and Joseph O'Brien, of this city, were present in the district of the non-union men, and when Recorder Wright failed to call the names of their party, Mr. Lenahan arose and stated that himself and Mr. O'Brien represented the non-union men, so called, and would like to know something of the procedure that they should be prepared to present their clients' case.

Judge Gray said: "They are not formal parties to this controversy, Mr. Lenahan."

"Any party appearing here," suggested Attorney Darrow, "should file a statement that we may know who are before the commission."

Judge Gray asserted that some statement should be filed. The commission, he said, would consider the matter.

MITCHELL'S STATEMENT.

This motion being temporarily disposed of the miners offered their case by introducing President Mitchell to read his statement. He began at 10:17 and concluded at just 11 o'clock. The statement was 6,000 words in length. A synopsis of it prepared at the Mine Workers' headquarters is given here:

Of the 17,000 men and boys employed in and around the mines, stripmines and washeries in the anthracite coal fields, 64.2, or 45 per cent, are employed on contract, or piece work; the remaining 8,500, or 57 per cent, are employed on the basis of a contract. Of the 6,422 contract men, 5,891 are miners and 531 are miners' laborers. The work of a miner and a miners' laborer is extremely hazardous; in fact, it is more dangerous than employment in any other important industry in the world. The number of persons killed and injured per one thousand employed is greater than in any other industry. Each day the anthracite coal mines are in operation two and six-tenths persons lose their lives and three times as many are maimed, and yet these men receive less wages annually than are received by men performing precisely similar work in other fields under more favorable and less hazardous conditions.

The number of years a man can retain his health and strength in this occupation is limited. If he escapes death or injury by falls or rock, or coal, he cannot escape attacks of miners' asthma. There is scarcely a mine worker who has not contracted this malady. The miners are exposed to the dust of coal, and in foul air, many of them in water, and their work itself is difficult and very exhausting. Reputable insurance companies will not issue policies to this class of workmen—the risks are so great that the premiums would be prohibitive to men whose earnings are so low. The entire twenty per cent, which they demand as an increase in their wages would not suffice to carry an insurance of one thousand dollars.

Reduction of Hours. In supporting the demand for the reduction of the hours of day laborers, Mr. Mitchell showed that it amounted practically to a demand for 20 per cent, increase of compensation for \$2,000 men, or 67 per cent, of all mine employees.

Continuing, he said: "The eight-hour day is the standard working day in the mining industry. Eight hours constitutes a day's work in the coal mines of Great Britain, in all the silver and copper mines, and in the bituminous coal mines in the states of Arkansas, Kansas, Missouri, Iowa, Illinois, Indiana, Ohio, Michigan, Kentucky, Tennessee, Alabama, Pennsylvania and the Indian Territory.

The reports of the United States Geological Survey demonstrate that more coal has been produced annually since the inauguration of the eight-hour workday than in any preceding year. Each mine produces more coal per working day in eight hours than can be produced in ten hours, and there is no reason why the same results would not obtain in its anthracite mines.

The bituminous workers receive, in many instances, from 20 to 40 per cent, higher wages for eight hours' work. A ton when weighed on a platform scale weighs in fifty or fifty-one hundredths of a ton when weighed on a platform scale. The anthracite workers receive, in many instances, from 20 to 40 per cent, higher wages for eight hours' work. A ton when weighed on a platform scale weighs in fifty or fifty-one hundredths of a ton when weighed on a platform scale.

Defending the third demand, that coal shall be weighed and paid for by weight, and that 2,240 pounds shall constitute a ton, Mr. Mitchell said: "The present method of measuring the coal produced by the miners in the anthracite fields is by the use of a common scale which has been the subject of much discontent than any other of the many injustices imposed upon the miners, and there is no contentment among the workers until an honest system has been adopted. Paying for coal by the car or by a ton weighing from 2,740 to 3,190 pounds is a gross injustice. It has been made larger, more toppling is required, and there has been no corresponding increase in the amount paid per ton. The miners have been forced to produce a constantly increasing amount of coal, for which they receive no additional compensation.

Basis of Pay. The miners should be paid for every pound of coal he mines that is sold by the mine. If 2,240 pounds constitute a ton when coal is sold to the consumer; if 2,240 pounds constitute a ton when coal is sold to the market, what justice can there be in denying the miner the right to be paid for his labor upon the same basis?

A large amount of coal has been shipped and sold in excess of the amount for which the miners are paid; and, on the other hand, a large amount of coal is not shipped and sold, and the miners are not paid for it. We do not believe that the consumers of anthracite coal wish the mine to produce any portion of it for nothing.

The anthracite companies, not satisfied with an extra legal ton of from 2,740 to 3,190 pounds, are now endeavoring to produce through which they appropriate additional part of the miners' earnings. A miner is docked all the way from 500 to 1,000 pounds upon the basis of a contract, and he is penalized to the extent of from 50 to 100 pounds in excess measure of weight; in other words, he is punished twice for the same offense. A system somewhat similar, but less unjust, obtained in a portion of the bituminous coal fields, but the miners are not now paid by weight upon the basis of a legal ton; they are not only permitted, but are actually permitted, to employ check-weighmen to operate the product of their labor is properly weighed and a correct record made thereof.

Responsibility of Union. The only manner in which the national organization as such is permitted to interfere is that, before a strike is instituted, the national organization, the approval of the president of the national union must be obtained; but the president of the national organization has no authority to interfere in any way. Thus the coal mine operators are afforded a greater measure of protection against strikes than they would have without the national organization.

The United Mine Workers of America is affiliated with the American Federation of Labor; it is formed upon a basis of similar principles and for similar purposes as other trade unions; it is numerically the strongest single trade organization in the world.

As to the responsibility of the mine workers' organization, Mr. Mitchell said: "At the present time, the United Mine Workers of America has contracts with the operators of fourteen states and districts, fixing the amount the miners shall receive per ton of coal. The various classes of labor shall receive per ton the number of hours which shall constitute a day's work, and the methods and means of payment, and the methods of settling disputes, and the methods of settling grievances, by joint conference with the mine owners. These are mutual contracts which are advantageous to both sides. The mine owners are not permitted to strike the miners, and the miners are not permitted to strike the mine owners. The reports of the United States government upon strikes in the mining industry show that the number and duration of strikes has been materially reduced each year since the system of joint conference and mutual agreement has been introduced.

Where the United Mine Workers of America is recognized and contracted with, it assumes the responsibility of disciplining its members. The trade agreements men have proved effective in restraining workmen from engaging in local or general strikes. There have been no strikes of any magnitude in any of the coal mining states in which trade agreements exist. We seek to establish the same method of adjusting wage differences in the anthracite fields.

We make this demand because we know that permanent peace and friendly relations can be best maintained through a trade agreement with the organization which our people have elected to join. Fully ninety per cent, of the employees of the anthracite coal mines are members of the United Mine Workers of America. It was the United Mine Workers of America that declared the strike in this commission; it was the United Mine Workers of America that requested by the president of the United Mine Workers of America that sent the men back to work, and it is the United Mine Workers of America that is pledged to accept the award of this commission.

Failure to recognize the organization was the cause of many of the local strikes against which operators and mine workers jointly complain. There have been many local strikes during the past year, the fact of which rests upon the operators and miners alike. The miners, failing to secure redress for their wrongs (the companies having refused to treat them as equals), have been forced to submit to injustice or inaugurate a strike.

Recognition of Union. Recognition of the union does not mean dictation or interference by men not employed in the company. It simply means that officers selected by the mine workers shall exercise supervision over the organization and that the mine owners shall be held as to how their trade affairs shall be conducted. The miners have as much right to select spokesmen to act for them in their relations with the mine owners as to how their trade affairs shall be conducted. The miners have as much right to select spokesmen to act for them in their relations with the mine owners as to how their trade affairs shall be conducted.

EXPLANATION OF CUBAN TREATIES

The Platt Amendment is Entirely Reciprocity Hitch.

MR. ELKINS OFFERS INSIDE HISTORY

West Virginia Senator Explains That Purely Local Interest to Prevent Overhauling of Tariff Dictated His Stand at Last Session. Fixity of Platt Terms Clearly Understood Both at Washington and Havana.

WEATHER FORECAST.

Washington, Nov. 14.—Forecast for Saturday and Sunday: Eastern Pennsylvania—Fair and warmer; Saturday: Sunday fair; fresh southerly wind.

By Exclusive Wire from The Associated Press. Washington, Nov. 14.—The treaty under negotiations between Cuba and the United States is a reciprocity treaty pure and simple. It has nothing whatever to do with the terms of the Platt amendment, and should it be carried into effect will be entirely independent of a treaty which may be framed later in accordance with the conditions which the Platt amendment imposes.

There seems to be a general misunderstanding on this point. The Platt amendment is already a part of the fundamental law of Cuba. Its adoption by the constitutional convention was the condition under which the United States withdrew its troops. There is no question about the framing of a treaty to carry its provision into effect. That is simply a matter of detail, clearly understood in Cuba as well as in the United States.

There has been no correspondence whatever between our government and the Cuban government about it, and there will be none until the reciprocity treaty is out of the way. The administration is not worried about the fate of the reciprocity treaty. The delay in completing it has been due to several causes. One of the principal of these causes is the fact that the negotiations have been entirely in the hands of Minister Squires at Havana and Minister Quesada, in Washington, neither of whom pretends any close acquaintance with tariff questions.

Importance of Negotiations.

Until very recently neither Secretary Hay nor Secretary Root has paid very much attention to the matter. But now, with Congress about to convene, they realize the importance of hastening the negotiations. It is for the purpose of bringing about a clearer understanding that Gen. Tasker H. Bliss has been ordered to Havana. The Cuban people are apparently in a ferment of protest as to the operation of a tariff in the raising of revenue. They have no conception beyond the crude idea that the higher the rate of duty the greater the revenue will be. It will be for Gen. Bliss to show them that this is not necessarily true, and that in the case of imports from the United States it may well happen that a lower duty, by increasing the volume of the imports, will increase the amount of money turned into the treasury.

Another obstacle which has stood in the way of speedy action is the attitude of President Palma, who is anxious to negotiate in accordance with the wishes of the United States, but who is doubtful as to the length to which the Cuban people will permit him to go. He is not sure of his own position. A stronger executive would probably have settled everything before this. General Bliss will have to convince the Cubans that, in spite of plausible statements by the diplomatic representatives of other countries, the United States is Cuba's best friend, and that it is greatly to the advantage of both countries to enter into reciprocal trade relations.

It is a peculiar development that the question whether it will be to Cuba's advantage to have reciprocity with the United States. When the reciprocity bill was before Congress its passage was urged chiefly on grounds of sentiment, as a duty the United States owed to Cuba.

Senator Elkins' Statement.

Senator Elkins, of West Virginia, said today: "The whole secret of my fight against Cuban reciprocity last session was in just one thing. I don't mind telling it now. Lumber is one of the great products of my state. Lumber and coal have added immensely to our resources. The tariff of \$2 a thousand on lumber increased West Virginia's valuation many millions—probably between \$5,000,000 and \$10,000,000.

"The northwest wants free lumber. Had we started voting on Cuban reciprocity the way would have been clear to vote for lower duties on many other products. Amendments would have been placed on the bill. There would have been efforts to lower the duty on steel. When we were voting on steel, others would have proposed a change in the wood schedule; still others would have proposed lowering the duties on hides and leather, and eventually the northwest would have tried to reduce the duty on lumber. That was what I feared. I was willing to pay the running expenses of the Cuban government for ten years rather than to start upon any such experiment as that reciprocity bill. I was willing to vote for a rebate. In my speech on the subject I stated that I was willing to vote for the treaty."

Q. How does the general condition compare in the anthracite and bituminous regions? A. The conditions in the bituminous fields are, generally speaking, better than in the anthracite fields. The houses are, on the whole, better. That is especially true of houses owned by the coal companies.

Q. What was the origin of the recent strike? A. Failure or refusal on the part of the companies to advance wages or improve conditions of employment, or refusal to submit to arbitration, was the cause of it. In the first place, what I mean is, your organization had some agitation in the way of these advances that the mine owners refused to make. The anthracite mine workers have been constantly demanding increased wages and improved conditions of employment, and the mine owners have refused to make any concession.

Q. In a general way, this agitation was for increased wages, either by extra money or by shorter hours? A. Yes, sir. Q. Shorter hours with the same pay; and for a different system of ascertaining their compensation by weighing? A. Weighing their coal, and some methods whereby the grievances that arose from time to time might be adjusted without forcing them to engage in strikes. Q. And that latter meant something in the way of recognition of the union, perhaps, to put it that way? A. Yes, sir, they preferred to have that. Q. Or contracting with the union? A. Yes, sir. Q. (Continued on Page 3.)

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