

# Worker Solidarity, Judicial Oppression, and Police Repression in the Westmoreland County, Pennsylvania Coal Miner's Strike, 1910-11

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During the Progressive Era, the country experienced the growth of corporate capitalism, conflicts between labor and capital, and a wave of southern and eastern European immigration. Labor strife was endemic and violence was commonplace. To maintain some equilibrium, workers increasingly turned to unionization. Coal miners joined the United Mine Workers of America, and membership grew from 9,700 in 1897 to 377,700 in 1914.<sup>1</sup> However, the struggle to achieve union recognition was an uphill battle. In March, 1910, 10,031 coal miners in Westmoreland County, Pennsylvania, went on strike to secure the right to belong to the UMWA. The miners held out for sixteen months enduring eviction, injunctions, and police brutality. They had the support of families, the community, ethnic organizations, the union, and socialists, but they could not successfully challenge the coal operators. The coal companies had political and economic power and they could manipulate the powers of the state, particularly the judiciary and the police, to their advantage. The strike depicts the obstacles labor faced, and it illustrates some of the issues that continue to concern labor historians

American laborers did not form strong Labor or Socialist parties like their European counterparts, and historians explain the divergent path in a variety of ways. John Commons and Selig Perlman authored the first major interpretation of American labor, and they attributed the different road to more upward mobility, ethnic rivalry, and an individualistic spirit. Newer historians question the definitiveness of this approach and have broadened the scope of inquiry to look at rank and file, strikes and workers as part of gender, ethnic, race and community settings. Though no conclusive explanation has emerged, speculations abound. Union leadership, union splits, the role of local officials in suppressing strikes, and ethnic conflicts have surfaced as contributory factors. David Montgomery claims workers considered a variety of options prior to the 1920's and the domination by big business was not assured. William Forbath credits the courts with forging labor's direction by limiting the options available to labor. Forbath claims that labor had to continually battle judge-made law, restrictive injunctions, and corporate use of military power; consequently, labor had to adopt constitutional arguments to protect itself and develop legal rationalizations to limit state action. Herbert Gutman questions the legitimacy of asking why American workers did not form labor or

Socialist parties and claims a better approach would be to ask how workers reacted to what was happening to them. Gutman emphasizes a cultural context looking at workers as part of a community.<sup>2</sup>

The Westmoreland County coal miners strike exemplifies many of the subjects raised by labor historians as it portrays the miners' struggles in the Progressive Era. In the first two decades of the twentieth century, there was considerable turmoil associated with the rise of corporate capitalism. The country was in the process of changing from an agricultural to an industrial society, and many people questioned this direction. People's lives were changing, but their sense of identity stemmed from the more traditional values of fellowship and community. The era produced a reform movement that was sympathetic to labor and its efforts to improve working conditions. Progressives, Socialists, and unions gained strength. Progressives feared the loss of traditional values, Socialists feared the subjugation of labor, and unions feared the demise of an individual's control over his work. Though not adhering to the same ideology, there were common denominators and many people cross-affiliated. The period was fluid.

In 1910, Westmoreland County miners were experiencing the harsh realities of life in the unorganized coal patches, and they were beginning to realize that miners in the organized areas were doing much better. Unionized miners were paid by the ton, had a checkweighman, were paid for dead work (preparatory or post-mining work which did not produce coal), worked 8 hours a day, and made higher wages. Westmoreland County miners were paid either by the ton or by the car load, and they felt that the companies defrauded them. Where miners were paid by the ton, they believed the companies underweighed the coal. A Pennsylvania statute provided that when a majority of miners desired a checkweighman, paid by the miners to verify the weight, companies had to accommodate them. The companies claimed that since the miners did not request a checkweighman, they were in compliance with the law. The miners stated that when miners suggested a checkweighman, they were discharged. Where miners were paid by the car load, the miners were forced to pile the coal high to form a topper that the miners believed increased the weight beyond the published amount. Companies would not accept the cars without topping, and if miners complained, they were fired.

Frequently, miners had to shore up timber and drain water before they could begin to dig coal. There was no uniform policy in Westmoreland County, but all miners were paid at a lower rate for dead work than in the organized fields, and some miners were paid nothing at all. The miners also worked 10 hours a day. Adding to these frustrations was the steady decline in wages. In 1905, companies paid miners 69 cents for a wagon of coal that contained one-and-one-half tons. By 1910, they reduced payment for the same wagon of coal to 58 cents. Tonnage rates decreased as well. When Keystone Coal Com-

pany announced that the miners would have to begin using new safety lights and new explosives, items paid for by the miners, the miners decided to call a meeting to discuss the issue. At the meeting other grievances were aired and the miners decided to call on Pittsburgh District 5 of the United Mine Workers of America to help them organize. On March 7, 1910, Vice President Van Bittner arrived and formed a local of about 400 men. Although there was no talk of a strike, Keystone Coal and Coke Company fired everyone they could identify who attended the meeting. About 100 men lost their jobs including men who had worked for the company for 25 years. The dismissal of the men triggered the walk out at Keystone Coal, but since the grievances were common, the strike quickly spread throughout the County. Their demands were an eight-hour day, payment for dead work, the weighing of coal, a checkweighman, union scale and union recognition.<sup>3</sup>

The strike covered 1,000 square miles and effected 30 coal companies and 65 mines. Westmoreland County, the largest coal producing region in the state, shipped its coal east and the Pennsylvania Railroad was its largest customer. The coal, all part of the Pittsburgh vein, was mined in four basins: Irwin, Greensburg, Latrobe and Ligonier. Keystone Coal and Coke, Westmoreland Coal Company, Jamison Coal and Coke Company, Penn Gas Coal Company, Berwind-White Coal Company and Connellsville and Latrobe Coal and Coke Company were the most powerful coal companies. These companies dominated the region, and they were adamant in their refusal to deal with the union. Therefore, union recognition became the major strike issue.

When the miners went on strike, they were evicted from company housing. Tent communities sprang up all over the county. The largest camp was in Export with 103 tents and the smallest was in Greensburg with 5 tents. The UMW provided tents for the displaced miners. When winter set in, the union rented space and built shanties for men with families, but 300 men wintered in tents. The entire family suffered the consequences of job loss and eviction, but families were cohesive units, and wives were as adamant as their husbands. One hundred babies were born in tents and medicine and clothing were scarce. Women had to take care of children, wash clothes, and prepare meals in primitive conditions, but they never wavered in their support of the strike. Women were active participants and several were arrested for harassing the strikebreakers. One of the coal operators claimed that the strike would have been over sooner had it not been for the women.<sup>4</sup>

The early-twentieth-century American work force was changing and the Westmoreland miners reflected the trend. Between 1880 and 1900, Pennsylvania received 50 percent of the Slavic immigrants and 70 percent of the striking miners were Slavic.<sup>5</sup> The ethnic split created problems, but it was not debilitating. Since the labor market was inundated with new workers, the

subsequent competition for jobs made the newer immigrants targets of resentment. Even in small mining communities, housing was separated by sections or rows according to ethnic identity. Ethnic groups tended to socialize within their own circle and intermarriage was frowned upon. Second generation immigrants might profess the same faith as the newer immigrants, but as soon as it was possible, churches separated along ethnic lines. However, there were shared frustrations, fears, and aspirations. Miners realized that they had to stick together if they were going to have any chance against the coal companies.

Despite the ethnic diversity, the miners and their families held together through sixteen arduous months. The union, the occupation and the shared experience of life in the mining communities overshadowed divisive aspects. The UMWA, an all-inclusive union, worked hard to foster a sense of solidarity by stressing common goals and union brotherhood. President Francis Feehan of District 5, Vice President Van Bittner of District 5 and Vice President Frank Hayes of the International worked tirelessly to cement unity. Organizers who spoke the relevant languages were sent to work with the miners, and all groups were encouraged to take positions of leadership. Though the native-born miners of Irish, English, and German descent dominated the central strike committee, newer immigrants had representatives and they held significant positions on the local strike committees. The union sponsored rallies, speeches and parades. Often, the parades included ethnic bands attired in native costume marching under the banner of the UMWA.

Mining was a dangerous occupation. The hazards of the job and the precariousness of life contributed to a sense of fraternity. Mine accidents killed 2,000 coal miners a year between 1905 and 1920.<sup>6</sup> In Westmorland County, there were 60 fatal accidents in 1909, 71 in 1910 and 81 in 1911.<sup>7</sup> Miners had to be attuned to the sound of a crack in the roof or the smell of gas. Their lives literally depended on each other. Many aspects of mining pulled men together to contribute to a sense of camaraderie. Working underground with little supervision developed a sense of independence, and the close quarters underground tended to blur somewhat the distinctions between skilled and unskilled and native-born and immigrant.

Living in small mining towns, miners shared many common experiences and developed a sense of community. To facilitate transportation, mines followed railroad lines, and Westmoreland County mining communities dotted the branches of the Pennsylvania Railroad. When corporations opened mines, they built the towns to accommodate the new work force; consequently, the towns were often isolated and the companies owned the houses, stores, and the property on which the churches and schools were built. Miners lived in company housing, shopped at company stores, and went to company doctors. Families shared the fears of mine disasters and the loss of loved ones. When a

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## Westmoreland Miner's Strike

Written by  
James Coles

Westmoreland county miners  
Are on the strike again  
Against the masters tyranny  
We are fighting might and main,  
We won't go down the coal mine  
Where we never see the sun;  
Unless we get fair wages  
For the labors to be done.

### CHORUS.

So cheer up, my bonny miner boys,  
We never must give way,  
For if the masters beat us now  
They will soon reduce our pay.  
We have got to slave in darkness,  
Where we never see the sun;  
So, stick to the union boys  
And Justice will be done.

The trouble it was brewing,  
Three months before we struck;  
We miners were dissatisfied  
To see our awful luck.  
But O' when that new explosive came  
O what an awful smell;  
We decided not to use it,  
Ev'n if we had to go to h—ll.

### CHORUS:

It was on the ninth of March.  
When we laid down our tools:  
That night we held a meeting  
Which every miner knows.  
There was a great confusion  
Which raised an awful dust,  
When every miner organized  
And that was good enough.

### CHORUS:

It has been an awful battle, boys,  
For five long months and more.  
Since we entered into this conflict  
And still it is not o'er.  
The tyrants have abused us  
The Thugs have shot us down;  
So, stand firm together boys  
For the battle is nearly won.

### CHORUS:

mine explosion or accident occurred, the entire community stood vigil outside the mine until the men were rescued. Miners, in general, volunteered to enter the mines to try to bring out those in danger. Mining communities created their own culture and songs and poems paid tribute to work in the mines and life in the coal patches. James Coles wrote a song depicting the strike.<sup>8</sup>

Most miners lived in the small mining towns, but some lived in the larger communities of Greensburg and Latrobe. The miners could count on considerable community support as a sense of neighborliness still prevailed, and there was a tradition of union sympathy in Westmoreland County.<sup>9</sup> The populace resented the arrogance of the coal companies and the police forces at their disposal. Local farmers allowed the UMWA to erect tents on their land, and citizens signed several petitions criticizing the actions of the police. Some churchmen were sympathetic. Father Tusek, pastor of Our Lady of Sorrows Catholic Church, was a strong supporter of the miners and the union. He allowed his parishioners to store their furniture in the basement of his church, and he spoke of the justice of their cause. Reverend Daniel Schultz resigned the ministry of Lorenz Baptist Church in Pittsburgh to become a full-time labor evangelist working with the miners in Westmoreland county. He ministered to their spiritual needs, and he appeared before the U.S. House Rules Committee to request an investigation into conditions in the County. Rev. Tusek, Rev. Shultz, Rev. L.A. O'Connell of Epiphany Catholic Church and Dr. Rudolph Coffee of the Tree of Life signed a resolution asking the legislature and governor to intervene and force the companies to arbitrate. Dr. Coffee said:

The Churches in their doctrines are supposed to teach of the brotherhood of man. In spite of this teaching, it is the labor union that is teaching this great principle in the Irwin field; it recognizes no creed, color or race. They teach the only kind of religion that God Almighty intended for man on this earth, the kind that clothes and feeds the poor and needy in their distress.<sup>10</sup>

Some local officials sided with the miners. The Sheriff of Westmoreland County, John E. Shields, supported the miners and tried to insure that they received fair treatment. Coal companies had power, but they did not control the hearts and minds of the population.

Dr. Coffee spoke of a common humanity without prejudice, and he credited the UMWA with trying to achieve that goal. However, prejudicial attitudes permeated management and bosses treated the southern and eastern European miners in a demeaning manner. Immigrants faced the same labor problems as the native-born, but they suffered the additional burden of dis-

crimination. In 1909, native born Americans or second generation Americans averaged \$2.18 per day, but recent immigrants of southern or eastern European descent averaged \$2.00 per day.<sup>11</sup> They were relegated to the more menial positions, and they had little opportunity to move up to supervisory positions. John P. Donohoe, General Manager of Donohoe Coke Company, said that twenty years earlier there were only a few operators and they were concerned about their employees. Donohoe claimed the growth of trusts changed the attitude, and the new owners were interested only in making money, and they were openly contemptuous of the immigrant workers referring to them as "Hunkies and Dagoes." The foreign-born workers were aware of ethnic slurs and their disadvantaged position.<sup>12</sup>

To maintain their culture while coping with the new industrial atmosphere, immigrants formed fraternal organizations and published their own newspapers. There were about seventy benevolent societies in Westmoreland County. The immigrants also gravitated to the UMWA and gave the union their unwavering support. The miners recognized more than economic opportunity in affiliating with the union. The union offered equality and individual dignity. Writing to *Jednota*, a Catholic Slovak newspaper, Andrej Buday said:

They work here from 10 to 13 hours and for less wage than a union miner who works only 8 hours a day and still if you complain to the boss that you have a bad job, the bosses say, "Go hunky if you don't like it here." Now consider the relations in mine union. There a man does not know English, bosses must respect the miners. Because if not his brothers will take his part. Because there is a motto: All for one, and one for all.<sup>13</sup>

Paval Cernanec wrote:

In the mine is the big boss. He has under him lesser bosses, maybe 15 and here in Loyalhanna still more. So brothers, don't be surprised where are these bosses. These bosses are in the parts of the mine where they can get the best coal while Slovaks and Hunkies are sent to the back where the coal is mixed with stone and where there is water. It goes without saying, the English are first everywhere. We fight as long as our opponents do not recognize our rights and our demands.<sup>14</sup>

*Jednota* and *Narodne Noviny*, another Slovak newspaper, published letters from the miners, collected funds for the striking miners and warned subscribers not to scab.

Immigrants joined unions out of proportion to their number, and they remained loyal when they had an opportunity to join. However, most unions ignored unskilled immigrant workers. But given the opportunity, they were stalwart as in the 1909 steel strike in McKees Rocks, Pennsylvania; the 1912 textile workers strike in Lawrence, Massachusetts; the 1913 silk workers strike at Patterson, New Jersey, and the 1913 coal miners strike of southern Colorado, scene of the infamous "Ludlow Massacre," attest. Immigrant history is an integral part of labor history, and immigrants fought for their rights as did the native-born. When union doors were open, immigrants rallied to the union cause. The southern and eastern European Westmoreland County coal miners looked to their own organizations and to the UMWA to achieve their goals of mutual respect and human dignity.

The UMWA answered immigrants' need and consciously worked to foster worker solidarity. Machines were replacing men, immigrants were supplanting native born and the unskilled were growing in numbers. The union tried to address the reality of the new work force by welcoming everyone regardless of race, ethnicity or skill. At a time when most craft unions excluded immigrants, African Americans and the unskilled, the UMWA stood out as an example of democracy in action. The policy contributed to its growth and it was one of the strongest unions in the Progressive Era. The UMWA did not win all its battles, but it won some significant ones especially in the bituminous region. Bituminous mining was highly competitive and coal operators tried to cut costs by cutting wages. In 1897, the UMWA was able to minimize the competition and address worker grievances through the Central Competitive Field Agreement. The coal operators in Illinois, Indiana, Ohio and parts of Western Pennsylvania agreed to recognize the union and abide by arbitration. But Westmoreland County and West Virginia were left out of the agreement, and the UMWA was eager to organize those areas because they competed with the Central Competitive Field.

Westmoreland County encompassed part of the Connellsville coking region, but the union did not attempt to organize this area in 1910 because the notoriously brutal Henry Frick owned the mines. The larger part of the Connellsville coking region lies in Fayette County. Earlier, the Knights of Labor organized the region but a strike in 1890 destroyed the union. All attempts to organize Westmoreland County between 1890 and 1910 failed. There were a few locals formed in the Greensburg area in 1906, but they did not last very long. District 2 to the north of Westmoreland County was partially organized, and District 5 to the west was fully organized since 1898.<sup>15</sup>

The Westmoreland County coal miners modeled their demands on the unionized Pittsburgh mines. They looked to District 5 for guidance, but the union was experiencing internecine warfare at the time of the strike. President Francis Feehan worked with the Westmoreland County miners and pushed



the International to support the strike; however, T.L. Lewis, President of the union, was not so inclined, and he was openly critical of Feehan's position. A special convention of the International Executive Board sanctioned the strike, and the union gave official recognition at the Annual Convention in 1911. The union gave moral and financial support and kept the strike going, but the national office during Lewis's administration was lukewarm. Vice President Frank Hayes visited the strike area, but Lewis did not.

Feehan's conflicts with Lewis escalated when Lewis supported a rump organization in District 5 which selected a new slate of candidates including Robert Gibbons as its presidential nominee. Charges and counter-charges were made with each faction accusing the other of being in league with the coal operators. The *National Labor Tribune* and the *United Mine Worker's Journal* supported Feehan. The *Labor World* and the *Coal Trade Bulletin*, both purported to be labor advocates, supported Gibbons. Local papers took sides with the Republican *Greensburg Daily Tribune* supporting Gibbons and the Democratic *Pennsylvania Argus* supporting Feehan.<sup>16</sup>

Elected president in January 1911, John White took office on April 1, 1911. With White at the helm, the national organization fully supported the strike and White visited the area. The UMWA held hearings on the dual factions in Pittsburgh, and the union exonerated Feehan and dismissed the Gibbons faction.<sup>17</sup> Many labor leaders suspected A. R. Hamilton, editor of the *Coal Trade Bulletin*, and his brother-in-law Lewis McGrew, manager of the *Labor World*, of being in the employ of the coal operators. After leaving office, T. L. Lewis became a member of the West Virginia Coal Operators association. However, the factional disputes did not undermine the overall policy, and the rank and file maintained solidarity from beginning to end.<sup>18</sup>

White was elected president of the UMWA with considerable Socialist support. In the Progressive Era, The UMWA's platform called for the formation of a labor party and the nationalization of the mines. Since neither major party addressed the problems of miners in any significant way, the leadership of the UMWA looked at alternatives. The union espoused a strong Socialist sentiment, and many of the leaders were Socialists, including John Walker, President of the Illinois District 12; W. D. Van Horn, President of the Indiana District 11; Francis Feehan, President of the Pittsburgh District and Frank Hayes, Vice President of the UMWA. The *United Mine Worker's Journal* published the Socialist platforms written by Adolph Germer and Duncan McDonald, Socialist Party Board Members, who were also active UMWA officials in the Illinois District. In 1908, 400 of the 1000 delegates to the UMWA National Convention were socialists.<sup>19</sup>

The Socialist Party was active in Westmoreland County, and ten branches of the Socialist Party were formed during the strike.<sup>20</sup> Most union meetings were held in Tonkay Hall, a Socialist hall in South Greensburg. John Slayton,

running for governor on the Socialist ticket in 1910, visited the area and encouraged the miners in their endeavors. He lost the election, but he received 25 percent of the Westmoreland County coal town vote. In 1911, Socialists elected councilors, school board members and justices of the peace in South Greensburg, Wheaton, Derry, Youngwood, Chrestline and Irwin. In 1912, Eugene Debs, the Socialist Party presidential candidate, polled 23 percent of the coal town vote. The Italian and Slavic miners were more apt to support the Socialists than the American-born, who tended to vote for the Keystone Party, a forerunner of the Progressive Bull Moose Party. Progressives, Socialists, and the union supported the strikers. The Socialists tended to gain support when labor conflicts escalated.<sup>21</sup> In 1913, about one third of the delegates to the AFL National Convention were Socialists.<sup>22</sup>

Mary Jones visited the strike area, and though she was in her eighties at the time, she was as fiesty as ever. "Mother" Jones was a spokesman for the Socialist Party, an organizer for the UMWA and a nationally known labor agitator. Called the "Miner's Angel," she spoke the miner's language and spent her life rousing miners to throw off the shackles of the capitalist class. She criticized the coal operators, the police and the courts. She gave speeches to rally the men and she urged the women to persevere. When women were arrested, she told them to sleep during the day and stay up all night singing to their babies. Since the jail was attached to the sheriff's house, the nightly harangue would disrupt the sheriff's sleep. Mother Jones saved her sharpest criticisms for the judiciary and she described one judge as a "narrow-minded, irritable, savage looking animal."<sup>23</sup> She continually spoke on behalf of the miners, and at the International Convention of the UMWA in 1911 she urged the union to support the strike so the miners could "lick hell out of those operators."<sup>24</sup>

Steadfast families, communities, ethnic organizations, the UMWA and the Socialists supported the strikers, but the miners could not defeat the coal companies. The role of the police and the judges was a key factor in the outcome of the dispute. Judges issued injunctions, coal companies employed deputies and coal and iron police and the governor called out the state police. In Westmoreland County, these initiatives proved fatal. The Railroad Strike of 1877, the Homestead Lockout, and the Pullman Boycott exemplify how injunctions and militias, state and federal, were used to destroy unions. As corporate power increased, the manipulation of the state increased. Labor had to continually struggle to get out from under the all pervasive court and police action.

Judicial interpretation enhanced corporate power. Judges could stifle the possibility of a broad reform program by their ability to overturn legislation. Coming from the same privileged classes and steeped in the same judicial ideology, judges supported laissez-faire and the sanctity of private property.

The courts overturned wage, hour, and safety legislation, but upheld yellow dog contracts and blacklisting. As a condition of employment, companies required employees to sign contracts stating they would not join a union, known by the term yellow-dog. By the end of the 1920s, 1,250,000 workers had signed such contracts.<sup>25</sup> The courts could also undermine union activity by issuing injunctions. Expanded equity power gave corporate capitalism additional strength. Prior to the 1890's, courts granted injunctions only when tangible property was involved, but after 1891 equity courts' jurisdiction began to broaden to include non-material property. Corporations rushed to the courts claiming any union activity was a threat to their potential profits. Injunctions were the bane of labor's existence, and labor organizations consistently campaigned to eliminate their use in labor disputes. However, the trend escalated. Judges issued 328 labor injunctions between 1900-1910, 446 between 1910-1920 and 921 between 1920-1930.<sup>26</sup> The frequency and the scope increased until judges enjoined almost all union activity.

Pennsylvania paralleled the rest of the country. After 1891, the maintenance of profits dominated the call for injunctions, and the use increased and became more restrictive. In his study of Pennsylvania labor injunctions between 1917 and 1922, Hyman Kuritz found a minimum of 26 injunctions that dramatically curtailed peaceful picketing and free speech.<sup>27</sup> In 1927, Judge Langham restrained the miners in Rossiter, Indiana County from singing hymns on the grounds of the Presbyterian Church.<sup>28</sup> There seemed to be no limit to what courts would enjoin. When the legislature passed laws to restrict the use of iron-clad oaths or to limit the court's ability to issue labor injunctions, the Pennsylvania Supreme Court declared the statutes unconstitutional. In the Progressive Era, the UMW was pretty successful at getting legislation passed, but that did not guarantee implementation as the courts had the final say.

Westmoreland County coal miners collided with the courts and police. They faced injunctions and judicial interpretation. Democrat Judge Lucien Doty and Republican Judge Alexander McConnell, both elected, viewed the strike from the same perspective. In April, 1910, Keystone Coal Company applied for a restraining order to prevent miners from marching past the works of the company. At the hearing, several people testified that the marches were peaceful. Sheriff John E. Shields corroborated the view that the marches were non-violent, but Keystone Coal & Coke officials claimed the loud noise intimidated the workers. Judge Doty acceded to the request of Keystone Coal and issued the following injunction:

Miners are restrained from conducting or engaging in marches to the mines, property and works of said Keystone Coal and Coke Company and from assembling at or near the works of said company for the purpose of holding meetings at such places at any time, and from

assembling on the highways at such places where the employees of the said company ordinarily pass to and from their work, and from preventing said employees from going peaceably along said injunction: highways and also from attempting by noise, intimidation, threats, personal violence or by any other means to interfere with the employees of said company in their desire to labor or with any of the property of the said company until further order of this court.

When accused of violating the injunction, miners protested that they were a half-mile away from the company works. Judge Dody replied that the whole purpose of the injunction was to secure the individual the right to work and the word "near" was not subject to exact definition. He said: "This is no occasion to quibble about words. The gist of this injunction is that every man has a right to work if he so chooses and any interference with such right is a violation of the spirit of the injunction." As Judge Doty's remarks indicate, this was an imprecise, sweeping injunction the object of which was to protect the strikebreakers. All the coal companies appealed to the courts for injunctions that made marching, assembling or traversing public roads illegal.<sup>29</sup>

The injunctions were so all-encompassing that unions had no recourse but to violate them. They based their decision on their view of their constitutional rights. The position of the courts was unrealistic and did not demonstrate any understanding of worker rights. Judges ignored free speech and the right to assemble. To achieve their objectives, unions had to bring the companies to the bargaining table. Marches, parades and assemblies were essential to maintain morale and persuade strikebreakers not to take their jobs. The 1915 the Commission on Industrial Relations criticized the attitude that permeated the judiciary. The Commission claimed that corporations did not have an absolute right to do business, and that workers had a right to try to dissuade strikebreakers from taking their jobs while they were striking to improve working conditions.<sup>30</sup>

The miners not only had to worry about violating injunctions, but they also had to deal with charges of trespass and disorderly conduct. During the strike, coal companies posted their property and the roads leading over their property. Most of these were public roads. In the small mining towns, the whole town was posted. In Herminie, residents needed a pass from the superintendent of the mines to go in and out of the village. In other communities, miners needed a pass to go to the post office that was usually located on company property. Infractions came before the justices of the peace. Two of the justices had their offices on coal company property. J. R. Spiegel, attorney for the UMW, testified before the U.S. House Rules Committee that he was unable to get a transcript from one of the justices because the messenger he sent was denied admittance to private property. When Daniel Jenkins was



**A Mass Meeting of Miners Addressed by President Feehan.**



**Rallying for Parade in Which 10,000 Miners Marched.**

*From the National Labor Tribune, April 21, 1910.*

arrested for disorderly conduct, he tried to call Spiegel but was refused permission to use the private line.<sup>31</sup> Decisions from these squires were final. Miners could request an appeal from the Court of Quarter Sessions, but there was no automatic right to appeal. In Westmoreland County, one thousand miners were arrested for trespass or disorderly conduct.<sup>32</sup>

Closely associated with the judiciary, the various police forces created an atmosphere of violence. Deputies, coal and iron police and state police were aligned on the side of the coal companies. They were brutal. Coal companies hired guards ostensibly to protect strikebreakers and their property, but in reality to break the strike. The guards were deputized which gave them legal sanction. The guards could be commissioned by the sheriff as deputy sheriffs or by the Court of Quarter Sessions as deputy constables. The coal and iron police were commissioned by the governor. In Westmoreland County, they were mostly company employees. The mine superintendents were all part of the coal and iron police, who were housed and paid by the companies. Deputies were usually recruited from detective agencies known for their strike-breaking tactics. This was a national practice and Bergoff, Baldwin Felts, and Pinkerton detective agencies were notorious. In 1914, there were 275 detective agencies in the United States, whose prime source of income came from providing assistance to management in labor disputes.<sup>33</sup> Some of the larger agencies provided guards, utilized spies and recruited the strikebreakers, generally a rough bunch, many of whom had criminal records. The 1915 Commission on Industrial Relations called detectives working for private agencies "lawless criminals" and urged regulation or abandonment of the practice.<sup>34</sup>

The Pennsylvania State Police, though not paid by the companies, took the side of the coal companies and used the same tactics as the deputies and coal and iron police. This also paralleled national trends. Slovak miners referred to the Pennsylvania State Police as the "Cossacks" which indicates the disdain in which they were held. Established in 1905, the State Police debut corresponded to the rise of corporate capitalism. Company A with barracks in Greensburg was on duty for the entire strike, and Company D with barracks in Punxsutawney assisted at times. When asked what they did when foreigners got out of hand, a young trooper responded: "We ride in, scoop them up and beat hell out of them." All Pennsylvania labor opposed the State Police and consistently campaigned for its dissolution.<sup>35</sup>

In 1910, labor leader and Socialist James Maurer was elected to the Pennsylvania legislature. He sent out a questionnaire to all the districts in the state asking for information on State Police actions during strikes. Maurer received hundreds of responses and the majority claimed that violence increased with the police's arrival. Several striking miners from Westmoreland County answered the questionnaire. A letter from New Alexandria stated: "they rode their horses over men, women and children without cause or provocation."

The other letters gave similar descriptions. Mauer introduced a bill to repeal the law creating the state police. He said: "the institution is not to protect property but is organized solely for the purpose of intimidating the workmen in Pennsylvania at such times as masters of our industry make living conditions unbearable."<sup>36</sup>

The 1915 Commission on Industrial relations highlighted the Pennsylvania State Police in their annual report stating:

Extensive investigations of the organization, personnel and activities of the Pennsylvania State Constabulary were made and a number of witnesses were heard at length. The finding with regard to this particular police organization may be briefly stated. It is an extremely efficient force for crushing strikes, but it is not successful in preventing violence in connection with strikes, in maintaining legal and civil rights of the parties to the dispute, nor in protecting of the public. On the contrary, violence seems to increase rather than diminish when the constabulary is brought into an industrial dispute, the legal and civil rights of the workers have on numerous occasion been violated by the constabulary and citizens not in any way connected with the dispute and innocent of any interference with the constabulary have been brutally treated.<sup>37</sup>

Proof that the police forces fomented violence appears in the correlation between the escalation of riots and the use of the police forces. They had the arrogance of power, the goal of destroying the strike and the sanction of the courts. They ignored local law officials and road roughshod over the populace. Six striking miners and one union sympathizer were killed during the strike. Most deaths resulted from stray bullets fired by the police. Untold numbers were severely beaten. Police harassment triggered the violence. The police took it upon themselves to decide if an injunction was being violated, and they interpreted a perceived violation to sanction brutality. The courts took a benign attitude toward police aggression, generally ignoring their violence. When miners mistreated anyone, they were arrested and sentenced, but when officers were implicated, unless there was serious injury or death, no arrests were made.

Workers were victims in industrial disputes. Living in company towns, miners were particularly vulnerable, risking life and limb when they went on strike. Sheriff Shields tried to maintain some semblance of justice in Westmoreland County. He initially worked with the coal companies securing deputies through a Greensburg detective agency and the Pittsburgh Taney Detective Agency. The Taney Detective Agency had a reputation for breaking strikes. Providing deputies for coal companies was a lucrative side line for

sheriffs and a common practice at the time. The companies paid Shields five dollars a day per man, and the cost to the sheriff was probably about \$3.50; therefore, he made a profit. Shields, however, was not a company lackey, and he issued orders not to brutalize the miners and to ignore peaceful marches. He dismissed deputies who were involved in acts of violence against the miners.<sup>38</sup>

On May 8, 1910, a riot broke out in Yukon resulting in the death of Paul Renomeno. It began when deputies from the Taney Detective Agency attempted to prevent Peter Leybeck and a few strikebreakers from leaving the employ of Westmoreland Coal Company. The miners had persuaded Leybeck and the others to leave, and the men were temporarily staying in the boarding house of Mrs. Santine. Five deputies came to the boarding house to dissuade Leybeck and the others, but the men insisted they would not go back to work. About four hours later, twenty-five deputies and state policemen, armed and drunk, went to Mrs. Santine's demanding to see Leybeck. After being informed that they were not there, the deputies pushed Mrs. Santine aside and searched the house. When they emerged empty-handed, striking miners who had congregated in the area began to laugh. The deputies then fired randomly into the crowd. Thirty persons were injured and Paul Renomeno, who was standing by the front gate of his house, was killed.<sup>39</sup>

Renomeno's home town of Yukon was a small mining community where the company owned everything, including the property on which Our Lady of Sorrows Slovak Church was built. The pastor, Father Tusek, was saddened and enraged as were his parishioners over the death of Renomeno. He proposed having Renomeno buried on the church property. The superintendent of Westmoreland Coal Company, E. G. Smith, wrote threatening letters to Tusek. Father Tusek made a public statement saying that he was a priest of the Roman Catholic Church, and he would not be influenced by the company or its officials. He proceeded to bury Paul Renomeno on church property. He later said:

First. I wanted to give a little satisfaction to the outraged people; and secondly, because I wanted to give the officials of Westmoreland Coal Company a dose of their own medicine which they generally like to prescribe for other people but do not like to take themselves.<sup>40</sup>

When the sheriff discovered what happened, he withdrew the commissions of the deputies of the Taney Detective Agency. The coal companies turned to the Court of Quarter Sessions to deputize those same men. The Court complied and the dismissed deputy sheriffs then became deputy constables. The sheriff was so aggravated that he issued the following proclamation:



I look on all deputy constables who have been commissioned, who are employed by any detective agency as impostors, to myself as high peace officer of the county and every respectable citizen of the county. W. J. Taney, who is head of Taney Agency of Pittsburgh, and his son have been appointed by the Court as deputy constables with a lot of others whom he employs, who are only a conflicting element in bringing about the proper conditions of peace in this county and are a dangerous element in any community where peace is required. I therefore demand that they keep away from any trouble district over which I am high peace officer.<sup>41</sup>

Shields consistently issued orders to treat the miners decently. He continued to provide deputies for the companies, but he refused to deal with the Taney Detective Agency, and he advertised throughout the state for men. He gave clear instructions that they were not to interfere with peaceful marches.

Eighteen deputies involved in the Yukon riot were arrested and released on bail. While out on bail, Walter McCloskey was involved in another incident. Marching home from a meeting held near Export, miners passed coal company property. About twenty deputies and State Police attacked the miners. Several were badly beaten, and Mike Opacich, a striking miner, who was walking in the vicinity with a child in his arms, was killed. Someone identified Walter McCloskey as the person who fired the shot that killed Opacich, but District Attorney Dom did not issue a warrant for his arrest. Sheriff Shields accused him of intentionally ignoring the crime. He said, "Will that dastardly crime ever be avenged."<sup>42</sup> Dom answered back that without evidence there was no reason to waste the taxpayer's money on a trial. The star witness mysteriously disappeared, and Shields intimated that the District Attorney and the coal companies were responsible. McCloskey was eventually tried for the murder of Opacich, but he was acquitted because of conflicting testimony. In the Yukon case, he along with the others was sentenced to four months in jail.

Another incident points up the difficulty of having anyone held responsible for crimes against the striking miners. In May 1910, Mike Cheken encouraged four foreign-speaking miners, who had been stopped by the State Police, to run away. When they ran, two state policemen and Frank Crowe, superintendent of Latrobe Connellsville Coal and Coke Company, turned their attention to Cheken. The state policemen and Frank Crowe chased Cheken into the barn next to his home. An altercation followed and Crowe killed Cheken. At Crowe's trial, Cheken's wife and other witnesses testified that Cheken was begging for his life when Crowe shot him. The two state policemen who accompanied Crowe testified that he killed Cheken in self defense. Contradictory testimony exonerated Crowe. No one went to jail for

killing a miner.<sup>43</sup>

Since they did not have to fear retribution, the police forces ignored local officials. In July, 1910, the miners secured a permit from the town of South Greensburg to march through the streets. When the miners attempted to march, deputy constables and coal and iron police employed by Jamison Coal and Coke Company stopped them. Chief of Police Keltz informed the deputies that the miners had a permit and asked the deputies to leave. The deputies ignored Keltz and continued to block the marchers. To avoid the deputies, the miners crossed to a vacant lot, but the deputies pursued them. The mounted deputies rode into the group of miners. A riot ensued and deputies fired into the crowd. J.A. Willis, a deputy constable, shot Peter Gale, a miner. When Police Chief Keltz attempted to arrest Willis, deputy constables arrested Keltz. They took him to the local justice of the peace and charged him with obstructing officers in the line of duty. The people of South Greensburg were outraged and called a town meeting to protest the actions of the deputies. Such jurisdictional disputes were a constant source of frustration to local officials who were not controlled by the coal companies.<sup>44</sup>

Captain Adams, chief officer of the State Police, and Sheriff Shields were constantly at odds. Adams was arrogant and he did not pay any attention to the sheriff's directives or proclamations. The sheriff was in conflict with the District Attorney, the State Police, the coal companies, and the local judges. Unfortunately for Shields, he was making powerful enemies. By November, 1910, the coal companies stopped using him to recruit deputies, and they began to rely on the coal and iron police and the deputy constables. When they stopped using the sheriff's deputies, they also reneged on payments owed him. The sheriff sued the companies to recover back payment and he won his case in court.

In January, 1911, the sheriff started to appoint the striking miners as deputy sheriffs, and they served without pay. In May, 1911, miners participated in a peaceful march around Export. Though no violence occurred, 79 miners were charged with violating the injunction. Four of the sheriff's miner deputies were named, and they were fined \$50 for contempt of court. The sheriff filed a petition requesting that his deputies Joe Grevette, John Resardo, Joe Wonce, and Fred Grace be exempt because they were accompanying the march in an official capacity. The sheriff stated that the good order of the march attested to the wisdom of the practice, and he said that he appointed the deputies on the request of the local citizens. He claimed that the practice was not unique as the Sheriff of Allegheny county had recently sworn in more than 50 railroad strikers to act as police officers at Pitcairn, and the Mayor of Youngwood had deputized striking railroaders as local policemen. Judge McConnell refused to exonerate the sheriff's deputies, claiming that their official capacity did not diminish their culpability in violating the injunction.<sup>45</sup>

In May, 1911, striking miners were traveling from Madison to Greensburg to hear Vice President Hayes and President White of the United Mine Workers speak. The shortest route entailed going past Jamison Coal & Coke Company. To avoid company property, the miners would have had to go five miles out of their way. The miners chose the shortest path. They had to pass a narrow part in the road with company property on one side and a creek on the other. At that juncture, the State Police blocked their path. When they continued to pursue their course, the mounted State Police rode into the crowd. Two miners were shot and several beaten; John Ruffner, one of Sheriff Shields' deputies, was badly beaten. The sheriff requested a hearing before Judge Doty with Captain Adams to discuss the incident. Sheriff Shields said that the state police should not have intercepted the march because the miners were peaceful, and it was up to the court to decide if an injunction was violated. Judge Doty said that was up to the court to decide, but Captain Adams was right in trying to prevent the miners from violating the injunction. The judge did not make any comments on the manner or ramifications of their method of stopping the march.<sup>46</sup>

The sheriff's miner deputies continued to accompany marches and parades. On one of the marches, the miners passed Penn Gas Coal Company. The constables and coal and iron police fired 150 shots over the heads of the miners. The sheriff's deputies, who could identify three of the assailants, secured a warrant for their arrest. The deputies went to Penn Gas Coal Company, showed the chief deputy the warrant and asked that he turn over the three men named. Instead, the chief deputy, assisted by the coal and iron police, arrested the sheriff's deputies and took them to Justice of the Peace H. C. Meerhoff. Meerhoff ignored their legitimate purpose in being on coal company property and sentenced them to five days in jail for trespass. The sheriff, quite aggravated, did not put his deputies in jail. Three months later, on an order from the same justice of the peace, Shields was arrested and charged with malfeasance in office for allowing prisoners to escape. The sheriff quickly put the deputies in jail and they served their five days, but a grand jury still indicted him.<sup>47</sup>

At the trial, the sheriff's attorney tried to introduce the reasons for his client's actions, but Judge McConnell refused to allow any airing of evidence from the lower court claiming they could not retry the facts of the case. The sheriff's defense hinged on the contention that the law pertained to prisoners accused of a crime, and simple trespass was not a crime within the meaning of the law. The jury deliberated twenty-one hours before reaching a guilty verdict. Judge McConnell sentenced the sheriff to one year and three months at solitary confinement and hard labor. Ten of the jurors petitioned the court requesting that Shields be given a new trial. After the sentence was announced, the sheriff won the nomination for County Commissioner by a clear cut mar-

gin, and he was elected on November 7, 1911 by the highest number of votes of any candidate.<sup>48</sup> Shields appealed the case, but the superior court upheld the lower court. Justices J. Morrison and J. Henderson dissented, stating that the law was not intended to include infractions such as trespass.<sup>49</sup>

The sheriff had to fight another case when he was accused of embezzling funds from his office. The district attorney turned a bookkeeping error into a case against him. He was found guilty and sentenced to one year and one month at solitary confinement and hard labor. The superior court upheld the verdict, but Justices Henderson and Morrison dissented, claiming the judge's remarks to the jury were prejudicial. The sheriff's travails demonstrate the power of the coal companies. Local officials could not protect the miners; they could not even protect themselves. Attorney Crowell provided the judge with a petition signed by a large number of the voters of Westmoreland County requesting the sheriff be given a suspended sentence. A Pennsylvania statute allowed for such a prospect when a defendant had no prior record. The judge ignored the request and reimposed the original sentence.<sup>50</sup>

The courts were the perfect remedy for the corporations. Seven coal companies initiated civil suits in Westmoreland County and Allegheny County against the individuals involved in the strike. They each claimed they suffered substantial economic loss between \$200,000 and \$500,000. Twenty-eight officers and organizers of District 5 were arrested in Allegheny County, and 17 local strike leaders were arrested in Westmoreland County. Each had to furnish \$300 bail. They were charged with conspiracy to induce employees to violate their contracts and intimidation, violence and general lawlessness. The suits aroused a wave of protest countrywide. Workers in other industries viewed it as an attack on organized labor. Various unions assessed their members to cover the bail and vowed to help the miners in their legal battle. The protest was so vehement that the coal companies did not pursue the case.<sup>51</sup>

Besides the judiciary and the police, the coal companies, claiming to have no labor problems, frequently recruited men who did not know they were about to be used as strikebreakers. The companies especially secured recent immigrants who did not speak English. If the individuals changed their minds after learning of the strike, the deputies prevented their leaving by informing them that they first had to pay their transportation costs. Fences were built around housing supposedly to keep strikebreakers safe from the union miners, but more often to intimidate them. In Herminie, a twelve-foot fence surrounded the barracks of the strikebreakers. John Jamison was heard to say: "We are going to make them a far sight more afraid of us than them."<sup>52</sup> Attorney Spiegel testified before the United States House of Representatives Rules Committee that a number of strikebreakers arrived in his office with broken noses and black eyes. The men told Spiegel that they were beaten when they tried to leave. In 1911, the United States House Labor Committee held hear-

ings on charges of peonage in Western Pennsylvania from reports of forced detainment in the 1909 McKees Rocks strike against Pressed Steel, broken in part by the Bergdoff Detective Agency, and the Westmoreland coal strike. Testimony indicated that miners who attempted to leave were beaten and forced to stay.<sup>53</sup>

The miners remained steadfast and continued to challenge the coal operators, but it became evident that they could not win. No longer able to financially support what appeared to be a losing battle, the UMWA had to call off the strike in July, 1911. The union distributed \$1,064,865.00, but the coal companies refused to consider all offers of arbitration. Though not functioning at full capacity, the operators were able to keep producing, and the larger companies were financially able to withstand the pressure. The coal slump of 1910-11 worked to their advantage. The companies owned the mines, the houses, company stores, and several owned breweries as well. Jamison Coal Company owned the Eurika Brewery in Smithtown. The operators had considerable political influence. John Jamison, President of Jamison Coal Company, was a state senator, and George Huff, President of Westmoreland Coal Company, was a United States congressman. But it was the cooperation of the courts and the willingness of the government to supply the corporations with police power that gave the companies the leverage to squelch the miners and their union. Judicial oppression and police repression broke the 1910-11 strike. Reluctantly, the miners went back to work. The companies blacklisted the leaders and several hundred men were unable to find employment in the area.<sup>54</sup>

The miners lost the battle, but they did not give up the fight. They joined later national strikes. During World War I, direct government intervention improved labor conditions. But the postwar era brought reverses for the labor movement, and miners experienced declining wages and deteriorating working conditions. The UMWA called a nationwide strike in 1922 in which the Westmoreland County coal miners participated, but Union President John L. Lewis signed a contract with the coal operators which excluded the previously unorganized areas, an action that the rival progressive wing of the UMWA opposed. Later in the decade, conditions worsened as big business and its conservative political allies held sway nationally, statewide and locally. Union ranks thinned and labor sympathizers diminished. Lewis responded by revising the UMWA platform to focus the union's energy on getting the courts out of the labor business. The initial stage of the Great Depression compounded labor problems, but worker militancy resurfaced. As corporate leadership lost credibility, the political atmosphere changed and the government responded to worker initiatives. In 1932 the Norris-LaGuardia Act limited the use of injunctions in labor disputes and eliminated yellow-dog contracts. With Franklin Roosevelt's New Deal and the National Industrial Recovery Act, the

state which had blocked labor's path became an ally which aided workers in achieving their goals. Coal miners turned to unionization, and a revitalized UMWA, unencumbered by court and police retaliation, gained union recognition, better working conditions and higher wages. The Westmoreland County coal miners finally won many of the demands that had triggered the 1910-11 strike and vindicated the sacrifices of their predecessors.

## Notes

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5. John Bodnar, *Immigration and Industrialization: Ethnicity in an American Mill Town, 1870-1940* (Pittsburgh: University of Pittsburgh Press, 1977), p. xix.
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7. Labor Committee, p. 14.
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9. Herbert Gutman, "The Buena Vista Affair, 1874-1875," *The Pennsylvania Magazine of History and Biography* (July 1964), pp. 251-293. In this article, Gutman outlines the community reaction to coal company efforts to bring in Italian strikebreakers. The community rallied to the support of the miners, the local sheriff sided with the populace, and the judges sided with the coal companies. There are similarities to the 1910-11 strike, but the earlier strike brought out anti-immigrant sentiment because the miners were native-born and the strikebreakers were immigrants.
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44. *Greensburg Daily Tribune*, July 29, 30, 1910; Labor Committee, p. 63.

45. Labor Committee, pp. 70-72, *Greensburg Daily Tribune*, June 10, 1911.

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