

GOOD WITNESS FOR THE OPPOSITION

More of Rev. Dr. Roberts' Writings Introduced by Companies' Attorneys in Cross-Examination.

SOME VERY STRONG DECLARATIONS

Miners' Own Witness Agrees That a Uniform Rate of Wages Is Impracticable Because of the Varying Conditions and Fairly Outruns the Sun in His Presentation of the Strike Reign of Terror.

Few witnesses the operators themselves will call can be expected to give testimony more corroborative of their contentions than that adduced yesterday from Rev. Peter Roberts, Ph.D., the witness before the mine strike commission who the miners called to the stand to succeed their chief witness, President John Mitchell, of the United Mine Workers.

The articles in The Outlook were signed "P. Q. R." Dr. Roberts would not admit or deny that he was the author. When asked if they were not his writings he said, "I would prefer not to answer that question." He, however, admitted indirectly, a dozen times at least that they were his articles. The cross-examiners after reading a passage would ask him if his opinion now was the same as expressed therein, and almost invariably he answered in the affirmative, sometimes with a reservation, "Yes."

When Mr. Wolverson had finished reading the doctor's arraignment of the strikers for their violence during the strike, the witness insisted on reading a further paragraph from an Outlook article in which he says:

It would be absurd to charge the miners' organization with all these crimes and offenses. Their leaders, generally speaking, deprecate them, and the conservative men of the union have done all in their power to check it.

During the afternoon the miners' side temporarily withdrew Dr. Roberts from the stand. Physicians were then called to testify to the unhealthfulness of mine work and to contradict the anticipated claim of the companies that they contribute largely to the support of hospitals in the mine regions.

The disagreeable weather of the early morning had the effect of diminishing the size of the crowd of spectators. Every one who came was able to get inside, though many had to stand up. In the afternoon the crowd packed the room, but the number of those who could not gain entrance was small as compared with the days when Mr. Mitchell was on the stand. Chairman E. B. Thomas, of the Erie's board of directors, was present again yesterday.

The commissioners asked numerous questions of the doctor, and especially important colloquies occurred. All seem to be abundantly supplied with patience, good nature and ability to maintain an extremely lively interest in their task.

Mr. Wolverson resumed the cross-examination of Dr. Roberts at the opening of the morning session on the contents of the doctor's book, at which he was engaged the day before, when the adjourning hour arrived.

Mr. Wolverson asked Mr. Wolverson read that because of differences in the different mines "it is impossible to adjust wages on a uniform basis. This cannot be done. It will never be practical. Large powers of discretion in the regulation of wages must be vested in the foreman."

The contention, irregularities, flexures and inequalities in the value of anthracite make it impossible to adjust wages on a uniform basis throughout the anthracite coal fields. Bituminous coal miners meet their only real enemy in the anthracite form basis is laid down for vast areas of the coal field, and the agreement works satisfactorily to both employer and employee.

This cannot be done in the anthracite coal fields, and the difficulty lies in the geological structure of the coal deposits. Conditions of workings constantly change, and with the changes, readjustment of wages must be made. This is left to the discretion of the foreman in charge whose duty it is to do justice by the workman.

Experienced men, who have spent their life time in the anthracite mines, positively believe that a standard price for mining in these coal fields will never be practicable. In the case of men working by contract, nothing more than general rules can be laid down. Each shaft has its peculiarities, and never will it be possible to operate these mines without entrusting large powers of discretion, as to the least amount of prices, to the foreman in charge.

The only possible sphere of action for the union is local. Each shaft may have its local assembly, which may be a committee, try to secure its members reasonable remuneration. This is being done, and it is the only expedient to which the efforts at adjusting contract prices can go.

Some collieries have far more favorable natural conditions than others. There are collieries in the southern coal field which consume from eight to ten per cent. of the tonnage to generate steam, because they heat steam from depths of 1,500 feet, two tons of rock and ten tons of water for every ton of coal produced. In mines where there is much rock to be blasted, it is hard sandstone, it will cost the company from \$2 to \$2.5 a yard in allowances. In a shaft in Lackawanna county the employers paid a miner as high as \$6 a yard for blasting rock.

Two difficulties meet us in the effort to get data as to the cost of producing a ton of coal. First, the refusal of the operators to give the figures; and second, the great variety of these figures providing we could get them. No two collieries are alike, and the same colliery has not the same figure for two successive months.

After bringing out that the allowances for cutting rock varies from \$2 to \$6 per yard, Mr. Wolverson questioned the witness at length on his idea of how it would be possible to make uniform rates for rock cutting. The witness practically admitted it was impossible.

Are Far from It. When asked if mine operators were generally "hard-hearted, unjust men, who ground down the poor to the last penny," Dr. Roberts answered, "Far from it."

Heading from Dr. Roberts' article in the Yale Review, of May, 1902, Mr. Wolverson showed that at that time the witness had declared there were no dissensions or discontent in the Schuylkill region. The relations between the Reading company and its employees were "most amiable," and that the men of the southern fields were opposed to a strike. In this article, also, Dr. Roberts declared that "no uniform rate of wages can be laid down."

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From an October article of Dr. Roberts in the same paper the witness declared that the miners and laborers of the northern coal field were then at logger-heads over division of pay, and the refusal of the mine owners to oblige the law requiring them to remain in the chamber until the laborer is through. The majority of the miners are home before noon, the article adds.

Further on in the article Dr. Roberts states that interest in the union flags when there is no conflict on or impending; that twenty per cent. of the members were at that time refusing to pay their dues and another twenty per cent were paying them in a perfunctory way. It was his declaration that the officers of the union were very much concerned about the dissensions and lack of interest in the union.

Mr. Wolverson pointed out that at the close of the strike, the thousands of mine workers from the anthracite region who flocked into the bituminous region flocked back again with such a rush that the railroads could scarcely take care of them. Dr. Roberts said they were attracted here by social and property ties. Mr. Wolverson mentioned that many of these backwashers, whose relatives were all in the old country, "Maybe they had girls in this region," said the witness.

Mr. Wolverson elicited from the witness that there are fifteen religious holidays observed in the anthracite region; that the mines are sometimes shut down by breaker boys "turning out" to go to the circus.

Not Due to Carelessness. The witness did not agree with the mine inspectors that the majority of accidents are due to the carelessness of the injured. He held that primarily the hazardous character of the industry is blamable.

Judge Gray remarked, "There is a margin of carelessness naturally belonging to a human being."

Mr. Wolverson said it was his experience that this margin was intensified when a man is engaged in dangerous occupations. They became used to danger and consequently reckless of it.

Judge Gray told that while on the tour through the mine regions he was riding on a mine car underground, and if it wasn't for the fact that he was pulling him back his forehead would have struck against a "collar."

"But," said Mr. Wolverson, "nature has done something for you and me that is not taken into consideration in the construction of the mine cars. It is true, he would say, as applied to employer and employee, but not further than this."

As to mine inspectors' reports, Dr. Roberts explained that the reports of accidents were often secured.

Here Mr. Wolverson read from Dr. Roberts' book the following on the spirit of unionism:

Spirit of Unionism. The spirit of unionism among the employees brings about many strange and inconsistent actions. Men who are individual fighters and personal liberty are the least tolerant of these rights when governed by the union. One of the aims of the organization is to promote peace and order, and yet many acts are done by its members which disturb the peace of the community.

When a member of the Thirtieth regiment secured work in the collieries of Lackawanna county a committee of the local union asked the foreman to dismiss him. He refused to do so and the employee went on strike. If a miner will not join the union the driver will not give him cars. Last December a small boy, about 10 years of age, driving in one of the collieries of the northern field delivered a car to an elderly man old enough to be his grandfather, and told him to get out of the mine.

The miner appealed to the foreman, the latter went to the boy and ordered him to drive cars to the chamber in question; he told him he would not do it. The foreman told the child, "You had better take my tape and book, for you seem to be a little fellow. This child was the hero of the hour. Five driver-boys, from the age of 15 to 18 years, in another shaft, had wage grievances not involving, all told, more than fifty cents a day. Without a word of warning to their parents, or a single attempt at disturbing their grievances, they declared a strike. The employees lost by it over \$3000 in wages, and the boys were referred to by mass meetings as examples to their fathers in "manhood, courage and liberty." A father and son worked at a washery during the strike. When resuming work, the employer of that colliery would not begin work until the father and son were discharged. The foreman had to do it. The offenders had to appeal to the local union for membership as the only condition of securing work. They were admitted by paying an entrance fee of \$15. The regular rate was \$3 a member. Miners often have two or three laborers to work for them, but when a miner takes a contract which enables him to work for himself, he is disqualified as a member of the union, although he pays the standard wage in the colliery to the men he hires. During the last strike some of the miners were sworn in as deputies by the companies to guard their property. These men are now members of the union, but they are closely watched and suspected of being spies in behalf of the operators.

Off Times Ludicrous. Instances of the spirit of unionism often met with are more ludicrous than serious. Four boarders left a boarding house at the same time, saying, "They weren't going to board with us no more, 'cause they had a board with us no more." A butcher wagon in its rounds stopped to sell meat at the door of a non-union man. Some of the union men told the butcher, "If you sell to him you won't be using a miller's mill. A miller's chair being lathered for a shave. Six union men entered and took their seats. They identified the man in the miller's chair as the man who had lathered the chair. The barber was about to apply the razor, one of the men said, "If you shave that man you don't shave us." The man had vacated the chair unshaved, a storekeeper insisted on his personal liberty, which finds so large a place in the addresses of the labor leaders, and declared in his personal liberty claims. The spirit of unionism is everywhere. All issues of labor which can be organized are formed into unions. It is the fashion of the day, and the union, and if you are not, the boycott falls on you.

Purchased Firearms. When the strike was about to be declared, a company of "foreigners" visited a mining town to purchase firearms. They carried a stock of these goods, which they carried a stock of these goods. They entered one place and bought the implements and the other store lost that portion of its stock that night. A carpenter on the first day of the strike was engaged repairing a house as one of these men came along. They shouted, "You strike, strike all right, but the miller's mill is packed up his tools and went home. In a shaft in Luzerne county where this class of labor was in the majority, the local union was organized from the English-speaking employees were members of the union, but held different views from those of the Slavs and Italians. The president of the union gave some opinions in a meeting of the union they were thrown out. When notices were given to the head of the shaft, stating that work would be resumed the following Monday, the "foreigners" were up at dawn. Five ways led to the mines. On each road an organizer, from the union, posted, and if any employee had come to begin work that morning, there would have been bloodshed. In another shaft, the Italian, Slav and English-speaking members of the Mafia, held all the colliery in terror, and nothing could be done unless endorsed by them. Anglo-Saxons know how to stir up an organizer from the union, use the knife and revolver. In Shanandoah, two of the business men signed the petition sent to the governor of the State, asking for the suspension of the Slavs and property at the time of the riots. The Slavs boycotted them in a manner.

Chicago Slim' Acquitted. Jury Decides That He Was Not Guilty of Murder in Killing "Boston Fatty."

By Exclusive Wire from The Associated Press. Lancaster, Pa., Nov. 20.—At 9:30 o'clock tonight the jury in the case of James Gram hit Shepherd on the head with a stone inflicting a fatal wound. He pleaded self defense, claiming that Shepherd first attacked him with a knife.

Steamship Arrivals. By Exclusive Wire from The Associated Press. New York, Nov. 20.—Arrived: Graf Waldorf, Hamburg, Boulogne and Plymouth. Sailed: La Touraine, Havre. Arrived: Latona, London. Sailed: New York Southampton—Arrived: St. Louis, New York. Liverpool—Arrived: Toussaint, New York. Mobile—Arrived: Exhibition, New York. Queensdown—Sailed: Celtic, New York. Cherbourg—Arrived: Patricia, via Plymouth for Hamburg.

Striking for a Rabbit Hunter. Athens, O., Nov. 20.—Two hundred miners are on a strike here as the result of the discharge of Mine Motorman Clarence Russell, who, instead of reporting for work, went rabbit hunting. It is said that the other local committees in the Hoeking and Sunday Creek valleys may take up the case.

Danish Steamer Foundered. By Exclusive Wire from The Associated Press. London, Nov. 20.—The Danish steamer Knud II, Captain Haussen, from Copenhagen, and the British steamer Swallow, from Hamburg, collided tonight at the mouth of the Tyne. The Knud II foundered immediately and the master and seven of her crew were drowned.

Shanokin Feels Freight Congestion. By Exclusive Wire from The Associated Press. Shamokin, Pa., Nov. 20.—The effect of the freight congestion which the Pennsylvania railroad is experiencing on account of locomotives and cars was felt here today when a number of collieries were shut down because of a lack of cars. Several train crews were suspended and some locomotives shipped to the west.

Pensions Granted. By Exclusive Wire from The Associated Press. Washington, Nov. 20.—John Frederick (deceased) of Scranton, 82; Anna E. Frederick, widow of Scranton, 85; John G. Brandon, Carbondale, 85.

SOCIALISTS STRUGGLE FOR CONTROL

They Gained Within 400 Votes of Ruling the American Federation of Labor.

BATTLE CONTINUES NEARLY ALL DAY

Many Able Speeches Are Made on Both Sides—The Debate Kept Up Until 6 O'clock in the Evening—No Business Transacted During the Day, Save in the Report of the Committee of Investigation of Gompers-Shaffer Trouble, Which Vindicates Mr. Gompers—The Miners at the Convention Vote for Socialism.

By Exclusive Wire from The Associated Press. New Orleans, La., Nov. 20.—The Socialists came within 400 votes of securing the control of the convention of the American Federation of Labor today. The struggle lasted almost the entire day and many able speeches were made on both sides, notably those of D. A. Hayes, James Duncan and President Gompers, against the Socialists and Victor Berger, Max Hayes and W. B. Wilson, of the United Mine Workers, in behalf of the resolution introduced by Delegate Berger and amended by Delegate Wilson, in a manner acceptable to Berger.

The debate lasted until 6 o'clock in the evening, when a roll call showed 4,744 votes against the amendment of Mr. Wilson, and 4,344 in favor of it. The miners voted solidly in favor of the amendment. No business was transacted in the convention during the day, other than the report of the committee which investigated the Gompers-Shaffer trouble, and which report completely exonerated President Gompers.

Berger's Amendment. The resolution introduced by Victor L. Berger, of Milwaukee, committed the convention to the doctrines of Socialism. The committee on resolutions reported as a similar committee had reported at the Scranton convention of last year that the principles of trade union movement contain all that is necessary at the present time for the advancement of the workmen of the country. Delegate Max Hayes offered a substitute for the report of the committee to the effect that the federation advise the working people to organize their economic and political power to secure for labor the full equivalent of its toil and the overthrow of the wage system and establishing an industrial, co-operative democracy.

The substitution was ruled out of order by the chair as being a substitute. Delegate Hayes then proposed an amendment, and it was so admitted by the chair. Delegate Wilson proposed to amend the amendment by striking out the words, "and the overthrow of the wage system and establishing an industrial co-operative democracy."

Delegate Hayes declared this amendment to him, but no action was taken and the debate proceeded.

From 2 o'clock in the afternoon until 5:40 o'clock, the debate went on, President Gompers being the last speaker. He urged the union men to adhere to the old principles of trade unionism, and that their successes would be greater than if they followed any other decision than that under which they were organized.

A motion made by Delegate C. H. Bartley to lay the matter on the table was lost. A roll call was demanded, the vote being on the adoption of the Wilson amendment to the Berger resolution. It was lost, 4,744 to 4,344.

PRESIDENT'S RETURN HOME

The Journey Back to Washington Is Without Special Incident.

By Exclusive Wire from The Associated Press. Knoxville, Tenn., Nov. 20.—President Roosevelt's special train reached here at 1 o'clock this afternoon, and the president and his party disembarked at the station by several hundred people. One of the first persons to greet President Roosevelt was Mrs. Elizabeth Anderson, of this city, sister of Governor Broady, of Arizona Territory. Governor Broady was lieutenant colonel of the Rough Riders when the president was colonel. He was much gratified at meeting her and spoke feelingly of his comrades. The train stopped only long enough to change engines.

Asheville, N. C., Nov. 20.—President Roosevelt's train arrived here at 1:10 tonight and left fifteen minutes later. The president made no formal speech, but shook hands with a number of citizens. The train will reach Washington at 5 o'clock tomorrow morning.

The president's homeward journey today was without special incident. The ride across the mountains over the Southern railroad was made in fast time. The train stopped only to change crews and engines. A coming was generally made to the train, but there was no special crowd at almost every station. Several times the train was cheered as it swept by. At Chattanooga, the president received a telegram from Newport, Tenn., saying that the school children would go out to see him. By his direction the train was slowed down when that place was reached. About two hundred little ones, with flags in their hands, were lined up along the track. The president stood on the rear platform and waved his hand and hat to them.

ANOTHER NEGRO LYNCHED

James Moore Is Taken from the Sheriff at Sullivan, Ind., and Hanged to a Telegraph Pole.

By Exclusive Wire from The Associated Press. Sullivan, Ind., Nov. 20.—Dillard, the negro, who assaulted Mrs. Mary Davis, of Sullivan county, and Mrs. John Lemon, of Knox county, was taken from the sheriff by a mob at 5 o'clock this afternoon. He was captured at Robinson, Ill., yesterday and was brought here late last night by Sheriff Dudley and several deputies. A mob of forty men armed with revolvers and shotguns met the sheriff and his posse. The deputies offered resistance but were compelled to release the negro. The mob beat him over the head with revolvers.

He was dragged into the main street of the town and hanged to a telegraph pole. The mob then followed the wagon and he was taken to the homes of his victims in the country. He was identified by the victims and was hanged to a telegraph pole near Lemon's farm at Oaktown.

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PRESIDENT MAY STEER TRUST LAW

WORK OF PARDON BOARD Release of John D. Jones Recommended—Application of Joseph Keller Refused.

By Exclusive Wire from The Associated Press. Harrisburg, Nov. 20.—The board of pardons recommended for pardons today John D. Jones, Lackawanna, embezzlement; L. C. Barker, Allegheny, embezzlement; Albert L. Hollinshead, Philadelphia, making false addition in book accounts; Charles M. Ledy, Harrisburg, involuntary manslaughter; and Nicholas Martin, Allegheny, selling liquor without license.

Pardons were refused Eck Bester, Butler, assault with intent to rob; D. A. Glick, Allegheny, larceny; an assaulting student; William Fox, Fayette, arson; Thomas Lindsey, Bucks, larceny; Elmer Ague, Monroe, assault and battery; Alexander H. Dunlap, second degree murder; William Stevenson, Philadelphia, second degree murder; Charles Owens, Allegheny, attempted burglary; ex-Beprescottive James R. Gimet, Luzerne, manslaughter; Stackton S. Shivers, Philadelphia, fraudulently taking co-partnership, property, and Joseph Keller, Lackawanna, manslaughter.

The cases of John Szovak, Allegheny, second degree murder; Nick Morowitz, Allegheny, manslaughter; Joseph E. Glick, Northumberland, first degree murder; Kate Edwards, Berks, first degree murder; John Roemele, Philadelphia, second degree murder; and Max Knechtel, Lackawanna, second degree murder, were held under advisement.

The president would like to see the attorney general's position considered seriously by congress. But congress is jealous of its prerogatives and statesmen are always eager to have their names identified with popular measures. Many anti-trust bills will be introduced, presenting all sorts of suggestions, and that is just where the trouble lies. An experience of this sort was had last winter with proposed legislation for the protection of the president and the punishment of anarchism.

Attorney General Knox and his assistants in the department of justice gave weeks of study to the criminal laws and prepared a bill which in their judgment would meet with the conditions. It was laid before congress. The judicial committee of the house hardly noticed it, but spent weeks in considering all sorts of queer bills introduced by members of the committee. The whole session was wasted. Two ineffective bills are now in conference between the house and senate.

The Sherman Law. The president and Attorney-General Knox are anxious to see the Sherman law amended without polling its present good features. The attorney general thinks that the Sherman law is one of the most carefully drawn acts that has ever been placed on the statute book. It is the work of men like Sherman, Edmunds and Hoar, and when it was enacted it fully met the situation. It was so effective that it compelled the trusts to change the form of organization. It is still effective as far as it goes, and one of the great dangers in new legislation is that the present law may be weakened rather than strengthened.

The president hopes to secure immediate legislation which will not embarrass in the least the work which the department of justice is now doing in prosecuting the trusts or interfering with the validity of the present law, which has already been declared constitutional by the Supreme court. He hopes that congress will not attempt too much, but will agree upon some important amendment to the Sherman act that will prevent over-capitalization and insure publicity. Other amendments can be added as the committees may reach an agreement.

In the opinion of the department of justice it will require several years to perfect legislation to deal with the whole subject of the trusts and meet all the evils that may arise without interfering with the natural and necessary evolution of business methods in this country. The president realizes that a whole trust legislation cannot be undertaken at the short session of congress. He believes, however, that an amendment to the Sherman act can be passed without elaborate debate, if the lawyers on both sides will get together and formulate it unselfishly.

Senator Hoar is chairman of the senate committee on judiciary, and Senators Platt, of Connecticut; Clark, of Wyoming; Fairbanks, Simon, Nelson, McComas and Dewey are the Republican members. Representative Jenkins, of Wisconsin, will succeed to the chairmanship of the judiciary committee of the house. Other Republican members of that committee are Parker, of New Jersey; Overstreet, of Indiana; Alexander, of New York; Warner, of Illinois; Littlefield, of Maine; Kahn, of California; Thomas, of Iowa; Powers, of Massachusetts; and Nevins, of Ohio.

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