

The Government Must Act!

By FIORELLO H. LA GUARDIA

*House of Representatives,
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THE present coal strike is a battle of statistics against human life. It is a test between the theories of a new school of coal economics and everyday living conditions of men and women.

I conferred with miners of the union on strike, with non-union miners, as well as with the representatives of some of the largest coal companies. Assuming that the conditions described by the coal-mine companies are exactly as they state them, still I fail to find justification for the present low rate of wages.

According to the statements made to me by the mine-owners with whom I conferred, unless the government intervenes this strike is going to be a long and bitterly drawn-out affair, costly and disastrous. The owners justify their attitude on wage reduction by what they call sound economics. I have yet to see a case where figures could not be used to prove either side of the question. Figures and mental experts are always available for both sides of a controversy.

I will concede that the soft-coal industry is unstable, that there is keen competition, and that the capacity of the mines of the country is greater than the present needs for soft coal. All that being true, what the mine-owners are seeking to do is to take the cost of an unstable industry, of cutthroat competition, and of overproduction out of the wages of the mine-workers. To illustrate the mathematics of this new school of coal economics, let me give you the formula on which the present and future wages of the mine-workers are to be fixed: Our economists take the return on capital invested, plus profit, plus all overhead expenses, plus depletion, plus depreciation, plus transportation, add them together, subtract the total from the present competitive market price of coal, and the remainder is taken as the standard to determine the rate of pay of the workers. The actual cost of living and the bare necessities of life of a miner are entirely disregarded and he is to bear all of the burdens of a demoralized industry and is doomed to work for starvation wages. On figuring the return on capital investment, interest is computed for 365 days of the year, while the miners are expected to live on a measly wage for only 160 out of the 365 days. When these coal economists find a way to make it unnecessary for a miner, his wife, and children to eat on the 200 days that the man does not work, they will justify their formula, but not until then.

Under the Jacksonville agreement the average earnings of a coal-miner approximate \$1,200 a year. Under the present wage scale, which incidentally has been reduced three times since the breaking of the Jacksonville agreement, the highest earnings will range from \$600 to \$750 a year, and no family can live decently on that amount in this country.

The factors which have created the unstable conditions in the coal industry must necessarily be charged to the owners of the mines and in no way can the miners or the miners' union be held responsible. The cutthroat competition which

prompts this organized and systematic campaign of wage reduction is entirely the fault of the operators themselves. The question of production is likewise due to the waste and bad business management of the coal industry.

Ninety per cent of mining coal is human labor. An industry that cannot pay its workers a decent living wage has no right to exist. Efficient operation, economic production, and stabilized prices would provide the mine-workers of this country with a proper wage scale, permitting them to live decently and happily.

Whether in Pennsylvania, Indiana, Ohio, or West Virginia the terrorism and brutality of mine-owners and their agents must cease. The custom of permitting mine-owners to uniform, equip, and arm their own police, maintain their own detention pens, and pass summary judgment on the workers is so contrary to the fundamentals of our laws that it becomes necessary for the federal Government to intervene and put a permanent stop to these outrageous conditions. The mine-owners have assumed an extraterritoriality which not even a sovereign State under our Constitution is granted. Sovereign States in our Union are subject to the limitations imposed by the Constitution. These mine-owners in their territory recognize no limitations.

Much has been said about the coal and iron police. I need not repeat it, but I simply want to state that there is nothing in the law under which they operate which gives these men the authority they assume. They wear military uniforms and Sam Brown belts, they are armed with automatic revolvers and clubs. They are paid by the mining company, they are commanded by the mining company, and they are under absolute orders from the mining company, ostensibly for the purpose of protecting property, and are responsible to no one else. I have ascertained—and it is a matter of daily and hourly occurrence—that they do not limit their activities to the protection of the mining property. They do not remain on the mining property, but they go out on the highways of the State and there they apprehend those men who have left the company and are indebted to the company. They exercise a brutality that I have never heard equaled in the United States or any other country, either now or in the past history of the world.

Ordinarily a labor dispute is so localized in one State that it is not the province of the federal government to intervene. In the case of the soft-coal strike, however, there are many compelling reasons which make either a House or Senatorial investigation imperative, to be followed by necessary governmental intervention. It is no longer a matter of adjustment between the workers and employers; it has become a national problem and must be treated accordingly.

Whether union workers or strike-breakers, it is a matter of national concern that men be enabled to live decently and enjoy the freedom which the Constitution of this country guarantees to them. It is a matter for Congressional investigation to probe the charge that strike-breakers are held in a system of peonage in the soft-coal regions in the various States. The statutes of the United States provide that

The holding of any person to service or labor under the system known as peonage is abolished and forever prohibited in any Territory or State of the United States;

and it is declared that any agreement made for services to liquidate any debt or for compulsory continued service is null and void. Another section of the United States laws, it is charged, has been violated:

Whoever shall knowingly and willingly bring into the United States any person inveigled in any other country with intent to hold such person so inveigled in confinement or to any involuntary servitude shall be fined not more than \$5,000 and imprisoned not more than five years.

A large number of Mexicans were actually brought to these coal mines, and only through the intervention of the Mexican consul were they released and sent back home. An offense against the federal laws has been committed which justifies federal investigation and intervention.

Here is another one: The strike-breakers are kept on mine territory. If they seek to leave, they are pursued by the coal and iron police beyond mine property, taken from the public highways, arrested and brought back, all in violation of Section 444 of Title 18 of the United States Code, which provides:

Whoever holds, arrests, returns, or causes to be held, arrested, or returned, or in any manner aids in the arrest or return of any person to a condition of peonage shall be fined and imprisoned.

This is a daily occurrence in the coal districts which I visited. These private, uniformed, and armed armies of the mine-owners are daily doing this very thing, and when a local officer issues a warrant against any of these agents of the mine-owners the mine-owners simply refuse to produce them. That, I submit, is another reason justifying federal action.

While coal may not be an absolute necessity in the future it will be so for at least a generation. In the meantime, the present disgraceful conditions should not be permitted to continue. Investigation has followed investigation. Recommendation has piled upon recommendation and nothing has been done for the simple reason that the owners of coal properties are sufficiently powerful locally and nationally to prevent action. I firmly believe that ultimately the Government will have to step in and take possession of all natural resources, coal, oil, water, and gas. These natural resources should not be owned by a favored few to be exploited at the expense of the many. The control and operation of coal along with other natural resources by the Government would permit the mining only of such quantities as industry may require, the abolition of excessive profits, and the payment of decent wages. It is not to be expected that this major operation will be performed during the present session of Congress. The very persons all through the country who are now being exploited by coal barons, monopolistic oil companies, and the power trusts would be the first to succumb to propaganda that the "Government should be kept out of business," that such a solution is "socialistic," and that it would be contrary to the Constitution. But these monopolies are becoming more powerful, more brazen, more greedy, and more defiant of constitutional law when it stands in their way. It will not be long before the American people will realize that something is fundamentally wrong and they will then be less impressed by oil favoritism, coal "economics," and power-trust "constitutionality."

In the Driftway

THE most interesting consequence of prohibition which the Drifter has noted recently is that implied by the confession of the black-eye doctor of Chatham Square, New York City, that the Volstead law has virtually ruined his practice. This individual has long served his fellow-men by applying first salve and then a coat of paint to eyes discolored by—well, never mind how. After holidays he used to have twenty or thirty patients eager to have their black eyes repaired, but last St. Patrick's Day netted him just one. This certainly is a case of a worthy industry crushed by prohibition, or else the Irish in New York are losing their verve. There are not many black-eye doctors in the country and it would seem that so picturesque a calling should be kept alive somehow. The Drifter calls the opportunity to the attention of the General Education Board or the Guggenheim Foundation.

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CHANGING customs have curious effects in many other fields. Take, for instance, the fine old American art of tobacco-juice spitting. When the Drifter was a boy he used to watch with eyes of bulging admiration while local champions and runners-up practiced this art. According to the Drifter's recollection some of the experts could hit a sawdust box ten or twelve feet away at least four shots out of five. Even more popular than a sawdust box was the open door of an old-fashioned heating stove in the hotel lobby or the railroad waiting-room. There was such a pretty sizzling sound when the shot landed. The Drifter used to try—with sad results—to project a stream from his mouth with the end of his tongue and the peculiar gurgling sound of the experts. The Drifter wasn't allowed to chew tobacco and so he hadn't the equipment necessary even for practice. But he came through to manhood with a healthy appreciation for this splendid old American craft.

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LATTERLY he has seen few exponents of the art. In the cities of the East tobacco-chewing is so frowned upon that a new generation is growing up on nut sundaes and peanut brittle that never even saw a good spittoon sharpshooter. But in Pittsburgh the other day the Drifter was riding in a street-car when right in the middle of a block the conductor swung open the doors and aimed a stream at the aperture across the rear platform. The stream fell short—as do so many heroic attempts in this world—and landed on the running-board. "You're weak today," observed the Drifter. "Never mind; I'll make it next time," responded the conductor, nonchalantly resuming work on his quid. "That's a regular practice on our street-cars," explained the Drifter's guide. "Generally the conductors are pretty good at it."

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WHICH reminds the Drifter of the passenger in a German railway coach who spat out the door just as the guard came hopping along the running-board. The guard got the full benefit of the discharge on his shirt front. Shaking a quivering fist at the careless passenger the guard shouted: "If one speck of that had gone on the running-board you would have been fined ten marks."

THE DRIFTER

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