## IN RUSSIANIZED WEST VIRGINIA THERE IS NO SUCH THING AS JUSTICE FOR MINER--83 DEAD AND NO ONE'S TO BL

Staff Special WELCH, W. VA., March 28.-

guiltless of responsibility as it is of living. now with only \$3 dead. Ohio min-No Hope for Raise

WELCH, W. VA., March 28.— Jed is in West Virginia. It might be in Russia. Eighty-three were day. Jed is crowded with Deputy Sheriffs and detectives. They and are not of interest needs of the state are going on at Cleve. The wages that are going on at Cleve. The discreption of the state are going on at Cleve. Watever benefits to union min-ors that may result will not apply to the miners who survive at Jed or anywhere else in West Virginia ware the here would of the shaft. "What are you doing?" de-mands a guard. "I am taking pictures," replies the photographer. "Well, you had better take the train out of here," says the guard. "I teaves at noon. In the mean-times you had better break up that there would hower price in competi-tions whited unit here would hover price in competi-tions white all the replicates. There might have been 1000 States. They claim that is the that, the corporation that oper-ates the Jed mine would, under the law of West Virginia, he as

The average wages of Ohio miners are \$12 a week. Court Absolves Barons

Even if he survives it would be futile to sue him. He is only a wage-worker, Under the law of West Virginia

there are certain duties delegated to the mine boss. These include nearly everything conceivable that may relate to the safety of

that may relate to the safety of the mine. In 1898 a man named Williams was killed by a fall of slate in the mine of the Thacker Coal Co. His estate sued for damages. A jury awarded a verdict. Negligence Not a Crime

The Supreme Court reversed and handed down its manifesto of absolution that has been law in the mines ever since.

according to the provisions of Sec-tion 11, Page 995, Code 1891, and,



The flood is slowly receiding from the high stage it reached, aand the residents of Covington who were threatened in case it should reach a stage of 55 feet, are not worrying about having to vacate their homes

having done so, he has discharged having done so, he has discharged his duty to his employers in re-lation to those duties which the statute prescribes shall be per-formed by such mine boss, AND THE OPERATOR OR AGENT IS NOT LIABLE FOR INJURIES ARISING FROM THE NEGLI-GENCE OF THE MINE BOSS."

## Bolt Door of Hope

And then the Court proceeded to double lock the door of hope against the miner by invoking the fellow-servant act, which still ex-

the corporation cannot be absolved.

And another decision, handed down by the Supreme Court of west Virginia in the more enlightwest virginia in the more emigri-ened year 1910, in the case of Bralley vs. The Tidewater Coal & Coke Co., gave a new coat of whitewash to the operator and re-adjusted the burden upon the mine boss.

Burbaco table of the distribution of the Bralley was killed in an explo-sion. His estate sued and got a verdict. It was reversed by the Supreme Court, and here are the very words in this case: /"Section 410 does not say that the operator or agent of the mine shall personally discharge the duty of making the break-through (a ventilating appliance) or the use of brattices, any more than it requires of him the discharge of other duties thereby required and imposed on the fire boss; but Secimposed on the fire boss; but Sec-tion 410 specifically imposed that duty upon the mine boss." Sought Remedy in Vain

Again the corporation was cleared and the goat placed squarely upon shoulders of the employe.

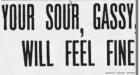
Any remedial legislation ever tried? Yes. It failed. Answer: Politics and Big Busi-

ness Haven't the unions protested? Answer: There are no unions in West Virginia, except in one district. The word union is ana-There are no unions thema.

## Club Union Organizers

Five union organizers came to town last year and they were clubbed out.

The companies employ detec-tives, every one of whom is sworn in as a Deputy Sheriff. Without any trouble whatever the In the lock the coor of holesed within the set of begins shere in the original barbarly. The decision added:
 <



You can eat anything your stom-ach craves without fear of Indi-gestion or Dyspepsia, or that your food will ferment or sour on your stomach if you will take a little Diapepsin occasionally. Your meals will taste good, and anything you eat will be digested; onthing can ferment or turn into acid or poison or stomach gas, which causes Belching, Dizziness, a feeling of fullness after eating, Nausea, Indigestion (like a lump of lead in stomach). Biliousness, Heartburn, Water Brash, Pain in stomach and intestines or other symptoms. Headaches from the stomach are absolutely unknown where this ef-fective remedy is used. Diapepsin really does all the work of a healthy stomach. It digests your



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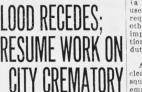
EN SAY NAKED solved the order under which the mine was closed. Staff Special The corporation that operated

WELCH, W. VA., March 28 .-Were open lamps or closed safety

WELCH, W. VA., March 28.— Were open lamps or closed safety lamps in use in the Ide mine at corporation that operated the time of the explosion which wrecked it Tuesday?
Use of the open lamps is not permitted in mines in which large quantities of explosive gas is generated. The Jed explosion gas and coal dust.
Thitty-seven bodies have been recovered, and 46 are still held under tons of debris.
Miners say that the open lamp was used at Jed in addition to the safety lamp. This was cor-roborated by a mine official.
Four years ago a learned juit ordered the Jed mine closed until all the miners were equipped with safety lamps exclusively on the type agas in dangerous quantities.
The same judicial opinion die-

1912 Jed Mine explosion NEWS

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Here are its very words: "It is the duty of an operator or agent of a coal mine to employ a competent mine boss under and according to the providence of New