

TWENTY-FOURTH
ANNUAL REPORT
COAL MINES

IN THE STATE OF

WEST VIRGINIA, U. S. A.

FOR THE YEAR ENDING

JUNE 30, 1906

JAMES W. PAUL,
CHIEF MINE INSPECTOR,
CHARLESTON.

TWENTY-THREE LIVES LOST—PARRAL MINE EXPLOSION.

Fayette County, February 8, 1906.

The Parral Coal Mine is operated by the Stuart Colliery Company, at Parral, by a shaft 685 feet deep.

The mine had, at the time of the explosion, only one opening, which was partitioned and used as a hoisting shaft and an inlet and outlet for the ventilating current of air. At the time of the explosion there were reported to be working in the mine 35 persons, of which number 23 were killed, the remaining 12 not being injured.

The coal bed operated is the New River, or Sewell, 4 to 5 feet thick,

which is soft, friable and has a chemical analysis approximately as follows:

Moisture69%
Volatile Matter	23.95
Fixed Carbon	72.04
Ash	3.32
<hr/>	
Total	100.00%
Sulphur74

The workings of this mine were of small extent,—the development being principally to the east and west of the shaft.

The workings to the east were being driven with the purpose of connecting with the workings of the Stuart shaft, the distance between the workings at the time of the disaster being about 4500 feet.

Ventilation was produced by a fan 6 feet in diameter, and prior to the explosion the inspector had reported the current of air within the mine as being 23,000 cubic feet per minute.

The mine appears to have been supplied with ample volume of air.

The mine produced small quantities of explosive gas, necessitating the use of brattices in headings and rooms. Open lamps were used throughout the mine.

The mine was regularly examined by a fire boss with a safety lamp, and the mine boss, while not a citizen of the State or county, was considered a man of rare ability in mine matters.

The explosion confined itself to the east side of the mine, killing all persons within the east side.

The explosion was the result of a body of gas being ignited, which exploded and inflamed the dust in a part of the mine.

The explosive force, upon reaching the shaft, was relieved of its confinement, and there being considerable water near the shaft the temperature of the gases was reduced below their explosive point, and the explosive force went up the shaft, doing no damage on the west side other than to wreck a door.

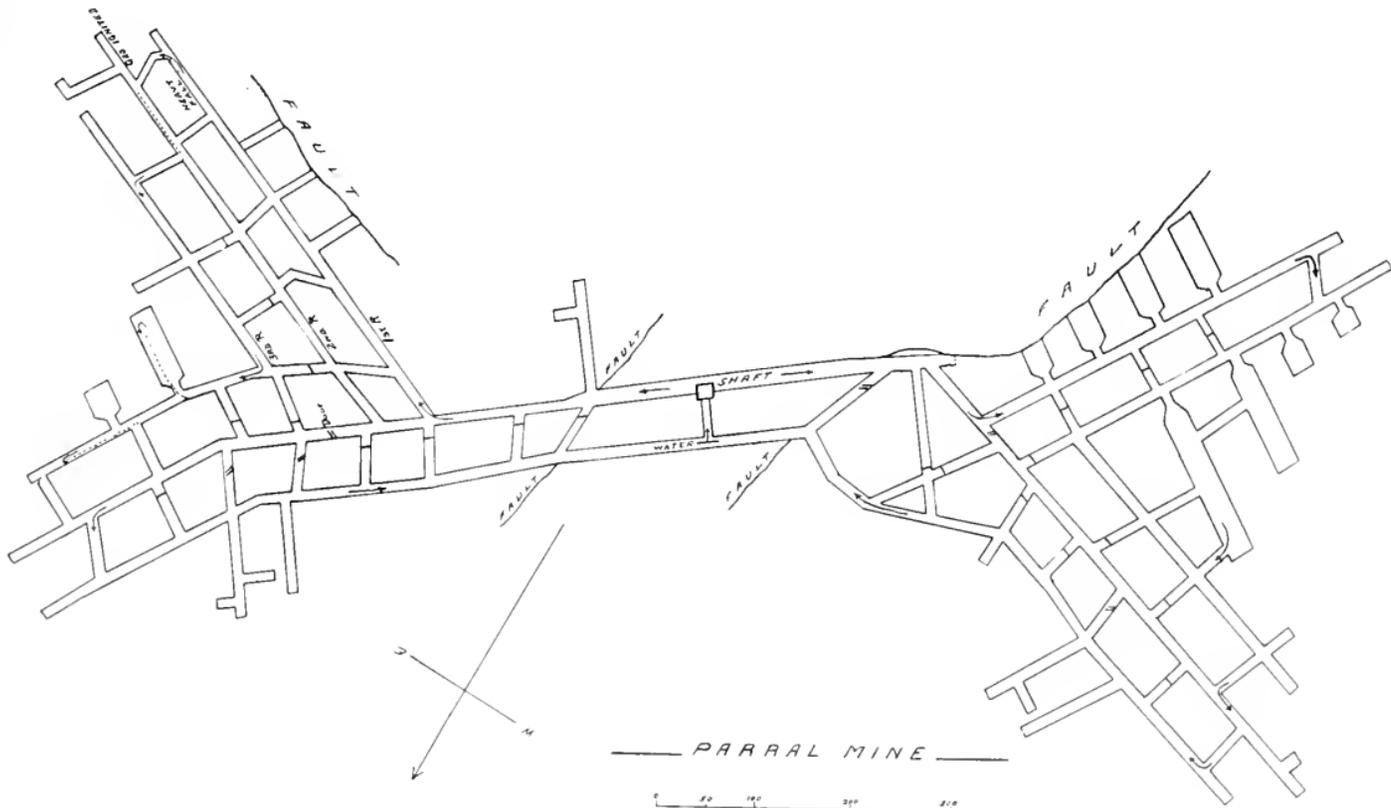
A careful examination of the mine after the explosion revealed evidence, which, with evidence as to the condition of the mine just prior to the explosion, by persons who had been in the mine on the morning of the explosion, enabled a decision to be made as to the cause of the explosion.

The seat or origin of the explosion was near the face of the first right heading, which goes to the south 68 degrees east.

A heavy fall of roof extending about 100 feet along the first right intake air course, between the last two break-throughs, liberated some pent up gas which was conducted by the current into the main first right heading and ignited by the open lamp of a driver who happened to be shifting cars near the head of the main first right heading.

The force of the explosion followed the direction of the return air current, as is indicated on the map furnished.

For several days after the explosion the gas in the first right air course continued to be given off, and for reason of this gas it was with some



PARRAL MINE



SCALE OF FEET

difficulty that the dead bodies were recovered from that part of the mine.

On February 22, 1906, a Coroner's Jury, under the direction of Justices A. M. Kincaid and J. P. Staten, took evidence at Parral relative to causes which may have resulted in the explosion and the loss of life, and after hearing the evidence of all witnesses rendered the following verdict:

VERDICT OF CORONER'S JURY.

PARRAL, W. VA., February 22, 1906.

We, the jury, empaneled to make inquest of the manner in which Joseph R. Lemley, James Hunter and others came to their death in the mine disaster that occurred at Parral, W. Va., on the 8th day of February, 1906, on our oath find that the said parties came to their death by an explosion of gas in the said mine, said explosion being an unavoidable incident to mining mines generating gas, and we further find that no person is shown to be in any way responsible for the said explosion or the incidental loss of life of the persons referred to herein.

(Signed) CHAS. HILL, Foreman.
ALEX PORLE,
A. T. KNIGHTON,
S. B. BROWNLEE,
S. D. TAYLOR,
THOS. WHORTON,
Jurymen.

In view of the testimony given in the Coroner's investigation revealing that 23 lives were lost, and at the time of the explosion there were 35 persons working within the mine, which had but one outlet, while the law requires two outlets where as many as twenty persons are employed within a mine, it was apparent to the Chief Mine Inspector that, had the law been complied with, there would have been not more than 20 persons in the mine at any time, and had the law been complied with in this particular the lives of three persons would have been saved, — there being 23 persons killed.

With a view of determining wherein the law had been violated, and whether any person or persons were guilty of neglect in connection with this disaster, the Chief Mine Inspector, in the presence of the Prosecuting Attorney of Fayette County, appeared before the Grand Jury of Fayette County on April 11, 1906, and stated in substance the facts and presented an abstract of the evidence taken before the Coroner's Jury.

The Chief Mine Inspector made information that some person had violated the law in permitting more than 20 men to be employed within the mine, in the absence of a second opening, and also indicated that the mining statutes provided a penalty constituting a misdemeanor for such violation, and left the matter to the discretion and judgment of the Grand Jury as to who might be guilty.

The Grand Jury found two indictments charging the general superintendent and superintendent of the Stuart Colliery with voluntary manslaughter and also an indictment against each for misdemeanor.

Nothing developed in the investigation of this disaster that in any man-

ner indicated that those charged with voluntary manslaughter had voluntarily or wilfully contributed to the destruction of life, and on April 20th, upon trial before the Criminal Court, the State was unable to sustain the charge, the State's evidence being set aside by the Court.

There still remain on the Court's docket indictment for misdemeanor against the officials noted above.

No motive other than a desire to impress the importance of complying with the law prompted the Chief Inspector in making the information before the Grand Jury; and, while he has been the object of some censure and criticism for his action, he entertains no malice and feels justified in the action taken, although his information was injudiciously used to the humiliation of two citizens who now stand exonerated of a serious charge.

Respectfully,

JAMES W. PAUL, Chief Mine Inspector.

FATAL ACCIDENTS INSIDE, THEIR CAUSES, SINCE 1897

CAUSES.	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	Totals
Falls of roof.....	47	67	64	61	76	79	96	95	105	99	789
Mine cars.....	6	6	7	11	11	13	12	12	18	16	112
Gas explosions.....	1	1	50	10	10	24	3	1	4	4	93
All other causes.....	7	2	8	11	24	18	15	13	52	131	281
Totals.....	60	76	79	133	121	110	147	123	176	250	1,275

SUMMARY OF ACCIDENTS INSIDE OF THE MINES, 1906 AND 1905.

(I, means increase; D, decrease.)

	1906	1905	Changes
Number of employes inside.....	40,865	39,903	962 I
Number of days mines were operated.....	237	213	24 I
Number of persons killed inside.....	250	176	74 I
Number of days' work accomplished.....	10,216,250	8,439,339	1,776,911 I
Number killed per 1,000 employes inside.....	6.11	4.41	1.70 I
Number killed per 1,000 days' work inside.....	.0244	.0208	.0036 I
Number injured non-fatally inside.....	270	292	48 I
Number injured per 1,000 employes inside.....	6.606	5.563	1.043 I
Number injured per 1,000 days' work inside.....	.0264	.0263	.0001 I
Number of inside employes for each fatality.....	163	227	64 D

TONNAGE PER FATALITY.

Since 1883 the average tons of coal produced per each fatality have been 175,134. During 1906 the tonnage per fatality was 148,894.

At those mines where fatal accidents occurred there was an average of one life lost for each 49,911 tons of coal produced.

The total of 250 lives lost inside occurred at 122 mines employing 12,226 persons and producing 12,252,672 gross tons of coal, while at all other mines there was produced 25,150,802 tons without the loss of a single life inside of the mines.

SPECIAL REPORT.

On March 3, 1906, the Chief Mine Inspector felt the necessity of addressing a special report to the Governor in relation to the five fatal accidents which, between Nov. 4, 1905, and Feb. 8th, 1906, had resulted in the loss of 73 lives, which report is given in the following:

HON. WM. M. O. DAWSON, Governor.

SIR:—In view of the recent mine disasters I feel it incumbent upon me as the Chief of the Department of Mines to make a special report upon the conditions surrounding these disasters and to call attention to the necessity of additional legislation for the safety of the mine employes.

Considerable press notice has been given to the five accidents which, within 98 days, have resulted in the loss of 73 lives, and it is to be hoped that public opinion will keep in mind these accidents when the Legislature next convenes and insist upon their representatives enacting laws which may reduce to a minimum the liability of the recurrence of such disasters.

There have been explosions in the following mines, resulting in death as shown in the following table:

Date.	Name of Mine.	Lives Lost.	Kind of Explosion.
Nov. 4, 1905,	Tidewater Mine	7	Powder and dust.
Jan. 4, 1906,	Coaldale Mine	22	Powder, dust and gas.
Jan. 18, 1906,	Detroit Mine	18	Dust.
Feb. 1, 1906,	Red Jacket Mine	3	Powder smoke and dust.
Feb. 8, 1906,	Parral Mine	23	Gas.
Total		73	

For the past four sessions of the Legislature the mine inspectors have fought single handed to secure additional legislation for the safety of the mine employes but only little has been accomplished.

A perusal of the last eight annual reports of this Department will reveal the legislative suggestions made by the inspectors and unbiased judges can readily see the wisdom of such suggestions.

The present weakness of the law has been fully manifested to the public but this has been well known to the inspectors. From my last printed annual report the following is abstracted. "The changing conditions at the mines within the last decade have materially revolutionized the character of labor employed. This condition has been brought about by reason of the introduction of machinery to supplant the work formerly done by manual labor and animals, * * * * * inexperienced men are employed who load after machines and who know practically nothing about the dangers within a mine and as a consequence they are unable to exercise the care essential to their own safety. This is an acknowledged status of labor and any safeguard that may decrease the list of fatalities will have to be made to operate through those having immediate supervision of the employes."

An act of carelessness on the part of an inexperienced miner may cause the loss of life of all the practical and experienced miners within the mine.

In two previous reports it has been recommended that mine bosses be required to have a State license before being permitted to act as mine boss and under proper conditions it is believed that this plan will increase the efficiency of the bosses and reduce mine accidents.

In the absence of specific law to govern certain dangers within the mines, this Department has issued circular letters to the operators and these in turn have been delivered to the mine bosses by the district inspectors, calling special attention particularly to the quantity of powder that shall be taken into the mine, and prohibiting the taking of full kegs of powder into the mine; also to the removal of and sprinkling of dust within the mines. These instructions were issued previous to the list of accidents which have occurred within the past ten months.

At present there is no special law which gives the inspectors authority to require the use of safety lamps in a gaseous mine.

A mine may be found in such a dangerous condition that it may explode before the inspector is able to get out of the mine, and to save the lives of the employes he has to go through court proceedings before a remedy is assured. Some other states give the inspectors authority to close the mine immediately upon finding such conditions.

The handling of powder within mines and the firing of shots by impractical men has caused so many accidents that some drastic action is necessary to protect life from these causes, and that may be brought about by requiring shot firers to be employed in all mines where the coal is shot on the solid or in any mine where as much as two pounds of powder is fired in any one shot.

Another feature in connection with the execution of the law does not seem to be fully appreciated, and that is the large number of mines which each inspector is required to inspect. As an illustration, the inspector of the Sixth District has 169 mines and each of the inspectors has an average of over 100 mines in his district.

The force of inspectors should be increased until each had no more than 60 mines in his district, and at the present time we have 700 mines requiring inspection.

Each of the recent disasters has been fully investigated and the testimony of the witnesses recorded and this testimony will be brought to the attention of the grand juries in the several counties with a view of indicting any person in any way responsible for the occurrence of the accidents, and it is hoped that the grand juries will make full inquiry, that no guilty may escape.

In order that a properly prepared legislative bill be presented to our next Legislature it is recommended that the Governor appoint a commission of expert mine men,—operators and miners, to review the conditions and draft a bill to meet the requirements. This should be done prior to the convening of the Legislature in order that the contents of the bill may be freely discussed by the persons and interests affected by such legislation.

Very respectfully,

JAMES W. PAUL,
Chief Mine Inspector.

Charleston, W. Va., March 3, 1906.

PROSECUTIONS AND COURT PROCEEDINGS.

As indicated in the above special report the Department through the Chief Mine Inspector appeared before the grand juries of Fayette and Mercer counties with special reference to the Parral and Coaldale explosions. All the facts known to the Chief Mine Inspector were laid before the grand juries.

In reference to the Parral disaster the grand jury found two indictments against the general superintendent and the local superintendent, charging each with voluntary manslaughter and finding an indictment for misdemeanor.

Immediate trial was given the charge of manslaughter and the defendants were acquitted, the State failing to sustain the charge as made by the grand jury.

The misdemeanor indictment has not as yet been given trial, so far as the writer has any knowledge.

In the matter of the Coaldale disaster, it appeared from the evidence obtained that the mine boss had not used any precautions to prevent the

taking of excessive quantities of powder into the mine, and the facts in this case as obtained at the investigation were placed before the Mercer county grand jury, but no indictment was found.

The Detroit mine disaster was fully investigated by a special grand jury which returned indictments against the superintendent and mine boss for involuntary manslaughter.

Upon trial before a jury the evidence in the case of the superintendent was to the effect that at the time of the explosion the superintendent was not in the service of the ownership of the mine, and not in charge of the mine. Upon this presentation the prosecution asked the court to instruct a verdict for the defense which the court granted.

Upon the calling of the charge against the mine boss, the indictment was nollied upon motion of the prosecution.

WITNESSES.

In the matter of injunction proceedings for the purpose of restraining the operation of a mine it is of importance that some restriction be made upon the character of witnesses who may be heard by the court. The defendant has at its command the entire number of inside employes and in many instances these witnesses are not competent to judge the seriousness of the conditions, and in a matter of this character all witnesses should be free from all coercive influences.

It would be a better plan if the court could have the testimony of an equal number of competent witnesses representing the state and the defendant.

THE COURRIERES DISASTER, FRANCE.

The mining world should give heed to the conditions which prevailed at the Courrieres mine, France, where an explosion in the early part of 1906 took the lives of over 1,200 persons.

The latest report upon this disaster is to the effect that the greatest of all mine disasters was caused by a dust explosion induced by a blown-out or windy shot.

From the published report it appears that the Courrieres collieries consist of a number of shaft mines all of which are connected underground.

There should be some restriction upon the acreage which should be operated from a single opening to the surface, and adjoining mines should not be connected in their underground workings covering a specified territory.

RECOMMENDATIONS.

Concerning the safety of the mine employes, it should be the pride of this State that every precaution obtainable through legislation should be provided.

The coal industry of the state has developed so rapidly in recent years that the legislative body appears to have not fully realized the importance of legislation to meet the ever increasing needs for the protection of life, health and property.

Adequate laws should be enacted providing for sufficient inspection, with reasonable compensation, to ensure a full compliance of the laws. In the

absence of sufficient force to properly inspect the mines and have an observance of the law, it were better that the inspection Department and the mining law be abolished. At the present time it is a physical impossibility for the present force of seven inspectors to meet the requirements of law.

DISTRICT INSPECTORS' REPORTS.

Elsewhere in this report will be found the annual reports of the district mine inspectors upon the condition of the mines in their respective districts.

There is no written report covering the Seventh District for the reason that the Inspector of that district resigned on March 31st, 1906, and up to June 30th, 1906, no additional inspections were made of the mines in the district. However, the mines in the district are reported upon in tabulated form, the condition being given as reported by the retiring inspector, S. S. Cooper, from the monthly reports made by him to the Department.

* * * * *

The writer desires, in conclusion, to express his appreciation of the confidence reposed in him by your Excellency in his conduct of the affairs pertaining to this department.

Respectfully submitted,

JAMES W. PAUL,
Chief Mine Inspector.

Charleston, W. Va., December 14th, 1906.