

**HEARINGS BEFORE THE COMMITTEE ON
MINES AND MINING HELD IN THE
COMMITTEE ROOM OF THE HOUSE OF
REPRESENTATIVES. THE CONSIDER THE
QUESTION OF THE ESTABLISHMENT OF A
BUREAU OF MINES**

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Hearings before the Committee on Mines and Mining Held in the Committee Room of the House of Representatives. The Consider the Question of the Establishment of a Bureau of Mines by Various

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VARIOUS

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HEARINGS

U.S. Congress, House.
BEFORE THE COMMITTEE ON MINES AND MINING, HELD
IN THE COMMITTEE ROOM OF THE HOUSE
OF REPRESENTATIVES

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TO CONSIDER THE QUESTION OF THE
ESTABLISHMENT OF A BUREAU
OF MINES.

COMMITTEE:

GEORGE F. HUFF, Pennsylvania, Chairman.	GORDON LEE, Georgia.
JOSEPH HOWELL, Utah.	GEORGE A. BARTLETT, Nevada.
W. F. ENGLEBRIGHT, California.	MARTIN D. FOSTER, Illinois.
JOSEPH W. FORDNEY, Michigan.	THOMAS D. NICHOLS, Pennsylvania.
BURTON L. FRENCH, Idaho.	DANIEL W. HAMILTON, Iowa.
JOSEPH G. BEALE, Pennsylvania.	WINFIELD S. HAMMOND, Minnesota.
ALBERT DOUGLAS, Ohio.	THOMAS CALE, Alaska.
PHILO HALL, South Dakota.	
CHARLES N. PRAY, Montana.	

MONDAY, MARCH 9, 1908.

THURSDAY, MARCH 12, 1908.

MONDAY, MARCH 23, 1908.

MONDAY, MARCH 30, 1908.

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ESTABLISHMENT OF A BUREAU OF MINES.

MONDAY, *March 9, 1908.*

The meeting was called to order at 10.45 a. m. by Representative Englebright, chairman of the subcommittee having in charge the several bills bearing upon the creation of a Bureau of Mines.

Members present: Mr. Englebright (chairman), Messrs. Douglas, Hall, Hamilton, and Bartlett.

The following persons invited to be present: Prof. I. C. White, State geologist of West Virginia; Hon. A. B. Fleming, Fairmont Coal and Coke Company, Fairmont, W. Va.; Messrs. J. H. Walker, district president of the United Mine Workers of America, Springfield, Ill.; W. D. Van Horn, president of Indiana district, U. M. W. of A.; J. M. Craig, president of West Virginia district, U. M. W. of A.; F. J. Drum, president Maryland district, U. M. W. of A.; James Purcell, of Clearfield, Pa., district president of the U. M. W. of A.; J. F. Callbreath, secretary American Mining Congress, Denver, Colo.; Representatives Wilson and Chaney.

Mr. Englebright stated the object of the hearing, as follows:

Gentlemen, during the present session of Congress there have been introduced a number of bills relative to the question of the establishment of a national department or bureau of mines, all with a view to providing the mining industries of the United States with a broad recognition by the Government deemed entirely commensurate with their importance, to the betterment of mining conditions generally in its several branches, and especially to the prevention of waste in mining methods and to the prevention of accidents which have recently proven so disastrous to life and property.

This subject has assumed such proportions and attracted such widespread earnest attention alike by the mine operators, mine workers, the public and press of the country, as well as by Congress itself, that it has been decided by the Committee on Mines and Mining of the House of Representatives to afford those interested every opportunity to present the different phases of the question for the information and guidance of those Members of the House of Representatives to whom these questions are referred for recommendation.

With this end in view, Mr. Huff, the chairman of the Committee on Mines and Mining has named Messrs. Douglas, Hall, Hamilton, Bartlett, and myself as members of a subcommittee to give particular consideration to this subject of a bureau of mines, and we have invited you gentlemen to be present that we may be better guided by your wide experience and advice as to what action by Congress may serve the mining industry to the greatest possible advantage. We desire that all who appear before this committee will feel free to speak frankly and fully, realizing that we must look to those experts who are best qualified in their respective lines of work to point the way to the proper solution of the matters under consideration. We will now be glad to hear from any of the gentlemen present.

Mr. DOUGLAS. I believe that we are united in the opinion that the bureau of mines should be established. I would be glad to listen to these hearings, but it seems to me that, this being true, it will be a waste of time to discuss the question as to whether we want a bureau of mines, but, rather, why?

Mr. WILSON. It is certainly pleasing to me to know that the committee has agreed upon the proposition for a bureau of mines. The statement of Mr. Douglas to that effect is very reassuring, and I assume that it voices the general opinion of those who have considered the matter.

Mr. DOUGLAS. I might add this, Mr. Wilson: We all held a meeting the other day and agreed that there is no question to which we could devote ourselves to more advantage.

Mr. WILSON. With that information, I will not go into an extended discussion. I believe that the necessity for it as bearing both on life and property is very fully set forth. I merely want to add that at a meeting of operators and miners from Pennsylvania, Ohio, Indiana, Illinois, and other important coal States, held at Indianapolis on the 27th, 28th, and 29th days of February, the question of a bureau of mines came up for consideration. I was secretary of that meeting. At that meeting the representatives of both interests jointly agreed that they favored a bureau of mining technology. While in the resolutions adopted the name of the particular bill or the number of the particular bill that they favored was not mentioned, it was generally understood that the ideas in favor were contained in the Chaney-Hemenway bill as the ideas in which the miners and operators mutually agreed. To that extent we are agreed and that the appropriation item offered by Senator Hemenway, amounting to \$200,000 should be made for the purpose of establishing and conducting this bureau. Beyond that we did not jointly take up any of the details of the proposed bureau of mines. As we understand the Chaney-Hemenway bill, it proposes a bureau of mining technology that will investigate into the mining technique, causes of explosions and other accidents, the loss and waste in mining coal, and other things of general welfare to the mining industry. But the convention prior to that one, in addition to the proposition for a bureau of mines, advocated and petitioned that an insurance or indemnity feature should be had, such as is contained in the McHenry bill. We are not agreed that it is constitutional, in the form that it can be used for the specific purpose; but the tax can be placed on coal mined, for that purpose, and it is, in our opinion, just and proper.

Mr. HAMILTON. Do you believe that feature could be embodied in a separate bill and not in the bill that provides for the bureau?

Mr. WILSON. So far as I am personally concerned, I would not want to place anything in the way of establishing a bureau. I am speaking for myself alone. I do not want it to encumber or endanger the passage of a proper bill for the bureau. Speaking for my organization that I represent, they think that the two should be connected, and that there should be established a tax of 1 cent per ton on coal mined, to be used as an indemnity fund against the lives or injuries of the miners. They take that position. Attempts have been made at different times, laws have been passed in the different States, and immediately upon such measures being passed the operation of the mines has felt its disturbing influence. In the bituminous coal trade

it has not been so combined or so established that man can control it. Between West Virginia and Pennsylvania a few cents per ton tax passed on Pennsylvania or West Virginia coal would disturb the business. A tax of 3 cents per ton was proposed on coal in Indiana, and when that measure came before the State legislature we were engaged in making a wage contract. It led to trade disturbance and to withdrawal of the measure. I believe that the levying of such a tax on all coal will remove that cause of disturbance and place all of those interests in the same competitive position. The consumer would in the end assume the burdens which are incident to the production of that coal. In that we believe it is just. I want to state, however, that the operators did not agree with us to that extent in supporting that measure. I also want to make the statement in such a way that you may know where I stand. I want to see this tax levied, but if attaching it to a measure for the establishment of a bureau of mines will hurt that measure I do not care to see it attached. That is my personal position. But, speaking as a representative of the United Mine Workers of America, I desire to state that we favor such a tax and believe that it is just and proper.

Mr. ENGLEBRIGHT. Would that have to be levied as an internal-revenue tax?

Mr. WILSON. Yes; it would be an internal-revenue tax. As to the power to levy such a tax for a special purpose I am at present in doubt as to how it could be carried out constitutionally. It should further provide for a tax on all coal mined in the United States, Territories, and insular possessions at 1 cent per ton, and appropriations made to indemnify those who are killed or injured in the mines, such appropriations to be limited in amount to that accrued as the result of the tax.

Mr. ENGLEBRIGHT. Would you not just summarize your remarks to this extent: What objects do you believe that the bureau of mines should attempt for the coal industry to be able to assist them as they need assistance?

Mr. WILSON. My views are, first, that the bureau of mining should be provided and equipped with the necessary apparatus for making practical tests concerning the nature of gases; their effect when brought in connection with a flame or other material that may cause injury; the effect of dust, whether it will ignite and explode without an admixture of gas—carbureted hydrogen; whether the sprinkling of dry mines tends to increase or decrease the liability to explosions, and the intensity of them when they do occur; whether or not electricity in mines or electric wires carried into mines, insulated or un-insulated, tend to cause accidents in mines; whether or not silent current, a wire without a spark, would ignite gas or dust or other inflammable material, and whether or not the present explosives used in mining coal are the best that can be used, that can be devised, and all matters of that kind for the protection of life and limb, all of which are matters of doubt at the present time. It should further provide a tax on all coal mined in the United States, the Territories, or our insular possessions of 1 cent per ton, and make appropriations to indemnify those who are killed or injured in the mines, such appropriations to be limited to the amount that may be produced or secured as the result of the tax.

Mr. ENGLEBRIGHT. Would you consider it a very pertinent question to have the lights that are used in the mines still something that is very open to considerable discussion?

Mr. WILSON. Yes; I do. I consider that the question of lights is a very important question. Because of the fact of the safety lamps that are now in use being of such small candlepower, that candlepower itself being reduced as the result of going through wire gauze, and in addition to that the lamps being heavy and cumbersome, miners find them inconvenient to use, and they will frequently take risks rather than use them; also because of the fact that naked lights undoubtedly ignite gas when at the explosive point; and an investigation should be entered upon to determine whether or not those open lights would ignite dust under certain conditions and cause an explosion.

Mr. DOUGLAS. May I ask you this, whether or not you think that the language I read now covers your own views as to what should be investigated? Of course we can go, in a bill, into all the details that you speak of.

Mr. WILSON. I understand.

Mr. DOUGLAS. It reads: "To make an investigation of the methods of mining, the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, the prices of products and markets for the same, the wages of employees, and of other matters pertinent to said industries."

Mr. WILSON. That, in my estimation, would cover it all. The last clause in itself is a blanket clause, and covers that which has not been specifically stated prior to that.

Mr. HALL. Just a moment, since you have answered that question. Did you examine all the details contained in this letter from the Secretary of the Interior to the Secretary of the Treasury, which is contained in House Document No. 523, containing an enumeration of different matters and items that it is recommended an appropriation be made for to purchase, in connection with these investigations?

Mr. WILSON. No; I have not examined it.

Mr. HALL. It is rather lengthy, and I just wanted to get your views as to the propriety of the expenditure for those purposes.

Mr. WILSON. While I have not examined this statement, I may state that I have discussed to some extent with others this general idea, as to the items that are necessary for the equipment. As to their accuracy I have no information.

Mr. HALL. It would be a matter of detail and experience, anyway?

Mr. WILSON. Yes, sir. But I do believe that there should be provided all of the necessary mechanical devices to make the tests that are required to demonstrate the correct theories, and perhaps in connection with the operations of mines.

Mr. HALL. One other question. I was not in the room at the time you made your remarks. You know that there are several bills here for the purpose of investigating the causes of these recent mining disasters?

Mr. WILSON. Yes.

Mr. HALL. Did you make any investigations in regard to them?

Mr. WILSON. I have not done so. I simply made the statement that so far as the miners and operators of western Pennsylvania—

their representatives in conference—Ohio, Indiana, and Illinois were concerned, we were a unit in agreeing upon the establishment of a bureau of mining technology such as is provided in the Hemenway and Chaney bills. To that extent we were a unit. Beyond that we had not considered the details of the proposition; but that the miners in separate convention had passed a resolution indorsing the principles embodied in the McHenry bill, and asking that it be changed to conform to the Constitution and enacted into law. The McHenry bill is somewhat lengthy. It provides for a bureau of mining, and in addition to a bureau of mining provides for a tax of 1 cent per ton.

Mr. HALL. I came in about the time you were discussing that.

Mr. WILSON. Yes. It provides for a tax of 1 cent per ton. I may say in addition to what I have already stated that miners also believe that in the establishment of a bureau of mining it would take some time to get the bureau into operation, to establish a bureau of the magnitude that would be required would take some time and to get it into practical operation. We believe that in the meantime an investigation should be proceeded with under the direction of the Secretary of the Interior, and that the means should be provided to proceed with that investigation. Any equipment that may be necessary or that may be secured to assist in that investigation would naturally be under the Interior Department, and would revert to the bureau of mining when it is ready to proceed with the work.

Mr. HALL. You think it would be better to have that under the auspices of the Secretary of the Interior than to have any of those commissions appointed that is provided in some of the bills?

Mr. WILSON. I do.

Mr. HALL. You think that would be better than to have an investigation made by this committee, by bringing witnesses before them?

Mr. WILSON. I do. My ideas of a commission are embodied in a joint resolution, I believe No. 100, which I introduced, and it proposes a commission of three lawyers, three expert mining engineers, three coal-mine operators, and three practical miners.

Mr. HAMMOND. That to be under the direction of the Secretary of the Interior?

Mr. WILSON. Yes, sir; to be under the direction of the Secretary of the Interior. The resolution so provides.

Mr. HALL. Why would it be better to have a commission of that kind to make the investigation under the auspices of the Secretary of the Interior than to have the witnesses brought before this committee who could give this information, excepting upon the question of actual experiments?

Mr. WILSON. Because of this, that the same parties who were examining the witnesses and giving theoretical knowledge would also be proceeding to secure the practical knowledge—the parties.

Your committee, I take it—the committee that is proposed under some of the resolutions—is to be composed of Senators and Representatives, and the sole purpose will be to examine witnesses, to get from those witnesses their ideas of the causes, and it would not be their province to make a practical demonstration by experiments.

Mr. HALL. I refer to the experiments, but what I was alluding to more particularly was the Huff resolution, which provides not for

the appointment of any commission at all, but that this committee might subpoena witnesses to come before them to give their testimony concerning causes of the mining disasters, and might also call before it expert witnesses who might make experiments in connection with the explosive proposition as to these gases, and the causes of the explosions, and so on, and to reduce that to writing, so as to constitute a permanent record.

Mr. WILSON. I do not think that is possible, because the devices that would be necessary to make practical experiments could not be produced and used in the short space of time, nor could they be readily movable. There are many devices that would be necessary for the demonstration of the cause of explosions of gas, the cause of the explosions of dust, if dust is one of the causes of explosions, and the power of powder explosions, and such experiments would scarcely be available before such a committee.

Mr. HALL. That apparatus you mention would probably require as much time for its preparation as would ensue before such department might be created as you recommend, anyway.

Mr. WILSON. Some of it.

Mr. HALL. Yes.

Mr. WILSON. Some of it. I am of the opinion that a permanent station will have to be established for experiments, and that permanent station will require considerable space and considerable apparatus to make the practical tests that will be necessary, and that permanent station necessarily should be established in the mining region, where it would be convenient for practical tests, such as the tests that are frequently made in the State of Pennsylvania, where the air in the mine is taken from the mine and taken to the inspectors' offices and there, by the use of the Shaw machine, analyzed.

Mr. HALL. So that whatever investigations were made prior to the establishment of this bill would necessarily have to be largely without the use of apparatus in any event, no matter what the proceeding there might be?

Mr. WILSON. There would be a great proportion of that that would have to be without the use of machinery; and yet the practical value of the investigations that might be made upon mines with the apparatus available—

Mr. DOUGLAS. I want to ask you a question there. Have you personally investigated the question of advisability, as to whether this bureau should be established in the Interior Department or the Department of Commerce and Labor; as a matter of law, I mean?

Mr. WILSON. Not as a matter of law, I have not. It has occurred to me, however, that it is interior work, and properly belongs in the Department of the Interior.

Mr. DOUGLAS. Because it has nothing to do with foreign affairs?

Mr. WILSON. Yes, sir; because it has nothing to do with foreign affairs.

Mr. DOUGLAS. But did you know, as a matter of fact, that the whole subject of mining, as an industry, is by the organic law creating the Department of Commerce and Labor put into that Department? Did you know that fact?

Mr. WILSON. No; I did not.

Mr. DOUGLAS. Well, that is true.