

State inspector of coal mines reports

Section 66, Pages 1951 - 1980

These reports of the Kansas State Mine Inspector mostly concern coal mining, though by 1929 the scope of the reports broadens to include metal mines. The content of individual reports will vary. The reports address mining laws and mining districts; industry production and earnings; fatal and non-fatal accidents; accident investigations and transcripts of oral interviews; labor strikes; mine locations; mining companies and operators; and proceedings of mining conventions. The reports document the political, economic, social, and environmental impacts of more than seventy years of mining in southeastern Kansas.

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and for the sake of humanity I wish you would urge this matter to an issue of some kind, or instruct me what I can do to have the laws complied with. I am

Respectfully yours,
J. A. ORR.

The attorney-general took the matter up with Mr. Wayde, and the following is a copy of his letter:

TOPEKA, KAN., December 22, 1904.

Mr. J. M. Wayde, County Attorney, Pittsburg:

DEAR SIR—My attention has been called by Mr. J. A. Orr, state secretary of mining industries, to certain complaints in regard to violations of the mining law by a man in your county, concerning which Mr. Orr says he has made representations to you. Mr. Orr seems to think that his complaint has not received the consideration it deserves. According to his statement made to me it is a case which ought to be investigated, and which, if his statements are sustained, would justify a prosecution. I request that you give this matter your careful attention, and if the law appears to have been disregarded, notify Mr. Orr and give him an opportunity to make the necessary complaints for the institution of a prosecution. I have sent Mr. Orr a copy of this letter.

Mr. Orr's communication to me was not in the nature of fault-finding with you, but merely to request me to cooperate with you. I shall be pleased to afford you any support proper under the law if proceedings become necessary.

Yours truly,
C. C. COLEMAN.

After which Mr. Wayde wrote me quite a code of instructions as to how I was to carry on my investigations, or rather turn them over to some disinterested party (who would be agreeable to the company) and should he be in accord with my views he then would bring suit as per his letter.

I give below a copy of the letter he wrote me.

PITTSBURG, KAN., December 24, 1904.

J. A. Orr, State Secretary Mining Industry:

DEAR SIR—In regard to the complaint which you make against the Western Coal Mining Company, at Yale, I beg to state that I have had a talk with Mr. Mooney in regard to this mine, and he tells me that he is willing to have any good, experienced, creditable man in the district make an examination of this mine, and that he can show that it is in much better shape than most of the mines in the district that have been worked as long as it has. Now, I think the thing for you to do is to first go to Mr. Mooney, and then have some good, reliable party go into the mine, a party that we can depend upon as a witness, and after examining the same as to condition of the air and the defects concerning which you complain, we will then be in a position to go into court. I do not mean to intimate that you are not perfectly creditable yourself, but on the contrary I have no doubt but what your state is true, but the point is I do not wish to make a case of this kind rest on your testimony alone. Mooney tells me that the miners themselves will not substantiate your statement. Of course, before an action is brought I want to know what evidence we can rely upon to substantiate the case. If you will bring a number of witnesses in who work in the mine, and especially if you should send some persons into the mine who are experienced and can testify as to the condition of the air and the ventilation and the other defects concerning which you complain, and they all are corroborated by your statement in the matter, I then see no reason why we would not have a good case. Mr. Mooney claims to me that there is some feeling between you and him, and that you are doing this more on account of spite work than on account of the condition of the mine. Of course, I know nothing about that, but what I would suggest is that in order to show that you are perfectly fair in the matter that you should have some disinterested party and some experienced person that would make a good, creditable and bright witness in court and some person that would be satisfactory to Mr. Mooney and yourself go through the mine and we will then get his statement in addition to yours. Mr. Mooney says he is willing to agree with you on some disinterested person, and if that person says that the mine is unsafe or the condition of the air is such as to endanger the health of the miners, that he will either close the mine down or remedy the matter at once. Now, I am not disposed to in any manner doubt your statements, but simply go upon the theory that before we go into court we ought to be able to substantiate our cause of action, and the more evidence we have to substantiate it the better it will be for us. I think the proper thing for you to do is to come and have a talk with me again and let me know what evidence we can rely on outside of your own testimony. Of course, I suppose that you were only in the mine for a short time, and while you might testify as to the condition of the air at that time, we ought to have some of the miners who work there to testify as to the condition of the air generally, and also as to the other defects concerning which you complain. If Mr. Mooney will do what he said, it seems to me the easiest way would be to have some good man go into the mine and report its condition, and if Mr. Mooney will then close the mine if he reports it in an unsafe and dangerous condition that will end the matter. If not, we will then have that same testimony in addition to yours and whatever testimony you can get, and we will be in that much better shape to bring our action. I think it would be a good plan for you to go into the mine just before the action is brought and see how the conditions compare now with what they were when you examined the mine before. Now, I am satisfied that we can get this additional testimony and I also am satisfied that we ought to have some other testimony outside of yourself, not that I question your word in the least, but because I believe if a dozen would swear to a certain condition it makes it much stronger than where only one witness swears to it.

I would like to have the names of a number of the miners who work there, and would like to have you bring them to my office so I can talk with them in regard to



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the condition of the mine. Men who are there every day and who from experience and every-day observation can tell just the condition the air and the mine is in. I think you can readily see the importance of this testimony, and I think we ought to have it before any action is brought. As soon as you present that testimony I am ready to act on the matter. But Mr. Mooney talked to me as though he was willing to do anything that was reasonable without bringing the suit, and for that reason I suggest that the best way out of the matter is to have some man that you know is all right and that would be satisfactory to Mr. Mooney and yourself go through the mine and examine it. Very truly, J. M. WAYDE.

At which time I did not feel like humiliating myself or the disinterested party to take up my duties in this matter or any other which would be establishing a very unpleasant precedent.

I also had occasion, in March of last year, to instruct the deputy of Leavenworth county to go to Atchison and enter suit against the Atchison Coal Company for refusing to put safety catches on their cages, at which time the county attorney refused to issue the complaint, and the deputy informed me of the disposition of the county attorney. In a few days I went to Atchison with the intention of taking the matter up with the state's attorney should the catches not be on, but on my arrival there I found that the catches were on.

In December of 1904, after the limit of time had expired for W. H. Barrett to have his escape-shaft completed, I gave him due notice to at once get his escape-shaft down. At the 1905 session of their legislature they passed a new escape-shaft law, which gave Mr. Barrett under the law eight months from its passage to complete his escape-shaft, up to which time he had not yet completed his escape-shaft. At the expiration of that time I made complaint against him for refusing to comply with the escape-shaft law, also the safety-catch law, which the county attorney refused to take up, as he declared the law was lame. But he issued complaint against the company for refusing to comply with the escape-shaft law, and set the case before Justice J. W. Farrell, of Weir, who threw out the case on what he termed a demurrer, for the reason that he claimed that we did not prove the time from the time that the hoisting-shaft was completed until the time that the escape-shaft was complete, and that I had accomplished the point of getting the escape-shaft completed. While we proved conclusively that the mine had been worked over eight months under the old law and over eight months under the new law.

Since the double-entry law was passed at the last session of the legislature I have tried to get it up before the criminal court of Cherokee county, but with no avail, as the county attorney would not bring criminal proceedings, as he urged that a test case consented to by a voluntary arrest of some company would test the validity of the law as well as by criminal proceedings, and claimed that it would be a very hard matter to get a verdict in a criminal case. I have not pushed the case to any extent as the executive board refused to give me any assistance in a voluntary case, but could I make a criminal case they were willing to assist me in any manner possible.

The following are copies of correspondence between Attorney-general Coleman, County Attorney Williams and myself on this subject:

WEIR, KAN., July 12, 1905.

Mr. Al. F. Williams, County Attorney, Columbus:

DEAR SIR—I herewith send you a late copy of the law and notice which I mailed to all the coal companies, as well as to the J. R. Crowe Coal Company, March 14, 1905.

I will also give you list of entries which are not being driven with double entries. First south off of the fourth west on south side of mine; second south off of the fourth west on south side of mine; first south off of the fourth east on south side of mine; angle entry off of the fourth east on south side of mine; fourth east entry on the south side of mine.

Make out complaint on the above entries at mine No. 3 of the J. R. Crowe Coal Company, and either send it up to be signed or I will come down at once.

Yours most respectfully,

JAMES A. ORR.

WEIR, KAN., July 25, 1905.

Mr. Al. F. Williams, County Attorney, Columbus:

DEAR SIR—Yours of the 22d at hand and contents noted, and in reply will say that that is where the trouble lies. They contend to be complying with the law and I contend that they are not, and as we are divided on opinions as to the construction of the law, I wish to know who is right, and therefore I think that a case is necessary, and let the court decide what the law means; and that is the only manner in which we will be able to obtain an effective decision. And, Al., will it be necessary to have testimony from the agents of the companies who are driving double entries as to the necessities of the same and the advantages of them for ventilating qualities over the single-entry and smoke-room system. Let me know what sort of testimony you desire in time enough that I can obtain the names of such persons as are necessary when you make complaint, so as to have them subpoenaed, and should you be in Weir this week call at the office and we will talk the matter over as to who we are likely to need for evidence.

Yours most respectfully,

JAMES A. ORR.

TOPEKA, KAN., July 28, 1905.

Mr. Al. F. Williams, County Attorney, Columbus:

DEAR SIR—Yours of July 13, concerning the construction of chapter 305, Laws of 1905, has been given careful consideration, and but for the press of business would have been answered sooner. It would seem from the language of section 1, requiring two entries to be driven parallel for the ingress and egress of air, that the intention was to have these entries of practically the same size, so that the



egress space would equal the space for admitting air, and I understand that an ordinary entry is supposed to be about twelve feet wide and six feet high. You do not mention the size of the smoke-rooms used by the companies, who claim the parallel entry used for a smoke-room to be a compliance with the statute, but I find in the General Statutes of 1901, section 4153, which provides that the area of air-courses in mines operated on room-and-pillar system shall not be less than twenty-one feet, which I presume means that an air-course under this latter section seven feet wide and three feet high would be sufficient. It might possibly be claimed that an air-course of this kind, parallel with the ordinary entry, might be a compliance with chapter 305, although it is hard to believe that it would be a compliance with the spirit of the chapter. I would have no doubt that a parallel entry of the same size as the main entry, though used for a smoke- and air-room both, would be sufficient to meet the requirements of this latter act, but if the smoke-rooms actually used are very much smaller than the entry thereto, while it would seem like a non-compliance with the spirit and intent of the act, I would feel doubtful whether a court would hold a party guilty, because a criminal statute must be strictly construed. In other words, I would have serious doubts whether this last act, being so ambiguous in its terms, is susceptible of enforcement by criminal prosecution of the kind desired by the mine inspector.

If, upon ascertaining the real size of these smoke-rooms, you conclude that their use is not a compliance with the new statute, it might be well to have a test case made, and have some one agree to submit to an arrest and test the question by *habeas corpus*, so there would be little work and little expense about it, and the proper construction would be given by the court.

I am sorry that I am unable to give you any real assistance about this question, but if at any time any new features develop that will enable me to help you, let me know.

Very truly yours,

C. C. COLEMAN.

WEIR, KAN., November 24, 1905.

Mr. A. F. Williams, County Attorney, Columbus:

DEAR SIR—I herewith make complaint against W. H. Barrett, who is operating mine No. 7 of the Norton Coal Company, located in the northeast quarter of section 36, township 31, range 23, of Cherokee county.

First.—For not complying with the escape-shaft law.

Second.—For not complying with the law providing for safety-catches on the cages.

On the 23d of October I met Mr. Barrett at the mine and urged him to have the stairs put in the escape-shaft as soon as possible, which he promised he would do as soon as he could get carpenters to do the work; and as yet no attempt is being made to complete the escapement, and the escape-shaft has been sunk since July 25, 1905. I also gave him a written notice on October 27 to have safety-catches constructed on the cages of the same mine, and at this time nothing has been done towards them. Now, what I wish you to do is to make out complaints to the above charges and send them to me and I will sign them, or let me know when they will be ready and I will come down and swear to them.

Trusting that you will take this matter up immediately, I am,

Respectfully yours,

JAMES A. ORR.

COLUMBUS, KAN., November 26, 1905.

Hon. James A. Orr, Weir, Kan.:

FRIEND JIM—I received your letter of recent date, and in compliance with your request herewith enclose to you a complaint against W. H. Barrett for the offense of not providing proper escape-shaft under the provisions of the mining law. The other charge you filed against him I do not think we could convict anyone on, as I do not think there is any penalty in the law for a violation of the section under which we would have to start the case.

In other words, the law is lame, and very lame, too. Some time when you are here I will show you what I mean.

If you think best you can notify Barrett, and try and have him avoid the trouble and results of a charge such as is made in the enclosed complaint; but you can do as you see fit in that respect.

Advise me of what you have done.

Very truly,

A. F. WILLIAMS.

And from the past results from the courts you can readily see what power the mine inspector is clothed with and the difficult manner in which he must proceed to attempt to enforce the laws now upon the statutes.

I would recommend that this convention make an urgent demand of the next legislature to pass a bill giving the inspector full power after serving the company or companies with due notice of any and all violations of the mining laws, and give them a certain time to comply with the law, that he can close such mines or portions of mines by calling out the men and prohibiting them from working until such laws have been complied with. This should be a special issue, as it will be one of the most important laws that we can recommend at this time.

As the county attorney tells us that the safety-catch law is so lame that he refuses to make complaint upon it, I would recommend that a safety-catch law for cages be introduced at the next legislature.

I would also recommend that this convention demand an appropriation for a clerk and such supplies as will be necessary to conduct the business of the office of mine inspector, as it has become very burdensome upon the inspector to maintain the office work along with his outside duties, and do it with any satisfaction to himself or constituents.

Respectfully yours,

JAMES A. ORR, Secretary.

Moved that the report be accepted as read. Carried.

At this time the secretary of the State Society of Labor and Industry

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announced that they were ready to elect officers, and requested that this body elect their legislative committee and convene with them to participate in the election of officers.

Moved that the regular order of business be suspended and we proceed to elect a member of the legislative committee from this body. Motion carried.

Alex Dixon, Jno. O'Donnell and C. E. Bramlett were placed in nomination. A ballot was taken, in which O'Donnell received 80½ votes, Dixon 34½ votes, and Bramlett 125½ votes.

Bramlett having received a majority of all the votes cast, was declared elected.

Convention then adjourned to meet with the State Society of Labor to participate in the election of officers to that body.

AFTERNOON.

February 7, 1906.

Convention reconvened at two P. M. in the Senate Chamber, with President Rooney in the chair.

Committee on resolutions being ready to report, reported the following resolutions:

TOPEKA, KAN., February 7, 1906.

We, your committee on resolutions, beg leave to report that we have had a number of resolutions before us for consideration, and submit them to you with our recommendations thereon; and we further suggest that we cannot hope to immediately correct all the evils which beset labor at present, and we therefore recommend that a few of the most necessary laws for miners be selected, and our every energy be used in an effort to secure their enactment.

HARRY MCCANN.
PAT GRIFFIN.
ED SWIGART.
SMITH HOOVER.
R. T. GILMOUR.

RESOLUTION No. 1, by Local Union No. 960, U. M. W. A.

Resolved, That we ask and demand of our state legislative committee to use their efforts in the next session of the legislature to have a law enacted compelling all coal companies and corporations operating mines, shafts and tipples within the state of Kansas to equip all of their mines, shafts and tipples with self-acting or automatic scales, thus giving to the miner as producer just and accurate weights for all coal produced.

Referred to the State Society of Miners.

RESOLUTION No. 2, by Local Union No. 960, U. M. W. A.

Resolved, That we ask and demand of our legislative committee to have a law passed at the next session of the state legislature amending the present state law relative to the driving of entries in all coal-mines of this state. The law to be amended to read "that all coal companies and corporations in the management of coal-mines within the state of Kansas shall operate their mines under the double-entry system. That all entries in the mines of the state of Kansas must and shall be brushed to a height of six feet above the ball of the rail in the track in the entries."

Non-concurred in.

RESOLUTION No. 3, by Local Union No. 960, U. M. W. A.

Resolved, That we ask, pray and demand of the state legislative committee to use their efforts in the next session of the state legislature to have a law enacted whereby when the state mine inspector calls on any county attorney or state's attorney of the state of Kansas for the enforcement of the state mine laws upon any coal company or corporation that has violated the law relative to mines and the operation of the same, that the power for the enforcement of said laws be taken from the county attorney or state's attorney and vested solely and exclusively upon the state secretary of mines as state mine inspector, thus giving him absolute power to so act.

RESOLUTION No. 4, by Local Union 445, U. M. W. A.

WHEREAS, We enjoy the privilege of electing our own mine inspector, and as there seems to be more strife between the different candidates and their friends from year after year, we would recommend that this convention provide a way that each county get a mine inspector each year and the term of office be only one year.

Non-concurred in.

RESOLUTION No. 6, by Local Union 1822, U. M. W. A.

Resolved, That the legislative committee use all means in their power to have the law relating to the election of state mine inspector so changed or amended that said officer shall be elected in the district convention of the U. M. W. of A., in order to prevent the large (and as we believe useless) expense of the delegate convention at Topeka.

Non-concurred in.



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RESOLUTION No. 7, by Alex Dixon, Local 210, Weir.

Resolved, Seeing so many accidents in and around our mines, that we request a commission to investigate into the cause of such accidents, so that our danger may be less dangerous. The said commission to be recommended by this convention, with the approval of the governor.

Non-concurred in.

RESOLUTION No. 8, by Alex Dixon, Local 210, Weir.

Resolved, That we recommend a law be enacted that there be a barometer and thermometer placed at each mine, and that a reading of the same be taken every three hours, and a record be kept and sent to the state inspector of mines each month. Any company failing to keep the said record shall be fined not less than ten dollars or imprisoned not less than thirty days in the county jail.

Non-concurred in.

RESOLUTION No. 9, by Local Union No. 85.

We demand the enactment of a law to compel the operators to furnish powder in 12½-pound kegs.

Recommended.

RESOLUTION No. 10, by Local Union No. 85.

We demand that a law be enacted creating a board of examination for engineers, shot-firers and pit bosses, mine inspector and his deputies.

Non-concurred in.

RESOLUTION No. 11, by Local Union No. 85.

Resolved, That we tender our thanks to the senator and representative and to the legislative committee for their untiring efforts in our behalf.

Recommended.

RESOLUTION No. 12, by G. W. Reid and Joe Duffield.

WHEREAS, The miners of the state are dependent on their labor to support their families; and

WHEREAS, They are being deceived and robbed in the operation of mines by men who close out and won't pay; and

WHEREAS, There is no law to punish such person or persons: be it

Resolved, That this convention try and get a law passed in the next legislature to make such act a crime, and the same to be arraigned before the criminal judge and tried by jury.

Non-concurred in.

RESOLUTION No. 13, by Pat Griffin, Local No. 569.

Resolved, That we insist on the mine inspector doing his full duty, and in every case where his instructions are not followed by the mine operators in the specified time given by the inspector for compliance with the law, the mine inspector shall at once take the proper proceedings in the courts to have the law complied with. That in the future if the mine inspector neglects his duty and fails to enforce the law, the president and vice-president of the State Society of Miners, as its executive head, go to the governor and request him to revoke the commission of the mine inspector and appoint an inspector to fill his place until the regular meeting of the Society of Miners.

Recommended.

RESOLUTION No. 14, by Local Union No. 2175, U. M. W. A.

WHEREAS, The Atchison Coal Company has not commenced to sink their escapement shaft: therefore be it

Resolved, That the legislative committee be instructed to lobby against any extension of time in the next legislature, as it is the company's intention to have the same extended at that time.

Recommended.

RESOLUTION No. 5, by Delegates C. B. Burns and Wm. Doublebower,
of Local Union 1822.

Resolved, That this body require each candidate for the office of state mine inspector to agree, in writing, to do all in his power, under the law, to make better the conditions of the mines in this state with regard to water and ventilation. And when he orders anything done which the law upholds him in, if his orders are not complied with in a reasonable length of time, he will proceed according to law and test the constitutionality of said law.

Non-concurred in.

Resolution No. 1 concurred in by the convention.

Resolution No. 2 non-concurred in by the convention.

Resolution No. 3 concurred in by the convention.

Resolution No. 4 non-concurred in by the convention.

Resolution No. 5 was read, and on motion was laid on the table until after all the other resolutions are disposed of.

Resolution No. 6 non-concurred in by the convention.

Resolution No. 7 non-concurred in by the convention.

Resolution No. 8 non-concurred in by the convention.

Resolution No. 9 non-concurred in by the convention.



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Resolution No. 10 non-concurred in by the convention.
Resolution No. 11 non-concurred in by the convention.
Resolution No. 12 non-concurred in by the convention.
Resolution No. 13 non-concurred in by the convention.
Resolution No. 14 concurred in by the convention.
Resolution No. 5 concurred in by the convention.

At this time Mr. W. D. Robinson made an announcement that Mr. McAlister and Mrs. Churchill wished the privilege of making a few remarks in reference to organizing a ladies' auxiliary to the State Society of Labor and Industry, and on motion the privilege was granted; and after the remarks a motion was made that we approve of the adoption of the ladies' auxiliary to the State Society of Labor and Industry. Motion carried.

Moved that we extend a vote of thanks to Labor Commissioner Johnson for the interest exercised in our behalf. Carried.

At this time Representative Cowan read an escape-shaft bill, as follows:

AN ACT to amend chapter 165 of the Laws of 1899, being an act entitled "An act providing for the sinking of escapement-shafts at coal-mines in the state of Kansas, and providing that the same be connected with the main or hoisting-shaft, and providing a penalty for the violation of this act."

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. That section 2 of chapter 165 of the Laws of 1899, being an act entitled "An act providing for the sinking of escapement-shafts at coal-mines in the state of Kansas, and providing that same be connected with main or hoisting-shaft, and providing a penalty for the violation of this act," said section 2 being also section 4173 of the General Statutes of 1901, be and the same is hereby amended so as to read as follows: Said escapement-shaft shall be constructed at least 100 feet from the main or hoisting-shaft, and no building of any kind shall be erected within 100 feet of said escapement-shaft. Said escapement-shaft shall be provided with stairways securely fastened so as to bear the combined weight of not less than fifteen men ascending or descending the same. Said stairways shall be so constructed as not to exceed forty-five degrees of elevation by each section of said stairway, and each section shall have substantial guard-rails securely fastened, and the stairway shall be separately partitioned from the parts of such shafts used as upcasts or downcasts, and the traveling ways between the bottom of the main shaft and the escapement-shaft or stairway shall be at least five feet in height; said traveling ways shall be kept clear of all obstructions, and stagnant or standing water shall not be allowed to accumulate in any traveling way between the upcast and downcast shafts.

SEC. 2. The said section 2 of chapter 165, Laws of 1899, is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its publication in the statute-book.

This bill had been presented to him by an operator to introduce in the legislature, but he first wished to know the sentiment of the miners in regard to the bill before he would act upon it.

On motion the bill was tabled indefinitely.

The auditing committee being ready to report, reported the following:

February 7, 1906.

We, your auditing committee, beg leave to submit the following report from the findings of the secretary of mining industry books:

Total receipts of legislative committee fund.....	\$1,298 35
Total receipts from State Society of Miners fund of 1905.....	42 49
Delinquent from State Society of Miners fund of 1904.....	4 92

Total	\$1,345 76
Total disbursements	958 07

Of which \$241.35 is in Merchants' National Bank of Topeka and \$96.73 in Citizens' Bank of Weir, Bank of Leavenworth \$41.55, and Adams Express order \$1.39, and balance of \$26.67 cash in hands of secretary.

We, your committee, would recommend that the society designate what bank or banks the secretary should deposit moneys which come into his possession, and the secretary be demanded to furnish bond as heretofore specified.

PETER H. WHITE,
JOHN GORE,
F. W. WEISE,
Committee.

On motion, the report was accepted.

Moved that the secretary deposit the funds of this society in the Bank of Topeka.

Amendment: That he deposit one-half in the First National Bank of Pittsburg and the other half in the Bank of Topeka.

Motion as amended carried.

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Moved that the secretary deposit the funds of this society in the above banks for safekeeping without interest. Carried.

Moved that the bill of \$4.80 be allowed to Sim Bramlett (which was unpaid three years ago) as expenses as an officer of this society. Carried.

Nominations for secretary of mine industries being called for, the following nominations were made:

Frank Gilday, of Scranton; Abe Walker, of Leavenworth; James A. Orr, of Weir; W. E. Davis, of Pittsburg; Thos. Banks, of Midway; Geo. Murphy, of Chicopee; Alex. Dixon, of Weir.

Moved that all candidates act as tellers.

Amendment: That the president appoint two tally-keepers.

Amendment carried.

Peter McDonald and Jas. Sarles were appointed tellers.

Moved that the various candidates pledge themselves before this convention to enforce all laws upon the statute.

Moved that the above motion be tabled. Carried.

On the first ballot the following vote was taken:

Gilday, 91; Walker, 27; Orr, 21; Davis, 13; Banks, 36; Murphy, 39; Dixon, 10.

No choice on the first ballot; a second ballot was ordered.

At this time Mr. Dixon withdrew from the race.

Second ballot: Gilday, 99; Walker, 25; Orr, 28; Davis, 11; Murphy, 34; Banks, 41.

No choice on the second ballot; a third was ordered.

Third ballot: Gilday, 123; Walker, 0; Orr, 26; Davis, 11; Banks, 43; Murphy, 35.

Gilday having received a majority of all the votes cast, was declared elected secretary of the State Association of Miners for the ensuing term.

Moved that the election of Frank Gilday be made unanimous. Carried.

Nominations for president being called for, the following nominations were made: John Atkinson and Phil Rooney.

Moved that we vote by a show of hands. Carried.

The vote was taken, which resulted as follows:

Atkinson, 70; Rooney, 38.

Atkinson receiving a majority of all votes cast, was declared elected president for the ensuing term.

Nominations for vice-president being called for, the following nominations were made: Chas. Harvey, John Tanner, Geo. Wickware, Geo. Harris, and W. C. Long.

A vote was taken, with the following results:

Harvey, 30; Tanner, 20; Wickware, 14; Harris, 23; Long, 13.

Moved that the candidates with a majority of all votes cast go on for a second ballot until an election. Carried.

Second ballot: Harvey, 47; Tanner, 30; Harris, 25.

Third ballot: Harvey, 59; Tanner, 37.

Harvey having received a majority of all votes cast, was declared elected vice-president for the ensuing term.

Moved that we abolish the special legislative committee indefinitely. Carried.

Moved that the secretary be instructed to have the proceedings of this convention printed at the Pittsburg *Headlight* office as soon as possible. Carried.

Moved that we extend a vote of thanks to the outgoing president for his able services as presiding officer. Carried.

Moved that this convention extend a vote of thanks to Gov. E. W. Hoch and the Executive Council for their hospitality and courtesy in granting the Senate Chamber as a meeting place for our society and the interest shown in our behalf. Carried.

Moved that we adjourn *sine die*. Carried.

JAMES A. ORR,

Secretary of the State Association of Miners.

REPORT

OF THE

INSPECTOR OF COAL-MINES,

STATE OF KANSAS,

FROM

July 1, 1906, to June 30, 1908.



STATE PRINTING OFFICE,
TOPEKA, 1909.

4686



LETTER OF TRANSMITTAL.

Hon. W. R. Stubbs, Governor of Kansas:

SIR—In compliance with the law relative to mines and mining, I have the honor to present to you the biennial report of the state mine inspector, beginning July 1, 1906, and ending June 30, 1908.

Respectfully yours,

FRANK GILDAY,

State Mine Inspector.



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ACKNOWLEDGMENTS.

In presenting this report to the public I desire to express my sincere appreciation to all those who along with furnishing statements of their products and other data called for have willingly and very cheerfully replied to all special inquiries for information upon which this report is based. Acknowledgments are due the secretary and members of the United Mine Workers of America for their courteous assistance and earnest effort in aiding us in the discharge of our duties. Acknowledgments are also due to the deputy mine inspectors, Joseph Ryan, of Cherokee county; William Harvey, of Osage county; Jno. Halliday, of Crawford county; Jno. Gilday, of Crawford and Cherokee counties, and Thomas Morrissey, of Leavenworth county, for the able and efficient manner in which they have discharged the difficult and complicated duties devolving upon them. The perfect harmony that has prevailed in this department at all times has enabled the inspectors to work together, regardless of county lines; therefore this report does not represent the inspections made by any one deputy in any county, but by the several inspectors in the various counties.

F. G.



SUMMARY OF THIS REPORT.

THIS report will show, together with other things, the location of the coal mines, the addresses of the companies, the number of tons of coal produced at each mine, the number of miners and day men employed, the number of fatal and non-fatal accidents, the price paid per ton for mining, the size and depth of the shaft, the kind of power used to hoist the coal and to ventilate the mine, and the number of kegs of powder used by the miners in producing the coal; also giving an average of the miners' earnings in the four largest producing counties in the state, namely, Crawford, Cherokee, Leavenworth and Osage.

For the year ending June 30, 1907, the miners in these counties earned \$5,781,076.20, and \$1,221,913.94 was expended by them, leaving a net earning of \$4,559,162.26. The underground day men earned \$855,561.65 and the top men \$389,489.33, making a total of \$7,026,127.18 earned by all of the employees in and around the mines. The miners made a yearly average earning of \$661.83 and an average expense of \$139.89, making an average of \$2.55 for the days they worked, and \$1.68 per day for 310 working days in the year. In Crawford and Cherokee counties, 447,563 kegs of powder were used, or one keg for every 13.43 tons of coal produced.

For the year ending June 30, 1908, the miners earned \$4,913,226.74, and the expenses were \$1,010,335.37, leaving a net earning of \$3,902,891.91; also, \$668,657.87 was earned by the underground day men and \$370,475.34 by the top men, making a total of \$5,952,359.95 for all the employees in and around the mines. The miners made a yearly average of \$559.02 and an average expense of \$114.95. They averaged \$2.48 per day for the days they worked, and \$1.43 for 310 working days of the year. In Crawford and Cherokee counties, 366,798 kegs of powder were used, or one keg for every 13.81 tons of coal produced.

The miners in Crawford county earned an average of \$2.77 for the days they worked, and \$1.84 per day for the 310 working days of the year; in Cherokee county, \$2.72 per day for the days they worked, and \$1.81 per day for the 310 working days of the year; in Leavenworth county, \$2.34 and \$1.71, and in Osage county \$2.04 and \$1.05.

When computing the miners' earnings in Crawford and Chero-



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kee counties I added fifteen cents per ton to the mining price to pay for yardage, cutting faults, etc., and five cents per ton to the powder for other expenses; and added ten cents to the mining price to pay for yardage, etc., and five cents per ton to the powder for other expenses, in Leavenworth and Osage counties.



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COAL PRODUCTION.

During the fiscal year ending June 30, 1907, the volume of coal production reached the highest point in the history of mining in Kansas. Up to this time there had been a steady annual increase, but the succeeding year shows a decrease in the number of tons produced and, what is of equal importance, a decrease in values as well. This is noticeable in the number of mines that have been closed down in the year ending June 30, 1908. The mines which work the steadiest have contracts with railroads or other corporations, and the coal is sold to them at about one-half the cost that the private consumer is charged. The great railroads and other corporations receiving their coal from the mines at cost, and, sometimes for less than the actual cost of production, compels the operator to produce cheap coal without much thought as to the number of tons of valuable coal that is wasted by the present methods of mining. If the railroads had to pay as much per ton for their coal as the individual who burns it at home in his stove, the miners' wages would be increased; and as each ton sold by the coal operator would make him a profit, he would then be able and no doubt would mine the coal by a different method than the one now employed. And what an injustice this is to the private consumer, when he is forced to pay so much more for his coal than the large corporations, and what ridiculous business sense is shown by the coal operator when he not only sells his coal to the great corporations at cost, but wastes about one-third of its value by the method now employed to produce it in his endeavor to produce cheap coal. Not only are values destroyed by this wasteful method, robbing the future of that which rightfully belongs to it, but the lives of the miners are sacrificed by this method of producing cheap coal. It is universally agreed that coal should not be produced by shooting on the solid, if we expect to reduce the death-rate in the coal-mining industries; but still, all the coal produced in southeast Kansas is shot off the solid, and all the coal near the crop has been worked out, that which is now worked lying at a much greater depth, requiring more powder to shoot than that which was shallow near the crop. This has increased the death-rate in the last few years, and as they continue to mine the deeper veins, if the same method of shooting on the solid is employed, the death-rate will continue to increase.



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During the fiscal year ending June 30, 1907, there were employed in and around the coal-mines of Kansas 11,957 men, of whom 9363 were miners, who produced 6,591,013.24 short tons of coal. They worked an average of 204 days. This shows an increase of 836,397.24 tons of coal and 1782 employees over the preceding year. This was the banner year for Kansas, more coal being produced than ever before in its history.

For the year ending June 30, 1908, there were employed in and around the coal-mines of Kansas 11,334 men, of whom 9104 were miners, who produced 5,588,016.29 short tons of coal. They worked an average of 179 days. This shows a decrease of 1,002,996.95 tons of coal and 523 employees from the previous year. This decrease was due to the fact of there having been a suspension in all the coal-mines of Kansas from April 1 to June 6, 1908.

During the year ending June 30, 1907, there were fifty-two fatal and ninety-seven non-fatal accidents in and around the coal-mines of Kansas, or one fatal accident for every 126,750 tons of coal produced and for every 229 employees. For every 67,949 tons of coal produced and for every 123 employees there was one non-fatal accident.

During the year ending June 30, 1908, there were thirty-one fatal and seventy-two non-fatal accidents in and around the coal-mines of Kansas, or one fatal accident for every 180,258 tons of coal produced, and for every 336 employees. For every 77,611 tons of coal produced and for every 157 employees there was one non-fatal accident.

The growth of the coal-mining industry in the United States compared with that of the other countries of the world since 1868 is shown in the following table. From this it appears that during this period of thirty-nine years the percentage of the world's total produced by the United States has increased from 14.32 to 37, and this country now stands far in the lead of the world's coal producers. It has been only eight years since the United States supplanted Great Britain as the leading coal-producing country, and yet in that time the increase in this country has been so enormous that Great Britain can no longer be classed as a competitor.



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THE WORLD'S PRODUCTION OF COAL.

COUNTRY.	Usual unit in producing country.	Equivalent in short tons.
United States (1906).....long tons	369,783,284	414,157,278
Great Britain (1906).....long tons	251,067,628	281,195,743
Germany (1906).....metric tons	201,715,074	222,350,526
Austria-Hungary (1904)....."	41,014,182	45,209,933
France (1906)....."	34,313,645	37,823,931
Belgium (1906)....."	23,610,740	26,026,119
Russia and Finland (1905)....."	17,233,871	18,996,896
Japan (1905)....."	11,630,000	12,819,749
Canada (1905).....short tons	8,775,933	8,775,933
India (1905).....long tons	8,417,739	9,427,863
New South Wales (1906)....."	7,626,362	8,541,525
Spain (1906).....metric tons	3,284,576	3,620,588
Transvaal* (1906).....long tons	2,751,186	3,081,272
New Zealand (1905)....."	1,585,756	1,776,047
Natal (1906)....."	1,238,713	1,387,329
Mexico (1906).....metric tons	767,864	846,186
Queensland (1905).....long tons	529,326	592,845
Holland (1904).....metric tons	466,997	514,771
Italy (1904)....."	362,151	399,199
Sweden (1905)....."	322,384	355,364
Victoria (1905).....long tons	155,135	173,751
Cape Colony (1904)....."	154,272	172,785
Tasmania (1905)....."	51,993	58,232
Other countries†....."	7,298,935	8,174,807
Total.....		1,106,478,707
Percentage of the United States.....		37

* Year ended June 30.

† Includes China, Turkey, Servia, Portugal, United States of Colombia, Chile, Borneo and Labuan, Peru, Greece, etc.



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FATAL AND NON-FATAL ACCIDENTS, AND COAL PRODUCTION, FROM 1880 TO 1906.

Office No.	YEAR ENDING.	Casualties.		Number of annual reports.	Names of different mine inspectors.	Total tons produced (short tons.)	Total value of coal at the mine.	Average price per ton at mine.	Average number of days worked.	Average number of men employed.	Number of tons produced for each fatal and non-fatal accident.		Total No. of casualties.
		Killed.	Injured.								Killed.	Injured.	
1	1880 ¹					550,000	\$715,000 00	\$1 30					
2	1881 ¹					750,000	1,012,300 00	1 35					
3	1882 ¹					750,000	975,000 00	1 30					
4	1883 ¹					900,000	1,152,000 00	1 28					
5	1884 ¹	3	7	First	E. A. Scammon	1,100,000	1,375,000 00	1 25			306,566	157,142	10
6	1885 ²	9	20	Second	J. R. Braidwood	1,440,057	1,770,270 00	1 23		4,175	160,006	72,002	29
7	1886 ³					1,350,000	1,620,000 00	1 20					
8	1887 ⁴	7	22	Third	G. W. Findlay	1,570,079	2,198,110 00	1 40			224,297	71,567	29
9	1888 ⁵	12	4	Fourth	J. T. Stewart	1,700,000	2,550,000 00	1 45					
10	1889 ⁶	8	20	Fifth		2,112,156	3,125,005 00	1 45		5,956	176,013	528,041	16
11	1890 ⁷	13	35	Sixth		2,516,054	3,170,370 00	1 30	210	4,523	314,506	125,802	28
12	1891 ⁸					2,753,722	3,607,375 00	1 31	222	6,201	211,824	78,678	48
13	1892 ⁹					3,007,276	3,954,568 00	1 31½	208	6,559			
14	1893	15	61	Seventh	A. C. Gallagher	2,881,331	3,960,331 00	1 37½	147	9,891	192,128	47,244½	76
15	1894	26	53	Eighth	Bennett Brown	3,611,214	4,899,774 00	1 35½	164	10,088	138,893	68,136	79
16	1895	10	42	Ninth		3,190,843	3,590,141 00	1 12½	161	9,021	319,084	75,973	52
17	1896	12	25	Tenth	Geo. T. McGrath	3,191,748	3,227,357 00	1 01½	170	8,807	265,979	127,669	37
18	1897	6	30	Eleventh		3,291,806	2,527,582 42	1 07	152¼	8,699	549,467½	109,893½	36
19	1898 ¹⁰	17	34	Twelfth	Edward Keegan	3,860,405¼	4,825,507 37	1 25	170¾	8,122	227,094	113,544½	51
20	1899	16	45	Thirteenth		4,066,896	5,124,248 01	1 25	186¼	10,198	256,056	91,042	61
21	1900	30	62	Fourteenth		4,299,716	5,500,709 58	1 26¼	193	10,673	213,486	68,896	82
22	1901	10	15	Fifteenth	D. R. Casselman	4,896,121			180	9,506	479,612	319,741	25
23	1902	30	69	Sixteenth		5,230,433			170	9,315	174,347	75,803	99
24	1903	36	101	Seventeenth		5,540,647			186	9,972	153,907	54,858	137
25	1904 ¹¹	16	46	Eighteenth	James A. Orr	2,732,499			92	10,347	170,781	51,576	62
26	1905	36	68		Frank Gilday	6,347,671	9,350,542 00		183	12,109	176,322	93,322	104
27	1906	30	54			5,754,616			166	10,175	191,820	106,566	84
28	1907	52	97			6,591,013	9,556,968 85	1 45	204	11,967	126,750	67,949	149
29	1908	31	72			5,588,016	8,102,623 20	1 45	179	11,334	180,258	77,611	103

1. Production of coal and average price per ton made from the United States Geological Survey from 1880 to 1884.
 2. One report made for two years.
 3. No report made. Statistics for that year taken from United States Geological Survey.
 4. The average number of days worked for 1898 is taken from the four largest coal-producing counties in the state. The reason for this low average may be attributed to mines that load nothing but commercial coal, reducing the number of days worked by mines that load railroad coal.
 5. One-half year's report. Reports changed from the calendar year, ending December 31, to fiscal year, ending June 30.
- * Explosion at mine No. 2 at Frontenac. No record made of loss of life, but forty-five lives were lost.
† Value taken from United States Geological Survey.

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KANSAS MINING LAWS.

OIL.

"No person employed in any mine shall use any kind of oil other than lard-oil for lighting purposes, except when repairing downcast or upcast shafts."

Again, the law says, for the use or presence in a mine with the knowledge, connivance or consent of the operator or person in active charge of said mine, for illuminating purposes, of oil other than lard or other equally safe first-class oil, they shall be deemed guilty of a misdemeanor.

The law does not provide any way to determine what is meant by safe and first-class oil; it does not provide any penalty for the men using it, nor for the manufacturer, nor for the merchant who sold it; it does not give the inspector authority to go into the store where it is sold to inspect or test the oil. Under this law, when the inspector finds some trapper boy or driver using oil which makes more than the ordinary amount of smoke and notifies the mine foreman they have always said they "did not know that kind of oil was being used and will see that it is not used again." This law should be changed, making it a misdemeanor for any one to sell for illuminating purposes in a coal-mine any other than pure vegetable oil; for why should not a man be prosecuted for selling an inferior grade of oil, the same as one that sells oleomargarin for butter? With this impure oil, giving off poisonous fumes and mixing with the black damp and other impurities in the mine, thus making up a composition capable of soon shattering to pieces the strongest constitution of man, is it any wonder that the miner breaks down early with premature old age, asthma, and that dreaded disease known as miners' consumption? He is boxed up in his working place a long distance from a current of pure air, and compelled to breathe the poisonous fumes that are given off by the burning of this filthy oil. The miners' light consumes nearly as much pure air as the miner does; and, along with this, when this filthy, smoky oil is burned, the light then, by burning the pure air and giving off those poisonous fumes, contaminates the air fully twice as much as it would if pure oil were used.



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ENTRIES.

The double-entry law required that all companies who work their mines on the room-and-pillar plan should drive two parallel entries.

I had succeeded in getting all the companies to drive two entries parallel, but as the law did not say they should brush both entries, a great many companies were brushing only one entry and using the break-throughs, which were made through to the entry which was not brushed, for roadways. They were hanging curtains on these break-throughs instead of making them air-tight with brattice. I served notice on these companies that unless they made their break-throughs air-tight I would prosecute them. The attorney-general, the county attorney and his deputy in Crawford county went over the law and informed me I was right in the matter, and they would assist me in compelling those companies to live up to the law. All of those companies then began brushing both entries, and this has improved the ventilation in their mines, making the conditions better by giving better ventilation to about 6000 miners. The notice I sent out to these various companies will be found in another part of this report, in my report to the miners' convention, held in Topeka February 1, 1909.

POWDER.

The new powder law, which requires that the powder should be furnished in 12½-pound kegs, was the source of a great deal of trouble between the miners and the coal companies, so I arrested a coal company for violation of this powder law, and after carrying it to the supreme court of Kansas the law was held constitutional, and the powder is now furnished to the miners in 12½-pound kegs. Further account of this case will be found in my report to the miner's convention, held in Topeka February 1, 1909.

CHILD LABOR.

The law pertaining to child labor places the age limit when a boy is allowed to work in the mine at fourteen years. I had stopped all boys working in the mines under the age of sixteen years. A question was raised as to what the age limit was, and upon my laying the matter before the attorney-general I received the following reply:

Hon. Frank Gilday, State Mine Inspector, Pittsburg, Kan.:

DEAR SIR—Replying to your inquiry relative to the meaning of section 1 of chapter 278 of the Session Laws of 1905, I have to say that, in my opinion, it is not lawful for any child under fourteen years of age to be employed in a mine, or in any factory or packing-house. It is not lawful for any per-



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son under sixteen years of age to be employed at any occupation or at any place dangerous or injurious to life, limb, health or morals.

The question you suggest practically amounts to this: Is a mine a place dangerous or injurious to life, limb, health or morals, within the meaning of said act? In my opinion, the answer to this question must be No. The legislature provided that no child under fourteen should work in a mine. In addition to this, it provided that no child under sixteen should work in a dangerous place. The fact that it mentions a mine in the first part of the section, and did not mention it in the second part of the section, leads me to the conclusion that the legislature did not consider a mine a dangerous place within the meaning of that act, and did not intend to entirely exclude children under sixteen years of age from working in a mine.

Trusting that this fully answers your inquiry, I remain,

Yours truly, F. S. JACKSON, *Attorney-general.*

Upon receiving the above opinion I did not compel boys under sixteen and over fourteen to quit working in the mines, but required that they fill out the following certificate to be kept on file at the coal company's office for our inspection:

This certifies that.....
according to the records of this school, and from all the knowledge that I
can obtain, was born at.....
in.....county, state of.....and is
now.....years of age.
(Signature).....
(official position.).....

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(This certificate must be signed by some member of the school board, principal or teacher.)

STATE OF KANSAS, }
COUNTY, } ss.

....., being duly sworn, upon oath says, that he
is the.....of.....;
(father, mother, or guardian.) (child's name.)
that.....was born at.....
(child's name.)
in.....county, state of.....
on.....
(date.)

(Signature).....

Subscribed and sworn to before me, this.....day of.....190.....
(father, mother, or guardian.)

[SEAL.]

Notary Public.

WEIGHTS.

A coal operator in Osage county was arrested and fined \$200 and costs for having scales at his mine which did not correctly weigh the miners' coal. He appealed the case, and when it was tried again the fine was remitted and he was allowed to go free, because we had no evidence to prove that he knew that the scales were weighing incorrectly or had maliciously and intentionally fixed the scales in such a manner that they would not weigh correctly. This law should be changed, compelling all companies to keep test-weights at the mine to test their scales. As the law now is, the inspectors are kept busy a great portion of their time hauling test-weights to the various mines to test the scales.



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MINE INSPECTIONS.

OSAGE COUNTY.

The mines of Osage county are worked on the long-wall system. Each miner brushes his own road, making his roadway three and one-half feet high and four and one-half feet wide. In the north part of the county the miners' room is thirty-six feet wide, and in the south part it is forty-five feet wide. Carrying his road in the center of his room he works through to the next man, and thus they take out all the coal and leave no pillars. The mining, which is fire-clay underneath the coal, and the dirt which he gets from brushing his roadway, fill up the place where the coal was taken out, allowing the roof to rest on it. The mines are ventilated by a furnace, and the working-face is the main air-course; that is, the air sweeps along the working-face. The coal lies at a depth of from 25 to 140 feet, the average thickness of the coal seam in and around Osage City being thirteen inches, and at Burlingame and Scranton seventeen inches. When the doors and curtains are kept up and a good fire going there is very little trouble about the air, but the seam of coal, being so thin, makes a very small space for the air to travel around the face; and sometimes, when several miners fire a shot in their brushing, they block this air-course until they have their brushing-shot cleaned up. By this method of furnace ventilation, when a good fire is kept burning it rarifies the air, and this causes the cooler air to rush towards the furnace. Keeping about the same temperature, a constant current of air will continue to circulate in the mine; but many mine foremen seem to think if they build a good fire in the morning and start a current of air circulating, that this circulation of air should continue, even though they neglect to keep the fire going. Where they have good brick furnaces built the air-current is much better, because the bricks hold the heat a considerable time after the fire has died down, thus causing the ventilation pressure to continue much longer than it would where there was no brick furnace.

Platform scales are used at all the mines to weigh the miners' coal, and the scales are set at the average weight of the empty mine-cars. There have been several new scales put in, and I have tested all the scales in the county, and where they were found to weigh incorrectly they were adjusted as soon as I drew the company's attention to them.



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The Standard Coal Company's mine is located two and one-half miles southwest of Scranton, connected with the A. T. & S. F. railway, and employs an average of fifty-six miners. The coal is hoisted by a horse. The shaft is 6 x 13 feet and 43 feet deep. One side of the mine was not working, but they had two currents of air on the other side, ventilated by a furnace producing 7060 cubic feet of air per minute. There was always sufficient air in this mine, but on several occasions, on account of the face caving in and leakage, the air was not carried to the working-face; but as soon as the company was notified they at once stopped the leakages, keeping the mine generally in a good condition. They produced 16,170 tons, working 190 days. There are three openings, one of them being 300 feet away from the main shaft and used as an escape-shaft. E. Griffith, mine foreman.

The Bunton mine, located west of Scranton, on the A. T. & S. F. railway, is a slope. The coal was pulled out of this slope with an engine and tail-rope, and had been employing about fifteen men until the accident to Robt. Bunton, the owner, who was killed there. Then the mine was shut down and has not been opened since.

The Isaacs slope, which has been employing about forty men, was closed down and a new slope opened. The work in this slope did not prove satisfactory, so it was abandoned.

The Jackson-Walker Coal and Material Company mine is located two miles southwest of Scranton, on a switch of the A. T. & S. F. railway. There are three openings, the escapement-shaft being 300 feet away from the main shaft, and the air-shaft about 100 feet. There are four currents of air, and generally it is carried well to the working-face. This mine only operates in the winter months, employing about thirty-seven men and two boys. Worked ninety-four days, producing 6980.5 tons. The shaft is 5 x 13 feet and 49½ feet deep. Mr. Andreen, mine foreman.

Gus Erickson's mine, located about two miles south of Scranton, is a shaft, employing a few men and producing coal for the local market. Has been closed down and is not working at present.

McIntosh's mine, located two miles south of Scranton, employs but a few miners; pays two dollars per ton to the miners. The vein of coal here is twelve inches thick, with a very soft fire-clay mining underneath. This vein is about the same thickness and same general appearance as the work east of Osage City. The coal is hoisted by a horse. The shaft is 5 x 10 feet and 28 feet deep



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Robt. Harrison's mine, located one and one-half miles southeast of Scranton, employs about six men. The shaft is 5x10 feet, and 30 feet deep. The coal is about sixteen inches thick. There is considerable water in this mine which bothers them a great deal, as they do not work steady here, only supplying coal for the local trade.

Jas. Rennie's mine, located one mile south of Carbondale, on what is known as Carbon Hill, is a slope, employing about fifteen men in the winter months. They produce about 2000 tons in the year. The fire-clay which lies underneath the coal is very soft, and the soapstone above the coal is very soft. On account of the coal being so shallow, in wet weather considerable water goes down from the surface. This slope is now closed down. There are no mines working around Carbondale. At one time they produced considerable coal, but all the mines have been worked out or abandoned in this vicinity.

McPhail's mine is located one and one-half miles northeast of Scranton. The shaft is $5\frac{1}{2}$ x10 feet and 40 feet deep. There are only a few men employed here, supplying the local trade. The coal is about twenty-two inches thick, with a band of dirt from one to two inches thick in the coal. This band of dirt lies within about five inches of the top. This mine is dry and gives the appearance of being good work if the shaft was developed.

Chappell's mine No. 6, is located at Fostoria, about four miles west of Scranton, on a switch off the A. T. & S. F. railway. The shaft is $5\frac{1}{2}$ x $10\frac{1}{2}$ feet and 102 feet deep. A steam-engine is used to hoist the coal. They worked 192 days, employing thirty-one miners and five day men, producing 7081 tons. The coal is about twenty inches thick, and the mining underneath the coal, with what the miners call the clod, will average about five inches thick, making the height of the working about two feet at the face. There are two openings, the air-shaft and the escapement-shaft, with a partition between them. They have an excellent furnace, built of brick, which produces 5040 cubic feet of air per minute. This mine is well ventilated, and they could increase the volume of air considerably, as a brick furnace is a great improvement over the furnaces generally used throughout this country, which are just iron grates to build the fire on. The brick furnace is a saving to the operator, as the bricks will hold the heat, thereby creating a greater ventilating pressure, and they are a benefit to the miners as they increase the volume of air so much. This mine has four currents of air. They have put on new cages with improved safety-catches. The

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cages in this county are so light, the power generally used to hoist the coal being a horse, the operators have always contended they could not use the safety-catches, and they never have been used in this county; but I determined that the law should be lived up to in this regard, especially wherever there is a steam hoist, as I consider it more dangerous for the men to ride on the cage when a steam hoist is in use and the mine over 100 feet deep, as the power employed being greater the rope is more apt to break. This is quite an improvement in this mine. The mine is now in first-class condition, but has been closed for some time on account of a strike. William Turvy, mine foreman.

Chappell's mine No. 3, located at Fostoria, has a switch off the A. T. & S. F. railway, and is about four miles west of Scranton. A horse is used to hoist the coal out of the shaft, which is 6 x 12 feet and 89 feet deep. The old scale which was used to weigh the miners' coal was not weighing correctly, so a new scale has been put in. This mine gives employment to twenty-one miners and four day men, producing 5055 tons and working 166 days. Only one side of this mine is working, with two currents of air. They have an excellent brick furnace, which produces 4080 cubic feet of air per minute, the ventilation being excellent. They are connected with old No. 5, which is used for an escapement. G. Chappell, mine foreman.

Elliott's mine No. 2 is located at Fostoria. The shaft is about 5 x 10 feet and 85 feet deep. It is an old mine and the timbers in the shaft are partially decayed. They have been repaired several times. Twenty-two miners and three day men produced 3042 tons, working 112 days. The old scale at this mine did not weigh the coal correctly so a new one has been put in. They have been working the northwest section only. They are connected with an old shaft which is close to the face they are now working, this gives the miners pure air, which returns to the air-shaft, located close to the main shaft. The ventilation is good. Jas. Elliott, mine foreman.

Elliott's mine No. 3, located at Fostoria, has a steam hoist. New cages with safety-catches have been put on. The air in this mine was conducted well to the face. The grate used was choked up with dirt, not allowing the fire to draw well. Doors were necessary, and later were put up, which, with an addition to the smoke-stack and the cleaning out of the furnace, improved the air considerably. This shaft is 5½ x 10½ feet and 126 feet deep. The coal is about



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twenty inches thick, with about five inches of mining underneath it, making the work about two feet high at the face. Geo. Elliott, mine foreman.

Jno. Bell's mine is located at Fostoria. The air-courses in this mine were in poor condition—some of them nearly blocked up. I ordered them cleaned out immediately, which was done, greatly increasing the volume of air. This shaft is 5x10 feet, and about eighty-five feet deep. Employing twenty-one miners and three day men, the mine produced 6080 tons, working 172 days. Jno. Bell, mine foreman.

Foster's mine, located at Fostoria, employs about nine miners, producing 1000 tons. The face which they were working was in about a half mile and the return air-course in a very bad condition, but they always had sufficient air for this small number of men. Later, on account of a strike in several of the other mines, there were about fifty miners employed. On account of the bad condition of the return air-course, the volume of air was not sufficient to meet the requirements of so many men, so I ordered them to sink an air-shaft close to the working-face, making it downcast, allowing the air to return to the main shaft out the main entry. They are now sinking it, and when completed it will greatly improve this mine. They are connected with Bell's mine for an escape-shaft.

Hugh McFarlane's mine, located a little east of the Burlingame depot, is connected with Central mine and ventilated by a furnace. The roads in the mine are dry and are kept in a good condition. The return air-courses are very small in places, but as there was not a large number of men employed, by keeping the fire burning continually they could supply them with sufficient air. This mine employs seven miners, producing 2000 tons. It is one of the oldest mines in the county. The coal is hoisted by a horse. The shaft is 5x11 feet and 84 feet deep. H. M. McFarlane, mine foreman.

Central Coal Company, located about one and one-half miles east of Burlingame. The coal is hoisted by a horse. The shaft is 5½ x 8 feet and 85 feet deep. Gives employment to twelve miners and four day men, producing 4870 tons. Ventilated by a furnace producing 1840 cubic feet of air per minute.

Jno. D. Jack's mine is located in the south part of Burlingame. The coal is hoisted by a horse. The shaft is 6x11 feet and 108 feet deep. The air- and escapement-shaft is located about 800 or



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900 feet away from the main shaft. The air was not sufficient for the number of men employed, as the return air-course was partly caved in, the furnace all choked up with dust, and new doors were required to be put up. At my request these defects were remedied, improving the ventilation of the mine. Twenty-one miners and five day men, working 245 days, produced 5488 tons. Jno. D. Jack, mine foreman.

Strunk Coal Company, located one-half mile south of Burlingame depot, employs seven miners and three day men, producing 2443 tons. The coal is hoisted by a horse. The shaft is about 5 x 10 feet and 100 feet deep. This is one of the very old mines. The roads are dry and in good condition. There is abundance of air for the number of men employed. Wm. Strunk, mine foreman.

Mills Coal Company, employing ten miners, is located two miles from Burlingame on a switch of the A. T. & S. F. railway. It is connected with an old mine which is used as an air- and escapement-shaft. The return air-course to this old mine was in a very poor condition and a new return air-course is now being driven. When the connections are made this mine will be in good condition. The coal is hoisted by a horse. The shaft is 6 x 12 feet and 82 feet deep. Orson Knight, mine foreman.

Hotchkiss Bros. Coal Company, one mile southwest of Burlingame, has a switch of the A. T. & S. F. railway. The escapement-shaft is partitioned off of the air-shaft. The coal is hoisted by a horse. The shaft is 5 x 12 feet and 140 feet deep. Twenty-one miners, three day men and two boys, working 160 days, produced 5600 tons. Some new doors have been put up in this mine. It is ventilated by a furnace producing 2000 cubic feet of air per minute. The coal is about eighteen inches thick.

Coöperative Coal Company, located about three-fourths of a mile southwest of Burlingame, has a switch off the A. T. & S. F. railway. This mine is operated by a company of miners, and only members of the company are employed. The general condition of the mine is good. They have installed a gasoline engine to hoist the coal and it is working very successfully. The shaft is 6 x 14 feet and 140 feet deep. They employ nineteen miners, five day men and three boys, producing 5630 tons. Robt. Jack, mine foreman.

Black Diamond Coal Company mine, located one and one-half miles southwest of Burlingame, has a switch off the A. T. & S. F. railway. This shaft is well equipped on top with a steam hoist



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and has been improved by installing new cages and safety-catchés. It employs about twenty miners. The mine has changed hands many times and has been closed down the greater part of the time. The mine is well ventilated by a furnace producing 3630 cubic feet of air per minute, the air being split in four currents. The work in this mine, which has been very faulty, is getting some better. Wm. Maggison, mine foreman.

Coughlin Coal Company mine, located one mile northeast of Peterton, is a new mine, has been improved by putting in a new furnace, and stairs in the escapement-shaft. A horse is used to hoist the coal. The shaft is 5 x 12 feet and 31 feet deep. A few feet from the bottom of the shaft the coal dipped at a pitch of about fifteen degrees. After driving down the hill a considerable distance, on account of the hard push and the water which followed close into the working-face, about fifteen places in this mine were abandoned. They employed seventeen miners, four day-men and one boy, producing 4565 tons of coal. The roads and air-courses are kept in good shape. The mine is ventilated by a fan, which produces 3220 cubic feet of air per minute, keeping the mine well ventilated at all times. John F. Graham, mine foreman.

Jackson-Walker Coal and Material Company mine No. 28 is located one mile northeast of Osage City, connected with a switch off the A. T. & S. F. railway. The coal is hoisted by a horse. The shaft is 5 x 13½ feet, and 26½ feet deep. Fifty-three miners, eight day men and two boys, working 110 days, produced 9414 tons of coal. This mine is ventilated by a furnace producing 6430 cubic feet of air per minute. The air is split in four separate currents. An undercast is used for a return air-course. Air-courses have been cut through in several places from one entry to another, to be used when the face caves in. There is sufficient air in this mine, but on account of the large circle the air is not carried well to the face at times on account of frequent caving. Jno. Omallia, mine foreman.

Jackson-Walker Coal and Material Company mine No. 29 is located one mile south of Peterton. This mine worked only a few months in the winter, one side of it being shut down. The coal is hoisted by a horse. The shaft is 5 x 13½ feet and 31½ feet deep. Employed twenty-seven miners and four day men, producing 3862 tons of coal. After cleaning up the places that caved in while the mine was standing idle the ventilation was good, there being two currents of air. Antone Falletti, mine foreman.



Kansas Coal Company, located one and one-half miles west of Osage City, is connected by switch from Missouri Pacific railway. Originally, when they were working both sides, they had four currents of air; they are now working only one side of the mine. The roadways and general condition of the mine are in fair shape. They have been shut down for some time. The coal is hoisted by a horse. The shaft is 7 x 14 feet and 90 feet deep. They employed fourteen miners and three day men, producing 1200 tons of coal.

Black Diamond Coal Company, located one mile west of Osage City, is on a switch off the Missouri Pacific railway. The coal is hoisted by a horse. The shaft is 6 x 14 feet and 86 feet deep. Ventilated by a furnace, and ventilation in fair condition. Eleven miners and three day men employed, producing 1727 tons. Oscar Bolen, mine foreman.

A. W. Granstrom's mine is located one mile west of Osage City, connected with the Missouri Pacific railway. The old scales which were at this mine did not weigh the coal correctly so a new scale has been put in. The air was not carried well to the working-face so a door was put in the first south entry, which improved the air considerably. The coal is hoisted with a horse. The shaft is 5 x 14 feet and 50 feet deep. There were employed twenty-two miners and two day men, who produced 5399 tons of coal. The coal in this mine is about thirteen inches thick, which is a fair average for all of the west side of Osage City. Pete Forss, mine foreman.

Western Coal and Fuel Company's mine No. 5 is located one-half mile west of Osage City. This mine is worked by a company of miners. They do not employ other miners, but dig the coal themselves. They hoist the coal with a horse. The shaft is 5 x 12 feet and 50 feet deep. Twenty miners produced 1124 tons of coal. Yon Yonson, mine foreman.

Sam Carlson's mine is located close to the Missouri Pacific depot, in Osage City. The air was very weak at the face, but after putting up two new doors in the east entry and one in the cross-entry on the west side, and several curtains, the air was carried well to the face. The mine is ventilated with a furnace producing 3820 cubic feet of air per minute. The coal is hoisted by a horse. The shaft is 5½ x 14 feet and 59 feet deep. There are three separate openings in this mine. Thirty-seven miners and five day men, working 217 days, produced 8815 tons of coal. Chas. Anderson, mine foreman.



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Labor Exchange, Branch No. 233, has two mines. No. 1 is located one mile northwest of Osage City. All of the miners who work here are members of the company, and the general condition of the mine is good. The coal is hoisted by a horse. The shaft is $4\frac{1}{2}$ x 14 feet and 57 feet deep. They employ twenty-four miners and four day men, producing 3297 tons. They haul their coal by wagon from the shaft to the railroad switch. Antone Johnson, mine foreman.

Mine No. 4 of the same company was sunk and equipped in the summer of 1907. It is located about two miles north of the Missouri Pacific station at Osage City, and about one mile west of the A. T. & S. F. railway, being connected with the latter road by a switch. There is an escapement-shaft 300 feet from the main shaft. The coal is hoisted with a horse. The shaft is $4\frac{1}{2}$ x 14 feet and 67 feet deep. The coal in this mine is fourteen inches thick and of good quality. This is considered a good thickness of coal in this field. There are four currents, and an undercast is used for a return air-course. This mine is just being developed and gives employment to about twenty-eight men, all of whom belong to the company. Robt. Cahill, mine foreman.

John A. Johnson's mine No. 2 is located a little north of the Missouri Pacific depot. The coal is hauled by a wagon to the railroad switch. It is hoisted by a horse. The shaft is 5 x 14 feet and 30 feet deep. Nearly all of the men are employed on the east side, with a few in the northwest corner. A new scale has been put in. This mine is connected with old mine No. 2 for an escapement. The mine is in good condition. Fifteen miners and three day men employed, producing 2766 tons of coal. A. Sacco, mine foreman.

Gus Johnson's mine No. 4 is located one mile east of Osage City, on a switch of the Missouri Pacific. The coal is hoisted by a horse. Shaft is 5 x 12 feet and thirty-eight feet deep. Employs thirty miners and four day men, producing 4649 tons of coal. Only one side of this mine is being worked. Two new doors have been put up, which has greatly improved the air. The present condition of the mine is good. Jno. Sjonam, mine foreman.

Sunflower Coal Company, located a little south of mine No. 4, gave employment to but few men. At present it is abandoned.

Superior Coal Company, located one-fourth mile south of the Sunflower mine. The coal is hoisted by a horse and hauled by wagon to the railroad switch. The shaft is 6 x 14 feet and 30 feet

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deep. They have sunk an escapement-shaft, and it is now connected with the main shaft. They employ eleven miners and three day men, and produce 2224 tons of coal. Ventilated by a furnace. General condition of the mine is good. Jas. Wagg, mine foreman.

Isaiah Jones's mine No. 3, known as the Big Four, is located one mile southeast of Osage City. The coal is hoisted with a horse and hauled by wagon to the switch. The shaft is $5\frac{1}{2}$ x 13 feet and 30 feet deep. Nine miners and two day men are employed, producing 1770 tons of coal. They have installed a gasoline-engine and pump and 800 feet of pipe, put in new scales, and also a new rope. Ventilated with a furnace, and the air is in good condition. Ed. Cliff, mine foreman.

Matt Connor's mine is located just east of the A. T. & S. F. railway depot. This is a new mine, and gives promise of being a good one when developed. They have driven an entry through to No. 1 for an escapement, and have installed a gasoline-engine and pump. The mine is ventilated by fan with a gasoline-engine. Matt Connors, mine foreman.

Boruff's mine is located one mile east of Peterton, employs but few men and supplies local trade. The shaft is 5 x 9 feet and 21 feet deep. Jno. Lane, mine foreman.

Parry Coal Company, located three-fourths of a mile east of Peterton, is a drift supplying coal for the local trade and employing but a few men.

LEAVENWORTH COUNTY.

The mines in Leavenworth county are all worked on the long-wall system. Each miner has his separate road. The coal is twenty-two inches thick and lies at a depth of about 740 feet. There is a fire-clay mining underneath the coal and the miners go down into this fire-clay about ten inches. On account of the great depth of this vein, when the coal face is kept straight and taking this ten inches of mining, the weight from above crushing down on the coal crushes the mining out, thus aiding the miner a good deal in his work. Considerable gas is generated, but fire bosses are employed who examine the mine every morning and make a report as to whether there is any gas in the miner's room before he is allowed to go into it.

RECORD OF INSPECTIONS.

The Kansas state mine is located at Lansing, on the A. T. & S. F. railway. The shaft is just outside of the main prison walls, and only inmates of the prison are employed in mining the coal. There