

Harding Resolved To Use All Government Power To Maintain Transportation

President Declares Right of Men To Work Also Must Be Sustained—In Address to Congress on the Industrial Situation, He Deplores What He Terms "Warfare on the Unions of Labor"—Declares National Investigation for Constructive Recommendations as to Conduct of Coal Industry Imperative.

WASHINGTON, Aug. 18.—President Harding in an address to Congress today on the industrial situation declared that the right of employes and employers alike to conduct their business must be recognized and he also deplored what he termed "warfare on the unions of labor."

President Harding declared a national investigation for constructive recommendations as to the conduct of the coal industry to be imperative, and recommended a government commission to advise as to fair wages and conditions of labor.

Immediate legislation to establish temporarily a "national coal agency" with necessary capital to purchase, sell and distribute coal also was urged by the executive.

Other legislative recommendations were for "better protection of aliens and enforcement of their treaty rights," a measure to give Federal court jurisdiction in protecting aliens.

In discussing the coal situation, the President referred to what he termed the "shocking crime at Herrin, Ill., which so recently shocked and horrified the country" and added the incident was "butchery of human beings wrought in madness."

Stating that the Eack-Cummins act in establishing the railroad labor was inadequate, being with little or no power to enforce its decisions, the president recommended action to make the board's decisions "enforceable and effective against carriers and employes alike."

Other than the amendment of the Eack-Cummins law to make the railroad labor board's decisions enforceable, the President did not recommend any legislation to deal immediately with the railroad strike.

In asking for coal legislation the President said that the administration had sought earnestly "to restrain profiteering and to secure the rightful distribution" of coal but was without legal power to control prices.

The text of President Harding's address to Congress on the industrial situation follows:

Gentlemen of the Congress: It is manifestly my duty to bring to your attention the industrial situation which confronts the country. The situation growing out of the prevailing railway and coal mining strikes is so serious, so menacing to the nation's welfare, that I should be remiss if I failed frankly to lay the matter before you and at the same time acquaint you with the steps which have been taken by the executive branch of the government in its good offices to effect a settlement.

The suspension of the coal industry dates back to last April 1, when the working agreement between mine operators and the United Mine Workers came to an end. Anticipating that expiration of contracts would result in a general strike, the government's action in 1920, the present administration sought, as early as last October, conferences between the operators and miners in order to facilitate a new working agreement. In order to avoid any suspension of production when April 1 arrived, at that time the mine workers declined to confer, though the operators were agreeable. The mine workers' excuse for their decision on the ground that the union officials could have no authority to negotiate until after their annual convention.

A short time before the expiration of the working agreement the mine workers invited a conference with the operators in the central competitive field, covering the states of Pennsylvania, Ohio, Indiana and Illinois, and in spite of the union declaration of the government's informal suggestion for the conference, five months before the government. Informally but sincerely, it was declined by certain groups of operators, and the coal mining controversy ended in the strike of April 1. It was instantly made nation-wide so far as the organized mine workers could control, and included many districts in the bituminous field where there was neither grievance nor dispute, and effected a complete stoppage of the production in the anthracite field.

It is to be noted that when the suspension began large stocks of coal were on hand, mined at wages higher than those paid during the war, and the buying market melted by necessity, and there was a belief that coal must yield to the post-war readjustment. When the stocks on hand began to reach such diminution as to threaten supply, a hidden transportation, approximately June 1, overtures were initiated by the government in the hope of expediting settlement. None of these availed. Individual and district tenders of settlement on the part of operators—in some instances appeals for settlement—were wholly unavailing. Dominant groups among the operators were insistent on continuing the present agreement, the dominant mine workers were demanding a nation-wide settlement. The government being without authority to enforce a strike settlement in the coal industry, could only voluntarily offer its good offices in finding a way of adjustment.

Accordingly a conference of the coal operators' associations and the general and district officials of the United Mine Workers was called, to meet in Washington on July 1. The designation of representation was left to the officials of the various organizations, and there was nationwide representation, except from the non-union fields of the country. Before the joint meeting I expressed the deep concern of the country and invited them to meet at a conference table and end the disputes between them. The conference did not develop even a hope. The operators were asking for their district or territorial conferences; the workers demanded national settlement on an old basis. Appraising correctly the hopelessness of the situation I again invited both operators and workers to meet with me, and considered a means of settlement so fully insisted that it was difficult to see how any believing in industrial peace and justice to all concerned could decline it. In substance I called on the operators to open their mines, on the mine workers to resume work at the same pace and under the same working conditions as prevailed at the time the strike began. An turn the government was to create at once a coal commission of two of them, if preferred by either to the dispute so that one April 1 with the bituminous

cooperate with the industry in this program so far as it is the public interest so to do, but I have an unalterable conviction that no lasting satisfaction or worth while results will ensue unless we may have a government commission, independent of the industry, clothed with authority by the Congress to search deeply, so that it may advise as to fair wages and as to conditions of labor, and recommend the enactment of laws to protect the public in the future.

The almost total exhaustion of stocks of coal, the crippled condition of the railways, the distressed situation that has arisen and might grow worse in our great cities due to the shortage of anthracite, the suffering which might arise in the northwest through failure to meet winter needs by lake transportation, all these added to the possibility of outrageous price demands, in spite of the most zealous voluntary efforts of the government to restrain them, make it necessary to ask you for constructive recommendations as to a temporary control of distribution and prices.

The administration earnestly has sought to restrain profiteering and to secure the rightful distribution of such coal as has been available in this emergency. There were no legal powers for price control. There has been cordial co-operation in many fields, a fine revelation of business conscience stronger than the temptation to profit by a people's misfortune. There have been instances of flat refusal. I rejoice to make grateful acknowledgment to those who preferred to contribute to national welfare rather than profit by a nation's distress.

If it may have your approval, I recommend immediate creation of a temporary national coal agency, with needed capital to purchase, sell, and distribute coal which is carried in interstate shipment. I do not mean that all interstate coal shall be handled by such a federal organization, perhaps none will be necessary; but it will restore its capital to the public treasury where private conscience is insensible to a public need.

This proposal does not relate to any possible employment in interstate shipments. Prices, restraint and equitable distribution in interstate shipments is a responsibility of the state's own government. In such voluntary activities as have been carried on thus far the federal government has endeavored to reestablish the authority and responsibility in the states which was undetermined in the necessary centralization of authority during the world war.

Rail Strike Situation. The public menace in the coal situation was made acute and more serious at the beginning of July by the strike of the federated shop-crafts in the railroad service—a strike against a wage decision made by the railroad labor board, directly affecting approximately 400,000 men. The justice of the decision is not for discussion here. The decision has been lost sight of in subsequent developments. In any event, there was always possible to re-hear and the submission of new evidence, and it is always a safe assumption that a government agency of adjustment deciding unjustly will be quick to make right any wrong.

The railroad labor board was created by Congress for the express purpose of hearing and deciding disputes between the carriers and their employes, so that no controversy need lead to an interruption in interstate transportation. It was inevitable that many wage disputes should arise. Wages had mounted upward, necessarily, and the carriers were unable to pay like wages the cost of transportation, so that the higher wages might be paid. It was inevitable that some readjustments should follow. Naturally, these readjustments were resisted. The administrative government neither advocated nor opposed it. Only held that the labor board was the lawful agency of the government to hear and decide disputes, and its authority must be sustained as the law contemplates. This must be so, whether the carriers or the employes ignore its decisions.

Unhappily, a number of decisions of this board had been ignored by the carriers. In only one instance, however, had a decision, challenged by a carrier, been brought to the attention of the department of justice, and this decision was promptly referred to the courts and recently been sustained in the federal court of appeals. The public or the executive had no knowledge of the ignored decisions in other cases because they did not hinder transportation. When the failures of public service the mere fact of decisions of the board were brought to my attention, I could more fairly appraise the feelings of the strikers, though they had a remedy without seeking to paralyze interstate commerce.

The law creating the railroad labor board is inadequate. Contrary to popular impression, it has no power to enforce its decisions. It can impose no penalties on either party disregarding its decisions. It cannot halt a strike, and manifestly Congress deliberately omitted the enactment of compulsory arbitration. The decisions of the board must be made enforceable and effective against carriers and employes alike. But the law is new, and no perfection of it by Congress at this moment could be helpful in the present threatened paralysis of transportation. Happily, it is always lawful and oft times possible to settle disputes outside of court, so, in a desire to serve public welfare, I ventured upon an attempt at mediation. Those who had preceded in attempted settlements had made some progress. I submitted to the officials of the striking employes and the chairman of the Association of Railway Executives, in writing, on the same day, a tentative proposal for settlement. Knowing that some of the carriers had offered by ignoring the decisions of the board and the employes had struck when they had a remedy without a strike, I felt it was best to start all over again, resume work, all to agree to abide faithfully by the board's decisions, make it a real tribunal of peace in transportation, and everybody serve the public. The barrier to be surmounted was the question of seniority. By the workers those rights are held to be sacred, and unsurrendered by a strike. By the carriers the preservation of seniority is the weapon of discipline on the one hand and the reward of faithful employes on the other. It has been an almost invariable rule that when strikes have been lost seniority and its advantages have been surrendered, when strikes have been settled seniority has been restored.

In the tentative proposal which I sponsored, it was provided that everybody should go to work, with seniority rights unsuspended, that there should be no discrimination by either workers or carriers against workmen who did or did not strike.

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