# MITCHELL STILL IN THE WITNESS BOX we do not have a trade agreement. Supposing that is not the result of this investigation, and the award of the

(Continued from Page 1.)

ployment. Pointing out what he con- cupy today? A. Mr. MacVeagh, your sidered the iniquities of this branch of company regulates that now by makunionism, Mr. MacVeagh asked Mr. Mitchell if he could consistently ask the commission to force the operators to deal with unionism. Mr. Mitchell said he knew nothing of this association its rules or the causes which led to the adoption, and therefore would care to pass upon them, but on the surface, he would say the association in question was not acting in a

#### Must Use Anthracite.

Mr. MacVeagh spent some time showing that 500,000 poor, in the cities of the Atlantic coast, who must use anthracite if there was any fuel, arc, today without means of buying it, and pointing out that these poor number three times the members of the authracite miners' ranks, asked Mr. Mitchell if he would favor increasing the difficulty to those people of securing coal by adding to its cost. Mr. Mitchell replied that the cost of coal was entirely regulated by the operators, and the union, not being consulted in the matter, was in no wise responsible.

Mr. MacVeagh repeated his question in this form: "Are you in favor of insisting in your demands despite the fact that 500,000 poor people will have to deprive themselves of bread to help accord you your demands?" Mr. Mitchell replied that the miner has right to have living wages for his labor. This, Mr. MacVeagh characterized as a repetition of the old question, "Am I my brother's keeper? which the devil has been inducing human selfishness to ask always through the lips

Taking up the demand that coal companies shall not have authority to hire companies should thus be discriminated against. Mr. Mitchell's answer was to the effect that the system had grown generally pernicious and because it was only right and proper the regularly constituted authorities of the state should select the men who are to act as

In defense of the charge made by Mr. Mitchell that the coal and fron police were "criminals," Mr. MacVeagh read the occupations and reports on conduct and habits of the men who served as guards at the Eric collieries. They were clerks, inspectors, surveyors, agents, students, farmers, and the like, and only in one or two cases did those who had supervision of them have occasion to report any misconduct on their part.

#### They Live Here.

Questions by Commissioner Watkins developed the fact that every one of these guards were men living in this

Mr. Mitchell insisted that the regularly constituted authorities were amply capable of protecting the property of

all classes of people in the state.
"Mr. Mitchell," said Mr. MacVeagh, with earnestness, "do you not know, as well as you know your name is John Mitchell, that in spite of the constituted authorities of this state, of this country, of this city, this whole region has been treated for five months to a veritable foretaste of hell?" "I don't know anything of the kind,"

'Well, you will know it before we are through with you," declared Mr. Mac-Veagh.

The examination then proceeded to the eight-hour-day question again, Q. I want for a moment to ask you whether you still adhere to the proposition that no one of our employes in the mines or about them shall be entitled or allowed to work beyond eight hours, no matter what the purpose of that working may be, if it is not a charitable purpose or a purpose of energency or something of that kind? A. I do not ask that the hours of laber of your employes be limited at all, except so far as they are limited by the decision of the commission, or by the agreement that you might make, himiting the hours of labor yourselves.

Q. But you do insist that that limitation shall be uniform? A. We favor a uniform eight-hour day.

# An Eight Hour Day.

Q. Don't you go a little further than that? I do not mean that you do so now, but have you not gone to this extent: "Not more than eight hours"you must excuse me for being insistent about this, because the commission is being asked to put what we believe to be this yoke about our necks, and we must examine late the character of it before they can intelligently impose it. We have agreed to abide by it if they do, and we will loyally abide by it; but before they put you upon our back we must know what weight you bring with you: and here is one weight which seems to me so brutal, so un-American, so indefensible that I ask you again whether you stand by it: more than eight hours shall be worked in any one day by any mine worker?" A. We stavor a maximum him, argued with all the persuasive eight-hour day.

Q. Do you mean to say that a father working in that mine who believes he ly, was not a paramount issue. has a son that may be president of the United States-and your father had a man pleading for his life son that may be-is not at liberty to work as long as he chooses in order to prevented these local disputes, these help that son to the position you oc- local strikes, against which our union

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s pudding or a cake.)

ing a day ten hours. We differ with them there. We say make it eigh hours. There is no disagreement about having a maximum number of hours. We have disagreed as to what the max-Imum shall be. We say eight, they say

O. No. Mr. Mitchell, we never have accepted, and we never will, except under the compulsion of this commission, such a principle as that. We will accept it, but we will continue to protest against it until we are relieved of it. I say that Mr. Lincoln had a right to work in the coal mines of Illinois, if he had had the chance, fourteen hours a day, if he wished to do so, to buy another spelling book and another reader in order to enfranchise the laboring men of the world. You say he had not that right? A. I have not said anything about what Abraham Lincoln had a right to do. Q. Well, but if he was a coal miner you say he would not, and there are Abraham Lincolns in your coal mines today? A. If Abraham Lincoln was digging coal now, he would e a stronger advocate of the eightnour day than I am.

#### Did Not Limit Himself.

Q. That he might be; but he was mines, but for all the men above the private guards for their properties, only mention them because they are frequently asked why we do not dis-Mr. MacVeagh asked why the coal the three victims of the sort of anarchy charge such offenders. I will reply that which is the curse of this country to- it is well-nigh impossible to discharge day, and the only serious curse affect-ing it.

hard coal members. He also inquired, ident of the United Mine Workers of ployed and paid and the assessments which the miners very generally resent. levied on members. In answer to a This being the case, your organization the strike he contributed \$54.75 a month

n assessments to the strikers' cause. Mr. MacVeagh inquired into the set lement of the 1900 strike to show that its settlement was brought about through the instrumentality of the politicians, and having, in a way, shown this, made the statement that if it was not for this the strike would not have

been settled as it was. Enumerating the petty strikes that followed the 1900 settlement, and emphasizing the fact that in the Erie company's collieries in six months following that settlement there were eight strikes as against one in the twentythree years preceeding the coming of the United Mine Workers into this re-"Would you not think, naturally,

tinue that condition?" might be able to prevent just such difficulties

# Conclusive Condemnation.

Mr. MacVeagh pointed to the fact and conclusive condemnation of the agreement that mortal men could pen

"If in a colliery, when an employee was complained of for inefficiency and laxity, he said to the representative of interfere with efficiency, in your judgment, if that spirit existed to any extent?" asked Mr. MacVeagh.

"I should say," said Mr. Mitchell, that if any man said that, that partieular man was in the wrong, and if I had known that he said so, I would be the first to tell him!

Mr. Mitchell explained the letter of the Illinois association referred to above saying it was written by the operators commissioner, Mr. Justi, at his suggestion, that he might transmit the operators' complaints in a forcible way to the miners. "The letter is very much overdrawn in consequence of this purpose." said Mr. Mitchell.

Then Mr. Mitchell proceeded to make plea for the recognition of the union by the anthracite operators.

In no speech, or other public utter ance has he displayed such earnestness or eloquence as he displayed when he broke forth in this appeal. Deserting his usually unimpassioned, placid, composed manner, he leaned out far in his chair and with the index finger of his right hand resting in the palm of his left hand, which was extended before force he could command for the recognition which he had declared, previous words and manner would have fitted a

"Trade agreements," said he, "have

sold in the United States

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is as much opposed as any of the coal them. They injure us all. Supposing we do not have a trade agreement. Supposing that is not the result of this investigation, and the award of the commission, the union will still be here. It is not within my power or the power of the coal companies, nor the province of the commission, nor is it possible to legislate men out of the union unless they want to go.

A. I believe that they have the right to exercise the rights given them by the courts and by the laws. Q. Has it ever been decided in any court that they have to exercise the rights given them by the courts and by the laws. Q. Has it ever been decided in any court that they have the right to exercise the rights given them by the courts and by the laws. Q. Has it ever been decided in any court that they have to exercise the rights given them by the courts and by the laws. Q. Has it ever been decided in any court that they have a right? A. To boycout? Q. To beyleott. A. Yes, I think so: I think there have been quite a number of decisions which hold that boycoiting is not illegal. I am not able to give the decisions off-hand.

#### Union Will Be Here.

The union will be here. It will have all the power for good or evil that it has now. The coal operators, if they desire to, could not crush the union. They cannot wipe it out. I hope they would never try to do it. Then it is going to stay here. As long as it is going to be here, why not have an arrangement that will place limitations on its power as far as the effect of the discipline of a working force is concerned? Let us agree in contract what these powers shall be, and I dare say that if our union violates the contract, the people of this country will take good care that we have no union left, There will be no question about that, and if the operators violate it, the people of the United States will see that they regret it. That is my view of the situation. I think we will not have the very things that you complain of, and the things that I complain of too. We ought to agree not to do those things."

"So far, we are in hearty agreement,

method of reaching that result. If anybody ever attempts to deny to an American workingman the right to associate himself with other working splitting rails, which was a tolerably arduous occupation. He did not limit bargaining by you—and they could not himself to eight hours; and you de-mand it, not only for the men in the Mr. Nichols, or anybody they choose to select, you may call upon me to stand ground as well. Abraham Lincoln was doing infinitely harder work than nine- legislation. But my objection is that tenths of the men employed about our that is one question, and my question mines above ground. So was Mr. Gar-field, when he was as a boy trudging along the path of the canal, and so ed to answer it. Let me read the cruwas Mr. McKinley in his early life. I cial point of the question: "We are

Mr. MacVeagh here brought out that fender has been employed. To disthe executive board of the miners' charge a member of your union-and union has eighteen soft coal and three this is addressed to John Mitchell, presn detail, as to administrative workings | America-for any cause, gives offense, of the union, how organizers are em- even when his offense is admitted, question by Commissioner Watkins as must find the remedy for the trouble, to levies, Mr. Mitchell told that during the owners of the mines themselves being powerless to act."

#### Mr. Justi to Testify.

Chairman Gray stated that it was the intention of the commission to invite Mr. Justi to give testimony as to conditions in Illinois. Mr. Justi is the commissioner of the Illinois Coal Operators' association. Mr. Mitchell provoked laughter by describing him to Judge Gray as "the agitator of the op-

Some interesting exchanges took place in a discussion of the boycotting question, as will be noted from the following:

By Mr. MacVeagh: Q. We have had only two radical and ir-Mr. MacVeagh asked the witness: "Would you not think, naturally, to work longer, and the right to employ that the owners of these collieries would such people as the owners of property think fit to resist unlawful attack upon inue that condition?"

Mr. Mitchell replied that the union and perhaps the most objectionable feasought to enter into a working agree-ment with the companies so that it that you cause it or that any other serhat you cause it, or that any other ger tleman in it causes it-I say that it flows from the present temper or your organization as water runs down hill. You undertook to explain your attitude about boycotting, and I could not quite underthat Illinois has such an agreement and stand you, and yet you were very lucid, as then alluded to the letter of the Illinois you always are. Will you please tell me operators read on Saturday, which he what are the rights of a man who does not characterized as the most surprising wish to work in one of our coilieries at the and conclusive condemnation of the wages we are willing to pay him, against another man (and the members of his family) who does wish to work in our collieries at the wages we are willing to pay

A. We regard him as an unfair worker the employer, 'You go to hell!' John We think the man is blind to his own in-Mitchell is my boss.' Would not that terests. We think he is joining forces with the employer to defeat the fair ends of those who go on strike. In other words, he is usually termed by the work-

ing people and others, a "scab,"
Q. Now, Mr. Mitchell, do you know that
I just as honestly think your present organization and your influence in it, and your inuffence with the country is inurious to the true interests of the working cases, but I should always despise myself if I went around saying: "John Mitchell is a scab," Why should you say that of me." A. I should not say it of you, Mr. MacVeagh, because you would not a strike. (Laughter.)

# Why Call a Man Scab.

Q. I am not talking about that. Why should you call a man a "scab" who dif-fers from his fellow workmen as to the visdom of continuing to earn a living for himself under such condition as he thinks even though he may be mistaken in that opinion if you choose? A. It is simply a general appellation for every man who works when another one is on strike. He is looked upon, and I think justly, in the same light that Beneolet Arnold was looked upon, or any

Q. Why should you call me "scab," if I prefer to work, to continue to earn my living rather than to lose my wages for five months? A. Because that is the gento destroy the objects of their movements.

what are the limits of the treatment you would feel justified in extending to me? You say you would call me a "seab." I must bear that as well as I can. What else? A. That is all. (Laughter.)
Q. If, as a matter of fact, in conse-

quence of the eruption of your organizaclared and opprobrious epithets are hurled at people because they are exer-cising a lawful right in a lawful manner. do you not think the influence of your organization is evil? A. No; I do not think so. It is not a consequence of our organization. Q. Does it follow when your organization does not exist? A. Such things will follow the organization, the same as outrages followed the Army of the Potomac as it went down South The United States government was no responsible for the atrocities, or the wrongs, that followed in the wake of the army. I know that in all great move ments, regardless of their character there is a certain element that is no directed by the movement itself, and the contains men who do things that t movement itself does not stand for, No; but does the movement reproba them, as with other great criminals? . It would if it knew them, if it were ti agency that should do it and would do i but, in the case you speak of now, i there is any violation of the law in the treatment of the non-unionists, or scales se-called by the unionists, they have dress in the courts. We do not seek save our people from deserved punis

### ment. We have no way of regulating the individual acts of our members ---. About Boycotting.

Q. No. no. Mr. Mitchell; do not misunderstand me. I am asking you for your judgment as the head of this organization, of boycotting. I understand you to say that you accepted it, in part, the other day, and I want to know how far? A. I believe that they have the right to

Q. Haven't you seen in the newspaper -because you read the newspapers, ought to-recent decisions in England; think there are two of them, in which individuals have been held to be responsible for consequences, for damages, t a very great extent resulting from boy cotting? A. I have reference to decision

of American courts.

Q. Very well. Is there any American court that has ever justified what you call what we mean by boycotting, as you described it the other day; and, if so, I would be very glad to have Mr. Dar row answer. He will answer that ques tion better than you will; you terminated your legal studies too early. that boycotting is simply a strike. do not mean that do you. A. Yes, mean it is a strike. It is a refusal o people to spend money at certain places to patronize certain people; it is, in fect, a strike against a merchant. might be against a man holding a public office, a refusal to patronize him. Q. Suppose a grocery store keeper has

a license to conduct a grocery store. Do you say he has any right, legal or moral, to decline to sell to me because I am pursuing a lawful occupation, against which you protest? A. Well, I do not know what the law is in its application said Mr. MacVeagh, "except as to the know what the law is in its application to store keepers; I do not know whether they have the right to sell to whom they please. Q. Do you think you have a moral right to tell him not to sell to my wife because I am pursuing a lawful oc-cupation in a lawful manner? A. No; but I have a right to tell him that I do not propose to deal with him any more, Q. That is your privilege, but if you pire with three or four other men to do that, then you are applying a terror-ism to him, which you still think you have a right to do, do you? A. I think that a man has a legal right to spend ney wherever he pleases, and he has a right to tell the merchant his rea-

#### Has the Legal Right.

Q. Has he not the legal right to work where he pleases? A. He has a legal right-yes; I think an American has a legal right to spend his money wherever

Q. Has he not a moral right to pursu a lawful occupation in a lawful manner?

A. He has not a moral right, if his work destroys the hopes and aspirations of his fellow men.

Q. Suppose he thinks he is helping? A

Ie never does. (Laughter). Q. Oh. I beg your pardon, he is as liable to do that as you are to think the other way. But now, you say you may join with other men to notify a storekeeper that if he sells the necessaries of life to a man who is performing his law-ful occupation in a lawful manner, that you will cease dealing with him? A. I have the right to tell him that I will

cease dealing with him if I want to, under any circumstances.

A. Yes, yes, but have you a right to tell him you cease dealing with him because he is supplying the necessaries of life to any other citizen, your equal in every respect, who is pursuing a legal occupation in an lawful manner? A. I say I would regard it as a great extreme to deny the storekeeper the right to supply necessaries of life to anyone, and I should not sustain any such action

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No. sir: I do not. O. Have you taken any

method to prevent such an outrage? A. I have never heard of such an instance

except the statements made by a paper

of the character of the New York Sun. Q. Do you mean the good or bad character

of the New York Sun? A. I mean the ex

tremely friendly character of it towards

Q. Do you think a clergyman should be

prohibited from administering the sacrament to a non-union workman? A. No, sir; I do not. Q. Do you think a funeral

should be stopped because the driver of

one of the carriages is not a member of the union? A. No. sir; I do not.

Does Not Favor It.

from attending his patients because they are non-unionists? A. He should not. Q. We have heard a good deal here of the character of the life here and the desti-

lution and unfortunate conditions of the

children of the mine workers. I want you to look at a couple of photographs pre-

liminary to asking you a question and whether you think they fairly represent

the average attractiveness of American

girls-and there are no girls in the world more attractive? (Two photos shown wit-

ness.) A. Yes, I think so.
Q. I will ask you if you think girls of

that character ought to be boycotted by

being deprived of their employment in the

tinue to help to contribute to the support

of their families? A. I presume that a public position, such as teacher in the

public schools, is like any other public po-

sition, and that citizens of the city or

perfect right to petition the directors to

That is done not only by workmen, but,

Q. Is it fair, Mr. Mitchell? A. To ask for their dismissal because their parents

are working? Q. Yes. A. I should say as a general proposition, no, that that is going to an extreme. No labor organization advocates that, but, in addition, it is fair to say that neither one of those girls if

she was teaching school and her parents

or her father, was working, would be an efficient teacher; because the children

would not obey her. That would be a condition that no one could control. The children would look upon the teacher dis-

the fact that the parent was working dur-

ing the strike; and the interest of the school would be better subserved by hav-ing some one there whose father was not

a non-unionist, until things quieted down again. That may not be a good thing— By Mr. MacVeagh:

Q. Would you say that it is a bad thing: A. Not the best thing.

you have any reprobation for visiting :

penalty upon the girl who teaches school

whose father chooses to remain at work, at the work upon which he has been

ongaged for five years, where she is dis-

charging her duties acceptably. A. I say that neither myself nor my union, so far

as I know, had ever encouraged anything of the kind; that both myself and the

union, as such, as far as I can express its policies, have declared that over and over again, that our people must obey the letter and spirit of the law. I have

not picked out one thing and said they

have said they must obey all the law:

His Duty to Go.

Q. What I wanted to ask is whether

respectfully, unfortunately,

commonwealth or school district have a

appoint or dismiss any one they choose

think, quite often by employers

By the Chairman:

schools because their fathers con-

Q. Should a physician be intimidated

the unior, men

are scabs.
Q. Do you think it is an American system which ought to be extended upon us, the owners of these properties, that whenthe owners of these properties, that whenever a majority of our workmen differ from a minority in opinion as to the hours of labor or conditions of employment the majority shall be at liberty to intimidate the minority and the members of their families into abandoning their honest convictions on the subject? A. It depends entirely on what you mean by intimidation.

\*\*Mercereau & Connell\*\*,

Q. You know perfectly well what it is; you know you would be intlinidated and your family would be intimidated if the grocery man in your village was that he would deal with you at his peril if your children when they went out of the gate were called by this epithet which you think not commendable but admissi-ble; if the wife, when she appeared on the street were treated as if she were a leper -that is intimidation, and we all know what it is. Now, why cannot your organization come up like American men and say that it is a cowardly practice, that it is un-American, that it is brutal and nmanly and that you will abolish it; why cannot you do that? A. Well, to begin with. I should be very much opposed to our organization taking a position that would place the non-unionist, the man who worked, the man who sought to destroy the hopes and aspirations of th great bulk of the men, the man who sought to destroy the hopes of the chil-dren, on the same plane of respectability s the man who fights for those Ameri an principles

# Intimidation of People.

Q. Have you the right to practice the owardly and unmanly course of intimilating me into abandoning my convictions as to the propriety of my working by making the lives of my wife and children unendurable? That is the question. A. It depends on what you mean by making heir lives unendurable.

Q. You know how they can be made un endurable; how easy they can be made unendurable. Take your best judgment of what makes a good wife's life unendurable, and what wrings a father's heart to breaking by the treatment of his children. You know what it is: why don't you stop it? A. I have not advised our people to do this thing that you say; I do not know that they do. Q. Of course you have not advised them- A. I do not you have not advised themknow of a case that would be the parallel

of cases that San have cited.
Q. If such cases are shown you until you are weary of them, as I will show, eral term that applies to that class of men will you then agree to take drastic, thorwho desert their fellow workers and seek ough-going, effectual measures to root it Out, as you would any other deadly, unmanly, un-American, cowardly practice?
A. Well. I would have to know exactly ing at wages which had been satisfactory to me before the organizers appeared. Do you mean that we propose— Q. Very what are the limits of the treatment you well, you will get it. A. (Continuing.) well, you will get it. A. (Continuing.)
That we propose and advise our people
I to ask the wives of the non-unionists to came and have tea, that we receive them with open arms, that they be taken in and Q. Not at all; there are lots of non-

nionists who would not want you to meddle with their wives, who would not want you to take them in your arms at all. (Laughter.) I mean figuratively, of course, but you know what I mean. Ought their lives and the lives of their wives and children to be made unendurable? A. I think those wives and children had bet-ter ask their fathers. Q. That is your answer— A. I think it is they who have made their lives unendurable. Q. That is your answer? Well, I am glad to have it—No, I am sorry to have

t. Do you think a physician ought to be warned not to attend a sick child of father who is working for his living? A

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Q. What is the proper treatment of a member of a militia company who is or-Eminent nose and throat specialists in daily practice highly recommend br. Ag-new's Catarrial Powder, as sure, per-nament, painless, in all cases of Cold in the Head, Tonsilitis, Headache and Ca-tarria. It gives relief in 19 minutes and banishes the disease like magic. dered out to suppress violence during a dered out to suppress violence during a strike who is also a member of a labor organization? A. It is his duty to go.

Q. And what is the duty of the labor organization to which he belongs? A. I should say it has no particular duty to Use Dr. Agnew's Pills. 40 Doses 10 Cents. Sold by Wm. G. Clark and H. C. San-

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them medicines, when medicines are not needed, and when nature needs

assistance in the way of a laxative, give them only the simple, pleasant and

laxative principles of plants with pleasant aromatic syrups and juices, but

also to our original method of manufacture and as you value the health of

the little ones, do not accept any of the substitutes which unscrupulous deal-

ers sometimes offer to increase their profits. The genuine article may be bought anywhere of all reliable druggists at fifty cents per bottle. Please

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unhesitatingly? A. I say of a labor union should exercise all the right, perform all the duties, and accept all the obligations that any other citizen would. I want to say that we have thousands, hundreds, of miners who are members of the National Guardour members of the Kanongi charte-that our members were out on duty during the strike; there was no question about it. They gave part of their carnings to the strike. So we have no quarret on

Q. You have no objection whatever, therefore, and you think it an outrage for any labor union to expel a member who does go out in obedience to his duty. A. As far as I am concerned my-self. I think each union has a right to its own law, to do as it chooses, although I think it is a bad policy; personally, I think it is bad policy. I would rather

perform in the matter. Q. Suppose they members of your order in the militia. if axosi him? A. I should say that was wanted to preserve law, because they

were friendly to you, but as a citizen ou do not object to their performing heir public duty?

The Witness: Not at all; no sir. As I said, a member of a trade union enlists and he ought to willingly perform all the duties of citizenship; he ought to accept all their responsibility that goes with them, and the trades union that seeks to stop that is wrong. At this juncture recess was taken un-

Mr. Mitchell resumed til 2 o'clock. the stand in the afternoon and his exmination by Mr. MacVeagh. The Dr. Roberts referred to in the

ucceeded question sat at the mineral table

# Quoted Dr. Roberts.

Q. Here is an extract from a book writ-ten by a friend of yours, and I have no doubt a very excellent and earnest-minded have members of a trade union on guard than any one else.

The Chairman: This is very important

I want to get at it. Not only as a trade union man would you rather have trade union on guard man. Dr. Peter Roberts. You know him?

A Yes, sir. Q And he is a supporter of your views, commonly speaking. I do not mean that he takes his views from you.