On June 13, 1935 Congressman J. Buell Snyder of Perryopolis introduced a bill providing for massive federal involvement in the bituminous coal industry. The Snyder Bill, designed primarily to foster economic stability in a seriously declining industry, authorized cooperative marketing, imposed a federal tax, and established stringent regulations on the production, distribution, and conservation of bituminous coal. In effect the Snyder Bill attempted to promote the revival of the bituminous coal industry according to the principles of the famous National Industrial Recovery Act of 1933.¹

The Snyder Bill, largely due to its revenue feature, was promptly referred to the powerful House Committee on Ways and Means.² The committee, conducting eight days of hearings on the bill in late June, eventually reviewed the testimony of forty-one witnesses and examined the contents of twelve documents.³ On August 14 by the narrow margin of twelve to eleven, the committee voted to report the bill to the House floor.⁴

Among the individuals vested with the responsibility of approving or rejecting the Snyder Bill were the thirty-six members of the Pennsylvania congressional delegation. Having a population of nearly ten million, Pennsylvania had more congressmen than any state except neighboring New York. Pennsylvania for many years had also been the foremost bituminous coal producing state in the country.⁵

The Pennsylvania delegation in 1935 was heavily Democratic in political complexion. In partisan affiliation it consisted of twenty-four Democrats and twelve Republicans. Two of the Democrats were Snyder, the author of the House bill, and Senator Joseph F. Guffey of
Pittsburgh, who had sponsored the companion bill in the Senate. Two other Democrats were Representatives Patrick J. Boland of Scranton, the House Assistant Majority Leader (Whip), and J. Twing Brooks of Sewickley, who had cast the deciding affirmative vote in the Ways and Means Committee. Thus, it was inevitable that the presence of such gentlemen as Snyder, Guffey, Boland, and Brooks in the House and Senate chambers guaranteed that Pennsylvania congressmen would be influential in the deliberations over the fate of bituminous coal legislation.6

The Guffey Bill had been introduced on January 24, 1935.7 On the same day it was submitted to the Senate Committee on Interstate Commerce.8 After holding hearings in late February and early March,9 the committee on April 11 favorably reported the bill.10 While the House was commencing debate on the Snyder Bill, the Senate had included the Guffey Bill on the Calendar. There was a tacit understanding between the leaders of the two bodies that the Senate would address itself to bituminous coal legislation within days after the House disposed of the Snyder Bill.

The House opened discussion of the Snyder Bill on August 16. Eight hours were allotted for general debate, which period of time was to be divided equally between proponents and adversaries of the bill. Within the ranks of informed political observers there was a consensus that the Snyder Bill would probably pass the House by a slight margin.

Seven House members from Pennsylvania sought recognition to speak on the Snyder Bill. Each announced his enthusiastic support. There was a tendency among Pennsylvania congressmen to suggest that the acute economic problems plaguing the Commonwealth were in large measure due to the unfortunate state of the bituminous coal industry.

Snyder was to deliver an emotional address on the bill. Hailing the bill as a “great national and humanitarian measure,” he lamented that the bituminous coal industry had been “left to drift in the channel of waste and destruction.” Snyder, insisting that the bill provided a “safe and sane” procedure for the mining and marketing of bituminous coal, alleged that it was a “disgrace to our civilization to waste coal as it is now being wasted under the present cutthroat system.” He punctuated his forceful remarks by pleading to his colleagues “in the name of humanity and good government to support this measure.”11

Other Pennsylvanians affording themselves of the opportunity to speak on the Snyder Bill were Representatives Charles I. Faddis of Waynesburg, Joseph Gray of Spangler, Don Gingery of Clearfield, Charles F. Eckert of Beaver, and Theodore L. Moritz and Henry
Ellenbogen of Pittsburgh. Faddis, denouncing the "ruthless competition" pervading the bituminous coal industry, applauded the Snyder Bill as "designed to stabilize the most demoralized industry in this Nation and bring hope and happiness to the hearts of its workers." According to Gray, the bill sought "betterment, helpfulness, and social, economic, and industrial improvement." Emphasizing that the bituminous industry had "suffered from a lack of supervision or control," Gingery urged congressmen from other parts of the nation to give the bituminous coal industry "what you have asked for the citizens of the rest of the country—a square deal." Eckert, reminding his colleagues of the "deplorable plight" of the bituminous industry, explained that the Snyder Bill was intended to "bring order, efficiency, and stability to an industry that for decades has been chaotic, inefficient, and unsettled." Maintaining that the bill would assure genuine competition for the bituminous operators, Moritz asserted that the half million American bituminous miners were "asking for just a little bit of sunshine before they descend to the bowels of the earth to continue working like beasts of burden." Ellenbogen, convinced that the bituminous industry would "never return to sound and stabilized conditions until we have some Government regulation," climaxed his comments as follows:

We now have a chance to put the coal industry on a sound foundation so that the miners may make a decent living, may work under safe conditions, and so that the coal producer may be able to make a profit.

After the Speaker's gavel fell, the House proceeded to vote on final passage of the Snyder Bill. By the time the alphabetical roll call was half completed, it appeared likely that the bill would prevail by approximately twenty or twenty-five votes. The official tabulation was 194-168 in the affirmative. The Pennsylvania House delegation voted for the bill by an impressive 26-5 margin. Thus, Pennsylvania congressmen furnished twenty-one of the twenty-six votes which ultimately made the difference between approval and rejection of the Snyder Bill.

As expected, the Senate thereupon consented to make bituminous coal legislation the foremost item on its agenda. Since the Interstate Commerce Committee had earlier recommended the Guffey Bill, the Senate readily agreed to consider the Snyder Bill as a reasonable alternative to the Guffey measure.

Unlike the House, the Senate imposed no time limitations on consideration of the Snyder Bill. The Senate debated the bill in leisurely fashion for three days. Although a number of senators questioned the
wisdom of federal involvement in the bituminous industry, the tone of the discussion indicated that the measure would probably pass.

Both Pennsylvania senators, Guffey and Republican James J. Davis of Pittsburgh, spoke fervently in behalf of the Snyder Bill. Guffey, who had been elected to the Senate in 1934 largely by accumulating enormous majorities in the bituminous coal counties of the Commonwealth, had soon thereafter established himself as one of President Franklin D. Roosevelt's most steadfast supporters, while Davis, a former Secretary of Labor under Presidents Warren G. Harding, Calvin Coolidge, and Herbert Hoover, was one of the few Republicans who had survived the election of 1932.

Guffey, referring to safeguarding the bituminous coal industry as "a national problem and a national obligation," predicted that defeat of the Snyder Bill "would bring immediate catastrophe to the bituminous-coal industry, ruining many producers; impoverishing half a million miners and their 200,000 dependents, and jeopardizing the Nation's fuel supply." Warning that the country's future depended largely on the availability of bituminous coal, Guffey concluded:

By the absence of effective regulation, this industry has, despite its best efforts, been unable to conduct itself in a manner that assures safety and equitable profits to its owners, fair wages and working conditions to labor, and a dependable supply for consumers at all times at reasonable prices. It indeed, in the absence of regulated conditions, faces chaos and destruction.

Davis, asserting that "cutthroat competition and a myriad of other evils" had forced the bituminous coal industry into depression during the nineteen twenties, lamented that the nation was "now reaping the harvest of those evils." Fearing that the failure of legislation in 1935 would be gravely detrimental to the bituminous industry, Davis stressed the urgency of "reasonable competition, and not a dog-eat-dog policy."

The senator summarized his remarks as follows:

... The majority of Americans, I believe, would look with favor upon legislation which will conserve our natural resources, and above all will help us to stabilize coal, for the stabilization of coal means the end of poverty in the coal-mining area in this, the richest country in all the world.

On August 22, 1935 the Senate voted 45–37 to approve the Snyder Bill. In addition to the affirmative votes cast by Guffey and Davis, the
bill's margin of victory was provided by the senators from the bituminous coal producing states of West Virginia, Ohio, and Kentucky.25

Since there were minor differences between the House and Senate versions of the Snyder Bill, it was necessary to appoint a House-Senate conference committee. Among the six individuals designated as a conference was Senator Davis. Within a few hours the conference committee had reached agreement on all points. On August 23 the House approved the conference report 186-150 and the Senate did likewise by voice vote. President Roosevelt signed the Bituminous Coal (Guffey-Snyder) Bill into law on August 30.26

Several features of the Guffey-Snyder Act were immediately challenged in the federal courts. There was a widespread concern that the federal judiciary might react to the law in a manner similar to that of the National Industrial Recovery Act, a statute which the United States Supreme Court had unanimously invalidated in the spring of 1935. On May 18, 1936 the nation's highest tribunal, citing the labor and price-fixing provisions of the Guffey-Snyder Act, by a 6-3 majority declared the law unconstitutional.27

Since Congress was definitely scheduled to adjourn in June, there was insufficient time to consider emergency bituminous coal legislation. Of paramount importance to the advocates of such legislation were the presidential and congressional elections of November 1936. The reelection of President Roosevelt and the success of the Democratic Party in retaining comfortable majorities in the House and Senate were regarded as crucial factors by those who hoped that the national government would render meaningful assistance to the bituminous industry in the foreseeable future.

On November 3, 1936 Franklin D. Roosevelt defeated his Republican challenger, Alfred E. Landon, by an electoral margin of 531-8. Carrying forty-six of the forty-eight states, Roosevelt outpolled Landon by a record 11,072,014 votes. The Roosevelt landslide also resulted in an overwhelming Democratic triumph in the congressional elections. Indeed the incoming Seventy-Fifth Congress would have a mere sixteen Republicans in the Senate and only eighty-nine Republicans in the House.28

On February 22, 1937 Representative Fred M. Vinson of Kentucky introduced a new bill to regulate the bituminous coal industry. Vinson, a future Secretary of the Treasury and Chief Justice of the United States, purposely designed his bill to conform to previous objections of the federal judiciary.29

The Vinson Bill, consistent with past procedures, was referred to the Ways and Means Committee. The committee decided not to hold hearings on the bill and on February 23 issued a favorable report on the
measure. Unlike 1935, at which time the committee was closely divided, the bill was approved by a 19–6 majority.\textsuperscript{30}

As in 1935, the Pennsylvania congressional delegation would be conspicuously involved in the deliberations surrounding bituminous coal legislation. Elated by the fact that Roosevelt had carried the Commonwealth in 1936 by 663,787 votes,\textsuperscript{31} Pennsylvania Democrats felt confident that the Vinson Bill would pass without difficulty. In 1936 the Democrats had gained four additional House seats in Pennsylvania and in 1937 enjoyed a 28–8 advantage over the Republicans in the makeup of the delegation.\textsuperscript{32}

In 1937 the House reserved a mere four hours for debate on the Vinson Bill. Since thirty-six of the members who had voted against the Snyder Bill in 1935 had either retired or been defeated for reelection, it was anticipated that the Vinson Bill would pass by a wide margin. Also, inasmuch as the members were quite familiar with the standard arguments of the bill’s proponents and adversaries, it was hoped that the discussion on the floor would be relatively mild.

Avidly supporting the Vinson Bill were Representatives Matthew A. Dunn of Pittsburgh and Snyder. Complaining that bituminous coal miners had “not been treated in the past as human beings,” Dunn emphasized that the miners were “entitled to a job which will provide them not only a living wage but a saving wage.”\textsuperscript{33} Snyder, surmising that the Vinson Bill would “stand the test when it comes to constitutional interpretation,” concluded:

> It is honestly hoped by one-half million coal miners and at least ninety percent of the coal tonnage operators, that the bill will stand the test so as to stabilize this industry which means so much to stabilizing prosperity throughout the Nation.\textsuperscript{34}

Only a small number of House members lodged objections to the Vinson Bill. After routinely disposing of a few minor amendments, the House on March 11 agreed to vote on the bill. Apparently sensing that the measure would easily pass, the opponents did not request a formal roll call and the bill was approved by voice vote.\textsuperscript{35}

As in 1935, the House bill was sent to the Senate Interstate Commerce Committee. Dispensing with hearings, the committee favorably reported the bill during the final week of March.\textsuperscript{36} Also, repeating his action of 1935, Guffey had earlier introduced a companion bill in the Senate.\textsuperscript{37}

Thirteen senators who had opposed the Snyder Bill in 1935 were no longer on Capitol Hill in 1937, thereby prompting the suspicion that the
Vinson Bill would be approved without complications. Although the Senate debated the Vinson Bill for seven days, the bulk of its attention was not confined to the plight of the bituminous coal industry but rather to a controversial amendment condemning the propriety of sit-down strikes.

Both Pennsylvania senators, Davis and Guffey, strongly endorsed the Vinson Bill. Proclaiming that it was necessary for the nation to decide whether it would "assist the coal industry to organize itself," Davis declared that the time had come when we could "no longer endure the impending disasters in the coal fields without the aid of a Government in providing for equitable adjustment of these problems." Guffey, stressing that the Vinson Bill would afford relief to a nationwide industry "which in times of prosperity as well as depression continues an unending practice of operating at a loss," explained that the measure was overwhelmingly supported by both operators and miners because of their firm belief that only through a stabilization of coal prices and the prevention of unfair trade practices and indiscriminate price cutting can the producers of coal be maintained in a position where they are able to pay fair wages and provide adequate working conditions in the mines.

On April 5 the Senate passed the Vinson Bill by a 58-15 majority. A conference committee, one of whose members was Davis, was chosen for the task of reconciling the few differences between the texts of the House and Senate bills. By August 12 both the House and Senate had adopted the conference report by voice votes, and the bill had been dispatched to the White House for President Roosevelt's signature.

There were three basic reasons why congressmen from Pennsylvania tended to play a prominent role in the sequence of events culminating in the Bituminous Coal Acts of 1935 and 1937. They were as follows: 1) The perilous decline of the bituminous industry both in Pennsylvania and the nation; 2) The profoundly distressed state of the Pennsylvania economy; and 3) The increasing dominance of the Democratic Party in Pennsylvania politics.

Between the outbreak of the Great Depression in 1929 and the introduction of the Snyder Bill in 1935 annual nationwide bituminous production declined from 534,989,000 tons to 369,324,000 tons. This overall decrease of nearly one-third was accompanied by a drop in bituminous income from $952,781,000 to $628,112,000. In Pennsylvania the production statistics were distinctly more ominous. In 1929 the Commonwealth accounted for 142,400,000 tons of bituminous coal,
whereas the corresponding figure for 1935 was 90,795,000 tons. Thus, the misfortunes plaguing the bituminous industry throughout the United States were certainly quite serious, but the comparative situation in Pennsylvania was of even more alarming proportions. It seemed obvious that Pennsylvania congressmen felt that only sweeping federal intervention could possibly prevent an even more rapid collapse of the bituminous industry.

Pennsylvania, like the other major industrial states, was to experience grave and unprecedented economic hardship throughout the early years of the Great Depression. Between 1929 and 1935 the number of Pennsylvania factories declined from 16,680 to 13,050, while the ranks of the Commonwealth’s industrial workers fell from 1,006,946 to 849,234. During the same period manufacturing wages decreased from $1,390,782,000 to $848,637,000 (39.1%) and the value of industrial products dropped from $7,387,857,000 to $4,291,848,000 (41.9%). From 1929 to 1935 wholesale trade dwindled by $2,036,279,000 (41.7%) and retail sales went down $1,313,030,000 (34.2%). In the pivotal construction industry the statistics were as follows: Workers 77,291 (1929)—23,932 (1935); Value of Projects $603,928,000 (1929)—$90,108,000 (1935). Finally, there were 19,116 (59.7%) fewer building permits issued in Pennsylvania’s fifteen largest cities in 1935 than in 1929. Many Pennsylvania congressmen undoubtedly assumed that the gradual revival of the bituminous industry would stimulate most other segments of the economy and thereby mitigate the harshness of the Great Depression in the Commonwealth.

Most importantly it should be remembered that the Bituminous Coal Acts of 1935 and 1937 had been initiated by Democrats and approved by overwhelmingly Democratic congresses. An analysis of the various roll calls clearly indicated that opposition to bituminous coal legislation was restricted primarily to Republicans and conservative Southern Democrats. The vast majority of Northern Democrats were unwavering in their support of the 1935 and 1937 bills. As a key northern industrial state with an unusually high proportion of Democrats within its congressional delegation, Pennsylvania’s identification with bituminous coal legislation should not have been especially surprising. By 1937 Pennsylvania had twenty-eight Democrats and eight Republicans in its delegation. The success of Democrats in winning nearly eighty percent of Pennsylvania’s congressional seats and the massive electoral victory of Franklin D. Roosevelt in 1936 explained why sentiment in behalf of such legislation as the 1935 and 1937 bituminous coal statutes was apt to be so pronounced in Pennsylvania.
The Bituminous Coal Acts of 1935 and 1937 were integral parts of Franklin D. Roosevelt's New Deal. They were measures calculated by their authors both to alleviate human suffering and promote stability in one of the country's principal industries. Most members of Congress from Pennsylvania were to devote substantial amounts of time and energy in striving to resolve a problem both so vexing and so relevant to the welfare of their state and nation.

**NOTES**

1. House of Representatives, *H.R. 8479—A bill to stabilize the bituminous coal-mining industry; to provide for cooperative marketing of bituminous coal; to levy a tax on bituminous coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of bituminous coal to be affected with a national public interest; to conserve the bituminous coal resources of the United States; to promote the general welfare, and for other purposes, and providing penalties*, June 13, 1935.


5. Between 1915 and 1934 Pennsylvania had produced 2,537,793,074 tons of bituminous coal. Pennsylvania led the nation in bituminous production in 1915 through 1926, 1929, and 1930 and was second to West Virginia in 1927, 1928, 1931, 1932, 1933, and 1934.


7. United States Senate, *S. 1417—A bill to stabilize the bituminous coal-mining industry and promote its interstate commerce; to provide for cooperative marketing of bituminous coal; to levy a tax on bituminous coal and provide for a drawback under certain conditions; to declare the production, distribution, and use of bituminous coal to be affected with a national public interest; to conserve the bituminous-coal resources of the United States and to establish a national bituminous-coal reserve; to provide for the general welfare; and for other purposes*, January 24, 1935.


29. The preamble of the Vinson Bill read as follows: That regulation of the sale and distribution in interstate commerce of bituminous coal is imperative for the protection of such commerce; that there exist practices and methods of distribution and marketing of such coal that waste the coal resources of the Nation and disorganize, burden, and obstruct interstate commerce in bituminous coal, with the result that regulation of the prices thereof and of unfair methods of competition therein is necessary to promote interstate commerce in bituminous coal and to remove burdens and obstructions therefrom. H.R. 4985—A bill to regulate commerce in bituminous coal, and for other purposes, February 22, 1937.
33. Congressional Record, 81:2048.
34. Ibid., pp. A514–515.
35. Ibid., p. 2126.
37. S. 1-A bill to regulate interstate commerce in bituminous coal, and for other purposes, January 6, 1937.
38. Congressional Record, 81:2880-2881.
39. Ibid., pp. 2950-2951.
41. House Report 578, April 9, 1937; Congressional Record, 81:3314-3315, 3388-3390; Statutes at Large, 50:72-94.
44. In 1935 Republicans opposed the Snyder Bill 73-15 in the House and 12-6 in the Senate, while the respective figures for Southern Democrats were 46-37 and 11-9. In 1937 nine of the fifteen negative votes on passage of the Vinson Bill in the Senate were cast either by Republicans or Southern Democrats.
45. There were thirty Democrats in the New York congressional delegation. While New York had more Democrats than any other state, it also had seventeen Republican congressmen.