

# ARRAIGN MILITIA AND OPERATORS

### Acts of Colorado National Guard and Absentee Owners of Mines Are Condemned.

#### PEONAGE CHARGE NOT PROVEN

WASHINGTON, March 2.—A scathing arraignment of the Colorado militia for its treatment of striking miners and their families is contained in a voluminous report submitted to the house today by the mines and mining subcommittee, which investigated conditions in the Colorado coal fields, under a resolution adopted a year ago in January. While scoring conditions generally in the coal fields and criticizing many of the acts of the mine operators, including alleged violation of state laws, the committee reports that no evidence was found of a conspiracy in restraint of trade to limit the output of the mines nor conclusive proof of the existence of peonage.

The strike was settled long before the committee completed its work, so no specific recommendations are made. The committee reports, however, for information in such situations. It declares that these disturbances are nation-wide in their importance; that the federal government is the only power competent to deal with them.

#### Absentee Owners Responsible.

After referring to the testimony of John D. Rockefeller, Jr., who disclaimed responsibility for Colorado conditions, the report adds:

"Absentee owners or directors by their absence from the scene of such disturbances cannot escape their moral responsibility for conditions in and about properties in which they are interested."

"Liberal extracts from the 2,000 pages of testimony taken by the committee are embodied in the report with this comment:

"Considerable testimony on both sides of the controversy, we believe, is unreliable, and no confidence should be placed in it. Colorado has had good mining laws and such that ought to afford protection to the miner if they are enforced; yet in this state the percentage of fatalities is larger than in any other, showing there is undoubtedly something wrong in reference to the management of its coal mines. It is contended by the miners as one of their grievances that the operators do not obey the law, and however good the laws may be, if not observed, they are of no protection."

The testimony of James Dalrymple, state mine inspector, calls attention to the many violations of the law by the operators, and the miners claim this as one of the causes leading up to the strike. The report of Mr. Dalrymple also says he found in some cases the operators had put in operation new devices and systems of an advantage to the miners.

#### Militia Sides with Operators.

"It seems the militia was on the side of the operators in the controversy," says the report, after reciting the action of the governor in calling out the state militia, "and the evidence seems conclusively to prove such to have been the case. The sooner men armed in the service of state learn that the men with whom they may be pitted are poor and ignorant, and even violators of the law, but are still human, the better it will be for all concerned."

Testimony of present and former county officials is quoted to show efforts of mine operators to control elections in Las Animas county and Huerfano counties, and the committee remarks that the manner of selecting judges in those counties, where, according to witnesses in one case at least, seven out of twelve jurors were deputy sheriffs, "appears to be against the provisions of the law."

Some of the men brought into Colorado by detective agencies, employed to guard the mines, the committee finds, had been in the same kind of service in West Virginia and they brought with them the same machine gun which had been used in an armored car against strikers in that state.

#### Peonage Charge Not Substantiated.

Concerning the charge that the operators were guilty of peonage, the committee reports:

"We did not find it clearly proven that a condition of peonage existed in the coal fields of Colorado, but we found that during the strike men were brought in from other states by the car and trainloads and were delivered to the mining camps under guard would probably be robbed of whatever they might have had that the militia wanted."

The committee denounces John Chase, adjutant general of the militia of the state for his refusal to testify except upon condition that he would not be questioned by representatives of the miners and declares that he "was overbearing to all who came in contact with him."

#### Private Guards Condemned.

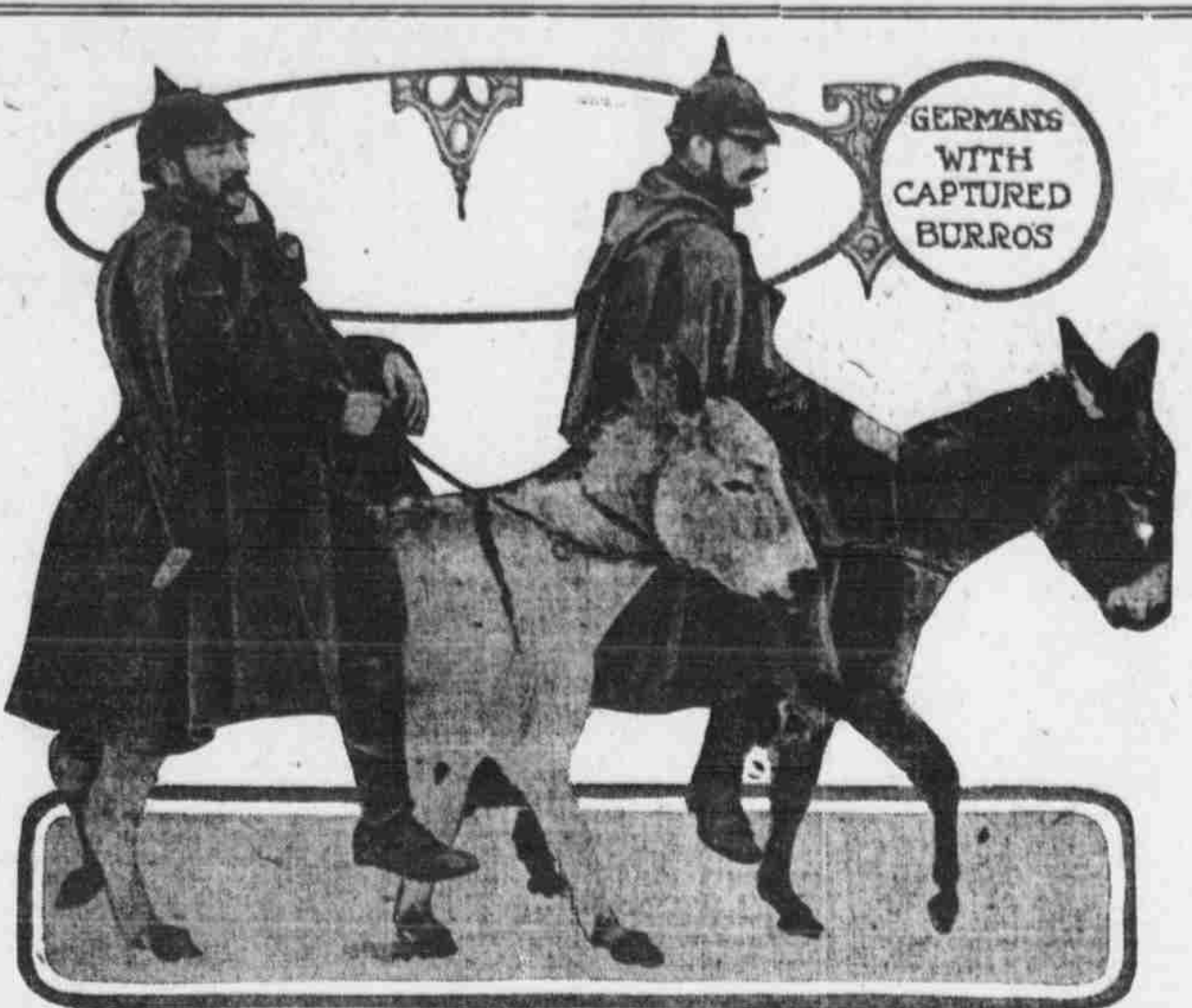
"A private guard system may be thought necessary," the committee here comments, "but wherever it exists, sooner or later trouble will occur and proper officers of the law should be substituted, who will be impartial in maintaining peace and order."

"The recruiting of mine guards as members of the militia, in our judgment was a mistake, since intense animosity had existed for some time between the mine guards and the miners and it was difficult or even impossible for the miners to feel that these men were neutral conservators of the peace. Some of the militiamen seized the opportunity while clothed with the authority of the state to engage in various lawless acts."

#### Many Acts of Brutality.

"In other instances the acts were of an immoral kind and of such nature as to be unfit for publication in this report. There were acts of brutality testified before the committee which might be enumerated; men on slight provocation were thrown into jail and kept there without the opportunity of proving their innocence. There were many good men in the militia, both officers and privates, and the strikers testifying said that certain companies were composed of kind men and if their houses were to be

TWO GERMAN SOLDIERS riding into an East Prussian town with two burros they have commandeered. The animals will be used to transport supplies, and will be welcomed, as a burro can carry a pack bigger than himself.



sought they asked that members of these companies might be sent; but if others were sent to do the searching they would be subjected to indignities and under guard of the militia, many of them being foreigners and unacquainted with the work of mining coal. We do not believe it was proven that the operators forcibly kept men in camp until their debts were paid, but that they rather endeavored to hold those who already were in camp before the strike and to prevent those who had been taken in as strikebreakers from going outside."

Declaring that mine troubles are nationwide in scope, the committee reaches this conclusion:

"It should be the duty of the government to assist any states in settling a dispute that is nationwide in its scope; and if any federal law can be enacted that will help not only Colorado, but any other state that may be similarly situated, it is the duty of congress to speedily put upon the statute books the necessary laws so that such industrial disturbances may forever cease."

The committee criticizes the state authorities for failing to prevent the sale of fire arms to the contending forces. The mine owners shipped four machine guns from West Virginia for use during the strike, the report stated. "The evidence conclusively shows the miners bought arms and ammunition in quantities, though the amount we do not know, and it seems strange to your committee that in these counties where the strike was then in existence and where acts of violence were constantly occurring, the authorities of the state should not have taken some precaution to control the sale of fire arms."

Criticism is directed also at conditions in incorporated towns "where the companies are permitted to put up a sign 'private property' and exclude all except those whom they see fit to permit to enter, all the officials of the city, the mayor and the school board, being officials of the mining companies."

"Only one store is permitted within the close camp," the report continues, "and this is almost invariably owned and operated by the mining company. Places of recreation and amusement are scarcely known. The miner must go to the saloon as a place of amusement."

#### Rockefeller is Censured.

The committee declares that John D. Rockefeller, Jr., did nothing to improve the condition of the employees of the company in which he is stock holder and director.

"Mr. Rockefeller," says the report, "a large stock holder of the most powerful company in the state, has done a great deal for the uplift of people in other parts of the country and in foreign lands, spending millions of dollars in this work, yet he has not endeavored to improve the condition of the more than 4,000 employees in the company in which he is connected and has not visited the state for more than ten years."

#### Wages Lower Than in Wyoming.

"Many of the miners, it is true, make good wages, yet the scale of prices is not as high in Colorado as it is in the adjoining state of Wyoming. The constant oppression and neglect, and arbitrary conduct of the officials of these

companies were prolific causes of the dissatisfaction which resulted in this disturbance and the consequent destruction of life and property.

#### Two Minority Reports.

Minority reports were submitted by two members of the sub-committee by Representatives Byrnes of South Carolina, Democrat, and Austin of Tennessee, Republican.

Mr. Byrnes holds that the resolution ordering the investigation did not authorize a report of the relations between capital and labor, the causes of industrial unrest and allied subjects. The conditions complained of, if they exist, he declared, can be remedied by Colorado and not by the federal government, and that the majority report fails to disclose either a federal question or a remedy. He reports the evidence showed no interference with postal facilities, no violation of the immigration laws, no agreements contrary to federal law to control production, sale and transportation of the coal and that there was no testimony proving that persons had been arrested, fined or convicted in violation of federal laws.

## WILL ASK ALLIES TO EXPLAIN NOTE CLOSING PORTS

(Continued from Page One.)

owner of vessel and cargo in legal proceedings. The minister from The Netherlands inquired at the State department what reply the United States intended to make. He desired to send word to his government and the opinion was expressed that the Netherlands along with other neutrals would send representatives similar to those which this country might make.

Statement by Bryan. The State department issued the following explanatory note last night:

"The British ambassador has presented the following instructions from his government: 'When presenting joint Anglo-French communication you should inform United States government that communication received from them through the United States ambassador in London respecting a possible limitation of use of submarines and mines and an arrangement for supplying food to Germany is being taken into consideration by his majesty's government in consultation with our allies.'

The text of the British note which was the same as the statement in the House of Commons by Premier Asquith, was given out at the State department with the information that the French note was practically identical. It follows: 'Germany has declared that the English channel, the north and west coasts of France and the waters around the

British Isles are a war area and has officially notified that all enemy ships found in that area will be destroyed and that neutral vessels may be exposed to danger.

"This is in effect a claim to torpedo at sight without regard to the safety of the crew or passengers any merchant vessel under any flag. As it is not in the power of the German admiralty to maintain any surface craft in these waters, this attack can only be delivered by submarine agency."

#### Law of Nations.

"The law and custom of nations in regard to attacks on commerce have always presumed that the first duty of the captor of a merchant vessel is to bring it before a prize court where it may be tried, where the regularity of the shipper may be challenged and where neutrals may recover their cargoes. The sinking of prizes is in itself a questionable act, to be resorted to in only extraordinary circumstances and after provision has been made for the safety of all the crew or passengers."

"If there are passengers on board, the responsibility for discriminating between neutral and enemy cargoes obviously rests with the attacking skipper, whose duty it is to verify the status and character of the vessel and cargo and to preserve all papers before sinking or even capturing it. It is the humane duty of providing for the safety of the crews of merchant vessels, whether neutral or enemy, an obligation upon every belligerent."

#### Basis of Discussion.

"It is upon this basis that all previous discussions of the law for regulating warfare at sea have proceeded. A German submarine, however, fulfills none of these obligations; it enjoys no local command of the waters in which it operates; it does not take its captures within a prize court; it carries no prize crew which it can put on board a prize; it uses no effective means of discriminating between a neutral and an enemy vessel; it does not receive on board for safety the crew and passengers of the vessel it sinks; its methods of warfare are, therefore, entirely outside the scope of any of the international instruments regulating operations against commerce in time of war."

"The German declaration substitutes indiscriminate destruction for regulated capture. Germany is adopting these methods against peaceful traders and non-combatant crews with the avowed object of preventing commodities of all kinds, including food for the civil population, from reaching or leaving the British Isles or northern France."

#### Forced to Action.

"Her opponents are, therefore, driven to frame retaliatory measures in order in their turn to prevent commodities of any kind from reaching or leaving Germany. These measures will, however, be enforced by the British and French governments without risk to neutral ships or to neutral or non-combatant life and in strict observance of the dictates of humanity."

"The British and French governments

will, therefore, hold themselves free to detain and take into port ships carrying goods of presumed enemy destinations, ownership or origin. It is not intended to confiscate such vessels or cargoes unless they would otherwise be liable to condemnation. The treatment of vessels and cargoes which have sailed before this date will not be affected."

Just when the United States government will act on the latest note is dependent to some extent on when the replies are received from the allies and Germany to the informal communication looking to an abolition of submarine warfare on merchant ships and the shipment of foodstuffs to the civilian population of belligerents.

Rent room-quick with a Bee Want Ad.

#### Department Orders.

WASHINGTON, March 2.—Special Telegrams—Postmasters appointed: Iowa—Churchville, Warren county, Mrs. Rachel L. Foster; also M. L. Melroy, resigned; Everist, Marion county, Chet C. Johnson, vice W. H. Thomas; Steamboat Rock, Harding county, Ben F. Morse, vice Henry L. J. Johnson, resigned; South Dakota—Allen, Washabaugh county, Minnie R. Leasert, vice Ramsey Watkins, resigned; Keystone, Pennington county, Robert F. Scruton, vice L. E. Roderick, resigned; Twin Buttes, Perkins county, Mrs. Labbie Miller, vice Addie George, resigned. Postmasters reappointed in Iowa: Astor, Crawford county, Ole A. Olsen; Cotter, Louisa county, George H. Stapp; Dunbar, Marshall county, Osman Tweed; Ferguson, Marshall county, Frank W. King; Latty, De S Moines county, A. M. Gardner; Monticello, Guthrie county, Samuel F. Clappitt; Rake, Winnebago county, Andrew K. Marsman; Rosale, Clay county, John V. Hammett; Superior, Dickinson county, James C. Smith; Vincent, Webster county, Mrs. Alice J. Richards. South Dakota postoffice establishments: Duck Creek, Perkins county, with Mrs. Alice Leasert, postmaster; Wambalee, Washabaugh county, with Mrs. Carrie M. Pomroy as postmaster. The controller of the currency has granted a charter to the Security National bank of Cherokee, Ia., capital \$50,000, C. W. Johns, president; George E. Long, cashier.

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In the Pinkham Laboratory at Lynn, Mass., are files containing hundreds of thousands of letters from women seeking health—many of them openly state over their own signatures that they have regained their health by taking Lydia E. Pinkham's Vegetable Compound; and in some cases that it has saved them from surgical operations.



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