

OPENING OF OPERATORS' CASE

[Concluded from Page 10.]

freely whether or not the boss is present.

Causes of Accidents.

The desire of the miners to get out early, carelessness and misjudgment, he declared, were responsible for fifty per cent. of the accidents. He suggested once as a preventive of accidents, that the miner stay with his laborer until, at least, noon, and received letters from Stephen Reap and John P. Kearney, district officers of the United Mine Workers, complaining against his suggestion. Some companies have a rule requiring the miner to stay in his place until noon, but it is not religiously observed. Miners complain very generally about their inability to get cars.

He declared the miners do not cooperate with the inspectors as they should, in his efforts to enforce the law. He cited the instance of the necessity of getting an injunction to prevent the working of the Richmond colliery at Prieberg, after he had condemned it as dangerous. He only knew of two miners who were affected with asthma.

Mr. Roderick admitted that he was a mine foreman before he was appointed inspector and said he knew of only one inspector, Patrick Blewitt, who had not been a foreman or mine official of some kind before becoming an inspector. He added incidentally that the two new inspectors, the first to be elected under the provisions of the miners' own law, the Garner act, are mine foremen. He only knew of one instance of a company refusing to obey his directions. That was the Richmond colliery incident.

Henry Owen Prytherich, inspector of the Second district, and Hugh McDonald, inspector of the Third district, gave testimony along the same general line. Mr. Prytherich read a lengthy answer to the questions as to why he took a mine boss with him in making inspections. One of the main reasons, he said, was because the boss could know what suggestions he made to miners and thereby be checked from giving conflicting orders.

E. E. Reynolds, inspector of the Fourth district also takes the foreman with him on his tours of inspection. Prior to his appointment as inspector he was a mine superintendent.

Ex-Mine Inspector William H. Davies, of the Fifth district, who is now superintendent for the Lehigh Valley Coal company, was next called. He was inspector for six years, resigning three months ago to accept his present position. There are 123 openings in the Fifth district. The foreman accompanied him sometimes, but quite as often he went about alone. He did not examine all the working places. It was a physical impossibility. He examined the places he thought needed inspection most, visiting as many as he possibly could. Each mine was inspected three or four times a year in this manner. The miners were not deterred from talking freely to him, because of the foreman being with him. He received frequent complaints and always investigated them. Mr. Davies, too, was a mine foreman before becoming an inspector.

It was absolutely impossible, the witness declared, to observe the new inspection law—the Garner act—requiring an inspection of every working place.

Wilbur Stein, of Shenandoah, inspector of the Sixth district, also declared it was impossible to visit all the breasts on an inspection tour. Some collieries require inspection fifteen times a year and some only once. It depends on his own judgment as to the necessity for inspection. The boss always accompanies him on his tour of inspection. He sees miners going home from work at 2 or 3 o'clock in the afternoon, and others at 6:30 o'clock. He knew that miners complain generally about the companies failing to give them a full supply of cars.

John McGuire, ex-inspector of the Seventh district, resigned last May to become division superintendent of a coal company. He was a foreman prior to becoming inspector. The foreman usually accompanied him when he made an inspection of a mine. It was impossible to examine all the workings in a mine. Some contained fifty miles of roads. He received few complaints orally from the miners. He often, however, received letters containing com-

plaints, especially about the failure of the company to hoist men when five assemble at the foot. Some complaints were about poor ventilation. Miners get through work anywhere from 2 to 5 o'clock.

Non-Union Men's Case.

The non-union men's case was opened by Mr. Lennahan reading excerpts from the correspondence leading up to the submission, bearing on the provision that all employees "whether they belong to a union or not" were to be parties to the hearings.

Mr. O'Brien then proceeded to examine witnesses. The killing of James Winston at Grassy Island by a crowd of strikers was told of by the widow and the victim's son-in-law, Samuel J. Lewis. Thomas Watkins, financial secretary of the Grassy Island local testified, with some show of reluctance, that the three men indicted for the murder are union men. It was also brought out that prior to the strike, the murdered man and those accused of killing him were on friendly terms.

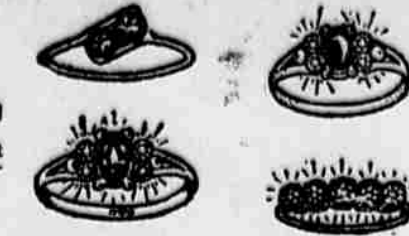
John Flanagan told of a crowd of forty strikers holding him up, on his way from work at Dunmore No. 1 colliery of the Pennsylvania Coal company, and putting a rope around his neck. One of the men in the crowd, he said, was a delegate to the Indianapolis convention of the United Mine Workers.

Fire Boss Charles Beatty related how District Board Member Stephen Reap led a host of strikers from St. Patrick's church, Olyphant, because of the presence of the witness, who was a non-striker. He also told that if the pumps at the colliery where he worked were shut down for forty-eight hours they would be under water and it would take two years to reclaim the mine once it was flooded. He could not get any Olyphant storekeeper to deliver goods to him. It was necessary for him to get his provisions in such small quantities as his children could carry. A typewritten notice given a merchant directing him not to sell goods to the witness under penalty of the boycott, was presented, but as the witness would not give the name of the merchant from whom the notice was gotten, Judge Gray refused to admit it as evidence.

George W. Bowen, John Murphy, David Lewis, Fred Reynolds and Charles Grosswick were also sworn collectively at the opening of the non-union men's case and will be heard today.

Flood Damage Past.

Wilkes-Barre, Dec. 17.—Yesterday's rain storm was followed by freezing weather here and all danger of a flood in the Susquehanna river is past.



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