

**INVESTIGATION OF WAGES AND WORKING CONDI-
TIONS IN THE COAL-MINING INDUSTRY**

HEARINGS

BEFORE

THE COMMITTEE ON LABOR

U. S. Cong. **HOUSE OF REPRESENTATIVES**

SIXTY-SEVENTH CONGRESS

SECOND SESSION

ON

H. R. 11022

**A BILL TO ESTABLISH A COMMISSION TO INQUIRE INTO
LABOR CONDITIONS IN THE COAL INDUSTRY**

MARCH 30, 31, APRIL 1, 3, AND 4, 1922



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OWNERSHIP OF COAL LANDS.

Bituminous coal.—The bituminous coal and lignite deposits of the country are estimated at the enormous figure of three and one-half trillion tons. A very large part of this tonnage is undeveloped subbituminous coal and lignite and of relatively inferior quality. The bituminous coal deposits that are now being operated, however, are owned by a very large number of companies and there is not in this industry the marked concentration either in ownership of deposits or in production which characterizes the anthracite industry. There are some very large bituminous coal companies, such as the Consolidation Coal Co. and the Pittsburgh Coal Co., but the proportion which these large companies have either of the deposits now being worked or of the production is relatively small.

In 1918 when the commission was securing reports on costs, sales realization, and tonnage from practically 90 to 95 per cent of the total commercial output of bituminous coal in this country, there were about 2,500 operators reporting to it, the limit of requirement for report being a minimum annual production of 12,000 tons. There were in addition several thousand small operators—"wagon mines," "snowbirds," and others—which in the aggregate produced less than 10 per cent of the total tonnage.

COMMITTEE ON LABOR,
HOUSE OF REPRESENTATIVES,
Monday, April 24, 1922.

The committee met at 10.30 o'clock a. m., Hon. John I. Nolan (chairman) presiding.

The CHAIRMAN. Mr. Moore, you have some representative of the miners here from western Pennsylvania, have you not?

Mr. MOORE. Yes, sir.

STATEMENT OF MR. J. P. LUTERANCIK, PITTSBURGH, PA.

The CHAIRMAN. Mr. Luterancik, give your name and your official title.

Mr. LUTERANCIK. J. P. Luterancik, interpreter and general representative of District No. 5, United Mine Workers, Pittsburgh, Pa.

The CHAIRMAN. Mr. Luterancik, have you read this bill?

Mr. LUTERANCIK. I did not read it all. I just read part of it. I have a copy of it.

The CHAIRMAN. You have an idea of what it is intended to accomplish?

Mr. LUTERANCIK. Yes; I have an idea of that.

The CHAIRMAN. We have had before this committee representatives of the miners, the international organization, and district representatives from central Pennsylvania, and we have also had the operators, and we would like to hear you as to the conditions in the so-called western Pennsylvania district. That is your territory, is it not?

Mr. LUTERANCIK. Yes, sir.

The CHAIRMAN. That is part of the territory where the operators refuse to carry out the terms of the New York agreement?

Mr. LUTERANCIK. Of the past agreement; yes.

The CHAIRMAN. If you will give us some idea of the conditions existing in the western Pennsylvania field I am sure the committee will be glad to hear you.

Mr. LUTERANCIK. There are, of course, no conditions it would be worth while talking about before the strike, outside of the fact that the coal operators who signed an agreement with us two years ago have refused to carry out one part of the agreement in which it was stated that they should meet in joint conference in the four competitive States to produce or negotiate a new wage agreement. This, of course, precipitated the present shutdown throughout the country, and it seems to me that western Pennsylvania seems to be bearing the brunt of the shutdown. There is no hostility in the organized portions of the field of western Pennsylvania. Everything is tranquil and the mines are shut down 100 per cent. However, in the nonorganized fields, where the men have been begging for organization to my knowledge for the last two years—of course, prior to that they have been also, but in the last two years particularly and especially before this shutdown, they have been begging for somebody to come and organize them. They want to become members of the United Mine Workers of America.

These appeals come from the Connellsville coke region, from around Uniontown, and also from some parts of Westmoreland County, better known as the Irwin field.

Since the 1st of April, on which date, of course, there had been quite a demonstration, a union demonstration, celebrating what we call John Mitchell Day—this celebration was held in Brownsville and quite a number of these nonunion men came to attend that celebration. After that, of course, the strike spread into the coke region. It just went like wildfire from one mine to another. As soon as one mine went out, the neighboring mine began to go out and beg for representatives of the United Mine Workers to come and address them at meetings, which they did. The meetings were pretty well attended by these nonunion miners, and they were taken into the organization. Then, of course, the opposition began to employ tactics that precipitated into a little trouble here and there.

On or about April 6, I think it was, at Masontown, Pa., the men were going to a meeting and the State constabulary of Pennsylvania, whilst these men were walking along the public road toward the meeting, not marching, but walking in groups of two or three, drove right through them with their machines and injured about 30 of them. They were in automobiles. This was one incident.

On April 8 we had a meeting at Export, Pa., and we never got the meeting started. The State police came there and just broke up the meeting. They drove in with four horses, scattered the crowd, and made them move on, and beat several men with their riot clubs over the head and shoulders, and some of the men tried to get into a machine to drive up the road, and while these men were trying to open the door of the machine they were hit over the shoulders with these riot clubs. So the meeting was dispersed. This meeting was supposed to have been held on property belonging to a farmer, which was leased for the purpose of holding a meeting at Export, quite a distance away from the company's premises, and not in view, in fact, of the company's premises. We leased that property from a farmer in order to hold a meeting.

Then on Tuesday, April 11, we made a special trip to see the sheriff of Westmoreland County, Sheriff Black. We met him and his attorney, Mr. Potts, and asked them for a definition of the proclamation which has been posted in some places throughout Westmoreland County and also in some places in Fayette County. He explained to us when we asked him what rights we have or what our rights were under this proclamation or under the law—he said that we can speak on the public highway to any miner who wishes to listen to us as long as he wishes to listen to us. Of course, we dare not molest him. We have a perfect right on the public highway. Then we asked him what about the State constabulary—have they a right to come into our meetings and break them up. He said that the State constabulary has no right to break up any meetings unless there is some disorder in those meetings. Furthermore, we asked him, Have they any right to come to our meetings at all? We expect to hold orderly meetings and we will keep order ourselves. He said, "Well, they have a right to go any place where they suspect there may be any trouble arising." Of course, the word "suspect" gives them a very wide latitude, and I told him so, because my past experience in strikes—especially in 1910 and 1911—I know the tactics of the State constabulary pretty well.

One objectionable feature about them is that when they come prancing in on their horses up close to a crowd that has gathered to hear a speaker they usually stir up somebody to action. They either trample upon them or incite them to riot. They incite them to trouble, or they may try to make a fake arrest of some kind, and some people will lose their heads and may forget themselves and pick up a stone or a club or something to defend themselves. Naturally that gives the State constabulary a very good chance to do some business, either with a club or, if it gets too strong, with their guns. So we told them that, of course, it is in the law that if they suspect danger they have a right there, but we did not think it was necessary for them to be there, because we can keep order without them coming around and inciting disorder. Then we asked him what the rights are of these coal and iron police, the police that are hired by the coal companies. He said they have a right to make arrests only on coal company property, and off of the company's property they are just the same as any other citizen; that their place is on the company's property, where they have to take care of the company's property, and that they shall stay on there and make their arrests.

With this understanding, we tried to have a meeting at Slickville on Thursday, April 13. We did not succeed in getting up a meeting at all. As soon as

we came into town the State police was notified to get us out of town, I presume. He ordered us off of the public highway. There was myself, a fellow worker from our office by the name of William Hagen, and another miner from Avonmore by the name of Jim Ross. We were on the highway there attempting to speak to some of the men who were willing to listen to us. Of course, there were some company officials that drove up in a machine and pulled out their booklets and started taking the names of these men who were bold enough to speak to us. That put a damper on these fellows. They simply knew what was coming. As soon as they saw that their company officials were there, clerks and so on, taking down their names they knew what their medicine would be, that they would be discharged immediately and shipped off, because on the evening before the 13th some of the rate men were put on the train and shipped out of Slickville for attempting to join the organization. They had been caught speaking to this man Jim Ross, a representative of the United Mine Workers from Avonmore. The State police came up and drove us off the public highway. There were only three or four of us. They told us to keep on moving. We got off the highway and sat down on a friendly man's porch there, which was his own personal property. There were four of us sitting on that porch bench on this man's property. He invited us there.

The State constabulary ordered us off of that porch bench, so we had to go into this man's store to keep out of sight. We were so discouraged that we thought there was no use of arguing with these gentlemen, even though we did have some definitions from the sheriff and his attorney as regards our rights under the law. We thought there was no use arguing this question because it might stir up something and give them a chance to act, and we know how they will act. From past experience on my part and also on the part of my colleagues, we know that their actions are very rude and very rough, so we got off of the road and got into our machine and drove away and left Slickville to its own fate.

On Tuesday, April 18, three district organizers of district No. 5 were holding a meeting at Delmont on a farm of a farmer by the name of Duff. While the meeting was in progress the State constabulary came up there on horseback and arrested the speaker of the meeting, who was William Hagen, and two other organizers and also Mr. Duff, and dispersed the meeting. The meeting was a peaceful meeting.

Now, these are just some of the actions of the State constabulary in this strike.

The other phase I wish to bring out before the committee this morning—

The CHAIRMAN. Before you leave that subject, have you a copy of the proclamation issued by the authorities of Westmoreland County?

Mr. LUTERANCIK. I have not a copy of that proclamation. I could not get a copy of it. They would not give us a copy, and he told us, furthermore, that the proclamation only holds where it is posted up. At Slickville there were no proclamations posted up, but we took it for granted that if they were not, they would be posted up.

Mr. FAVROT. What was the nature of the proclamation—do you remember?

Mr. LUTERANCIK. The proclamation reads—I just got a few words of it—no people shall go on the public highway in larger groups than three, and they shall attend to their own business; that is, keep on at their regular daily occupation, and beyond that I do not recollect any more of what it is.

Mr. BECK. Who issued it?

Mr. LUTERANCIK. I presume that the governor has instructed this proclamation to be issued and the sheriffs are supplied with it, and whenever necessary they post them up. I did not see any posted up in Allegheny County, but there were some posted up in Export.

The other phase I wish to explain is about our striking miners being refused citizenship papers. They received a notice to appear before the judge, and of course, in compliance with that they appeared. Now, there are 25 names of miners right here belonging to the United Mine Workers of America who are on the present strike or the suspension, as we call it. These cases were before Judge Orr, Federal judge in Pittsburgh. Do you wish to have the names of them?

The CHAIRMAN. Yes; we would like to have the names for the record.

Mr. LUTERANCIK. The reports from this information has been procured in the office of the Federal officer there are marked, "Continued until they go to work," or "Continued until the strike is over." Now, these cases are continued.

Mr. BECK. What is that that is continued?

Mr. LUTERANCIK. The cases of these men who were refused citizenship. Their cases are continued until they go to work.

Mr. BECK. That is, they can not get citizenship until they go to work?

Mr. LUTERANCIK. Not until they go to work.

Mr. BECK. In other words, they refuse them because they are not working.

Mr. LUTERANCIK. Yes; they are marked so, too—"continued until they go to work," or "continued until the strike is over." These men appeared before the judge and as soon as he asked them where they are from and who they worked for, and finds out whether they are working or not, he simply tells them, "Well, you come back here. I can not give you any papers. You will not get any papers now; come back here when you go to work and you will not even need any witnesses when you come back." We have one man here who was a victim of this same thing, William Shilling, of California, Pa. He is present here. He was refused on April 3. He will be able to tell his own story, if you wish to hear him. On the same day there were two miners in the same group as here who claimed they were working. This was on April 3, which was Monday, and the strike began really on Saturday, which was a holiday, and yet these men claimed they were working and they received their papers. The same thing happened with a miner by the name of Eli Wratcher, of Harmarville, Pa., also a member of the organization and not working on account of the suspension from work.

Mr. FAVROT. Do I understand you to say that the judge refused citizenship papers until they went to work, and, further than that, told them if they did go to work he would give them citizenship papers without any witnesses?

Mr. LUTERANCIK. Without any witnesses.

Mr. FAVROT. To reward them for going to work with citizenship papers?

Mr. LUTERANCIK. Here are the words that he uses, as a rule: "I will not grant you papers now. When you go to work you can come back and get your papers, and you don't even need to bring your witnesses with you." Yet on this same day, April 18, when this miner from Harmarville was refused his papers, there was an employee there, a miner, who claimed he was an employee of the H. C. Frick Co. As soon as he mentioned that, he said, "Who do you work for?" and the said, "H. C. Frick Co.," and he granted him his papers. The H. C. Frick Co. is supposed to be a nonunion company and supposed to be at work. I do not know whether he is working or not, because the strike has pretty well spread throughout that region there. That is about all I have to say unless you want to hear the other gentleman who is here.

The CHAIRMAN. Will you give those names to the reporter?

Mr. LUTERANCIK. Yes.

(The names referred to follow:)

"Joseph Santos, Arnold, Pa., April 13; Gabriel Bodnar, Box 166, Pricedale, Pa., April 11; Andy Lukas, Box 243, Avella, Pa., April 11; Andrew Stripp, Rennerdale, Pa., April 11; Leon Smulski, Tyre, Pa., April 11; Emanule Leoncini, 611 Fifth Street, Donora, Pa., April 6; Eugenio Vezzone, Box 252, Hazzard, Pa., April 6; Stanli Casper, Box 180, Bellevernon, Pa., April 10; Stanley Koslaske, Box 125, Fayette City, Pa., April 10; Constant Stashinsky, R. D. 1, Parnassus, Pa.; Antanos Yankasko, 212 Eighth Street, New Kensington, Pa., April 10; John Jurofcik, Box 410, Monongahela, Pa., April 10; Joseph Zeminchik, Box 350, Monongahela, Pa., April 10; John Panceroff, Box 65, Bairdford, Pa., April 18; Peter Holka, Box 251, Arnold, Pa., April 18; Eli Wratcher, Box 541, Harmarville, Pa., April 18; Giovanni Castagna, 1107 Lincoln Avenue, Charleroi, Pa., April 19; William Shilling, California, Pa., April 3; Antonio Mario, Box 404, Ellsworth, Pa., April 4; Giovanni Constantino, Box 585, Freeport, April 4; Enrigo Trivellini, Box 161, Curtisville, Pa., April 4; Karoly B. Szabo, Box 147, Mollenauer, Pa., April 7; Peter Kuzma, Russelton, Pa., April 6; John Sojban, Box 203, Parnassus, Pa., April 5."

The CHAIRMAN. Were you in court when this took place?

Mr. LUTERANCIK. I was not in court when this took place, and I got this information from the men as they came over from our office to complain. However, to substantiate that is why we brought a sample witness here, a man who was refused, and also his witness who was in court and heard what transpired and saw what transpired. They are witnesses that I produce here to-day. I merely make this general statement that I have gotten from the witnesses.

Mr. COLLINS. Did the Pittsburgh newspapers comment on the judge's action at all?

Mr. LUTERANCIK. I saw a report in there, but I did not read any comments on it.

Mr. COLLINS. You saw a report of what transpired?

Mr. LUTERANCIK. Yes; I saw a report one day in the press that two men were refused papers, just recently. There was one by the name of Koslaske, and his name is on this list, but I did not read any comment. If there were any, I did not take time to see them if they were in.

Mr. COLLINS. You saw an account of what transpired?

Mr. LUTERANCIK. I saw an account of it, yes; but no comment on it—no editorial comment.

Mr. COLLINS. Have you that clipping?

Mr. LUTERANCIK. I have not the clipping with me, but I think I could easily produce it. It can easily be gotten.

Mr. COLLINS. I wish you would.

Mr. LUTERANCIK. I did not think it was necessary.

The CHAIRMAN. There was quite an article about it, and it was first brought to my attention by an article in a paper published in Washington—the Daily News.

Mr. COLLINS. I saw that and I was just wondering about what occurred in the Pittsburgh papers.

The CHAIRMAN. Mr. Luterancik, you have recited some instances here of the action of the local county officials and the State constabulary in preventing meetings. Is that condition general throughout that nonunion region?

Mr. LUTERANCIK. It is general. That is a general thing throughout the nonunion region, particularly so in the Westmoreland field in Westmoreland County. It is bad enough in Fayette County, but it is still worse up there. It seems that officials up in Westmoreland County; that is, the coal companies and their coal and iron police know how to handle the situation from more experience, because they have had more strikes to combat than the officials in Fayette County or the coal companies there. This thing came more or less as a surprise to the coal companies in Fayette County, as they themselves tell us or tell some people.

The CHAIRMAN. Is there a place called Windber—

Mr. LUTERANCIK. I do not get to Windber, because that is up in Somerset County.

The CHAIRMAN. That is in central Pennsylvania?

Mr. LUTERANCIK. That is in central Pennsylvania, where district No. 2 has more jurisdiction than my district.

Mr. COLLINS. Who owns those mines in Westmoreland County?

Mr. LUTERANCIK. I think the biggest operator now since the Jamieson Coal & Coke Co. sold out its mines to the Keystone Coal & Coke Co. is the Keystone Coal & Coke Co.

Mr. COLLINS. Who owns the Keystone Co.?

Mr. LUTERANCIK. The officials that I have known or have been connected with were old Colonel Hough—and I presume his family is still connected with it now—and Harry Bovard. He is the big chief up there. Beyond that I would not know. I do not know what the Jamisons are doing. They sold theirs out to the Keystone Co.

Mr. COLLINS. Are those United States Steel interests?

Mr. LUTERANCIK. No; they are not United States Steel interests up there. The United States Steel interests are really the Frick operations in Fayette County, with some mines in Greene County, and quite a number of mines also in Westmoreland County, but those mines are mostly coke plants connected with the mines. That is the biggest operator in all those counties—H. C. Frick.

Mr. COLLINS. And that is United States Steel?

Mr. LUTERANCIK. That is United States Steel. It may be that some of the other companies are subsidiaries of the United States Steel. There are a good many steel companies that own vast coal and coke plants there, such as the Youngstown Sheet & Tube Co., the Republic Iron & Steel Co., the Briar Hill Steel Co., and, I judge, there would be five or six others which I can not very well get quick enough.

The CHAIRMAN. Have you any figures on the number of nonunion men in that field at the time the strike took place; that is, in your district?

Mr. LUTERANCIK. I think in that district there would be about 30,000 nonunion men.

The CHAIRMAN. At the time the strike took place?

Mr. LUTERANCIK. Nonunion men in those three counties, Fayette, Westmoreland, and Greene, at the time the strike took place?

The CHAIRMAN. Have you any idea how many of them have joined the United Mine Workers?

Mr. LUTERANCIK. I think 95 per cent of them joined the United Mine Workers in the Frick coke region and about 65 per cent in Westmoreland County.

The CHAIRMAN. How about Greene County?

Mr. LUTERANCIK. In Greene County the operations are not on a very extensive scale. They are just opening up and developing Greene County, and Greene County, I would say, is about sold out with the exception of one mine—the Mather Coal Co. mine. I think they are out about 75 per cent. The rest of the mines are all idle, and of all the men who are idle, I would judge about 95 or 96 per cent belong to the organization. There are very few who do not.

The CHAIRMAN. Have any of the nonunion mines that have been shut down since the 1st of April opened up and the men returned to work?

Mr. LUTERANCIK. I have heard that there are a few men who returned to work, but very few, and for the few who did return to work there have been so many more come out of other mines.

The CHAIRMAN. Have any men who joined the union, left the union and gone back to work?

Mr. LUTERANCIK. I have not heard of any except from what I read in a paper. I saw some operator's statement in the paper of a couple men who had joined the organization and returned to work; in fact, they stated that one local union's president had returned. I do not know how much credence to place in that statement, but from the reports which our men in that field give us, I have not heard of any breaking ranks yet.

The CHAIRMAN. As a general proposition then, the men who have left these nonunion mines are still out.

Mr. LUTERANCIK. They are still out. If there are any who have returned, they must be very scarce—very few.

The CHAIRMAN. If there are no further questions, will you call the gentleman whom you say was refused citizenship papers or his witness?

Mr. LUTERANCIK. Yes, sir; Mr. Schilling.

STATEMENT OF MR. WILLIAM SCHILLING, CALIFORNIA, PA.

The CHAIRMAN. Mr. Schilling, give your name and address to the committee.

Mr. SCHILLING. William Schilling, California, Pa.

The CHAIRMAN. Mr. Schilling, were you one of the men that Judge Orr denied citizenship papers to?

Mr. SCHILLING. Yes, sir.

The CHAIRMAN. Will you please state to the committee just exactly your experience in the court.

Mr. SCHILLING. Yes, sir.

The CHAIRMAN. In the first place, will you kindly tell us how long you have been in this country.

Mr. SCHILLING. Since 1906.

The CHAIRMAN. When did you apply for your first papers?

Mr. SCHILLING. About five years and nine months ago, or something like that. I do not remember sure, but it was quite a good while ago, something like five years and nine months, I guess, but I am not sure about the nine months being right.

Mr. BECK. Did you get your first papers at that time?

Mr. SCHILLING. Yes.

Mr. BECK. What country do you come from?

Mr. SCHILLING. I come from Scotland.

Mr. BECK. From where?

Mr. SCHILLING. Scotland, England.

The CHAIRMAN. Will you please tell the committee just exactly your experience with Judge Orr when you went for your final papers?

Mr. SCHILLING. Yes. On the 3d day of April I go down to get my papers, because my time was up, and I got up in front of the judge and he asked my name and I told him "William Schilling." Then he says, "You are from California?" I said "Yes." Then he says, "You are not working?" I told him "No," and then he says, "You are on a strike?" I says "No, I am not