

THE ESTEVAN STRIKE AND RIOT, 1931

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in History

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by

Stanley Duane Hanson

Regina, Saskatchewan

December, 1971

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PREFACE

Three men were killed and several others injured when police and striking coal miners clashed on the streets of Estevan, Saskatchewan in the fall of 1931. This tragic event has received little attention, with the exception of a brief and rather biased account by Anne Buller entitled "The Estevan Massacre" which appeared in the May, 1949 issue of the National Affairs Monthly, and a fictional treatment in E. A. McCourt's Music at the Close. This thesis represents an attempt to remedy the deficiency by examining and reporting the events and analyzing those factors operative not only in the wildcat strike which commenced on September 8 but also in the violence of "Black Tuesday," September 29.

After presenting the background information requisite to establish the physical setting, this study will examine the underlying and immediate causes of the cessation of work. A discussion of the events which precipitated the strike and the violence of September 29 will be followed by a detailed treatment of the confrontation and the aftermath. The findings of a royal commission which investigated the dispute will be reported and the negotiations which produced a settlement will be recounted. Because specific conclusions are drawn throughout the thesis, the concluding chapter will attempt to place the Estevan experience in perspective by presenting a sociological analysis of strikes and riots.

The author's task has been complicated by a mass of contradictory testimony and conflicting reports which make it difficult to formulate firm conclusions regarding responsibility for the strike and subsequent violence. However, the evidence indicates that such responsibility must be shared by labour, management, and government, with the lion's share being apportioned to the latter. The Saskatchewan government failed to enforce legislation which the coal operators consistently contravened with the result that little was done to ameliorate labour's legitimate grievances until blood was shed and lives were lost.

The author wishes to express his sincere gratitude to Dr. C. O. White whose valuable assistance and thoughtful guidance has been so competently and generously given. Dr. White's knowledge, understanding, and encouragement is sincerely appreciated.

The author is also indebted to Mr. A. R. Turner, Provincial Archivist, and his Assistant, Mr. D. H. Bocking, who read the several drafts and whose perceptive criticisms and helpful suggestions also enhanced the quality of this study, and to Mrs. Jean Goldie who typed the final draft.

Finally, the author wishes to express his special appreciation for his wife Glenys who not only willingly transcribed dictated research notes but also deciphered and typed the handwritten manuscript.

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ABSTRACT

Having organized as a local of the Mine Workers' Union of Canada (MWUC) only a few days previously, the miners of the Souris coalfield walked off the job on September 8, 1931 to reinforce their demands for increased wages and improved working conditions. The seasonal and fluctuating nature of the Saskatchewan industry, the reduction in realization by operators from the sale of lignite, wage reductions in late 1930 and early 1931, and certain unsatisfactory working and living conditions may be identified as underlying causes of the dispute. Three factors ultimately precipitated the wildcat strike: the absence of any established grievance mechanism, the coal operators' refusal to recognize the MWUC, and the refusal of James Sloan, MWUC president, to accede to demands for the establishment of a conciliation board under The Industrial Disputes Investigation Act.

On September 29 some 300 to 400 striking miners and their families clashed with police on the streets of Estevan, Saskatchewan in a bloody riot resulting in three deaths, a number of injuries, and the conviction of several participants on charges arising out of the confrontation. The tragic events of "Black Tuesday" helped bring about a settlement, but not an altogether desirable one. The authorities, it would seem, beginning in early October, launched a campaign

aimed at placing the bulk of responsibility for affairs on "outside agitators," at depriving the miners of the support and assistance of anyone from outside the district, at undermining unity among the miners, and at bringing the parties together under their scarcely impartial auspices. The result was a settlement which, while granting some concessions to the miners, was violated in varying degrees at once by the operators. Not surprisingly, before a royal commission set up to examine the causes of the strike had completed its report, there was talk among miners of further strike action. It is also not altogether surprising that there was no official inquiry into the riot itself.

CHAPTER I

PHYSICAL SETTING

The Souris coalfield forms part of the physiographic feature known as the Saskatchewan Plain which in turn is part of the great Interior Plain of North America. The lignite mined in Saskatchewan is of Tertiary age, from the Paleocene Ravenscrag formation which comprises an area of approximately 10,000 square miles in the southern portion of the Province. This formation also underlies much of the western one-third of North Dakota, an area of some 30,000 square miles, a large section of eastern Montana, and a smaller area in northeastern South Dakota.¹

The portion of the Ravenscrag formation situated in Saskatchewan is believed to contain approximately 57 billion tons of lignite with recoverable reserves estimated to be 3.5 billion tons in the Estevan area, 2.7 billion tons in the Willowbunch-Wood Mountain area, and 0.3 billion tons in the Cypress Hills area. Seven seams, varying in thickness up to a maximum of fifteen feet have been identified, the three classified as workable occurring within 100 feet of

¹R. L. Sutherland, "The Place of Saskatchewan Lignite in the Coal Mining Industry of Western Canada" (Hereinafter referred to as "Saskatchewan Lignite"), The Canadian Mining and Metallurgical Bulletin, October, 1932, p. 568.

the general surface level.² Mining in the field has been and is confined almost exclusively to an area fairly close to the Souris River in the general vicinity of Estevan.

The lignite field of southern Saskatchewan was known to generations of natives of the "Coteau" district. It is reported that in 1734 La Vèrendrye held a council with Assiniboiné and Cree chiefs who had come to visit his trading post, Fort St. Charles, on the shores of Lake of the Woods. The chiefs told him of minerals near a river to the west and described what must have been a bed of lignite on fire. Was this the Souris River? Whatever the case, when La Vèrendrye's sons, Louis-Joseph and François, went in search of the western sea in 1742, they undoubtedly traversed the Souris coalfield in the course of their journey to the Missouri.

Roughly a century later, in 1853, General Isaac I. Steven's exploration and survey party also set foot on the coalfield. It visited Mouse River in its search for an American railway route to the Pacific Ocean.³ Then, in 1857, a British expedition under Captain John Palliser made a side trip from Fort Ellice to investigate reports of coal deposits along the Souris River. Dr. James Hector, the

²Stanford Research Institute, A Study of Resources and Industrial Opportunities for the Province of Saskatchewan (Menlo Park, Cal.: Stanford Research Institute, 1959), p. 229.

³Archives of Saskatchewan (Hereinafter referred to as AS), Clippings File: Souris River, n.p., n.d., p. 2. Mouse River is the English translation of the French name, La Souris.

party's geologist, examined these deposits and, basing his conclusion on surface indications only, pronounced the lignite to be of little commercial significance. The Souris Valley was also visited by the International Boundary Commission in 1873-74 and by John Macoun in 1879-81. By this time more scientific attention was being paid to the coal⁴ deposits of the area. In 1875 G. M. Dawson, a naturalist and geologist with the Boundary Commission and later a member of the Geological Survey of Canada, completed an important report on Souris lignite formations. Later, in 1880, A. R. Selwyn, Dominion Geologist, also made an exhaustive study of the coalfields and defined extensive deposits which he believed to be of considerable commercial value. In the same year W. D. Sutherland had several tons of lignite extracted from a seam near Roche Percee and floated by barge to Winnipeg for analysis.⁵

Robert J. Hassard is credited with founding the coal industry in the Souris region, the Province's principal coalfield. Hassard moved from Moose Mountain to Taylorton in 1887 and took a homestead on a quarter section in township two, range six, west of the second meridian. One day he discovered a large seam of coal eight feet thick in a

⁴Coal and lignite have been used interchangeably throughout this thesis in references to the Saskatchewan coal mining industry.

⁵A. R. Turner, "Early History of the Souris River" (unpublished article, 1958), p. 5, AS, and "Surveying the International Boundary, the Journal of George M. Dawson," Saskatchewan History, 1968, XXI, I, 1.

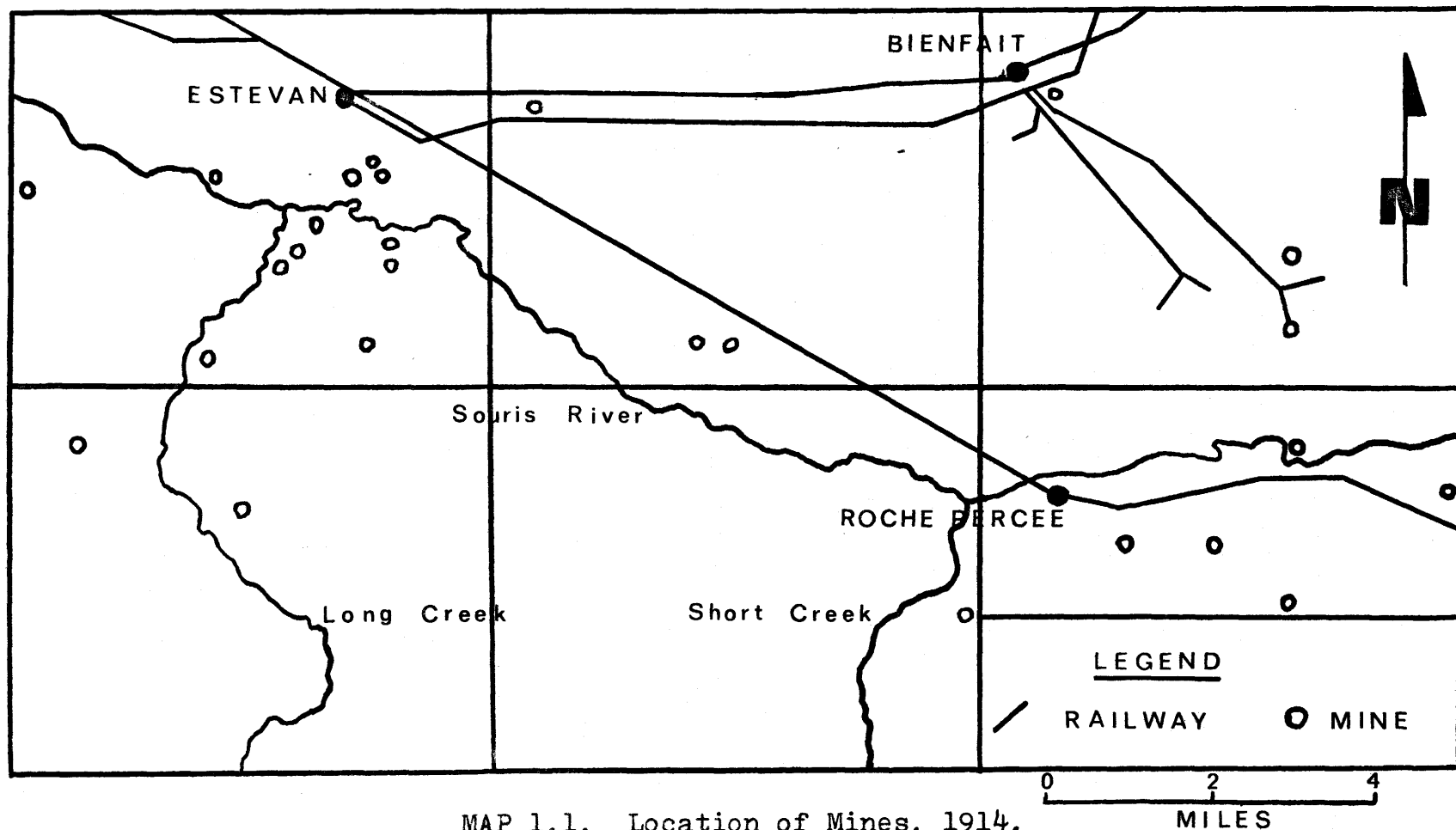
ravine near his house and proceeded to develop a mine. By 1891 settlers were coming from all over the south country to obtain their winter coal supply. Mined by pick and shovel, the coal was loaded onto small cars in the mine and then hauled out by oxen or mules to be dumped in wagon boxes. Hassard sold wagon loads to his patrons for one dollar per load.⁶ Although no authentic records exist for the early years, by 1892 the coal mining industry was becoming established in Saskatchewan, 5,400 tons being produced in that year. With the advent of additional coal mining enterprises in the Souris coalfield, this figure rose to 232,299 tons in 1914.⁷ (Map 1.1 indicates mining locations in this region in 1914.)

Although production had increased rapidly during the years before World War I, it had been hoped that the influx of settlers to the West would have created an even greater demand for lignite. Three factors, however, militated against such an increase: railway development, sources of immigration, and development of burning equipment.⁸ Because railway building preceded organized settlement, early coal mining was only incidental to railway operations. Since construction proceeded from east to west, and the locomotives

⁶Isabel Muirhead, "Early History of Estevan, 1892-1900" (unpublished article, n.d.), p. 1, AS.

⁷Canada, Dominion Bureau of Statistics (Hereinafter referred to as DBS), Canadian Mineral Statistics, 1886-1956 (Ottawa: Queen's Printer, 1957), p. 101.

⁸Sutherland, "Saskatchewan Lignite," p. 569.



MAP 1.1. Location of Mines, 1914.

Source: Michael Freedman, "A Geographical Analysis of the Estevan (Saskatchewan) Coalfield, 1880-1966" (unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1968), p. 43.

were designed to burn high rank coals, either anthracite or bituminous, the first coal burned in quantity in western Canada was imported from the eastern United States. For the same reason, when domestic coal mines were opened in the West, largely to supply locomotive fuel, the higher rank coals of Alberta and British Columbia were developed first. Settlement of the interior plain areas was also effected from east to west. Coming from the east, whether from Canada, Great Britain, or the United States, immigrants were accustomed to the use of coals of higher rank and heat value than lignite with the result that the greater part of the fuel supply was imported from the United States during the early period of settlement. The burning equipment available at the time was almost exclusively of eastern origin and was specifically designed for the use of high rank American or British coals. Consequently, during the early stages of development, coal was imported to suit the equipment.

Over the years, consumption of lignite has also been influenced by its nature. Compared with other Canadian coals of higher rank and grade, its disadvantages are significant. Coal consists of altered vegetal matter together with such impurities as water and minerals. The longer its period of alteration by heat, pressure, and chemical agencies, the greater its percentage of fixed carbon and the higher its heat value per ton. Lignite, a young coal, has a much lower percentage of fixed carbon and a higher

percentage of impurities than older coals such as anthracite and bituminous. Consequently, its rank is low.⁹ Coal is also classified according to grade. This classification was devised to indicate, from a commercial standpoint, the principal properties of a coal as marketed. It includes data relating to calorific value, size, sulphur content, and the amount and nature of ash. (Table 1.1 reveals some of the natural disadvantages of lignite compared to a widely used Alberta coal.)

Lignite, a cheap low grade fuel, cannot easily compete with higher grade coals which are better able to withstand higher transportation costs to markets. This is especially significant when it is remembered that the Souris field is located more than 1,000 miles from Canada's major concentration of industry and population. A soft coal, lignite is also subject to weathering and crumbles easily making it less suitable for burning. Subject as well to spontaneous combustion, it is not easily stored. Sub-bituminous, a more expensive high grade coal has a much lower moisture content so that less waste is transported per ton mile. A hard coal, it is less subject to weathering, does not crumble, and consequently is more suitable for burning and more easily stored. Because of these qualities, sub-bituminous can compete effectively in the principal market area for Souris lignite--southeastern Saskatchewan

⁹Canada, Royal Commission on Coal, 1946, Report (Ottawa: King's Printer, 1947), p. 10.

TABLE 1.1

COMPARATIVE ANALYSIS OF SOURIS LIGNITE
AND CASCADE SUB-BITUMINOUS COAL

District	% Moisture	% Ash	% Volatiles	% Fixed Carbon	% Sulphur	Calorific Value (BTU)
Bienfait	35	6.1	26.1	32.8	0.4	7,345
Estevan	35	9.3	25.1	30.6	0.3	6,905
Roche Percee	35	6.5	26.4	32.1	0.5	7,420
Canmore (Alberta)	1.5	8.2	12.8	77.5	0.7	13,910

∞

Source: Canada, Royal Commission on Coal, 1946, Report (Ottawa: King's Printer, 1947), pp. 7 and 31.

and southwestern Manitoba. Nevertheless, lignite is not without certain advantages: it produces little or no smoke upon burning, high volatile content ensures combustability, low sulphur content reduces equipment wear, and low ash content facilitates the design of less complex and expensive burners.

Owing to its inherent liabilities, marketing lignite has always presented serious difficulties. (See Table 1.2 for the comparative cost of utilizing Drumheller and Estevan coal at the University of Saskatchewan, Saskatoon.) Until the early 1920's the bulk of the output from the Souris field was consumed in southeastern Saskatchewan, particularly in Estevan and vicinity, with only small quantities being shipped to Brandon and Winnipeg. By 1926, although the Manitoba market was expanding and thirty-one mines in the field were producing in excess of 439,000 tons annually, consumption was still confined to these areas.¹⁰ High transportation costs to the eastern markets necessitated lignite producers concentrating their marketing efforts in that area in which they held an economic advantage over rival sources of fuel. Experience indicated that the market area in which Saskatchewan held an advantage was a semicircle, with a radius of about 300 miles, centered on Estevan. East and northeast of this area, fuel requirements were largely supplied by wood; east of Winnipeg, American coal held the advantage; and to the west and northwest lay the Alberta

¹⁰DBS, Canadian Mineral Statistics, 1886-1956, p. 101.

TABLE 1.2
COMPARATIVE COST OF UTILIZING DRUMHELLER
AND ESTEVAN COAL IN SASKATOON

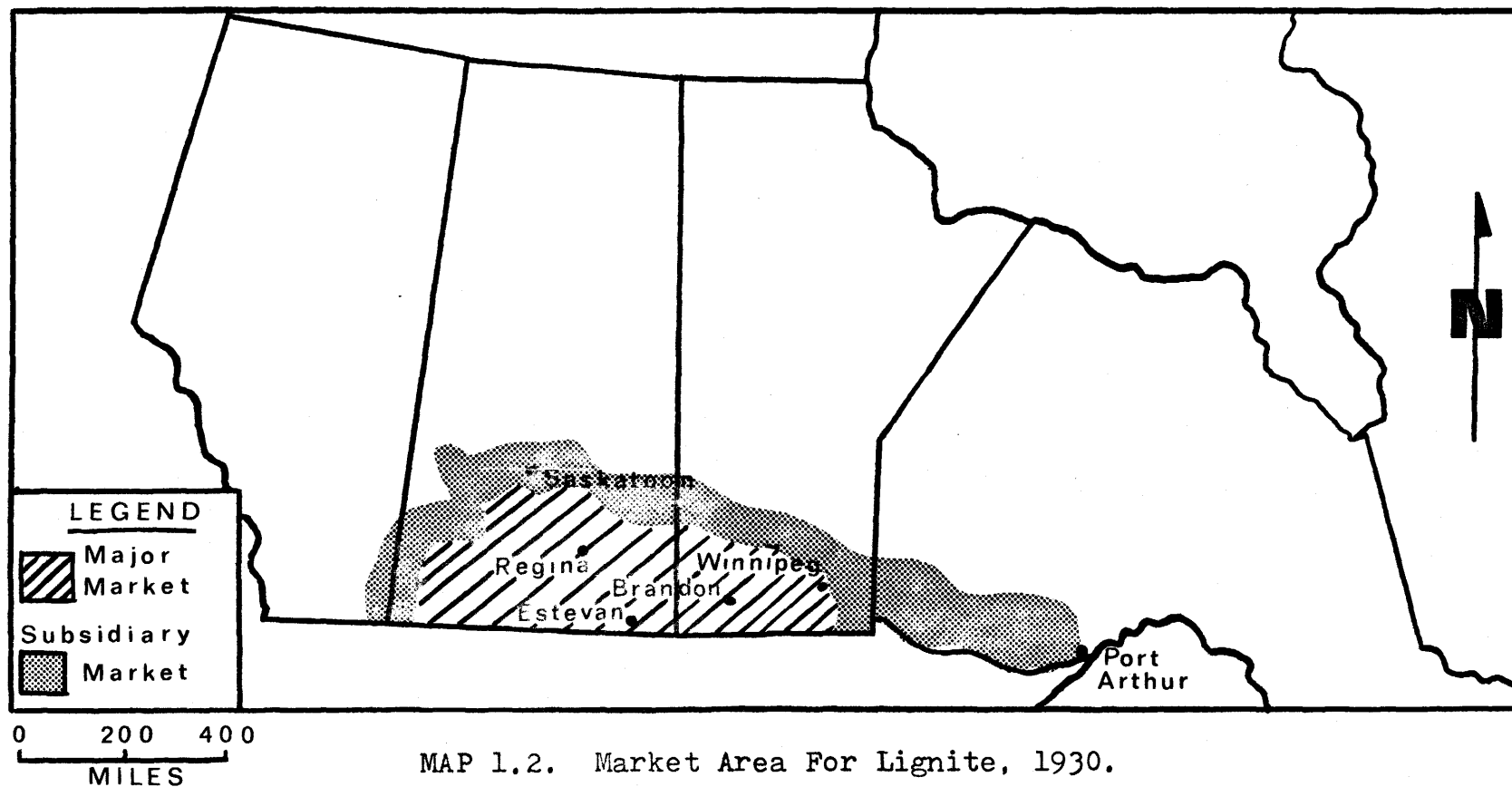
	Drumheller	Estevan
Heat value per pound (BTU)	10,200	7,320
Moisture content (%)	15	32.56
Cost at mine (¢)	60	25
Freight (\$)	2.80	2.60
Total cost (\$)	3.40	2.85
Cost per million BTU (¢)	16.6	19.46

Source: University of Saskatchewan, Presidential Papers:
Series I, Name and Subject Files: Greig, A. R.

coalfields.¹¹ By 1930 markets in southern Manitoba and southeastern Saskatchewan accounted for 90 per cent of the lignite produced in the Souris field, each area absorbing 45 per cent. (Map 1.2 indicates the market area for Saskatchewan lignite in 1930.)

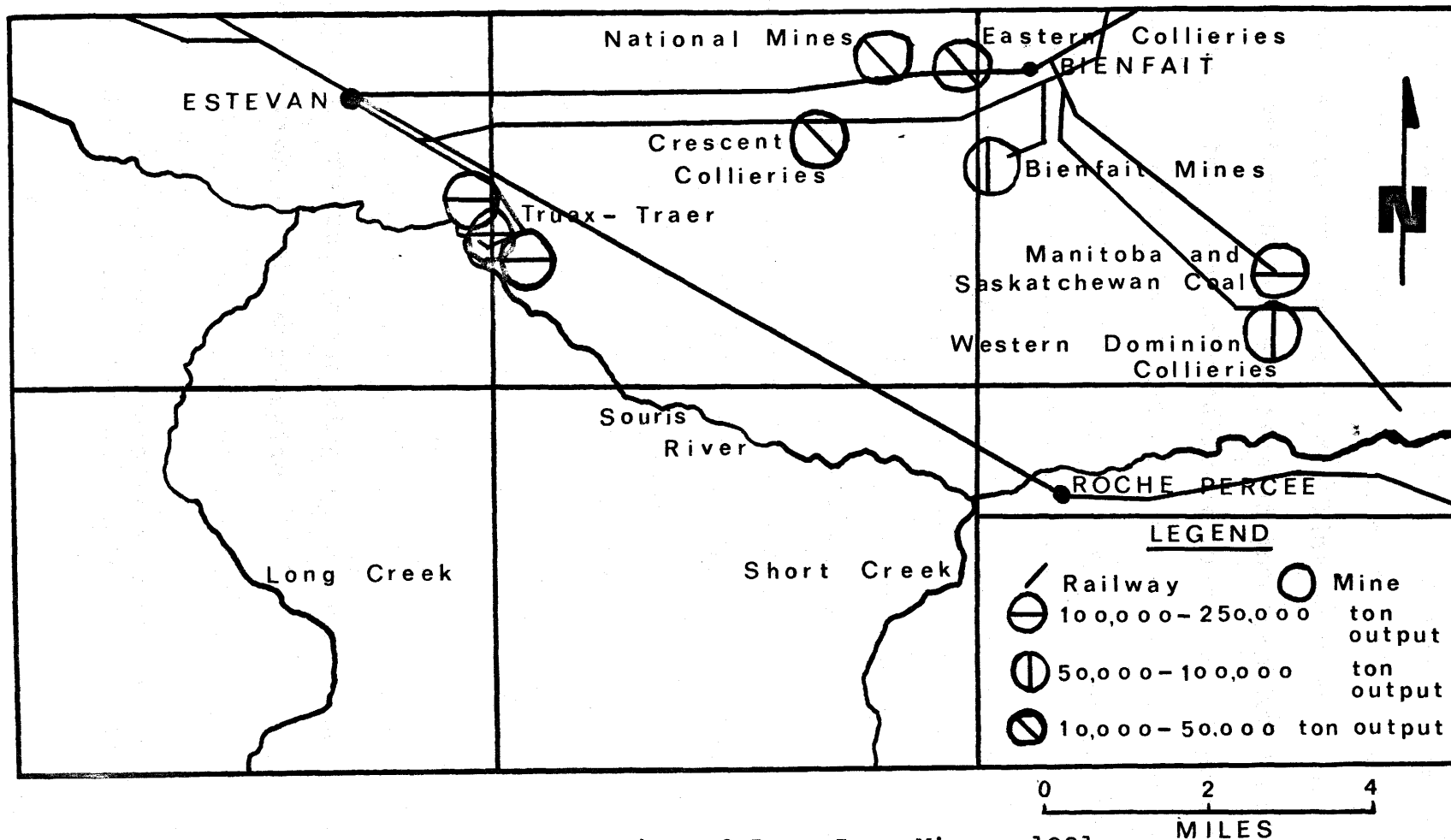
Extracting lignite from exposed outcrops by pick and shovel gave way to deep seam mining during the 1890's. This method consisted of sinking shafts to the bottom of the coal seam to be worked and then mining the coal from a series of rooms, one after the other, leaving pillars of coal to support the ceiling of each room. Because these pillars were not mined and some coal was left on the floor and roof of the room to reduce the cost of timbering, 40 per cent of the coal remained unrecovered. Although it had ceased to be the most economical one available by the late twenties, the six large mines in the Souris coalfield, Bienfait Mines, Limited, Manitoba and Saskatchewan Coal Company, National Mines, Limited, Eastern Collieries, Limited, Crescent Collieries, Limited, and Western Dominion Collieries, Limited still employed this method. (See Map 1.3 for the locations of these mines.) As a result, when Truax-Traer Coal Company introduced strip mining in this field in 1930, the repercussions soon echoed throughout the industry, influencing mining methods, output, production costs, coal prices, and many related aspects of the coal industry in Saskatchewan. In strip mining a "box cut" is made, and the overburden is

¹¹Sutherland, "Saskatchewan Lignite," p. 574.



Sources: Saskatchewan, Royal Commission on the Coal Mining Industry in the Province of Saskatchewan, 1934, Report (Regina: King's Printer, 1935), p. 46.

R. L. Sutherland, "The Place of Saskatchewan Lignite in the Coal Mining Industry of Western Canada," The Canadian Mining and Metallurgical Bulletin, October, 1932, p. 574.



MAP 1.3. Location of Deep Seam Mines, 1931.

Source: AS, Saskatchewan, Department of Natural Resources, Coal Administration Branch, Exhibits, Turgeon Royal Commission, 1934.

removed to form the edge of the strip mine. Parallel cuts are then made beside the original cut and the overburden dumped into the mined-out section of the previous cut. The coal is then stripped by a dragline or power shovel, cleaned with a rotary broom, and blasted into smaller lumps. This mining method assures a recovery factor of 85 per cent, considerably higher than that of the room and pillar method.

All in all, the year 1930 was a significant one for the Saskatchewan coal mining industry. It was a year marked not only by an important innovation in mining methods but also by substantial optimism concerning the future. In his maiden speech in the Legislature in February, E. W. Garner, MLA for Estevan, spoke of the unlimited potential of the Souris Valley coalfield: "coal deposits in the southern Saskatchewan coalfield amount to 57,400,000,000 tons and, within the last forty years only 8,000,000 tons have been mined."¹² After pointing out several advantages of utilizing Saskatchewan lignite and the opportunities for capturing new markets and increasing domestic consumption, Garner forecasted expenditures of approximately \$900,000 in connection with mining coal by new methods.¹³ His speech typified the optimism surrounding Saskatchewan's coal industry in the early months of the depression.

Despite rapidly deteriorating economic conditions in

¹²Saskatchewan, Legislative Assembly, Journals and Sessional Papers, 1929 and 1930 (Regina: King's Printer, 1930), p. 234.

¹³Ibid., p. 235.

the province, the industry seemed to be entering a period of expansion. The Estevan Mercury carried reports indicating that such was the case:

Humming with big-scale development that will ultimately place Estevan in the front rank of Western Canada's industrial centres, the Souris River valley and adjacent coalfields . . . are a bustling hive of activity. Approximately two hundred men are engaged in construction work of the million dollar investment which Truax-Traer Coal Co. and Dominion Electric Power Co. are making in this district's future.¹⁴

Several months later, the Mercury reported impressive increases in lignite production and marketing and concluded:

There-in lies the silver lining of the depression cloud that looms over Western Canada and the coalfields as the new year dawns. Many-sided industrial development in Estevan during the latter part of 1930 kept to the brisk pace that lignite was setting, and this district looks to 1931 with confident expectations of great things. Lignite is on its way!¹⁵

Not everyone, of course, agreed with such predictions. Some individuals, claiming Truax-Traer's new mechanical methods for quantity production would reduce the manpower employed in the lignite field and consequently restrict the local trade value of the industry, expressed serious misgivings about the paper's conclusions. But the gloom they

¹⁴Estevan Mercury, May 1, 1930, p. 1. Dominion Electric was erecting a lignite-fuelled, electrical generating station at Estevan. It also planned to construct transmission lines from there to a number of communities in southern and eastern Saskatchewan. It proposed to transmit power as far away as Yorkton, Assiniboia, and Shaunavon, enlarging its generating capacity at Estevan when necessary to meet the electrical needs of such centers. C. O. White, "Saskatchewan Builds an Electrical System" (unpublished Ph.D. dissertation, University of Saskatchewan, Saskatoon, 1968), pp. 169-73.

¹⁵Estevan Mercury, January 8, 1931, p. 5.

cast was soon dispelled. After ten years of extensive research scientists perfected a method of carbonizing and briquetting lignite, and Western Dominion Collieries moved into production of the "little pillow shaped heat cakes." This advance was greeted as a means of offsetting any possible displacement of manpower in the production of raw lignite; there were strong indications that a new market would welcome the perfected briquette, creating employment for all who might be displaced by mechanical mining processes.¹⁶ Yet another encouraging piece of news accompanied this announcement. After many years of experimentation a German scientist successfully reduced lignite coal to crude oil which could in turn be converted into high grade gasoline. Application of this process to the vast lignite beds of Saskatchewan and Alberta was claimed to be commercially practicable. Surely, urged the Mercury, none could deny that this discovery "will assure industrial independence of Western Canada for all time to come."¹⁷

Unfortunately for the Saskatchewan lignite industry, marketing the new product was not easy. Attempts at briquetting lignite were initiated in an effort to place lignite on a more competitive basis with anthracite. By the 1920's, lignite's chief competitor was sub-bituminous coal. Hence the new process accomplished little in enhancing lignite's market position. Not only did a strong market for

¹⁶Ibid., March 5, 1931, p. 3.

¹⁷Ibid.

the briquettes fail to materialize, but the extraction of gasoline from lignite was also found to be less economical than advertised. Then too, the plans of Dominion Electric Power were only partly carried out.¹⁸

Had the expectations of early 1930 been realized, events of the following year might have taken a different course. But they were not; and the industry did not long remain immune to the growing labour discontent born of the depression and drought. On August 27, 1931 A. Nelson, secretary-treasurer of the Village of Bienfait, notified the Department of Railways, Labour and Industries that some 600 coal miners had joined the Mine Workers' Union of Canada (MWUC), that the union would undoubtedly demand a considerable improvement in the wages and working conditions of the men, and that there was a grave possibility of a difference of opinion arising between the mine operators and the miners which in turn could precipitate a serious labour dispute.¹⁹ Attempts to avert the impending strike failed, and at midnight on September 7, in accordance with a union vote, 600 miners in the Souris coalfield walked off the job. The stage had been set for the tragic episode of 1931.

¹⁸The company's progress was abruptly arrested when the provincial government decided that, through the Power Commission, ownership and control of long distance transmission lines would be enjoyed by the people. This decision, in effect, placed a fence around the Dominion Electric Power Company and curtailed expansion of its lignite-based power station. White, "Saskatchewan Builds an Electrical System," pp. 175-208, passim.

¹⁹AS, Saskatchewan, Department of Labour, Deputy minister's office, Estevan Coal Strike, 1931 (Hereinafter referred to as Estevan Strike File), A. Nelson to T. M. Molloy, August 27, 1931.

CHAPTER II

AN INDUSTRY IN FINANCIAL TROUBLE

In the years preceding the depression (and in subsequent ones as well) coal mining in Saskatchewan was highly seasonal. Approximately 75 per cent of the lignite mined in the Souris coalfield was produced for the domestic market. As a result, little demand for coal existed during the late spring, summer, and early fall months.¹ Moreover, because the quality of lignite rapidly deteriorates when stockpiled, mines operated only when orders were to be filled. This of course meant that mining was not profitable during about six months of the year. Indeed, according to William L. Hamilton, president and managing director of Crescent Collieries, it was a losing proposition.² John R. Brodie, vice-president of Bienfait Mines, was of the same opinion. He believed that the mines would be better off financially if it were possible to close them down completely between April 1 and September 1.³

In addition to the difficulties arising from the seasonal and fluctuating nature of the industry, the coal

¹AS, Saskatchewan, Royal Commission, Estevan-Bienfait Mining Dispute, 1931 (Hereinafter referred to as Wylie Commission), Report, p. 85.

²Wylie Commission, Proceedings, X, 148.

³Ibid., II, 55.

producers of the Souris field in the late 1920's found themselves facing an even more complex problem--a reduction in realization from the sale of lignite. Crescent Collieries' realization declined steadily between 1928 and 1931. This mine obtained \$1.77 per ton in 1928, \$1.74 in 1929, \$1.58 in 1930, and \$1.52 in 1931.⁴ According to the president and managing director of Eastern Collieries, Herbert Wallace, his company's average realization per ton declined from \$2.11 $\frac{1}{4}$ to \$1.80 $\frac{1}{4}$ between the 1929-30 and 1930-31 season.⁵ J. C. Thompson, secretary-treasurer of Manitoba and Saskatchewan Coal and one of its major stockholders, stated that in 1930 his company sold 86,000 tons of lignite for \$181,447; the following year \$181,512 was realized from the sale of 98,314 tons.⁶ A. E. Turner, controller of Western Dominion Collieries, reported that prior to April 30, 1931 his company received \$1.60 per ton for its coal and that subsequent to this date the average return slipped to \$1.29.⁷ (See Table 2.1 for a detailed schedule of the average price per ton realized annually from 1926 to 1931 from the various sizes of coal produced at this mine.) When all major mines are lumped together, the decrease in realization during 1931 varied from twenty-five to seventy-five cents per ton on domestic as well as industrial coal. In that year the

⁴Wylie Commission, Exhibits, No. C-27.

⁵Wylie Commission, Proceedings, V, 308.

⁶Ibid., IX, 12.

⁷Ibid., VIII, 275-76.

TABLE 2.1

AVERAGE REALIZATION PER TON OF COAL PRODUCED BY WESTERN
DOMINION COLLIERIES, 1926-1931 (DOLLARS)

Size of coal	Price					
	1926	1927	1928	1929	1930	August 1931
Lump coal	2.78	2.78	2.74	2.69	2.38	1.97
Cobble	--	--	--	--	2.04	1.84
Nut Coal	1.85	1.88	1.86	1.92	1.53	1.16
Nut slack	1.24	1.24	1.25	1.25	1.25	1.16
Slack	0.62	0.83	0.93	0.92	0.93	1.16
Mine-run	2.06	2.08	2.09	2.18	2.03	1.88
Average return	2.10	2.15	2.10	2.06	1.95	1.41

Source: Saskatchewan, Royal Commission, Estevan-Bienfait Mining
Dispute, 1931, Proceedings, VIII, 288-90.

average cost of producing and marketing Saskatchewan lignite was \$1.61 per ton while the average realization was \$1.67, leaving the Estevan-Bienfait mines an average net profit of only six cents per ton.⁸ Despite the fact these mines produced 657,723 tons of lignite in 1931, an increase of 83,449 tons over the previous year, its value represented a decrease of \$30,011 from the \$966,929 realized in 1930.⁹ (Table 2.2 indicates net realization for the deep seam mines in this field during the years 1928-1931.)

For the most part, intense competition in the coal industry accounted for this reduction in realization from the sale of Saskatchewan lignite. Coalfields in the east supplied most of the fuel burned in Nova Scotia, approximately half the fuel of New Brunswick, and 40 per cent of the fuel of Quebec. British Columbia and Alberta mines supplied the fuel requirements of their own provinces, in excess of 90 per cent¹⁰ of the fuel of Saskatchewan, and 33 per cent of Manitoba's requirements. Imported fuel met the market demands of one-quarter of New Brunswick, half of Quebec, practically all of Ontario and two-thirds of Manitoba. Approximately 54 per cent of the 35,500,000 tons of

⁸Wylie Commission, Report, p. 109.

⁹Saskatchewan, Department of Railways, Labour and Industries, Fourth Annual Report (Regina: King's Printer, 1932), p. 18.

¹⁰The 90 per cent imported was for the year 1927; Table 2.3 shows imports into Saskatchewan in 1930 as representing approximately 78 per cent of the province's total coal consumption.

TABLE 2.2
NET REALIZATION, 1928-1931 (PER TON)

Mine	1928	1929	1930	1931
Manitoba and Saskatchewan Coal	\$1.76	\$ --	\$1.83	\$1.71
Western Dominion Collieries	--	--	1.58	1.60
Bienfait Mines	--	1.62	1.59	1.53
Crescent Collieries	1.77	1.74	1.58	1.52
Eastern Collieries	--	--	1.87	1.60
National Mines	(mine being developed)			

Source: Saskatchewan, Royal Commission, Estevan-Bienfait Mining Dispute, 1931, Exhibits, C-27.

TABLE 2.3
COAL PRODUCTION, IMPORTS, AND EXPORTS, 1930 (TONS)

	Production	Imported		Exported
		Other Provinces	United States	
Canada	14,881,324	--	16,172,706	624,512
Alberta	5,755,528	35,979	1,351	2,024,680
Saskatchewan	579,424	1,291,119	2,919	232,550
Manitoba	--	775,866	1,541,900	--

Source: AS, Saskatchewan, Department of Natural Resources,
Coal Administration Branch, Coal Charts.

coal burned in Canada in 1927 was imported, 95 per cent of the total imports being from the United States.¹¹

In 1930 the province's coal mines produced 579,424 tons, less than 4 per cent of the Canadian total. Alberta, Saskatchewan's chief competitor, produced 5,755,528 tons or about 38 per cent of the nation's total coal production. Table 2.3 indicates that Saskatchewan herself imported more than twice her total coal production from Alberta, 1,291,119 tons.¹² Saskatchewan lignite competed with both American and Alberta coals on the Manitoba market. Although Manitoba's major centers lay within Saskatchewan lignite's primary market area, only 227,147 tons from the Souris field entered that province. The remaining 548,000 tons plus of Canadian coal used in Manitoba came from the Alberta fields. The inherent disadvantages of lignite as a fuel were largely the reason Souris producers held such a small share of the Canadian coal market. Lignite could not compete effectively against the superior coals produced elsewhere.

Competition among Souris producers themselves also plagued the Saskatchewan industry. Thomas M. Molloy, deputy minister of Railways, Labour and Industries, stated that in the opinion of his department competition within the

¹¹Wylie Commission, Exhibits, No. C-15.

¹²Saskatchewan, Department of Railways, Labour and Industries, Third Annual Report (Regina: King's Printer, 1931), p. 44. In 1930 Saskatchewan imported 1,291,879 tons of coal from Alberta, according to this report. Although this figure is at variance with that shown in Table 2.3, it is nevertheless evident that Alberta was the source of the Canadian coal imported into Saskatchewan.

field itself was responsible for the decline in the price of Estevan coal.¹³ There had always been a certain amount of competition among operators of the larger producing deep seam mines and smaller mines in the field, but with the advent of Truax-Traer's large mechanized stripping operation the competition became much keener. Many operators supported A. C. M. Wilson's contention that Truax-Traer "upset the whole coal industry."¹⁴ C. C. Morfit, consulting engineer at Western Dominion Collieries, stated that the deep seam mines could never hope to compete against the prices established by the strip mines for slack, lump, cobble, and other sizes of coal. He also warned that unless the practice of gradual and persistent reductions ceased many mines in the district would face insolvency.¹⁵ W. L. Hamilton reported losing a contract to supply coal to the city of Weyburn when Truax-Traer agreed to sell the same grade of coal to the city for fifty cents per ton, seventy-five cents below Hamilton's price. He stated that the stripping plant was losing money at that rate and concluded it was Truax-Traer's aim to sell coal below the cost of production in an attempt to drive the deep seam mines out of business.¹⁶ H. Wallace claimed that "deep seam mines of the Souris coalfield had been compelled to put their best lump on the market at \$1.81

¹³Wylie Commission, Proceedings, X, 10.

¹⁴Ibid., VII, 31.

¹⁵Ibid., VIII, 293-94.

¹⁶Ibid., X, 193-94.

a ton . . . and might be forced to further reduce the price to \$1.50 to meet the competition of mechanized mines."¹⁷

J. R. Brodie echoed Morfit's observation, asserting that unless the price of coal was stabilized the pit mines would have to close. He also stated: "our prices are entirely outside of our control, being regulated by competition from the Mechanized stripper."¹⁸

Despite their charges against Truax-Traer, both H. N. Freeman, managing director of National Mines, and C. C. Morfit acknowledged that some fault lay with the deep seam mine operators themselves. Freeman pointed out part of the difficulty when he said:

the system of mining in this field is a joke; pardon the expression, but it is a joke. The idea of putting in a large hoist, to hoist coal fifty or sixty feet to the surface, where a nice slope could be driven and the coal handled by a conveying system from the mine.¹⁹

Morfit had much the same to say:

it has been the practice, and it is the practice in this field to mine coal by means of shafts. Based upon my experience, this district is not a shaft district. The haulage equipment is of a type that was discarded by fields that have a larger production years and years ago.²⁰

Morfit maintained that there was little room for expansion in the field because the mines were already operating at the maximum output for which they were designed. He also

¹⁷Leader-Post (Regina), October 16, 1931, p. 1.

¹⁸Wylie Commission, Proceedings, II, 19.

¹⁹Ibid., VIII, 475.

²⁰Ibid., 295.

believed that inefficiency, use of antiquated equipment, and lack of production was a result of an excessive number of operators producing coal in one field.²¹ The Winnipeg Tribune carried an editorial which adequately summed up the situation in the Souris coalfield:

deep-seam mines cannot compete with strip mines. A narrow seam cannot be worked by hand in competition with a seam which is thick enough to be worked by a mechanical coalcutter. These things are obvious to the bystander, but it is natural that the operator of a sub-marginal mine should resist seeing them. To admit that a mine is sub-marginal is to accept defeat. A coal mine that is operating at a loss is not a valuable property; it is a liability. . . .²²

Another class of competition came from a large number of smaller mines disparagingly referred to as "gopher holes." Several factors were involved in the success enjoyed by these small operations. The absence of any restrictions on the acquisition of mining leases enabled an individual to negotiate with the CPR to mine coal on its land upon payment of a royalty of ten cents per ton.²³ The operator of one of these truck trade mines enjoyed many advantages: his capital investment was usually confined to \$100 for a used truck for hauling coal; his operating overhead was almost negligible; unlike the large operators, he was not forced to insure his employees at a rate of \$3.50 per \$100 wages with the Workmen's Compensation Board; and, as a general rule, his activities were not in keeping with

²¹Ibid., 296.

²²Winnipeg Tribune, October 10, 1931, p. 17.

²³Wylie Commission, Proceedings, VIII, 430.

the provisions of The Mines Act.²⁴ Many of these small operators further undercut their competition's price by granting the purchaser an "overage" of several hundred pounds for the price of one ton of coal.²⁵ One coal dealer singled out the Jenish Mine as a prime offender. James Parkinson claimed that many people refused to buy his coal at \$1.65 per ton and went to Jenish where they received from 1,000 to 1,400 pounds overweight for \$1.23.²⁶ The price at which these gopher holes marketed coal was indeed attractive. Freeman mentioned knowing of an individual who regularly travelled fifty miles to pick up a truck load of coal for delivery and sale in the United States.²⁷

Coal subventions also played an important role in the reduction in realization from lignite. By instituting a coal subvention the federal government in effect assumed a portion of the freight charges in an attempt to reduce the cost of transporting Canadian industrial coal to market. Prior to the establishment of a subvention, the freight rate per ton from British Columbia and Alberta coalfields to Winnipeg amounted to \$4.95; from the Saskatchewan field it was \$2.30.²⁸ In an effort to eliminate American coal and coke from the Winnipeg market the government, in 1929,

²⁴Ibid., 457.

²⁵Wylie Commission, Report, p. 89.

²⁶Wylie Commission, Proceedings, XII, 58.

²⁷Ibid., VIII, 456.

²⁸Ibid., 302.

granted a subvention of at least fifty cents per ton on coal being shipped into Manitoba. This subvention of one-eighth of a cent per ton mile gave Alberta coal a subsidy of \$1.07 and Saskatchewan a minimum of fifty cents per ton with the result, according to C. C. Morfit, that freight rates from the fields of the two provinces were practically equalized.²⁹

Freeman alleged that the Alberta operators lobbied the Department of Mines in Ottawa and eventually succeeded in obtaining a subvention of one-seventh of a cent per ton mile in 1931.³⁰ Morfit pointed out that this new arrangement gave Alberta producers an average subvention of \$1.22 per ton while reducing their Saskatchewan competitors to forty cents per ton, no minimum being allowed. He stated that to remove this injustice and grant parity, Saskatchewan producers should receive a subvention of fifty-seven cents per ton into Winnipeg. Prior to the granting of subventions, according to Morfit, Bienfait ranked first in the Manitoba market with the Brazeau and Canmore fields of Alberta second and third and the Fernie, British Columbia field fourth. With the introduction of the 1931 subvention, the rating became Brazeau, Canmore, Fernie, and then Bienfait.³¹ The revised rates virtually eliminated a market which, it was claimed, would have insured almost year-round activity in

²⁹Ibid., 302-03. Morfit's calculations take into account moisture content, BTU value, and other factors regarding the various types of coal.

³⁰Ibid., 437.

³¹Ibid., 303-05.

the Souris field. Brodie observed that the people who invested in the coalfields in the district certainly would not have done so had the subvention been in effect at the time.³²

Western Dominion Collieries faced additional charges in transporting coal. This mine paid \$3.00 for each railway car of coal switched from its spur line onto the main line at Bienfait. Although this amount was refunded to the company in return for its operating the spur, Morfit claimed that each year Western Dominion lost several thousand dollars because it was forced to sell its coal at a lower rate per ton than would have been necessary had the mine located at Bienfait. He stated:

this practice of a switching charge, of the railways insisting upon the mines operating a spur, to my mind is a vicious practice. A railroad should be more than willing to furnish a free switching service, to a mine or an industry that furnishes to the railroad an appreciable revenue. There should be a blanket [sic] freight rate from all mines in the one freight area.³³

The advent of the new strip mining operation, which increased the competition already prevalent in the coal industry, and the institution of government subventions occurred, it must be remembered, in the context of the general economic depression. The lignite operators, supplying a local and domestic market, enjoyed a relatively high

³²Ibid., II, 40-41.

³³Ibid., VIII, 299.

degree of stability.³⁴ They did not suffer the drastic decline in markets and prices experienced by export industries;³⁵ their production and volume of sales actually increased during this period. The province's total coal output rose from 580,189 tons in 1929 to 662,836 tons in 1931, an increase of almost 11 per cent. However, the average realization per ton declined 16 per cent during the same period.³⁶ This downward trend was no doubt due both to competition and "a general reduction in commodity prices based on the ability of the public to pay."³⁷ The decline in prices, arising from this combination of factors, was to have a mixed effect on the miners, on the one hand resulting in a lowered cost of living but on the other hand occasioning a reduction in income.

³⁴Saskatchewan, Royal Commission on the Coal Industry of Saskatchewan, 1949 (Hereinafter referred to as Royal Commission on Coal, 1949), Report (Regina: King's Printer, 1950), p. 14.

³⁵The price index for seventeen major Canadian export commodities dropped from 100, as of July, 1929, to sixty-two in June, 1931. See Canada, Report of the Royal Commission on Dominion Provincial Relations (Ottawa: King's Printer, 1940), I, 144.

³⁶Canada, DBS, "Coal Statistics for Canada, 1931" (Ottawa: King's Printer, 1932), p. 64.

³⁷Saskatchewan, Royal Commission on the Coal Mining Industry in the Province of Saskatchewan, 1934 (Hereinafter referred to as Royal Commission on Coal, 1934), Report (Regina: King's Printer, 1935), p. 23.

CHAPTER III

MONEY IS ALSO A PROBLEM FOR LABOUR

Mining in the Souris coalfield, as pointed out earlier, was highly seasonal. Its needs insofar as manpower was concerned therefore varied substantially during the course of a year. Major layoffs preceded the months the mines were essentially idle. In the twenties many seasonally unemployed men were able to supplement their earnings by obtaining work on farms in the spring and summer months. With the coming of drought and depression, however, the situation changed. As John Robinson, an employee at Bienfait Mines, pointed out, there was "no work on the farm" owing to the depressed condition of the agricultural industry.¹ Consequently, commencing in 1929 a greater number of miners were left without means of support when the mines curtailed operations during the slack period. This created considerable hardship. The resultant labour surplus also created a growing feeling of independence on the part of management and increasing insecurity among the workers--the mine operators could pick and choose their men while the miners were faced with layoffs or dismissals. Even for some of those possessing employment, the situation became quite bleak. In an attempt to retain all the men on his payroll,

¹Wylie Commission, Proceedings, III, 30.

A. C. M. Wilson, manager of Manitoba and Saskatchewan Coal, began spreading what little work existed among his employees. As a result, their earnings reportedly were "so seriously affected that it is impossible for them to support their families and themselves with any degree of comfort."²

When the mines re-opened each fall, the demand for labour frequently exceeded supply. In such circumstances the operators habitually hired a large number of inexperienced men who were necessarily placed at the working face where the coal was being mined. The experienced miners bitterly resented this practice. Harry Hesketh, a miner at Bienfait Mines, emphasized the danger inherent in having such men at the coal face and provided several accounts of fatal or near-fatal accidents involving untrained miners.³ J. H. Harris, another employee at this mine, alleged the mine operators placed an untrained man with an experienced miner to ensure the "green man" would learn the trade. His basic complaint was that these trainees reduced miners' earnings because they received an equal share of the money earned by the partnership while not contributing an equal share of productive labour. He concluded by saying: "If they were not put with experienced men, they would not make enough to clear their board and they would come back on management to keep them."⁴

²Leader-Post (Regina), January 19, 1932, p. 14.

³Wylie Commission, Exhibits, No. C-23.

⁴Wylie Commission, Proceedings, III, 132.

Against this background of income insecurity and employment practices of a type capable of causing unrest among employees, the decrease in realization accruing to the mine owners from the sale of lignite ultimately led to wage reductions, a major factor in the ensuing labour dispute. The companies claimed that reductions in the wage schedule were necessary to cover at least a portion of the loss of revenue. The miners of course protested, asserting that cuts instituted were out of proportion to the actual decrease in realization and to the cost of living.⁵ In a further effort to justify their actions, the operators declared that the decrease in wages paid "was not nearly in proportion to the decrease in the price received for coal" and, when the increased purchasing power of the dollar was considered, wages were at a "very fair standard."⁶

Owing to variations in the quantity of labour-saving machinery and in the method and system of payment employed by each mine in the Souris field, any tabulated comparison of rates of pay would be difficult to produce. Nevertheless, some understanding of the effects of the reductions can be obtained. Joseph Benbridge, mine manager of Bienfait Mines, stated that prior to October 1, 1930 the men were paid \$1.05 per ton for entry coal loaded with a fork, and ninety-five cents for shovel loading. On this date a five cents per ton reduction was placed on all types of loading. February and

⁵Wylie Commission, Report, p. 62.

⁶Estevan Mercury, September 10, 1931, p. 8.

April brought further reductions after which miners received seventy cents per ton in the entries and fifty cents in the rooms.⁷ Harry Hesketh claimed that the hourly wage declined from thirty-seven and a half cents to thirty-five in October, 1930 and to thirty-two and a half cents in spring, 1931.⁸

According to John Smyth, machine man and miner at the Manitoba and Saskatchewan mine, prior to February 28, 1931 miners there received forty-five cents per ton. On this date the company hired experienced "shooters" at ten cents per ton to shoot down the coal. This step placed the miners in the position of being "loaders" at twenty cents per ton. In the spring of 1931 shooters received an increase of one cent per ton and miners five cents.⁹ As a result of these changes day men were reduced five cents per hour, monthly men \$10.00, and machine operators one and a half cents per ton.¹⁰

Charles Morfit revealed that Western Dominion, the last to introduce wage reductions, did so only to keep in line with the other mines which had cut wages in an attempt to reduce the selling price of their coal and thereby compete more effectively on the market.¹¹ Charles Smart, fireman at this mine, pointed out that monthly men were then

⁷Wylie Commission, Proceedings, V, 28-31.

⁸Ibid., II, 85.

⁹Ibid., VI, 54-55.

¹⁰Wylie Commission, Report, pp. 38-39.

¹¹Wylie Commission, Proceedings, VIII, 349.

placed on a thirty-seven and a half cent per hour basis, a reduction of five cents.¹² George Wilkinson, an entry man at the mine, stated that in March, 1931 room miners' wages were reduced from fifty-five to forty cents per ton and entry men's wages from eighty to fifty-five cents. Monthly men received a \$10.00 reduction, day men five cents per hour less, and machine men and machine helpers one cent and half a cent per ton cuts respectively.¹³

Concerning Crescent Collieries, Dan Moar, a Crescent machine man, reported the following reductions per ton initiated in November, 1930: diggers from forty-six to forty-five cents, entry men from sixty to fifty-seven and a half cents, and drivers from thirty-five to thirty cents. The engineer's salary was reduced \$5.00 per month and the clerk's \$10.00. Only machine men and their helpers escaped the wage cut.¹⁴

The decision of Eastern Collieries to change from a screened-coal tonnage basis to a mine-run basis complicates the task of determining the actual wage reduction there. Prior to May 1, 1931 miners received forty-six cents per ton with an additional yardage allowance of twenty-five cents per lineal foot when coal was cut and sheared and fifty cents when undercut. After this date they received twenty-five cents per ton for all sizes of coal loaded. The company calculated that forty-six cents per ton on the former basis

¹²Ibid., 174.

¹³Ibid., 23-25.

¹⁴Ibid., X, 40-41.

was equivalent to twenty-nine and one-eighth cents per ton on a mine-run basis so that the reduction in the schedule approximated four and one-eighth cents per ton. Day men employed at this mine received reductions varying from two to five cents per hour, depending on their duties.¹⁵

The miners at National Mines agreed to a voluntary reduction of ten cents per hour on April 13, 1931 with the result that no complaints respecting wages were voiced.¹⁶ Under this arrangement they received sixty-five cents per hour and a yardage allowance of \$1.75 per lineal yard. All other wages apparently remained static: day men, thirty-five cents per hour; boys under eighteen years, twenty cents per hour the first year and twenty-five cents the second; chief engineer, \$110.00 per month; second engineer, \$100.00 per month; and special labourers, using their own tools, forty cents per hour.¹⁷

While these few statistics suggest that the reduction in wages may have imposed a hardship on the miners in the district, other evidence indicates more conclusively that it did. Wilkinson judged that the reductions instituted at Western Dominion Collieries deprived the room men and entry men of approximately \$30.00 and \$50.00 per month

¹⁵Wylie Commission, Report, p. 26.

¹⁶Wylie Commission, Proceedings, VIII, 473-74.

¹⁷Wylie Commission, Report, p. 83. As compensation for agreeing to the wage reduction, this mine granted each miner a \$20.00 cash advance for the month, charged no rent for company houses, and supplied the resident miners with free coal. Wylie Commission, Proceedings, VIII, 473.

respectively.¹⁸ At Eastern Collieries, where the miners were paid twenty-five cents per ton, the average wage amounted to only \$1.60 per day.¹⁹ And a letter to the deputy minister of Railways, Labour and Industries dated August 27, 1931 from A. Nelson, the secretary-treasurer of Bienfait, leads one to conclude that wages may have fallen to quite deplorable levels. According to Nelson, in winter 1930-31 the average monthly wage of the miners was \$9.00 to \$25.00, the latter being exceptional.²⁰ Nelson also stated that the men were facing an even lower wage scale. This lends credence to a subsequent statement by Hesketh: "There was a certain boast made awhile back that they would have men working for 20 cents, before this reduction was made, that they were going to have another reduction and they would have it if we had not jumped up."²¹

In any discussion concerning wages and their reduction, several other matters should not go unmentioned. These may be identified as follows: (1) weights and dockage; (2) size and distribution of coal cars; (3) payment for extra work; (4) fines and penalties; (5) operation of the medical plan; (6) compensation; and (7) frequency of pay. Although seemingly unrelated to the subject of wage schedules, most of these factors tended to depress the miners'

¹⁸Wylie Commission, Proceedings, VIII, 23-25.

¹⁹Leader-Post (Regina), October 14, 1931, p. 2.

²⁰Estevan Strike File, A. Nelson to T. M. Molloy, August 27, 1931.

²¹Wylie Commission, Proceedings, II, 113.

net income and hence, like the reductions, were sources of discontent.

Numerous complaints regarding weights and dockage indicate how these matters affected earnings. With the exception of National Mines, where complaints of any kind were few, mine operators were charged with placing limits on the weight of cars, overestimating dockage for slack, and using inaccurate scales. According to T. H. McWilliams, weighman at Bienfait Mines, he had been instructed not to record the weight of any coal car at more than 4,000 pounds, despite the fact that many weighed in excess of 5,000.²² What he said was undoubtedly true since after the strike dockage was reduced from 950 to 850 pounds per car and the weight limit increased from 4,000 to 4,500 pounds.²³ The complaint of the weighman at Crescent Collieries, Edward Knight, is representative of that of other miners who voiced their dissatisfaction. He declared that the scale was inaccurate and was to observe that following the strike weights increased by several hundred pounds per car.²⁴

²²Leader-Post (Regina), October 8, 1931, p. 21.

²³Wylie Commission, Report, p. 12.

²⁴Wylie Commission, Proceedings, X, 55-57. Edwin B. Lorimer, District Inspector of Weights and Measures, inspected the scales at the mines in October, 1931 and reported they were accurate at Bienfait Mines, National Mines, and Eastern Collieries and granted overweight favouring the mines by ten and fifteen pounds at Western Dominion Collieries and Manitoba and Saskatchewan Coal respectively. He found the scale at Crescent Collieries impossible to test because of its erratic action and recommended a thorough overhaul or a new scale. Wylie Commission, Exhibits, No. C-13.

The practice of docking a predetermined number of pounds from the weight of every car of coal was also resented by miners. Many of them claimed it was unfair of management to deduct automatically several hundred pounds from the actual weight of the car containing smaller sizes of coal. Harry Hesketh stated: "the Company gets everything that is in the car, whether slack or coal, and they must be getting something out of it one way or another, they burn some in the boiler, and it is used otherwise."²⁵ As Hesketh pointed out, slack was being sold for \$1.00 per ton while the miners were being docked several hundred pounds per car for loading it. In effect, operators were actively engaged in marketing a product while refusing to pay labour for producing it.

Complaints regarding coal cars can be placed in two categories--those related to size and those related to distribution. The miners alleged that only an unsatisfactory estimate of dockage could be made at Eastern Collieries and Bienfait Mines where cars of varying size were used.²⁶ As a result, they were not given full credit for the amount of coal they produced. The question of distribution arose only in connection with the Manitoba and Saskatchewan mine where a power shovel went into operation in the fall of 1930. Because the shovel's loading capacity equalled that of ten men, it received preference in the delivery of cars.²⁷

²⁵Wylie Commission, Proceedings, II, 99.

²⁶Wylie Commission, Report, pp. 10 and 29.

²⁷Wylie Commission, Proceedings, VI, 56-57 and 82.

Fred Booth, a digger at this mine, pointed out that because the cars loaded during the final shift were dumped by the first shift, miners working the morning shift waited several hours before the empty cars were delivered.²⁸ Wilson, the mine manager, admitted that, although the company owned a sufficient number of cars, poor distribution seriously affected the earnings of the miners.²⁹

Discontent regarding payment or the absence of payment for extra work was also widespread. In the majority of instances, individuals complained of loss of time--and consequently money--or of not being credited for the full amount of time expended in fulfilling certain duties. Henry Kushnerus, pit boss at Eastern Collieries, stated that payment for extra work was computed on an average time per day per month basis with a daily record being kept by the pit boss.³⁰ However, because extra duties were usually performed sporadically, it is evident that keeping an accurate account would be impossible.³¹ This was true of pit boss and miner alike. It is readily apparent that in many instances the miners had little idea of how many hours they had spent on a specific task. As a general rule, they relied on the

²⁸Ibid., 98-99.

²⁹Ibid., VII, 17.

³⁰Ibid., VI, 14-16.

³¹Commissioner Wylie charged that the pit bosses at Bienfait Mines and Eastern Collieries consistently underestimated the time spent in performing extra duties. Wylie Commission, Report, pp. 15 and 31-32.

tally sheets maintained by management. According to K. G. John, accountant at Bienfait Mines, due bills representing the money earned by each miner were distributed on the first day of each month, the men being allowed two days to take up with management any complaints respecting wages and deductions.³² Evidence suggests that on numerous occasions employees disagreed with management as to the amount owing them. Many of them, however, dared not complain for fear of being told "take your tools out." Where the less cautious individuals who did lodge protests were concerned, there were frequent reports of the failure of management to "square up." Generally operators took the view that extra work was covered by payment on a screened-coal basis.³³

Dissatisfaction regarding non-payment for extra work centered around water removal, clearing clay falls, timbering, and assisting in laying track. For the most part water removal was not a serious issue at National, Manitoba and Saskatchewan, or Western Dominion Collieries because these mines were relatively dry.³⁴ However, such was not the case elsewhere. J. H. Harris, a miner at Bienfait Mines, stated that the men spent one-half to one hour each day removing water that seeped into the mine overnight. In order to insure against the loss of tonnage, the men reported for

³²Wylie Commission, Proceedings, IV, 19.

³³Western Producer (Saskatoon), October 15, 1931, p. 2.

³⁴Wylie Commission, Report, pp. 79-80. According to S. W. Holley, Western Dominion also paid forty cents per tank for water removal. Wylie Commission, Proceedings, VIII, 242.

work before 7:00 A.M. when the mine opened in order to have the water removed before the cars began arriving.³⁵ No remuneration was received for the extra hours this entailed. Hesketh reported that during a three week period he bailed three two ton tanks of water per day without any pay whatsoever.³⁶ Robinson claimed that he pumped water for almost 100 hours per month for three months and was credited with a total time of only fifty hours at thirty cents per hour.³⁷ He also complained of not being paid for setting up the equipment for pumping the water. According to Robinson, this was no mean task. The pipes were old, split and full of holes, the threads were worn and the couplings did not fit.³⁸ Apparently a considerable amount of time was spent repairing splits, patching holes, re-threading pipes, and locating suitable clamps and couplings.

Complaints related to the removal of water at Eastern Collieries were equally prominent. John Billis, a miner, claimed to have received credit for only twenty-four of 100 hours spent pumping water in his area.³⁹ William Choma alleged he was only allowed fifty hours for pumping when he had in fact pumped water almost steadily between the

³⁵Wyllie Commission, Proceedings, I, 20-21.

³⁶Ibid., 97.

³⁷Ibid., III, 3.

³⁸Ibid., 8-9.

³⁹Ibid., V, 85 and 89.

hours of 4:00 A.M. and 6:00 P.M. for four months.⁴⁰ Edward Pierce Jr., manager of the mine, shed little light on the situation by observing that company policy was to pay a man for pumping water only if it entailed a "considerable" length of time.⁴¹

Of the mines in the district, water posed the largest problem for Crescent Collieries with the result that complaints were very numerous. Alex Peattie, a miner, maintained that several men had to go down into the mine as early as 3:00 A.M. to pump or bail water so they could commence loading as soon as the coal cars were delivered. His basic grievance was that while engaged in removing water, which merited no reward, miners were unable to load coal and consequently their earnings were greatly reduced.⁴² Four other miners, Joseph Prezonka, Harry Chikatky, Dimetro Uhyran, and Wasyl Pyrch, alleged that they had bailed or pumped water for lengthy periods of time with little or no remuneration.⁴³ Frank Newsome, mine manager, stated that the company paid twenty-five cents per tank of water in the entries but not in the rooms:

There has not been very much trouble [with water in the rooms], but we were always paying more money for our rooms, more money per ton for the rooms than any other mine, and in consequence we figured they were being

⁴⁰Ibid., 154.

⁴¹Ibid., 272-73.

⁴²Ibid., X, 77-78.

⁴³Ibid., 102-15, passim.

paid for the water in the rooms.⁴⁴

The question of payment for removal of clay falls, timbering, and assisting trackmen also had a bearing on miners' earnings. The mine operators stated that payment for cleaning up clay falls was granted only if it could be proved the fall was not the result of a miner's negligence or carelessness. Harris, however, claimed that at Bienfait Mines remuneration was completely dependent upon the generosity of the pit boss.⁴⁵ And Charles Brooks alleged that he and his partner worked three days clearing a fall at Eastern Collieries without pay even though they were in no way responsible for the collapse.⁴⁶ Replying to the many charges that no payment was made for timbering, the operators argued that it was part and parcel of a miner's job and consequently was included in the tonnage rate for mining coal.⁴⁷ Although the mines employed trackmen, many complaints of loss of time (and pay) in helping the trackmen also arose. According to Choma, on many occasions a trackman said "come on and get the rails," and both men would set off in search of some tracks.⁴⁸ The operators took the position that while the miners were not expected to help lay track, it was to their benefit to do so to prevent additional time loss by

⁴⁴Ibid., 122.

⁴⁵Ibid., I, 27.

⁴⁶Leader-Post (Regina), October 14, 1931, p. 2.

⁴⁷Wylie Commission, Proceedings, V, 273 and X, 155.

⁴⁸Ibid., V, 158.

waiting for the trackmen to complete laying in their area.⁴⁹ It is obvious from reading the evidence that considerable confusion existed in the minds of the miners as to their duties and responsibilities in helping the trackmen. Equally clear is the fact that owing to poor planning and organization the miners lost an unnecessary amount of time helping to locate and lay the tracks. An easy solution would have been to have the trackmen work in pairs.

Fines and penalties were yet further factors reducing miners' incomes and further sources of discontent and complaint. The most contentious issue concerned fines levied for livestock running at large on company property. Anyone wanting to keep a few head of cattle signed an agreement with the mine for grazing privileges; if an animal was found outside the pasture, a fine was extracted from the owner. Wilson claimed that only repeated offenders were fined,⁵⁰ but one individual was assessed \$7.00 for allowing his cow to run at large when actually the fence was down and the animal escaped.⁵¹ Another employee was fined \$5.00 for standing in the wrong place in a mine when a trip was passing out, although there was no evidence of the man having been warned or a rule posted.⁵² Lastly, according to William Stalene, he had an \$8.00 fine removed from his pay envelope

⁴⁹Ibid., 280-81.

⁵⁰Ibid., VII, 58.

⁵¹Wylie Commission, Report, p. 56.

⁵²Ibid.

for a cave-in for which he was not responsible.⁵³

The cost of and service under the medical plan was another cause of dissatisfaction. In 1918 a program was instituted whereby each miner had \$1.25 deducted from his monthly pay to cover medical attendance for himself and his family and all prescribed drugs. The plan also entitled participating families to reduced rates for maternity cases, x-rays, and specialists' services.⁵⁴ Although some miners reported receiving satisfactory care under the plan, many others complained of having to wait several days for the doctor to render his services. Dr. James F. Creighton of Estevan, the participating physician, explained the delay in his appearance as being a result of the miners' own failure to report to the mine office where a book was kept listing the names of those requiring attention for minor health complaints. This book was kept so that he could visit all the individuals on his weekly trip to each mine.⁵⁵ K. G. John pointed out that arrangements for medical service had been worked out by the doctor and the men and that although the mines collected the fee it was immediately turned over to the doctor--no benefits accrued to the mines.⁵⁶ Although Hesketh's complaint that \$1.25 was

⁵³Wylie Commission, Proceedings, VI, 215. Stalene's wife went to the office crying and Wilson refunded \$5.00 of the \$8.00 he had appropriated. Ibid.

⁵⁴Ibid., X, 195-98.

⁵⁵Ibid., 201-02.

⁵⁶Ibid., IV, 7.

deducted each month regardless of how much a miner earned⁵⁷ sounds rather petty at first glance, it must be remembered that at times a miner's monthly take home pay did not exceed \$10.00.⁵⁸ Some miners undoubtedly regarded this as one more deduction they could ill afford.

Complaints of non-payment of compensation were also voiced, Western Dominion Collieries bearing the brunt of the discontent. Bowman, Brown, and Knutka claimed that they received no compensation for loss of time owing to injuries incurred while working in the mine.⁵⁹ In addition, A. C. M. Wilson of Manitoba and Saskatchewan Mines was attacked vociferously by John Locklin whose son was denied compensation. Locklin stated that when faced with paying compensation, Wilson "will try and laugh you out of it, if he cannot beat you that way then he will try and swear it out of you."⁶⁰

The only other complaint associated with wages concerned the frequency of paydays. More than 350 persons signed a petition requesting payment of wages every second week.⁶¹ Peter Dzuba believed that if the men were paid

⁵⁷Ibid., II, 88.

⁵⁸Although the Commission records do not contain detailed payroll statements, a few of the sample due bills filed as exhibits indicate that some miners' accounts were in the red while others took home less than \$10.00 of their gross monthly earnings. Wylie Commission, Exhibits, Nos. C-7 and -70, O-15, and M-4, -5, -6, and -7.

⁵⁹Wylie Commission, Proceedings, VIII, 78-122, passim.

⁶⁰Ibid., VI, 257.

⁶¹Wylie Commission, Exhibits, No. M-12.

twice instead of once a month credit problems would decrease and employees would be able to take advantage of reduced prices at various stores.⁶² Freeman, however, stated that this demand could not be met because coal was marketed on a thirty day basis and experience had shown the banks would not advance money to cover payrolls with only shipping bills as collateral. He also pointed out that making out two payrolls each month would increase the costs directly chargeable to the price of coal.⁶³

All things considered, it is quite apparent from existing evidence that the income position of men working in the Souris coalfield was not an enviable one. They had never enjoyed the same level of earnings as their counterparts in Alberta and British Columbia fields. Between 1921 and 1929 a miner's average annual income in Alberta and British Columbia exceeded the Saskatchewan average by almost 50 per cent. (See Table 3.1 for a comparison of the average price of coal per ton, wage per ton, and earnings in the coal industry in the three western provinces.) Moreover, in the early years of the depression the economic position of Saskatchewan coal miners worsened considerably. Average annual earnings declined almost 21 per cent from \$947.00 in 1929 to \$751.00 in 1931. (See Table 3.2 for a comparison of average earnings of the province's miners, 1929-1931.) The cost of living index meanwhile fell by only ten points,

⁶²Wylie Commission, Proceedings, VIII, 136.

⁶³Ibid., 479-80.

TABLE 3.1
AVERAGE PRICES, WAGES, AND EARNINGS, 1921-1929 (DOLLARS)

	British Columbia	Alberta	Saskatchewan
Price per ton	4.50	3.62	1.93
Wage per ton produced	2.88	2.05	1.11
Wage per man per diem	5.38	6.34	4.58
Wage per man per year	1413.00	1461.00	976.00

Source: Saskatchewan, Royal Commission, Estevan-Bienfait Mining Dispute, 1931, Exhibits, No. C-16.

TABLE 3.2
AVERAGE EARNINGS OF SASKATCHEWAN COAL MINERS, 1929-1931

	1929	1930	1931
Average Number of Wage Earners	561	529	538
Average Number of Days Worked	225	205	196
Total Wages (\$)	530,391.00	449,669.00	404,432.00
Average Daily Wage (\$)	4.21	4.15	3.83
Average Annual Wage (\$)	947.00	851.00	751.00

Source: Canada, Dominion Bureau of Statistics, "Coal Statistics for Canada, 1931" (Ottawa, King's Printer, 1932), p. 67.

from 100 to ninety.⁶⁴ Under such circumstances, it is not surprising that the reductions of 1930 and 1931 produced widespread discontent among those affected. Nor is it any wonder that, together with reduced opportunities for supplementary income and other matters pertaining to take-home pay, they tended to precipitate a reaction on the part of labour.

⁶⁴Canada, Report of the Royal Commission on Dominion Provincial Relations (Ottawa: King's Printer, 1940), I, 144.

CHAPTER IV

WHERE NOT TO WORK OR LIVE

While dissatisfaction concerning take-home pay was a major factor precipitating the Estevan strike, widespread discontent among miners and their dependents respecting working and living conditions in general was also an underlying cause. Just what these conditions were, at first glance, is not always altogether clear. Both management and labour were guilty of exaggeration regarding them. For example, J. R. Brodie, vice-president of Bienfait Mines, stated that basically working conditions "are very excellent."¹ Miners, on the other hand, complained bitterly of having to work in deep water and breathe unwholesome air, of hazardous haulage ways, of inadequate first aid facilities, of poor and overcrowded housing, and about company stores and pilferage of the mail. Nevertheless, no great amount of evidence has to be examined before reaching the conclusion that conditions were quite deplorable.

Complaints by miners regarding non-payment for water removal indicated that in some mines, particularly Crescent and Eastern Collieries, working conditions were less than ideal. Employees from these mines told of working months--

¹Wylie Commission, Proceedings, II, 4.

even years--in one to two feet of water.² Evidence suggests that the southern section of Crescent Collieries, where mining went on every day, should not have been worked at all without substantial progress being made toward overcoming the problems created by water seeping into the mine.³ Working in wet places was not only hazardous but also necessitated extra expenses for the men. Rubber boots cost \$5.00 and rotted in only a few months, slickers cost \$4.00, and considerable amounts of blasting powder also purchased by the miners were rendered ineffectual.⁴

Dissatisfaction concerning ventilation in some of the mines was also prevalent. This was particularly so at Western Dominion Collieries. In the mine's eastern district smoke from blasting hung in the air for long periods of time because of inadequate equipment for removing it. Poor ventilation was also the product of other factors as well. Company practice of turning the ventilating fan off during the noon hour resulted in the quality of air in the mine being unsatisfactory for several hours afterwards. When questioned concerning the matter, S. W. Holley, mine manager, claimed that the fan was supposed to be operated during the mid-day break but that the fireman was unwilling to supervise

²Ibid., V, 88 and 217 and X, 83-115, passim.

³Dan Moar later reported that this district of the mine was not being worked. He was to observe that the problem of water was being overcome; as a result of the strike steps were finally being taken to alleviate the situation. Wylie Commission, Proceedings, X, 24-28.

⁴Ibid., V, 169 and X, 84.

it. Of the fireman, he stated: "the only reason we keep him in the mine, although he does things contrary to my instructions, [is because] he has been there 25 years, and we hate to fire him for it."⁵ Holley's statement suggests that at times concern for employees determined the actions of management. While this may have been true in some cases, it certainly was not in all. For example, in one instance, a cave-in was permitted to block an air passage in the mine for at least six months.⁶

Ventilation at Bienfait Mines and Crescent Collieries was also inadequate and there, too, powder fumes remained in the air for several hours after blasting.⁷ Because mined-out rooms were improperly bratticed, black damp⁸ as well was said to be a problem. Although Dr. Creighton was to state that he could not recall a single case, in all his years of being associated with the mines, of any disease directly attributable to working in them,⁹ several miners claimed they had become seriously ill from breathing foul air.

That something could have been done to rectify the ventilation problem was abundantly clear. Prior to Freeman's company taking over National Mines, discontent with similar

⁵Ibid., VIII, 228.

⁶Ibid., 14.

⁷Ibid., I, 45 and X, 32.

⁸Black damp is a term used to indicate the presence of foul air caused by an excess of carbon dioxide and a shortage of oxygen.

⁹Wylie Commission, Proceedings, X, 200.

conditions there had existed. However, it had been eliminated when the new firm replaced small, ineffective surface equipment with a large fan and fan house underground.¹⁰ In addition, the quality of air at Eastern Collieries and Manitoba and Saskatchewan Coal was also evidently satisfactory.

The condition of haulage ways and man-ways in some mines also created discontent. Uninsulated wires carrying 250 volts were in use at Bienfait Mines and Crescent Collieries.¹¹ This serious hazard was apparently a necessary evil. Contact wires on the electric trolleys had to be connected to bare wires. But the same was not true of other dangerous conditions. According to Alex Peattie, at Crescent Collieries mud was at times right up to the knees on the haulage road.¹² Proper provision for removal of water would have prevented such a state of affairs. In addition, Crescent and all other mines except National failed to provide a sufficient number of man-holes and did not keep these refuge places white washed and free of trash as they should have.¹³ This failure to provide proper places of safety greatly increased the possibilities of injury and even death from blasting and from trips passing along the haulage way. Western Dominion Collieries in particular also often failed

¹⁰Ibid., VIII, 448.

¹¹Ibid., V, 24 and Wylie Commission, Report, p. 81.

¹²Wylie Commission, Proceedings, X, 73.

¹³Wylie Commission, Exhibits, No. C-21.

to replace rotten timbers with the result that instances of sections of the roof caving in were frequent. On one occasion such a fall endangered the life of more than one miner.¹⁴

Much of the dissatisfaction and numerous complaints at Eastern Collieries and Manitoba and Saskatchewan Coal centered around the danger inherent in not having a wall separating the man-way into the mine from the hoisting shaft.¹⁵ A partition between these two areas would eliminate the possibility of serious injury from large lumps of coal falling from the basket onto the ladder. Miners at the latter mine also resented the company's policy of locking the entrance door to the man-way while the mine was hoisting. On one occasion the men came up to the surface at noon only to find the door locked. Because those at the bottom were unaware of this, too many men ascended the ladder. Had a rung given way near the top, several miners undoubtedly would have been injured.¹⁶ Hesketh, in commenting on the man-ways in these mines, also pointed out the danger in the steps being slippery or littered. He stated it was particularly dangerous when blasting powder was transported in and

¹⁴Wylie Commission, Report, p. 70.

¹⁵Ibid., pp. 33 and 45.

¹⁶Wylie Commission, Proceedings, VI, 92 and 107. In a letter to Edward Pierce, Inspector of Mines, dated February 17, 1930, Wilson stated the door was locked for purposes of safety and ventilation. This policy was instituted because miners arriving late frequently failed to close the door after entering the mine. Wylie Commission, Exhibits, No. 0-32.

out of the mine each day.¹⁷

National Mine's slogan of "Safety First, Safety Always" was undoubtedly a factor in the relative absence of dissatisfaction with working conditions there. This mine posted a notice to its employees stating that management wished to avoid accidents: "men protect themselves and confer a favour on the company by reporting to the mine foreman any dangerous places or defects in the mine."¹⁸ It is interesting to note that this was the only mine in which there was evidently no contravention of The Mines Act.¹⁹

The majority of mines also failed to make adequate provision for first aid for employees--a further cause of discontent. Most of them had a first aid kit and a trained first aid man above ground, but not one had such supplies or personnel below the surface. According to Holley, even having a first aid kit readily accessible presented a problem: "The trouble is that if it was left there open for anyone to use, inside of two days there wouldn't be anything in the kit. You have to have it locked up."²⁰ But such a problem, even if genuine, cannot excuse the operators. Trained personnel and adequate first aid equipment should have been provided in view of the many dangers inherent in coal mining in general and in these mines in particular.

¹⁷Wylie Commission, Proceedings, II, 80.

¹⁸Ibid., XI, 13.

¹⁹Wylie Commission, Exhibits, No. C-21.

²⁰Wylie Commission, Proceedings, VIII, 235.

When working conditions in the Souris coalfield are examined in the light of The Mines Act, numerous grievances voiced by labour are substantiated. The report of an inspection undertaken by Robert J. Lee, a consulting mining engineer and former Dominion Mines Inspector, indicated that all but one mine were guilty of contravention of certain regulations contained in the Act.²¹ Manitoba and Saskatchewan Coal and Eastern Collieries failed to abide by the provisions of Section 13 which stated:

1. Every seam which is being worked shall have at least two shafts or outlets, affording means of ingress and egress to the persons employed therein;
2. Such shafts or outlets shall be separated by natural strata of not less than thirty feet, and there shall be a communicating passage between them of not less than four feet wide and four feet high;
3. Proper and sufficient appliances, by means of which persons can be raised or lowered, shall be kept constantly available for use at each of said shafts or outlets.²²

In addition to the former mine, Western Dominion Collieries, Crescent Collieries and Bienfait Mines contravened General Rules 5 and 7 of Section 38 which provided:

5. (1) Where inflammable gas has been found within the preceding twelve months, a pit boss shall, immediately before work is commenced in any part of the mine, so far as is reasonably practicable, inspect with a safety lamp that part of the mine and the roadways leading thereto where workmen are employed, and shall make a true report of its condition as regards ventilation. No workman shall go to work in such part until it and the roadway leading thereto are reported safe.

²¹Wylie Commission, Exhibits, No. C-21.

²²Saskatchewan, Revised Statutes, 1930 (Regina: King's Printer, 1930), Chapter 222.

(2) Where one shift of workmen is employed during any twenty-four hours, such inspection shall be made once for every such period, and where two shifts are employed, once for every twelve hours.

(3) Where inflammable gas has not been found within the preceding twelve months a pit boss shall once in every twenty-four hours, immediately before the time for commencing work in any part of the mine, make an inspection and report with regard to that part similar to the inspection and report provided for in subclause (1) of this regulation, and no workman shall go to work in such part until it and the roadways leading thereto are reported safe.

(4) Every such report shall be entered forthwith in a book to be kept at the mine for the purpose, and where so recorded shall be signed by the pit boss or other competent person.

7. There shall be a station or stations at the entrance of a mine, or to different parts thereof, as the case may require, and a workman shall not pass beyond any such station until the mine beyond the same has been inspected and declared safe.²³

Eastern Collieries and the latter three mines also violated

General Rule 13 which stated:

(1) In every road on which both persons and vehicles travel underground, whether the vehicles are self-acting or driven by mechanical or manual power or by an animal, there shall be, not more than twenty yards apart, sufficient manholes or places of refuge.

(2) Every manhole or place of refuge shall be at least three feet in depth between the sides of the cars running on the plane or road and the back of the manhole, three feet in width and five feet in height or the height of the seam, but in any case not less than four feet.

(4) Every manhole or place of refuge shall be white-washed and constantly kept clean, and no person shall place anything therein so as to prevent access thereto.²⁴

Eastern Collieries also violated General Rule 20:

Every working shaft shall, if exceeding fifty feet in

²³Ibid.

²⁴Ibid.

depth and not exempted in writing by an inspector, be provided with guides and proper means of signalling distinctly from the bottom to the surface and from the surface to the bottom, and from the surface to every entrance for the time being in work, and from such entrance to the surface.²⁵

Finally, Eastern Collieries and Bienfait Mines contravened General Rule 36:

It shall be the duty of every person employed in a mine to report immediately to the manager or pit boss any defect or danger known to him in any part of the mine.²⁶

This violation will be discussed in the following chapter which investigates management's response to labour's complaints.

This prevalent contravention of The Mines Act places responsibility for the poor working conditions in these mines squarely upon management and government. The Act placed definite responsibilities on the operators. And the government in passing the Act had assumed responsibility for its enforcement. It had made mine owners liable to a penalty not exceeding \$100.00 for each offence under the Act and additional fines of \$10.00 to \$100.00 per diem if contraventions continued after notification of the offence by a mine inspector.²⁷ Section 33 of The Mines Act further stated:

Where the offence, in the opinion of the court, was committed wilfully by the personal act, default or negligence of the accused, and was one reasonably calculated to endanger the safety of, or cause serious bodily injury to, persons employed in or about the mine, or to cause a dangerous accident, the accused, if the

²⁵Ibid.

²⁶Ibid.

²⁷Ibid.

court is also of the opinion that a pecuniary penalty will not meet the circumstances of the case, shall be liable to imprisonment with or without hard labour for a period not exceeding three months.²⁸

However, establishing the precise responsibility of each party for these unsatisfactory working conditions is a complicated task. Little can be proved--much can be conjectured. That operators of deep seam mines repeatedly contravened the provisions of The Mines Act is obvious and totally indefensible. Yet they were not prosecuted. Why? At first glance it would appear that the provincial government was guilty of failing to enforce its own legislation. Indeed Samuel A. Lee, an inspector, stated that in the thirty years he had been around these mines The Mines Act had never been completely enforced.²⁹ But was the government aware of the contravention of the regulations respecting coal mining? It may be that it was not. The Department of Railways, Labour and Industries employed inspectors whose duty it was to examine these mines and to report any violations of the regulations to the proper authorities--the operators and the government. But the inspectors evidently did not perform their duties as they should have.

Shortly after the new Conservative government took office in 1929, Edward Pierce was dismissed from his position as Inspector of Mines in the Souris coalfield after serving

²⁸Ibid.

²⁹Wylie Commission, Proceedings, XI, 41.

nine years and was replaced by Samuel A. Lee.³⁰ During the period May, 1930 to August, 1931 Lee inspected the deep seam mines every six weeks on the average. The departmental inspection form he completed contained his observations on general conditions in each mine in his inspectorate. Of the smaller mines inspected, many were found to be in "fair" or "poor" condition and a number of repairs were ordered. However, this was certainly not so in the case of the large mines. Lee's report of an inspection of Crescent Collieries undertaken on August 18, 1931 is representative of his reports on the deep seam mines during the aforementioned period:

Condition of Shaft	good
Condition of Slope	good
Condition of Roof	good
Condition of Sides	good
Ventilation	good
Repairs Ordered	none ³¹

On the other hand, between November, 1931 and January, 1932 (after the strike and riot had occurred) he inspected each of the deep seam mines at least once and each was ordered to initiate certain repairs--replace broken timbers, create additional refuge holes and whitewash them, or repair air passages.³²

³⁰AS, Saskatchewan, Public Service Commission, G. 55 (8), List of Appointments, Dismissals and Resignations between Sept. 1, 1929 and June 1, 1930.

³¹Wylie Commission, Exhibits, No. C-18.

³²AS, Saskatchewan, Department of Natural Resources (Hereinafter referred to as DNR), Coal Administration Branch, Mine Inspection Files.

It is incomprehensible how a thorough inspection system could fail to detect and report certain unsatisfactory conditions, in existence for some time, in each of these mines. Yet it would seem they were neither detected nor reported. Why? The format of the form used in reporting on an inspection provides one clue--it was much too general and made little or no provision for a detailed statement on any point. In reference to this, a Royal Commissioner was to state: "For example, the space of one line, allotted in the form for a report on ventilation, which the inspector invariably reports as being 'Good,' seems to me inadequate in view of the evidence."³³ The form was definitely unsatisfactory and should have been revised so as to encompass more specific information. Under the heading "Ventilation," provision could have been made for a detailed statement including the quantity of air entering the mine and at the working face, number of men and animals working in the mine, condition of air passages, location of the fan and length of time it was operated, and any other matters affecting ventilation coming under notice of the inspector or required by the regulations governing coal mining.³⁴ For this deficiency the government was at fault. The onus is on government to ensure that any inspection form used by one of its departments or agencies provides for adequate reporting.

But does this mean the government must assume the

³³Wylie Commission, Report, p. 126.

³⁴Ibid.

bulk of responsibility? Not necessarily. In order to qualify as a mines inspector an individual had to hold a mine manager's certificate which indicated he possessed a minimum of five years experience in the underground operations of a mine. This certificate also proved he had successfully completed an examination testing his knowledge of the provisions of The Mines Act. Although Lee's qualifications cannot be disputed,³⁵ his pre-strike investigation reports are most suspect. It is inconceivable that conditions as recounted in his early reports could suddenly deteriorate while the mines were closed by a labour dispute. It is equally difficult to accept the fact that not one deep seam mine required a single repair during a fifteen month period when repairs ordered between November, 1931 and January, 1932 were so numerous. Was Lee accepting pay-offs from the operators to overlook certain required improvements which would in turn necessitate additional expenditures? Given the straitened financial status of these mines, the possibility exists. On the other hand, Lee may simply have been biased toward the operators. He had been part owner of a small mine during the 1920's. Consequently, it is quite possible that personal background alone accounted for the inconsistencies in his inspection reports prior and subsequent to the strike. Whatever the case, responsibility for

³⁵Samuel A. Lee was granted a Pit Boss Certificate on July 3, 1918 and a Mine Manager's Certificate on July 15, 1919. DNR, Coal Administration Branch, Index of Mines, Miners' Certificates, Mine Managers' Certificates, and Pit Boss's Certificates.

conditions lies very heavily on the inspector and the operators. The government can scarcely be blamed for not prosecuting violations of The Mines Act when it was not informed of them.

If working conditions in the Souris coalfield were bad, living conditions were worse. With few exceptions the miners and their families living in company houses existed amid sordid surroundings. Annie Baryluk, sixteen year old daughter of a miner at Bienfait Mines, described conditions which were quite general when she stated:

One bedroom, two beds in there, dining room, no beds in there, kitchen, one bed, and eleven in the family. . . . I think we need a bigger place than that. When it is raining the rain comes in the kitchen. There is only one ply of paper, cardboard paper nailed to about two inch wood board. . . . It is all coming down and cracked. . . . When the weather is frosty, when you wake up in the morning you cannot walk on the floor because it is all full of snow, right around the room.³⁶

Alice Robinson, wife of a Bienfait Mines employee, stated that the reason families lived in these hovels rather than in the village of Bienfait was that by living in a mine house a miner was recognized as a permanent employee and consequently guaranteed work.³⁷

Of the 113 houses and bachelor shacks inspected by Thomas Douglas, District Sanitary Officer, in November, 1931, fifty-three were reported cold, forty-three leaky, fifty-two dirty, twenty-five overcrowded, and almost all in need of repair. Shower facilities for the miners were provided by

³⁶Wylie Commission, Proceedings, III, 77-78.

³⁷Ibid., 74.

only two mines, Manitoba and Saskatchewan Coal and National Mines. Bienfait Mines kept its camp free from garbage and rubble and Crescent Collieries provided refuse removal semi-annually. The remaining four companies made no provision for sanitation.³⁸

William Peattie's description of the boarding house at Crescent Collieries was also not atypical. He stated that it must have been built with green lumber that had dried leaving large cracks in the walls and that regardless of the size of fire built it was always cold in the winter-time. Peattie added that he would not have wanted an animal to live in the lice-ridden place.³⁹ Douglas' inspection collaborated Peattie's statement, and he recommended that the mine owners undertake more careful supervision of their respective boarding houses to ensure they did not become overcrowded and unsanitary.⁴⁰

An inspection of residences not the property of the mining companies presented an equally grim picture of the conditions under which the miners lived. Although Douglas found the village surroundings superior to those at the mining camps, of the twenty-five miners' residences in Bienfait inspected he reported five cold, eleven overcrowded,

³⁸Wylie Commission, Exhibits, No. C-26.

³⁹Wylie Commission, Proceedings, X, 96.

⁴⁰Wylie Commission, Exhibits, No. C-26. Douglas was to report that the per diem rate at the boarding house had been reduced from \$1.05 to ninety-five cents during the Wylie Commission enquiry.

eleven dirty, and three infected with bed bugs.⁴¹ The squatters' settlements which had grown up in the east and west valleys of Western Dominion Collieries' property he branded "a menace to community health" which should not be allowed to continue. The twenty-four shacks in the valleys were poorly lighted and ventilated, dirty and with a bad odor, and extremely overcrowded. Cattle roamed the property at will and refuse was scattered about unfenced wells.⁴² It was this area which was most frequently described by the newspapers carrying accounts of the squalor and filth in which the miners of the Souris field lived.

Establishing responsibility for these deplorable living conditions is both a frustrating and difficult task. Numerous miners themselves were partly at fault. They were obviously not sufficiently concerned even to bother with keeping their own homes and yards clean and tidy. The mine owners likewise were in part responsible. Despite their straitened financial position, they should have been able to undertake certain repairs and improvements. Leaking roofs could have been mended, installing storm windows and doors would have provided additional warmth, storm windows and doors and shower facilities would have made keeping the houses clean a more facile task, and sanitary measures could have been adopted to create healthier and more pleasant surroundings. Among the operators, only A. C. M. Wilson seems

⁴¹Ibid.

⁴²Ibid.

to have taken any positive action. He apparently sought to prevent overcrowding--a renter signed a contract with Manitoba and Saskatchewan Coal which stated no roomers or boarders could be taken into a company house without express written permission from the mine office.⁴³ But whether or not this provision was abided by or enforced is uncertain.

In the final analysis, government at both the provincial and municipal level must assume a substantial portion of the blame for the living conditions which prevailed in these mining camps. The Public Health Act contained specific provisions respecting boarding houses and sanitation. Regulations governing boarding houses established space, light, ventilation, bedding, water and food, and sanitation requirements. Any infringement of the regulations carried a penalty of not less than \$5.00 or more than \$100.00 for each offence.⁴⁴ Regulations governing sanitary conditions were equally specific. They prohibited creating, committing or maintaining a nuisance, provided for the removal or abatement of any nuisance, established principles governing the condition of dwellings and outside closets, and regulated water supplies. Infringement of these provisions made the defaulter liable to a penalty of a minimum of \$5.00 and a maximum of \$100.00

⁴³Ibid., No. 0-30.

⁴⁴AS, Saskatchewan, Department of Public Health, Regulations Governing Public Hotels, Boarding Houses & Restaurants (Regina: King's Printer, 1930), pp. 3-12.

for each offence.⁴⁵

Provincial legislation also empowered towns, villages, and rural municipalities to make bylaws providing for the health of the area, prevention and spread of communicable diseases, and establishing and maintaining a system for the collection, removal, and disposal of garbage and other refuse.⁴⁶ In addition, legislation providing for the establishment of full time health districts also existed, having been enacted in May, 1928. It empowered the government to organize health districts by designating the municipalities to be included within them and provided for the appointment of a qualified medical practitioner as medical health officer, one or more sanitary inspectors, one or more trained nurses, and a secretary, who were to devote their time to the promotion of the health and sanitation of the district.⁴⁷ The participating municipalities were to assume 50 per cent of all expenses incurred, the remainder being shared equally by the provincial government and the Rockefeller Foundation.

The Town of Estevan and the Rural Municipalities of Coalfields and Estevan, falling in Health District No. 3, (one of the districts which became at least partly

⁴⁵AS, Saskatchewan, Department of Public Health, Regulations Governing Sanitation (Regina: King's Printer, 1930), pp. 3-12.

⁴⁶Saskatchewan, Revised Statutes, 1930, Chapters 104-06.

⁴⁷Ibid., p. 3001.

operative)⁴⁸ entered into separate agreements with Doctors Creighton, Millions, and Fairbairn whereby these physicians contracted to fulfill the duties of medical health officer.⁴⁹ Although the minutes of the respective councils are not clear on the matter, it would seem that the participating physicians presented only brief, verbal reports on their inspections. References to these investigations appear only infrequently in the minutes of the council meetings. Estevan, Bienfait, and the two rural municipalities also appointed sanitary inspectors in accordance with the provisions of The Public Health Act.⁵⁰ That inspections relating to health and sanitation were carried out in Health District No. 3 is evident from department annual reports. However, they are not specific; they merely record the number of inspections undertaken each year.

Municipal authorities, then, took steps to fulfill

⁴⁸Eight rural municipalities, one town, and fifteen villages combined to form an experimental health district with Gravelbourg as its headquarters. The drought and depression, however, forced the provincial government to curtail certain expenditures and in 1929 Gravelbourg Health District No. 1 was abandoned as a pilot project for the establishment of a rural health services scheme. Saskatchewan, Royal Commission on Agriculture and Rural Life, Report No. 4, "Rural Roads and Local Government" (Regina: Queen's Printer, 1955), p. 153.

⁴⁹Estevan, Council Minutes, March 23, 1931, p. 1; R. M. of Coalfields, Council Minutes, July 8, 1931, p. 1; and R. M. of Estevan, Council Minutes, January 5, 1931, p. 1. In each instance, these were the dates of new contracts superseding those which were probably initiated in 1928 but no record of this exists.

⁵⁰AS, Saskatchewan, Department of Municipal Affairs, Financial Statements.

their responsibilities under the existing legislation; health officers and sanitary inspectors were appointed; inspections were performed and reported to the various councils; and the councils in turn reported these findings to provincial authorities. Nevertheless, the evidence clearly indicates that regulations governing health and sanitation were not enforced, especially in the mining camps. Why? One possible reason appears in a report of the Health and Sanitation Committee to the Estevan Town Council. The Committee observed that a Mr. Storey was not living up to the scavenging contract he had entered into with the Town.⁵¹ Perhaps other contracts were not properly fulfilled. In any event, there is no evidence to indicate that the mining camps had ever been inspected prior to Douglas' investigation. Had an inspector reported upon the deplorable conditions in these camps, surely the authorities would have issued directives to have all contraventions of The Public Health Act rectified at once. The absence of such directives from the responsible authorities would indicate that either municipal or provincial officers failed to perform their duties. If indeed inspections were not carried out, the responsible municipal government was at fault either for failing to provide for such inspections or, as in the case of Storey, for not enforcing the articles of an agreement relating to health and sanitation. If, on the other hand, inspections were duly performed and reported, the provincial

⁵¹Estevan, Council Minutes, March 2, 1931, p. 3.

government can justly be accused of failing to adhere to legislation providing for the inspection of the camps and enforcing regulations ensuring the inhabitants satisfactory living conditions.⁵²

Any discussion of discontent among employees arising from working or living conditions in the Souris coalfield would be incomplete without reference being made to the stores operated by Western Dominion Collieries and Manitoba and Saskatchewan Coal. In respect to these stores, mine operators informed their employees that patronage was pre-requisite to continued operation.⁵³ Compulsion was not implicit in the assertion, but was it implied? In the case of the Manitoba and Saskatchewan store it may have been. The manager of the company repeatedly denied ever having told mine employees they had to deal at the firm's store,⁵⁴ and two members of a men's committee at the mine professed no knowledge of compulsory purchasing.⁵⁵ Likewise, William Davis, a company employee, said that while he dealt at the

⁵²Whatever the case, conditions apparently improved after 1931. Reporting on an inspection of the area in July, 1932, the sanitary inspector observed that improvements had taken place with respect to the sanitary conditions under which the mine employees lived. The report also indicated that the number of inspections undertaken in 1932 exceeded those of the previous year by more than 60 per cent. Saskatchewan, Department of Public Health, Annual Report, 1932 (Regina: King's Printer, 1933), pp. 25-30.

⁵³Wyllie Commission, Report, p. 50.

⁵⁴Wyllie Commission, Proceedings, VI, 370 and VII, 8 and 50.

⁵⁵Wyllie Commission, Report, p. 49.

store he was not compelled to do so.⁵⁶ On the other hand, Steve Lazue stated that he was afraid to deal anywhere else because Wilson had warned him he would be fired if he did so.⁵⁷ And William Paulovitch claimed that he had been fired for purchasing eggs from another source and reinstated only after he promised to deal exclusively at the company store.⁵⁸

Several Manitoba and Saskatchewan employees also told of having resorted to smuggling articles purchased elsewhere into the camp after dark.⁵⁹ To have adopted such a course of action suggests that they too may have believed that future employment and patronage of the company store went hand in hand. But was that really the case? Edward Edwardson, who served as night watchman at the gate, maintained that he never checked people returning to camp for possession of "smuggled" goods.⁶⁰ Wilson meanwhile claimed that the purpose of stationing a man at the gate was not to prevent the practice but rather to prevent pedlars from "dumping" goods in the camp. In April, 1929 he had posted a notice prohibiting pedlars from plying their trade on company premises. At that time he permitted a Mrs. A. Molyneaux to distribute milk,⁶¹ but less than a year later

⁵⁶Wylie Commission, Proceedings, VI, 195.

⁵⁷Ibid., 242-48.

⁵⁸Ibid., 360.

⁵⁹Ibid., 163-68 and Regina Daily Star, October 24, 1931.

⁶⁰Wylie Commission, Proceedings, VI, 316.

⁶¹Wylie Commission, Exhibits, No. 0-90.

she too was barred:

All employees are forbidden to purchase anything from Mrs. A. Molyneaux while peddling around the mine. Any-one doing so will be disobeying the wishes of the Management . . . and will be inviting trouble for themselves. . . . Management has decided that it is not in the best interests of the Company to allow Mrs. Molyneaux to peddle around the Mine, furthermore, are determined to stop same.⁶²

Employees of both mines further charged that prices at the company stores were exorbitant. Procop Gemby stated that the Western Dominion store sold cornflakes at eight boxes for \$1.00 whereas Estevan merchants offered twelve for the same price.⁶³ George Wilkinson and J. Brown maintained that the prices of miners' supplies were ten to sixty cents higher at the same store than elsewhere.⁶⁴ W. Bonchall said that the Manitoba and Saskatchewan store charged twenty cents per pound for meat when it was only fifteen cents in Estevan stores and ten cents from local farmers.⁶⁵ And Fred Booth recalled paying \$3.00 for 100 pounds of flour at that store and only \$2.25 in Bienfait.⁶⁶ Stan Long, meanwhile, a former Manitoba and Saskatchewan storekeeper, denied that prices were exorbitant, maintaining that they were in line with those charged by Bienfait and Estevan merchants.⁶⁷

⁶²Ibid., No. M-8.

⁶³Wylie Commission, Proceedings, VIII, 170.

⁶⁴Ibid., 38-39 and 156.

⁶⁵Ibid., VI, 165-66.

⁶⁶Ibid., 113.

⁶⁷Ibid., 267.

Both S. J. Wildfong, former storekeeper, and A. C. M. Wilson, mine manager at Manitoba and Saskatchewan Coal, claimed that an annual sales volume of \$35,000.00 resulted in a profit of about \$1,700.00 or 5 per cent, excluding any charge for rent, taxation, depreciation, utilities, insurance, or freightage.⁶⁸ J. C. Thompson estimated that had the store been operated by a private merchant, annual profits would have been in the order of \$5,000.00 to \$6,000.00.⁶⁹ Reported profits at the other mine were higher. For the year ending April 30, 1931 the Western Dominion general store cleared \$4,717.00 on sales of \$40,608.89⁷⁰ and the mine supply store \$621.63 on sales of \$6,304.72.⁷¹

Other complaints concerning the stores were also heard from time to time only to turn out to be unjustified. For example, Peter Boruk alleged that errors in his store bills totalling \$33.20 were never rectified.⁷² His claim was proven false; corrections had been made the following month in each instance.⁷³

Associated with complaints concerning the stores themselves were others concerning tampering with the mail at the post office operated in the Manitoba and Saskatchewan

⁶⁸Ibid., 308-09 and 369.

⁶⁹Ibid., IX, 4.

⁷⁰Wylie Commission, Exhibits, No. 0-42.

⁷¹Ibid., No. 0-45.

⁷²Wylie Commission, Proceedings, VI, 88-91.

⁷³Ibid., 300-02 and Wylie Commission, Report, pp. 52-

store, Boruk alleged that he had received a parcel which had been opened.⁷⁴ The charge was denied by three company clerks⁷⁵ and could not be proven.⁷⁶ Nevertheless, it resulted in mail service at the store being discontinued.⁷⁷ Some years earlier a company clerk had been convicted of tampering with the mail.⁷⁸

On the basis of such conflicting and inconclusive evidence, not a great deal can be said with certainty concerning the stores. That their prices were higher than elsewhere is apparent. An enquiry into their operation was to reach that conclusion and was to lead to prices being somewhat reduced.⁷⁹ But to suggest that management sought to exploit employees by charging exorbitant prices would probably be an overstatement. The enquiry concluded that high prices were the result of failure by storekeepers to make the necessary adjustments to bring their prices into line with those of merchants in neighbouring communities.⁸⁰ Likewise to conclude that employees as a whole were obliged to buy goods in company stores at those prices would seem to be unwarranted. In the case of Manitoba and Saskatchewan,

⁷⁴Wylie Commission, Proceedings, VI, 207.

⁷⁵Ibid., 296, 299, and 326.

⁷⁶Wylie Commission, Report, p. 52.

⁷⁷Wylie Commission, Proceedings, VI, 379.

⁷⁸Wylie Commission, Report, p. 52.

⁷⁹Ibid., p. 72.

⁸⁰Ibid., p. 49.

management evidently made definite efforts to restrict the sources open to employees purchasing goods and, where some individual employees were concerned, may have gone further. A number of employees at this mine obviously believed management would take action against them if they purchased outside the camp. Beyond that, however, one can only speculate.

From the foregoing evidence, it is clearly apparent that the plight of the miners and their families was not a happy one. Those men fortunate enough to be employed, worked a minimum of ten hours per day under quite deplorable conditions for a very meagre wage. Many owed their soul to the company store while others were denied even the opportunity of buying on credit. Families lived under conditions which were, for the most part, equally deplorable. And although little can be said conclusively regarding recreational facilities, it can only be assumed that they, like many other amenities of life, were unavailable to these people. Hence, it is not at all surprising that grievances concerning living and working conditions arose and persisted, strengthening the mine employees' resolution to answer the call to strike when the order went out.

CHAPTER V

STRIKE ACTION IS TAKEN

To the underlying causes of the Estevan strike must be added three factors which ultimately precipitated the walkout in early September, 1931. First was the absence of any recognized procedure for dealing with complaints or disputes between labour and management owing to a lack of organization within the mines and the absence of any representative committee with authority to speak for the miners. Second was the demand of union officials that the operators recognize the Mine Workers' Union of Canada as a condition precedent to any negotiations for settling the dispute and the refusal of the operators to accord such recognition. And third was the antagonistic attitude of the president of the MWUC, James Sloan, to a conciliation board.

The absence of a grievance mechanism placed the miners in an extremely difficult position. Because they lacked organization the men felt helpless in any situation necessitating an approach to management for redress. Experience extending over several years indicated that any form of remonstrance or even enquiry regarding wages or working conditions would be met with "if you don't like it, pack your

tools and get out."¹ Hesketh stated that nobody ever requested the appointment of a checkweighman at Bienfait Mines "because they know they would be told it was none of their business."² The magnitude of this fear of dismissal for complaining about conditions was to be emphasized during a Royal Commission enquiry when Harris requested protection against any friction or discrimination resulting from the miners' testimony.³

Several miners alleged that blacklisting was another technique management employed in handling labour grievances. Hesketh stated: "If a man started to make a complaint, he was kicked out and sometimes blacklisted. . . . If he was an old man he knew to keep his mouth shut."⁴ Wilbur Enmark, an employee at Eastern Collieries, claimed that when he protested the amount of compensation received as a result of an injury suffered in a mine accident, Pierce, mine manager, told him he had better take what he was getting or he would get "a damned sight less." During the ensuing argument Pierce reportedly said: "I will chase you out of the

¹This phrase, with only slight variations, was evidently popular with the officers of most of these mines. Harris and Hesketh testified to its use at Bienfait Mines (Wylie Commission, Proceedings, I, 72 and 95), Moar at Crescent Collieries (*ibid.*, X, 35 and XI, 168), and Billis and Brooks at Eastern Collieries (*ibid.*, V, 122 and 135).

²*Ibid.*, I, 95. Section 27 of The Mines Act provided for the appointment of a checkweigher.

³*Ibid.*, VI, 51.

⁴*Ibid.*, II, 103.

country."⁵ Enmark went on to say that after being without work for a year R. J. Hassard hired him, saying: "I am going to give you a job, but Mr. Pierce asked me not to give you one."⁶ When questioned about the matter, Pierce maintained that Enmark had blacklisted himself everywhere owing to his inability as a miner and had refused the amount of compensation offered--100 per cent of his earnings--because his earnings were so small.⁷ Joseph Benbridge and K. G. John, on the other hand, firmly denied that management practiced blacklisting. Benbridge, mine manager at Bienfait Mines, stated that he was never ordered not to hire a miner because he had been fired by another company and that he had never blacklisted an individual. John meanwhile claimed he knew of no instance of blacklisting as charged by the miners.⁸ Although the miners' testimony cannot be accepted as conclusive proof that blacklisting was practiced in the Souris field, its prevalence throughout the entire coal industry would tend to lend credence to their assertions.

Several miners also alleged that they were subjected to abusive language by employers whenever a grievance was voiced. Mike Mikac, a shovel operator at Manitoba and Saskatchewan Coal, reported that when he complained of not being credited with four hours overtime the pit boss, Edward

⁵Ibid., V, 124.

⁶Ibid., II, 155.

⁷Ibid., V, 277-78.

⁸Ibid., IV, 14-15 and V, 73.

Anderson, said "GOD DAMN YOU, you are lucky you get one hour."⁹ John Billis testified that the pit boss at Eastern Collieries cursed his men constantly. Kushnerus acknowledged that he used "rough language," but only to obtain results, not to silence complaints.¹⁰ Although profanity exists in many working situations, this excessive verbal abuse was indicative of the treatment these miners received at the hands of their employers, a treatment hardly designed to foster good employer-employee relations.

Under circumstances such as the foregoing, it is not surprising that the thoughts of miners in the Souris field turned to unionization. Evidence of this is sketchy, but there is no question that they took up the subject during the recession which followed World War I. It is highly probable that they then requested the newly formed One Big Union (OBU)¹¹ to organize them and thereby improve their bargaining position when seeking improved wages and

⁹Ibid., VI, 147.

¹⁰Ibid., V, 101 and VI, 23.

¹¹Convinced of the utter futility of separate action on the part of workers organized along craft lines, which it alleged enhanced the relative position of the master class and promoted division within the ranks of labour, the OBU sought a more unified organization which would consolidate labour by organization along industrial lines. By organizing all the workers in a given industry, regardless of their trades, into a single union and by placing control in the hands of locally organized unions, the OBU expected that by virtue of their industrial strength the workers would be better prepared to enforce any demands they considered essential to their maintenance and well being. D. C. Masters, The Winnipeg General Strike (Toronto: University of Toronto Press, 1950), pp. VIII and 18 and Winnipeg Tribune, April 5, 1919, p. 8.

conditions. In any case, in 1920 the OBU assumed responsibility for doing so; and an organizer from Calgary, P. M. Christophers, arrived in Bienfait on June 30, 1920 to organize a local branch of the union. But little was achieved; even a mass meeting of the miners in the district failed to materialize:

[Christophers] had been taken away in a high-powered car Saturday evening [July 3rd] about midnight, run to the borderline, and then and there told in plain language that if he attempted to return to Canada or was seen here he would be given a real reception which would start with tar and feathers.¹²

The matter was quickly taken up by the police, whereupon seven men were arrested and charged with kidnapping. These included Sam Dryden, president of the Estevan Branch of the Great War Veterans' Association, Corporal George Hunter of the Saskatchewan Provincial Police (SPP), Tom Jones, Amos Gough, James Clarke, Tom Munroe, and Ray Thompson.¹³ But only one of them was to be penalized in any way by authorities for the alleged crime. The case against Jones, Thompson, Dryden, and Gough was dismissed at the preliminary trial. After hearing eight prosecution witnesses and deliberating for half an hour, the jury returned a verdict of "not guilty" in the case of Hunter, Clarke, and Munroe because "the evidence did not bear out the charge of

¹²AS, Papers of W. M. Martin, Official Report of Proceedings at Trial of Those Alleged to be Concerned in the Kidnapping of One P. M. Christophers, p. 35342.

¹³Ibid., p. 35340 and Morning Leader (Regina), August 10, 1920, p. 9.

kidnapping."¹⁴ The Commissioner of the SPP disagreed with the verdict but believed he could do little about it except to have Corporal Hunter suspended from the force. In his annual report, he was to state:

It was felt on the part of the Crown that there was sufficient evidence to justify a conviction of three of the accused men, at any rate, but the state of the popular mind brought about by a variety of causes was such as to make the securing of a conviction exceedingly difficult, if not impossible.¹⁵

The Commissioner probably believed that any new jury which might be selected to hear an appeal would sympathize with the accused rather than a man in the position of Christophers and consequently reach a similar verdict. The OBU to which Christophers belonged was widely regarded as a Communist dominated, revolutionary movement, and the "red scare" which followed World War I had not yet run its course. He may also have believed that the public was generally anti-union as a result of the wave of strikes which had swept the nation in the immediate post-war period, and that Saskatchewan was especially anti-OBUs because the OBU had been considered at least in part responsible for a number of sympathy strikes which occurred in the province at the time of the Winnipeg general strike of 1919 and because it was at the moment actively seeking new members in the province. Indeed, the Commissioner may have believed that even the

¹⁴Morning Leader (Regina), October 13, 1920, p. 9. Also see ibid., August 19, 1920, p. 9.

¹⁵AS, Saskatchewan, Attorney General, Saskatchewan Provincial Police Annual Reports, 1920.

presence of union members on another jury might not aid in securing a conviction owing to divisions within the labour movement resulting from the creation of the OBU.¹⁶ Hence, he decided to let the matter drop.

One question immediately arises in connection with the Christophers affair. Were the mine operators in any way implicated in the actions of the "vigilante committee"? They probably were. What did the alleged participants themselves stand to gain? Nothing other than possible twenty-five year prison terms. Hence it is quite possible that they performed this "removal" at the behest of another party, the operators. The Inspector of the Weyburn detachment of the Provincial Police stated that a mine manager "has taken the stand against allowing any OBU men to work at any of the mines, in fact there are no union men employed at any of the mines."¹⁷ The very fact that some fifty miners at Western Dominion and Crescent Collieries were laid off for allegedly paying membership fees to the OBU also indicated a definite

¹⁶W. J. C. Cherwinski, "The Formative Years of the Trade Union Movement in Saskatchewan, 1905-1920" (unpublished M.A. thesis, University of Saskatchewan, Saskatoon, 1966), pp. 180-206, passim, discusses in considerable detail the reactions of labour bodies, the press, and the public to the Winnipeg general strike, sympathy strikes which occurred in Saskatchewan, and the OBU. He states that together, the Winnipeg confrontation and the OBU "bred a feeling of suspicion . . . among both the rank-and-file unionist and the public at large" (p. 202) and that as a result of this "disrupting influence of the first magnitude" (p. 206), the battle lines between advocates of industrial and craft unionism were clearly drawn.

¹⁷Attorney General, Saskatchewan Provincial Police Divisional Reports, 1920.

commitment to the principle of non-unionization.¹⁸ It is difficult to deny the charge of "A Worker" that "agents of the mine operators took the organizer out of his home" and spirited him away.¹⁹ The operators certainly stood to gain by Christophers' removal.

After the abortive attempt at unionization in 1920, Souris miners apparently refrained from taking further action along these lines for a number of years; at least research has failed to uncover any concerted effort to establish a union until the early thirties. At the latter time, according to Dan Moar, after dissatisfaction and unrest had permeated the field for several months, workers took steps to organize.²⁰

In setting out anew to organize a union the miners evidently commenced by making representations to various labour bodies. However, such a procedure proved unproductive. During the early summer of 1931 several attempts were made to secure an organizer. The matter was brought to the attention of various labour leaders in Saskatchewan, but "apparently no action was taken by Trade Unions affiliated with either the Dominion Trades and Labour Congress or the All Canadian Congress [of Labor]."²¹ On one occasion a

¹⁸Morning Leader (Regina), July 7, 1920, p. 18.

¹⁹Western Miner (Lethbridge), September 8, 1931, p. 1.

²⁰Wylie Commission, Proceedings, XI, 167.

²¹Estevan Strike File, T. M. Molloy to M. A. MacPherson, October 2, 1931.

group of miners also approached M. J. McGrath, a mine inspector, and asked him to locate and send a union organizer to the district. This request too was unavailing. McGrath later asserted: "That is entirely outside the jurisdiction of the department and we paid no attention to the request at all."²²

Having failed in their efforts to obtain the co-operation and assistance of either provincial labour leaders or the Anderson government, the miners undertook to form their own organization. During July and August, 1931, men from the various mines in the field met secretly to discuss the situation and to devise some form of local organization. In early August "men's committees" were formed at each of the larger mines. In addition, a "mines committee" was established with John Loughran as acting president and Bernard Winn as vice-president. This committee consisted of twenty-eight members, twenty-five representing the employees of the six deep seam mines and three representing those miners employed at the smaller mines in the district.²³

Upon the formation of this committee, a letter was directed to the Workers' Unity League of Canada requesting that an organizer be sent to the district. The League despatched Martin Forkin who counselled the men to join a mine union and after several meetings the miners agreed to approach the MWUC. Upon request, the latter forwarded the requisite

²²Wylie Commission, Proceedings, X, 14.

²³Ibid., XI, 165-66 and 243.

books and membership cards and organization of a local got under way.²⁴

The MWUC had been born a few years earlier in what might be described as a revolt by Alberta miners against international labour leaders. Alleging that the District 18 officials of the United Mine Workers of America (UMWA) "acting on instructions from the International at Indianapolis" had failed their membership in a critical hour by refusing to take action against several Alberta coal operators who had abrogated contracts with the UMWA "by locking out their employees and starving the men into a large wage reduction," a substantial body of miners seceded from the union and, after organizing into independent groups, signed separate contracts with the operators. At a meeting held in Blairmore, Alberta on June 1, 1925, delegates from these independent groups or unions established the MWUC.²⁵ The new union affiliated with the All-Canadian Congress of Labor (ACCL) in 1927 shortly after the latter's formation but withdrew a few years later,²⁶ its membership perhaps believing that the ACCL was growing too conservative. In any case, in 1930 Workers' Unity League adherents began endeavouring to have the MWUC become one of that body's affiliates, and a resolution favouring the step was passed by the MWUC executive.

²⁴Canadian Miner (Calgary), October 12, 1931, p. 3, and Wylie Commission, Proceedings, XI, 165-66.

²⁵Canada, Department of Labour, Labour Organization in Canada, 1925 (Ottawa: King's Printer, 1926), pp. 179-80.

²⁶Ibid., 1927, pp. 43-50, and 1930, p. 13.

Then on May 11, 1931 the MWUC membership voted 1,727 to 641 in favour of affiliating with the WUL. Affiliation resulted from the radical element gaining control of the MWUC executive in 1930 when James Sloan succeeded in ousting the moderate Frank Wheatley and replacing him as president.²⁷

Even before the local branch of the MWUC was fully organized, Loughran, Winn, and associates faced their first test of strength and enjoyed their first taste of victory over an employer. Perhaps this event facilitated organization of the union by demonstrating the value of unity, strengthened the miners for the greater confrontation which was soon to follow, and increased their confidence as to its outcome. If it did, it may to some extent have helped bring on the September strike. Be that as it may, the organizers of the mines committee were evidently determined to be as strong as possible when they presented their demands to the operators for better wages and conditions. For this purpose, it would appear that they charged certain individuals with responsibility for organizing those men referred to as "foreign workers" at the various mines. This brought action from management. On August 21 John Adams was fired by Crescent Collieries for organizing the mine's foreign employees. A flurry of activity on the part of the mines committee executive followed. It met with the Crescent men's committee and workers and then despatched a delegation to Frank Newsome, mine manager, to demand the man's reinstatement.

²⁷Ibid., 1930, pp. 17, 165-66 and 1931, p. 174.

Newsome refused to comply. Nor, while acknowledging that Adams was a capable miner, would he give any reason for dismissing him. Faced with such a response, the executive called upon Crescent employees to walk off the job, a procedure which proved much more effective. After a strike lasting two and a half days, Newsome capitulated and reinstated Adams and the men resumed work.²⁸

In the last week of August, under such propitious circumstances, organization of the union went rapidly forward. During the week both Sam Scarlett and James Sloan appeared on the scene to help with organization and were greeted with enthusiasm by miners and their families. Scarlett, an organizer for the WUL in Saskatoon, addressed a crowd of some 1,200 people attending a picnic at Taylorton arranged by the mines committee on August 23.²⁹ Sloan arrived from Calgary two days later and after conferring with the men's committees at the various mines arranged a meeting attended by more than 1,000 people at Estevan that evening. The Estevan Mercury duly reported the event:

At a public meeting in the Town Hall auditorium last night it was stated by the Dominion president, Jas. Sloan of Calgary, that the Mine Workers' Union of Canada had succeeded in obtaining a 100% sign up of mine employees of the Coalfields, and now had a total membership of more than 600 here and at Bienfait. The local provisional executive committee of the Union will meet tonight to draw up demands which will be presented to the coal operators of the field, seeking better wages and working conditions. If it is necessary for members of the Union to go on strike to gain their objective, Sloan said,

²⁸Wylie Commission, Proceedings, XI, 168-69.

²⁹Western Miner (Lethbridge), September 8, 1931, p. 1.

they will receive the support in their action of the Workers' Unity League of Canada and of the Red International of Soviet Russia, with which they are directly affiliated. 'There will be nothing unreasonable in our demands,' Sloan said, 'but if we can't get them we may have to take united action.'³⁰

With the formation of a branch of the MWUC in the Souris coalfield, a crisis arose which culminated in the September 8 walkout. The operators of the large mines adamantly refused to recognize the new organization as a body with constituted authority to negotiate on behalf of the miners. The miners were equally adamant in their refusal to negotiate independently of their union. When requested by the union to attend a joint meeting of all operators and miners' representatives in the Estevan Town Hall at 8:00 P.M. on September 3 for the purpose of reaching an agreement on hours of work, wages, and living conditions, only the operators of six smaller mines complied. The operators of the deep seam mines stated:

We will not meet you [Sloan] or any representative of an organization such as yours which, by your own statement, boasts a direct connection with the 'entire Workers' Unity League and the Red Internationale of Soviet Russia.'³¹

The operators' contention that the WUL, the Canadian Section of the Red Internationale of Labour Unions, was a Communist organization cannot be denied. James Bryson, a MWUC organizer appealing a vagrancy conviction before Judge Ousley of Moose Jaw in December, 1931, denied that the

³⁰Estevan Mercury, August 27, 1931, p. 1.

³¹Ibid., September 10, 1931, p. 1.

WUL and consequently the union was connected or affiliated with the Communist Party of Canada (CCP). He stated that the party was a political organization while the League was an economic industrial organization. Bryson testified:

there is no connection that I know of, except by the fact that members of the Communist Party would work in those organizations and their policy would be carried out. The policy they would propagate by voting of the rank and file. That is the only way in which they could be connected.³²

But the connection of the CCP with the WUL was much less subtle than Bryson's testimony indicates. The avowed purpose of the League was:

To organize the Canadian workers into powerful revolutionary industrial unions, created on the axis of the widest rank and file control; to fight for the defence and improvement of the conditions of the working class, mobilizing and organizing Canadian workers for the final overthrow of capitalism and for the establishment of a Revolutionary Workers' Government.³³

Moreover, in a letter written under the Communist Party letterhead, one C. Marriott referred to the need of "establishing closer W.U.L. contacts throughout the district [Moose Jaw-Regina]," to Forkin being placed in charge of a CCP sub-district bureau, to Forkin being sent to Estevan to assist the striking miners, and finally, to a Young Communist League organizer being sent to Bienfait for the same

³²AS, Estevan Judicial District, File of documents relating to the trial of Anne Buller (Hereinafter referred to as Anne Buller File), Transcript of evidence in connection with the cross-examination of James Bryson, Estevan District Court, December 2, 1931, p. 3a.

³³Department of Labour, Labour Organization in Canada, 1931 (Ottawa, King's Printer, 1932), p. 164.

purpose.³⁴

Despite the revolutionary nature and Communist connections of the WUL, the operators' refusal to recognize the MWUC for that reason is highly suspect and scarcely defensible. Would they have been any more willing to recognize unionists with Liberal or Conservative connections? The evidence indicates they would not. George Brown, a miner at Western Dominion Collieries, asserted that when he was engaged in securing members for the men's committee at this mine, Holley warned him: "if you don't lay off the Union stuff, Mr. Morfit will make it pretty hard for you. . . ." ³⁵ A Bienfait resident, writing to the Honorable H. H. Stevens, stated: "Mr. Morfit supposedly representing the Operators is an out and out opponent of any kind of organization for the men, whether it has red affiliation or not. . . ." ³⁶ In addition, the Estevan Town Council observed that "the attitude of the operators towards the right of the men to form a Union was hostile and should be changed." ³⁷ Obviously, anti-unionism not anti-Communism prompted the mine operators to deny the new organization recognition.

³⁴Estevan Strike File, C. Marriott to Tom McEwan, August 7, 1931 (copy). The date of this letter should have read September 7, 1931 and addressee Tom Ewen.

³⁵Wylie Commission, Proceedings, VIII, 106-07.

³⁶Public Archives of Canada (Hereinafter referred to as PAC), Papers of R. B. Bennett, H. H. Stevens to R. B. Bennett, October 5, 1931, Archive No. 267373. Stevens enclosed a portion of a letter he had received regarding the Estevan strike and riot.

³⁷Estevan, Council Minutes, October 5, 1931, p. 2.

The sudden threat of a serious labour dispute in the Souris coalfields probably came as no great surprise to provincial authorities. Mine inspectors had been intermittently reporting to their superiors the existence of considerable unrest among the miners. Provided officials in the Department of Railways, Labour and Industries promptly passed information on to their minister, the government must have been aware that trouble was brewing as early as January, 1931. However, for undetermined reasons, they took no action. Perhaps they were preoccupied with the multitude of other problems resulting from the depression and drought. Or they may simply have believed existing problems would either be settled locally as they had been in the past or their settlement facilitated by conditions produced by the depression itself. When they finally did decide to intervene, the situation, according to a man who urged them to do so, was not beyond reconciliation. In alerting the government on August 27 to the growing threat of a strike and requesting that efforts be made to head it off, A. Nelson, secretary-treasurer of Bienfait, wrote:

It is a pity that you cannot come out here at once to negotiate [sic] a peaceful settlement of the trouble, and save a lot of Relief expence [sic] & trouble. I dont [sic] think you would have much trouble in settling this matter now, but if left till the real trouble commences I believe your efforts will be unavailing.³⁸

In retrospect, however, it would seem that Nelson was overly optimistic and government intervention too late. The govern-

³⁸Estevan Strike File, A. Nelson to T. M. Molloy, August 27, 1931.

ment began to act only hours before a date for strike action was set by the union.

In response to the request the Honorable J. A. Merkley, Minister of Railways, Labour and Industries, despatched his deputy, T. M. Molloy, to Estevan to investigate the situation. On September 3 Molloy attended the joint meeting the union had called for the purpose of placing the miners' complaints before the operators. When the majority of operators boycotted the meeting, Sloan informed Molloy that a schedule of terms had been formulated but that its contents would be divulged only at a meeting at which all the operators were present and only after they had consented to recognize the union.³⁹ Later that same evening Molloy interviewed C. C. Morfit, president of the Coal Operators' Association, who again stated that his associates unanimously refused to meet anyone representing the union because of its Communist connections. The following day a letter was sent by Sloan to the mine operators who were absent from the joint meeting:

I have been instructed by the Executive Committee of Miners who represent all the mines in this district, to inform you that another conference will be held in the Town Hall at Estevan, on September 7th, 1931 for the purpose of reaching an agreement covering all mines in this district, and if your company fails to be represented at this conference on the above mentioned date, I have been further instructed to inform you that your employees will cease work on Tuesday morning, September 8th, 1931.⁴⁰

³⁹Wylie Commission, Proceedings, XI, 169.

⁴⁰Estevan Strike File, James Sloan to S. W. Holley, September 4, 1931 (copy).

On September 4 Molloy held further meetings. He met with several Estevan citizens and civic officials as well as with the operators of the deep seam mines and with representatives of the union. Sergeant Mulhall of the Estevan detachment of the RCMP, Mayor Bannatyne, W. J. Perkins, N. L. McLeod, MLA, and G. A. Calvert, managing director of International Clay Products, all expressed considerable sympathy with the miners' cause but, owing to the revolutionary nature of the WUL with which the MWUC was affiliated, were opposed to the union. The operators meanwhile promised they would meet a committee of the men provided it was composed entirely of individuals employed at the mines in the Souris coalfield. Finally, during his interview with union representatives, Molloy made known the operators' proposition and was assured that it would be placed before the executive at a meeting slated for that evening.⁴¹ However, Forkin intimated that the men would be advised to reject the proposal, giving as his reason that he and Sloan should be present at all negotiations to insure that any agreement reached would conform as much as possible to the contract ratified by the Alberta coal miners.⁴² Molloy interviewed the operators individually the following day and convened another meeting of the Coal Operators' Association but evidently made no further progress toward a settlement. At this meeting the operators reiterated

* ⁴¹Ibid., Memorandum dated September 9, 1931 bearing only T. M. Molloy's initials (Hereinafter referred to as Memorandum, September 9, 1931).

⁴²Wylie Commission, Proceedings, X, 2-3.

their position--they would negotiate with a committee of the men but would under no circumstances recognize any union or organization in any way connected with the Red Internationale of Labour Unions.⁴³

Merkley and the Honorable J. F. Bryant, Minister of Public Works, arrived in Estevan on September 5 with the hope of bringing the disputants together. They too met with the operators, but the latter's position on meeting their employees remained unchanged. Their other efforts to get negotiations under way were equally unproductive. They failed to secure a meeting with the union. The executive informed the ministers that it would consult with them only in the presence of Sloan, who, at the time, was in Arcola visiting his sister. Sloan was reached by telephone and agreed to return to Estevan for a meeting the next day. However, a mechanical failure with his automobile prevented him from reaching Estevan until the early hours of September 7.⁴⁴ When Sloan failed to arrive, Merkley and Bryant departed for Regina in the late evening of the sixth. It would appear that Molloy also left the area at about the same time, leaving the disputants as divided as ever as the strike deadline approached.

With time rapidly running out, Mayor Bannatyne of Estevan telephoned Molloy in Regina on September 7 to discuss the advisability of some of the coal operators attending the

⁴³Ibid., 3.

⁴⁴Ibid., XI, 170.

union meeting scheduled for that evening. The deputy minister agreed it would be a wise policy and Freeman of National Mines and E. W. Garner, general manager of Truax-Traer, attended the session. However, since the other operators again did not appear, they were refused any new information relative to the miners' grievances and demands.⁴⁵ Nevertheless, the meeting was noteworthy; Loughran, the man largely responsible for the formation of the mines committee, was removed as president of the local branch of the union.⁴⁶ From the time of his arrival, Sloan seems to have maneuvered himself into a position of completely controlling the local organization. Loughran was repeatedly to refer to Sloan's gradually taking over the whole situation by simply edging out the executive elected by the mines committee, and Winn was to state: "we had no power whatsoever after Sloan came in the field."⁴⁷

One final factor must therefore be taken into consideration in dealing with the immediate causes of the strike--the antagonistic attitude of Sloan, president of the MWUC, towards a board of conciliation which might have served as an alternative to a strike. Although Molloy had discussed the invoking of such a board at the September 3 meeting with the union,⁴⁸ he telegraphed Sloan on September 7 and, in

⁴⁵Estevan Strike File, Memorandum, September 9, 1931.

⁴⁶Wylie Commission, Proceedings, XI, 258.

⁴⁷Ibid., 265.

⁴⁸Ibid., 260-61.

reference to the impending strike, stated:

Would strongly urge you advise men to observe law in such matters and that you apply immediately for board under Industrial Disputes Act for thorough investigation working conditions and that the men remain at work pending investigation.⁴⁹

The law to which Molloy referred was The Industrial Disputes Investigation Act, 1907 which declared:

It shall be unlawful for any employer to declare or cause a lockout, or for any employee to go on strike on account of any dispute prior to or during a reference of such a dispute to a board under the provisions of this act.⁵⁰

Commenting on the telegram from Molloy, Sloan stated:

We are not breaking any laws; we have a right to strike. As for a board of conciliation, our fight is right here with the operators and here we stay. That is the course the executive committee have [sic] decided upon.⁵¹

His reaction to a somewhat similar suggestion by W. W. Lynd, an Estevan lawyer, was even more explicit. When informed of Lynd's call for a conciliation board, Sloan reportedly replied: "To hell with the lawyers in Estevan, and to hell with the Conciliation Board, we don't want it and we are not going to have it."⁵²

⁴⁹Estevan Strike File, T. M. Molloy to James Sloan, September 7, 1931.

⁵⁰Canada, Revised Statutes, 1927 (Ottawa: King's Printer, 1927), p. 2522.

⁵¹Estevan Mercury, September 10, 1931, p. 1.

⁵²Wylie Commission, Proceedings, XI, 246. Because Lynd met with government officials in Regina prior to his proposing the establishment of a conciliation board to Loughran, it is possible that the proposal was made at the government's request. The proposed board was to consist of a representative of the operators, a miners' representative, and a chairman acceptable to both parties. The operators agreed to the proposition and selected Freeman as their spokesman; the union rejected the proposal. Ibid., 267-70.

The evidence would tend to indicate that Sloan's decision to reject conciliation was taken without his having consulted either the local executive or the membership.⁵³ John Loughran, first president of the local miners' union, later stated that although Sloan informed the executive of the request for establishment of a board and explained the formation and function of conciliation and arbitration boards and royal commissions, the matter of agreement or disagreement to any such body was never discussed.⁵⁴ Sloan advised the miners' committee that:

a Conciliation Board would not meet the situation, as it existed in the Bienfait coal field. Such a Board would simply commence negotiations, for the purpose of arriving at some settlement on terms, whereas, the miners wanted a thorough investigation of their grievances . . . a Royal Commission was the only means whereby they would have their grievances, and the conditions under which they had worked so long, fully brought to light.⁵⁵

Sloan's assessment of the boards provided under The Industrial Disputes Investigation Act was not entirely correct. Conciliation boards were vested with extensive powers of investigation. They could inspect books and other pertinent documents, employ expert consultants, inspect places of work, summon witnesses, and compel the submission of

⁵³According to Moar, no member or official of the mines committee was made aware of the offer of a conciliation board, "Nor were the miners aware that they were illegally out on strike." Ibid., 170-71.

⁵⁴Ibid., 249-51.

⁵⁵Ibid., 171.

evidence.⁵⁶ However, it cannot be denied that owing to what might be called a laissez-faire attitude on the part of federal authorities and to a number of difficulties inherent in the coal mining industry in Canada the Act had proved inadequate. Too much emphasis had been placed on conciliation and too little on compulsion. Administrators of the Act used sparingly their powers to subpoena witnesses and compel submission of evidence; they consistently refused to invoke the penalty clauses.⁵⁷

To conclude this discussion, one question remains to be answered: Where does one place responsibility for the coming of the strike? A royal commission examining its causes was to state: "an organization in each mine with a committee authorized to represent the men in any difference or complaint . . . would have removed much of the dissatisfaction."⁵⁸ The management of National Mines made a concerted effort to keep in touch with the men, and as a result this mine received little or no serious criticism from miners. According to Freeman, a men's committee to deal with grievances had been established prior to the organization created by Loughran and Winn. Under this system, complaints were placed before the committee at which time they

⁵⁶Canada, Revised Statutes, 1927 (Ottawa: King's Printer, 1927), pp. 2518-20.

⁵⁷B. M. Selekman, Law and Labor Relations: A Study of the Industrial Disputes Investigation Act of Canada (Boston, Mass.: Harvard University Graduate School of Business Administration, 1936), pp. 9-10.

⁵⁸Wylie Commission, Report, p. 93.

were discussed. If it were felt a matter warranted further consideration, a delegate approached management. Freeman stated that in many instances grievances were ameliorated by the committee without ever being referred to the employer.⁵⁹ The operators of the other mines would have been well-advised to have followed National's example and established mechanisms whereby labour could legitimately and easily seek rectification of any grievances. As has already been shown, their failure to take such steps prevented any form of labour-management dialogue, much to the detriment of both parties.

The position adopted by the operators regarding recognition of the MWUC also helped bring on the strike. A statement issued by the United Farmers of Canada (Saskatchewan Section) is pertinent:

It would be just as logical for the owners to refuse to negotiate with the men as unionists because they were Liberals or Conservatives as because they are Communists. . . . If, after a settlement has been effected on union lines, the owners find that any of their employees are attempting to foment discontent among the workers without just cause, and purely in the interest of a political party, then will be the time to take a stand against them as politicians.⁶⁰

⁵⁹Wyllie Commission, Proceedings, VIII, 474.

⁶⁰Leader-Post (Regina), September 19, 1931, p. 16. The UFC's support of the miners is not surprising. From its inception, it had been sympathetic to the cause of labour and frequently sent fraternal delegates to labour conventions. Inspired in part by the example of the OBU, the farmers' organization owed a special debt to labour. When the militant left-wing political-action group broke with the parent organization in December, 1930, it organized the Farmers' Unity League of Canada which was dedicated to the establishment of a farmer-labour government. Political co-operation between the two groups was advanced in 1931 when the leaders of the

Several Alberta coal operators had recognized the union as a constituted body with the authority to represent miners in any employer-employee negotiations. Despite its affiliation with the revolutionary WUL, the MWUC was registered under The Trade Unions Act.⁶¹ It would appear that the anti-union sentiment of the Saskatchewan operators was at least as important a consideration in their stand against recognition as their professed anti-Communist beliefs. Even the offer of the Coal Operators' Association to negotiate with a committee of the men is suspect. The history of labour-management relations in the Souris coalfield clearly demonstrates that any employee grievance invariably was countered with a dictatorial "if you don't like it, pack your tools and get out." Can the miners be faulted for rejecting the operators' proposal? Obviously, past experience had taught them a lesson.

It is not inconceivable that the organization of the Estevan-Bienfait miners as a branch of the MWUC, an event which gave operators the opportunity to raise the Communist issue, could have been avoided. The union's success in

fledgling Saskatchewan Independent Labour Party and the UFC (SS) agreed to work together to create a farmer-labour party with a socialist program. Duff Spafford, "The 'Left-Wing' 1921-1931," in Politics in Saskatchewan, Norman Ward and Duff Spafford (eds.), (Don Mills: Longmans Canada Limited, 1968), p. 54 and S. M. Lipset, Agrarian Socialism (Berkeley, Cal.: University of California Press, 1959), p. 84.

⁶¹Canada, Department of Consumer and Corporate Affairs, Director of the Corporation Branch to the author, June 24, 1971. The MWUC was registered by a certificate dated March 19, 1926. This certificate of registry was cancelled and considered void by the Department of the Secretary of State on August 22, 1935.

organizing the men was a victory won only by default. It was only after their representations to the Trades and Labour Congress and the All-Canadian Congress of Labor failed to produce any results that the miners appealed to the MWUC. Only the MWUC responded to the request for assistance in organizing the coal miners; only the MWUC was prepared to assume the expense of the requisite organizational activities.

Although undoubtedly politically inspired, Norman McLeod's attack on Merkley during the 1932 budget debate was not completely unfounded: "the Minister of Labor had been placed in the House by the labor union, and yet he had not sent representatives of recognized unions into the field to assist the men in joining any recognized labor body."⁶² Given its knowledge of the unrest in the Souris coalfield--much of it a result of the miners' unorganized status and consequently weakened bargaining position--the provincial government acted unwisely, to say the least, in completely ignoring the miners' request that a union organizer be sent to the district. McGrath's assertion that taking such a step was outside the jurisdiction of the Department of Railways, Labour and Industries is inconsistent with Molloy's subsequent action with reference to the possibility of securing an organizer for the shifting of affiliation of the Estevan branch of the MWUC into another organization. Writing to Perkins, Molloy stated: "I have discussed this matter on several occasions with trade union representatives

⁶²Estevan Mercury, February 25, 1932, p. 1.

in Regina."⁶³ Perhaps a little more concern on the part of the government at an early date would have obviated organization as a MWUC local and may even have prevented the September confrontation. Although two ministers journeyed to Estevan in hopes of achieving conciliation of the dispute, their pilgrimage came too late and ended too abruptly. Failing to win an immediate settlement, they deserted in the "ninth hour"--perhaps to be out of the area when trouble erupted. Basically, the Saskatchewan government's action in the whole affair was a case of too little too late.

Nor can Sloan go blameless in the matter. Can he not legitimately be accused of subordinating the aspirations of the Souris coal miners to his own aspirations of enhancing the image of the MWUC as a militant and successful labour body by insisting that union recognition be a prerequisite for any form of labour-management negotiation? Was it not he who insisted that the walkout was indeed legal and that the "only real method to settle it [the dispute] was by a strike?"⁶⁴ As president of a national union he must have understood the law governing walkouts. Sloan was obviously determined to force the struggle to its ultimate conclusion--a strike! In order to achieve his goal, he had to garner complete control of the local organization. This he

⁶³Estevan Strike File, T. M. Molloy to W. J. Perkins, December 19, 1931.

⁶⁴Wylie Commission, Proceedings, XI, 270.

accomplished by rendering the mines committee executive totally powerless. Sloan, the Saskatchewan government, and the Souris coal operators must share responsibility for the September 8 walkout.

CHAPTER VI

STRIKE LEADS TO RIOT

When mine operators in the Souris coalfield found themselves strike-bound on the morning of September 8, they were not alone in their predicament. The CPR and International Clay Products were also experiencing difficulties with their employees, the majority of them members of the Lumber and Agricultural Workers' Industrial Union which, like the MWUC, was affiliated with the WUL. A 200 man railway construction gang, engaged in laying track on the Neptune branch to replace a trestle destroyed by a tornado five miles west of Estevan, had earlier walked off the job to reinforce a demand for higher wages. On September 7 some forty workers at the clay plant had also gone on strike when G. A. Calvert refused to reinstate the thirty-five cent per hour wage rate which had existed prior to a spring reduction. When seven employees returned to work, the strikers, assisted by more than 200 striking miners, would invade the plant and refuse to leave the premises until the seven consented to rejoin their ranks.¹ The strike, complicated by management's refusal to recognize the union, would last until September 23 when, following direct negotiations between the employees' representatives and management, the restoration of the 1930

¹Estevan Mercury, September 10, 1931, p. 8.

wage schedule was conceded.²

Once the decision to strike the mines had been taken, the union executive stated the action would be maintained until such time as an agreement with the coal operators for increased wages and improved working conditions could be secured. When questioned concerning the possible duration of the strike, Sloan replied, "we are making preparations for a long ^{ie} seige, if it is necessary."³ And a lengthy one it proved to be. The strike lasted a month, involved a total time loss of 5,500 working days and affected twenty-two operators and 600 miners, 200 of whom were employed at the time.⁴

On the day the strike commenced only one mine in the Souris coalfield was in operation. Because Truax-Traer did not employ men underground and its employees were non-union, it was not directly affected by the work stoppage. Sloan intimated that the fifty men engaged in stripping coal and laying track there would be allowed to continue working despite the union's call for a 100 per cent walkout. He warned, however, that there would be trouble if any attempt were made to have the men load or ship coal.⁵ The union further stated it was prepared to permit coal to be shipped to Dominion

²Canada, Department of Labour, Labour Gazette (Ottawa: King's Printer, 1931), October, 1931, p. 1066.

³Estevan Mercury, September 10, 1931, p. 8.

⁴Saskatchewan, Department of Railways, Labour and Industries, Fourth Annual Report (Regina: King's Printer, 1932), p. 7.

⁵Leader-Post (Regina), September 9, 1931, p. 1.

Electric Power and the Estevan Hospital but would vigorously oppose any shipments destined for outside markets.⁶ Provision was also made for local supply. Soon after the strike began, the Leader-Post reported:

After a conference with union organization officials this morning [September 11], the owners of the 25 odd hillside entry mines were told that they could supply the demand for home consumption, and could also fill orders for farmers within a radius of 25 miles of Estevan. If they attempt to ship coal out of town they will be closed.⁷

As the strike progressed and the miners began to feel the effects of suspended pay cheques, appeals were made for financial and moral support, responses to which were not long in coming. The Farmers' Unity League of Saskatoon and the UFC promised full co-operation in soliciting money and food-stuffs from their members to aid the men in their struggle for a decent living.⁸ The MWUC membership, meeting in Calgary, voted in favour of telegraphing \$600.00 and promised additional funds when required. The WUL and several unions in Fort William and Port Arthur also answered the appeals for financial assistance.⁹ Such responses grew in importance when the Council of the Rural Municipality of Coalfields voted six to one against granting relief to the striking miners.¹⁰ Locally, the union arranged an extension of credit

⁶Western Producer (Saskatoon), September 17, 1931, p. 1.

⁷Leader-Post (Regina), September 11, 1931, p. 1.

⁸Ibid., September 19, 1931, p. 16 and Star-Phoenix (Saskatoon), September 15, 1931.

⁹Leader-Post (Regina), September 15, 1931, p. 16.

¹⁰Estevan Mercury, September 24, 1931, p. 5.

with Bienfait merchants which also greatly aided the strikers during their struggle.¹¹

Despite the gestures of goodwill by the union toward those in the vicinity of the coalfield who might require fuel and the sympathetic response to the plight of the striking miners by workers and others elsewhere, suspicions quickly arose that the strike might not be altogether peaceful. From the outset there was talk of instituting boycotts. Rumors of possible violence, ranging all the way from bodily injury to gunpowder plots, were also prevalent. To assist the two man local detachment in quelling any future disturbance, a squad of four RCMP officers arrived in Estevan from Regina at noon on September 8.¹² Chief McCutcheon of Estevan also took steps to prevent trouble. He warned union officials that any further threats to boycott certain local businessmen for employing non-union workers would elicit action under The Criminal Code. He also stated that he was investigating anonymous letters received by non-union labourers threatening bodily harm if they continued working.¹³ As the strike progressed and tension mounted, additional reinforcements were sent to the strike zone. A dozen RCMP under the command of Detective Staff-Sergeant Mortimer arrived and began operating twenty-four hour a day patrols throughout the district to maintain law and order. In

¹¹Leader-Post (Regina), September 15, 1931, p. 16.

¹²Ibid., September 9, 1931, p. 1.

¹³Ibid., September 12, 1931, p. 8.

addition the Coal Operators' Association engaged a private force of thirteen special constables to assist police in protecting mine property.¹⁴

Before long there were even more definite indications that serious trouble might be in the offing. The strike was not a week old when the operators intimated that they might hire new men to operate the mines. Soon afterwards a third party also thrust itself into the dispute, announcing that it would recruit 600 men in the Calgary area and move them to Estevan with the object of breaking the strike. Lewis McDonald, president of the Canadian Defenders' League, stated:

Our idea is not to reduce wages, nor encourage any form of 'scabbery' but mainly to break that strike. . . . This is the first official strike of the Red International Labor Unionists, and the Canadian defenders feel that if they are allowed to get a hold on other coal-fields, similar strikes will be inevitable.¹⁵

Organized in early 1931, the League allegedly was formed to fight the spread of Communism and to protect British subjects. McDonald, formerly a leader of the Alberta miners, telegraphed Morfit offering to supply as many men as were required to bring the strike to a halt.¹⁶ Referring to

¹⁴Regina Daily Star, September 9, 1931. The "precautionary measures" referred to in this account were in fact the employing of thirteen special constables. See ibid., September 13, 1931.

¹⁵Ibid., September 15, 1931.

¹⁶Leader-Post (Regina), September 19, 1931, p. 1. It is not clear when, or even if, Morfit received this telegram or if he made any reply. However, on September 16, the day following the first announcement of the Defenders' move, coal operators "expressed total surprise" and stated "they had conducted no negotiations to secure the relief contingent." Ibid., September 16, 1931, p. 18.

McDonald as "the biggest scab herder in Canada," Forkin said: "if he comes to Bienfait he will get what is coming to him. . . ." "You bet he will," said a striker. "He won't go back," said another.¹⁷ In the end, failure to arrange for transportation to Estevan prevented the Defenders from accomplishing their goal.

Faced with the possibility that the Defenders might invade the strike zone and that the coal operators might hire local farmers to mine coal at the various mines, union officials directed telegrams to a number of centers requesting that unemployed men be sent to the strike zone to assist the strikers in preventing the owners' use of "scab labour." Winnipeg was asked to send 1,000 men, Calgary 800, Port Arthur 500, and Regina and Saskatoon 400 each.¹⁸ Within hours of receiving an appeal for assistance, Herbert Court, secretary of the WUL in Regina, dispatched thirty-five men and promised an additional 200 if they were needed.¹⁹ The Communist Party headquarters in Regina informed the union that almost 200 men had signified a willingness to leave for Estevan at once if their services were required.²⁰ On September 18, Forkin stated that he had received assurances from Winnipeg, Brandon, and Regina that 1,400 unemployed workers would be sent to the strike zone immediately if

¹⁷Ibid., September 19, 1931, p. 16.

¹⁸Ibid., September 16, 1931, p. 1.

¹⁹Ibid., September 18, 1931, p. 22.

²⁰Ibid., September 25, 1931, p. 2.

needed to defeat strikebreaking attempts initiated by mine management.²¹

Wednesday, September 16 was a day filled with incidents--with the expectation of violence. That morning two mines, Eastern Collieries and Western Dominion, resumed operations and a third, Manitoba and Saskatchewan, appeared about to do so. In response to the operators' suggestion that they might hire new men, approximately 500, the majority of them farm youths from the surrounding district, had applied for employment. Of these, 200 reportedly commenced work at 7:00 A.M., seventy-five having been engaged on a permanent basis.²² Their careers as strikebreakers, however, proved to be of short duration. In addition to placarding many prairie centers advising labourers to keep away from Estevan during the deadlock, the strikers heavily picketed the affected mines. Hundreds of miners assembled at points where strikebreaking activities were underway, met with the workers, and demanded that management dismiss them. Almost 500 strikers surrounded the Manitoba and Saskatchewan Coal Company boarding house at Taylorton and forced the hasty departure of fifteen strikebreakers brought in to operate the mine.²³ Later the same day "the ghostly shapes of cars and lorries, each filled with striking miners"²⁴ descended on

²¹Estevan Mercury, September 24, 1931, p. 7.

²²Leader-Post (Regina), September 16, 1931, p. 18.

²³Ibid., p. 1.

²⁴Ibid., September 17, 1931, p. 2.

Western Dominion Collieries where they explained the strike situation to the imported labourers. Management, no doubt fearing an outbreak of violence, complied with the miners' demand that the men be dismissed.²⁵ A similar episode took place at the Eastern Collieries mine.²⁶ Consequently, next morning the "big six" were again closed down.

Despite the increasing number of law enforcement personnel in the district, the coal operators were dissatisfied. They evidently hoped to obtain not only police protection but also police assistance in their strikebreaking activities. At the conclusion of a conference held September 18, they issued the following statement:

The police failed utterly on Wednesday [16] when the operators attempted to start work in the mines with other labor. Otherwise the mines would have been working today. Adequate protection was promised the mining industry by the authorities in the event of such steps being taken. This protection was by no means given, and in the case of the Western Dominion Collieries, while the mob was still assembled there, police were completely withdrawn from the vicinity.²⁷

A few days later the companies asked the Attorney General for sufficient police to enable them to resume operations. In their demand, the coal operators stated:

Information spread over the country by the Communist movement of deplorable working conditions in this field is entirely false and the operators will welcome a royal commission to investigate to the fullest extent working conditions, wage schedules and all matters relative to our industries. We are compelled and must resume operations immediately and very respectfully and very earnestly

²⁵Estevan Mercury, September 17, 1931, p. 4.

²⁶Leader-Post (Regina), September 16, 1931, p. 18.

²⁷Ibid., September 18, 1931, p. 22.

request that there be provided at once ample police forces to protect life and property pending any enquiry of any kind from any source. It is our right to operate our plants and it is our right to demand the necessary police forces to ensure protection to life, property and the peaceful operation of our industries.²⁸

Their plea fell on deaf ears. The acting Attorney General, Honorable Howard McConnell, seemingly of the opinion that the Saskatchewan government was not responsible for breaking strikes, stated that the government had been and still was according the mine owners ample police protection in the Estevan district coalfield.²⁹

While the foregoing events were occurring, efforts to bring about a negotiated settlement of the strike were also taking place. On September 9 the provincial government communicated with the Canada Department of Labour and arranged to have the Chief Conciliation Officer sent to Estevan.³⁰ Provincial authorities were evidently of the belief that the strike could not last long; among other things, the rise in unemployment resulting from the depression would force the union to negotiate, at least with certain operators. As Merkley stated in a telegram to the Honorable G. D. Robertson, federal Minister of Labour:

unless union prepared to negotiate with fair operators feel strike will fail because of demands of unemployed for chance to work prompted by feeling that union not acting properly in refusing to state its demands and

²⁸Ibid., September 24, 1931, p. 1.

²⁹Ibid.

³⁰Wylie Commission, Proceedings, X, 5.

negotiate with those operators who desire to be fair to workmen. . . .³¹

Learning that a conciliation officer would be sent to Estevan, the Regina Daily Star like Merkley anticipated an early settlement.³² A few days later the provincial Attorney General also renewed efforts to have the matters in dispute referred to a voluntary board of conciliation composed of representatives from both labour and management.³³ The operators were agreeable to the latter procedure, but hopes for a quick settlement in this manner had already been dashed when Sloan, on behalf of the miners, refused to have any part of it.³⁴

On the tenth day of the strike the Mayor of Estevan and the Reeve of the Rural Municipality of Coalfields telegraphed the federal Department of Labour requesting establishment of a board under The Industrial Disputes Investigation Act and recommending that Judge E. R. Wylie of Estevan be appointed chairman. Their request was met, at least in part. On September 18 Wylie was appointed Royal Commissioner by both the federal and provincial government to investigate and report on the dispute. However, in view of the important negotiations to be undertaken by M. S. Campbell, Chief Conciliation Officer, which it was hoped would result in a

³¹Estevan Strike File, J. A. Merkley to G. D. Robertson, September 9, 1931.

³²Regina Daily Star, September 9, 1931.

³³Wylie Commission, Proceedings, X, 5.

³⁴Ibid.

resumption of work, Wylie was requested to defer his inquiry pending a report on the mediation proceedings.³⁵

Campbell arrived in Estevan on September 21 and after a brief conference with the operators obtained their assurance that if the miners agreed to return to work pending an investigation they would be re-engaged in their former positions without discrimination.³⁶ At a meeting with Campbell held on September 22, Forkin and Scarlett agreed to waive recognition of the union and resume work pending the inquiry's findings, provided certain specific grievances were rectified by negotiation between the operators and a committee of miners representing each of the mines. The operators agreed to negotiate and a meeting was scheduled for the following evening. However, owing to the miners' absence, the conference failed. On September 24 Moar and Hesketh, adopting a less compromising position than the union organizers, informed Campbell that Forkin and Scarlett had no authority to agree to terms and stated that unless further (unspecified) concessions were granted by management, the men would remain on strike.³⁷ When the operators refused to accede to any

³⁵Ibid., XI, 188.

³⁶Papers of R. B. Bennett, M. S. Campbell to H. H. Ward, September 21, 1931, Archive No. 267263.

³⁷Although as organizers Forkin and Scarlett were not in a position to negotiate on the miners' behalf, Sloan was undoubtedly aware of, and consequently concurred with, their actions. The miners, having learned by bitter experience the difficulties inherent in not being recognized as a strong union organization, probably repeated the demand for recognition by management of the local branch of the MWUC.

additional demands, negotiations collapsed and Campbell proceeded to Regina for a meeting with provincial authorities.³⁸

Testifying later before the Wylie Commission, Dan Moar stated that upon his arrival Campbell told the miners' committee that the Royal Commission could not proceed until the men resumed work. He quoted Campbell as saying that "the Government wasn't going to spend money if we wouldn't go back to work. . . ." ³⁹ When told the men would not do so, he allegedly said: "if that is your attitude I am through with you, I leave this morning."⁴⁰

The provincial government's attempts to avert the strike failed; the federal government's efforts to arrange conciliation of the dispute were unavailing. At the outset it appeared the strike would be of short duration--the differences between the operators and the men were not so

³⁸Department of Labour, Labour Gazette, p. 1066.

³⁹Wylie Commission, Proceedings, XI, 189. In a letter to T. M. Molloy dated November 13, 1931, M. S. Campbell stated: "Not only did I not say that the Royal Commission would not be proceeded with unless the men returned to work but my whole argument was based on the advantages of such Commission in fairness to all concerned." Wylie Commission, Miscellaneous Documents, No. 13.

⁴⁰Wylie Commission, Proceedings, XI, 177. T. M. Molloy, in speaking of the Chief Conciliation Officer's efforts, stated: "It was apparently Mr. Campbell's intention to have the men return to work. . . ." Ibid., X, 5. That Campbell should place perhaps greater emphasis on a return to work than on initiating conciliatory proceedings is understandable. Although The Industrial Disputes Investigation Act prohibited employees from striking without first applying for an investigation of the dispute by a board established under the Act, it failed to provide for the operation of such a board once a strike was in progress. Technically a board of conciliation could be impanelled only if the strikers could be induced to return to work.

great that a settlement was impossible. The union offered to meet management to discuss the men's grievances and negotiate a contract but the operators refused. If the employers had been dealing fairly with their employees, why would they not have welcomed a meeting to adjust any differences? They wanted instead to exclude union leaders from any negotiations, a procedure employees obviously feared. Surely both levels of government were negligent in failing to compel conciliation. Once at the bargaining table, a little concession by the operators to improve the lot of the miners coupled with a little reasoned consideration by the workers of the peculiar difficulties of the lignite industry would likely have led to an amicable settlement of the dispute. Conditions brought about by the depression would have promoted such an outcome. Instead the situation was allowed to deteriorate into violence and bloodshed.

On September 28 information was conveyed to Police Chief McCutcheon that the miners intended to hold a "nuisance parade" in Estevan the following day. The parade was to be held for the purpose of dramatizing the miners' plight in order to gain local support and to advertise a mass meeting scheduled for the evening of the twenty-ninth in the town hall at which time Anne Buller, a WUL organizer from Winnipeg, would address the assembly.⁴¹ As no application for a permit to hold the parade had been made, Mayor Bannatyne called a special session of the Town Council for the morning of the

⁴¹Estevan Mercury, October 8, 1931, p. 8.

twenty-ninth to discuss it as well as the matter of renting the hall to the strikers. After brief deliberations, Council reportedly passed the following resolutions:

That no public demonstration or parade be allowed in any public place in the Town of Estevan of strikers or operators; and that the Chief of Police and Inspector Moorhead be placed in charge to prevent any such demonstration or parade.

That in view of the present situation, it is resolved that the Town Hall shall not be rented to either the operators or strikers for the purpose of holding any public meeting, and that the parties be notified.⁴²

While the meeting was in progress, McCutcheon received a long distance call from Sloan regarding the proposed parade. Sloan was informed that Council was in session and that resolutions had been adopted prohibiting any demonstration or meeting within the limits of Estevan. When asked what he proposed to do about the parade, Sloan stated that he was not going to commit himself.⁴³ Shortly after the session adjourned, Moar, Hesketh, and McLean, members of the mines committee executive, arrived at the Town Clerk's office to pay for the rental of the hall on a previous occasion. McLean was handed a letter informing him of Council's decision to ban the meeting slated for that evening, and Moar was given a copy of a telegram which read: "The Council have resolved unanimously that no parade be allowed in the Town of Estevan nor meeting in the Town Hall."⁴⁴

⁴²Anne Buller File, Minutes of Estevan Town Council, September 29, 1931, p. 1.

⁴³Estevan Mercury, October 8, 1931, p. 8.

⁴⁴Anne Buller File, A. B. Stuart to Dan Moar, September 29, 1931.

After some discussion the committee at Bienfait concluded that while the Council might prohibit a walking parade, the resolution would not apply to a motor cavalcade. On this basis organization of the demonstration proceeded. It was not until the day following the riot that Moar received a letter confirming the contents of the telegram. The letter, dated September 29 and postmarked 10:00 P.M., contained an additional piece of important information--the police would prevent any parade or demonstration. Testifying later before the Wylie Commission, Moar was to state that until this letter had been received neither he nor anyone else was aware that Council had instructed the police to stop the parade: "Had there been any such knowledge of such an order to the police, the miners would never have attempted to hold either a parade or motor-car procession in Estevan."⁴⁵

At 1:30 P.M. on the twenty-ninth, some 200 miners, all of them evidently unaware that they would soon be confronted by the police, assembled in Bienfait intent on motor-ing to Estevan, accompanied by their wives and children, to interview Mayor Bannatyne regarding prohibition of the public meeting scheduled that evening in the town hall. At two o'clock the group departed for Crescent Collieries, three miles distant. That mine had been chosen for a rendezvous and soon cars and lorries bearing strikers and their families arrived from various points throughout the district. Here the men boarded lorries, a few of which were draped with

⁴⁵Wylie Commission, Proceedings, XI, 173.

Union Jacks, and the women and children entered automobiles for the seventeen mile journey. The caravan, consisting of thirty or forty vehicles, extending for a distance of a mile along the highway, and moving at a speed aptly described as that of a funeral cortege, then threaded its way through the idle mining district picking up recruits en route. And as it approached Estevan, banners proclaiming "We will not work for starvation wages," "We want houses, not piano boxes" and "Down with the company stores" were unfurled.⁴⁶

Meanwhile, in Estevan the police were reportedly charting strategy to prevent any violation of the Town Council's edict forbidding any parade or demonstration. They are said to have decided that should any attempt to demonstrate occur, they would concentrate their forces at the limits of the town to prevent the striking miners from entering.⁴⁷ Reinforcements had arrived intermittently during the strike, and on the twenty-ninth Inspector Moorhead had forty-seven RCMP under his command. The police were equipped with thirty rifles (100 rounds of ammunition per rifle), forty-eight revolvers, forty-eight riding crops, and four machine guns capable of firing 300 shots per minute.⁴⁸ Rumors were prevalent that the police also were holding a stock of tear gas bombs in readiness.⁴⁹

⁴⁶Leader-Post (Regina), September 29, 1931, p. 12 and September 30, 1931, p. 14.

⁴⁷Ibid., September 29, 1931, p. 12.

⁴⁸Canadian Labor Defender (Toronto), April, 1932, p. 5.

⁴⁹Leader-Post (Regina), September 28, 1931, p. 8.

Shortly before 3:00 P.M. 300 to 400 striking miners plus members of their families reached the outskirts of the town. The motorcade approached from the east and proceeded along Fourth Street, the principal thoroughfare, to Souris Avenue where twenty-two policemen formed a cordon across the street. (See Map 6.1) A Leader-Post staff reporter describes the beginning of the police-miner confrontation thus:

The first lorry, bearing about 20 or 30 men, neared the town hall. In a flash, mounted and town police, about 20 in all, strung a cordon across the street. The lorry turned down a side street, while the strikers jeered at the police. More cars followed, and the police rushed to cut off a possible entry into the city from the new vantage point.⁵⁰

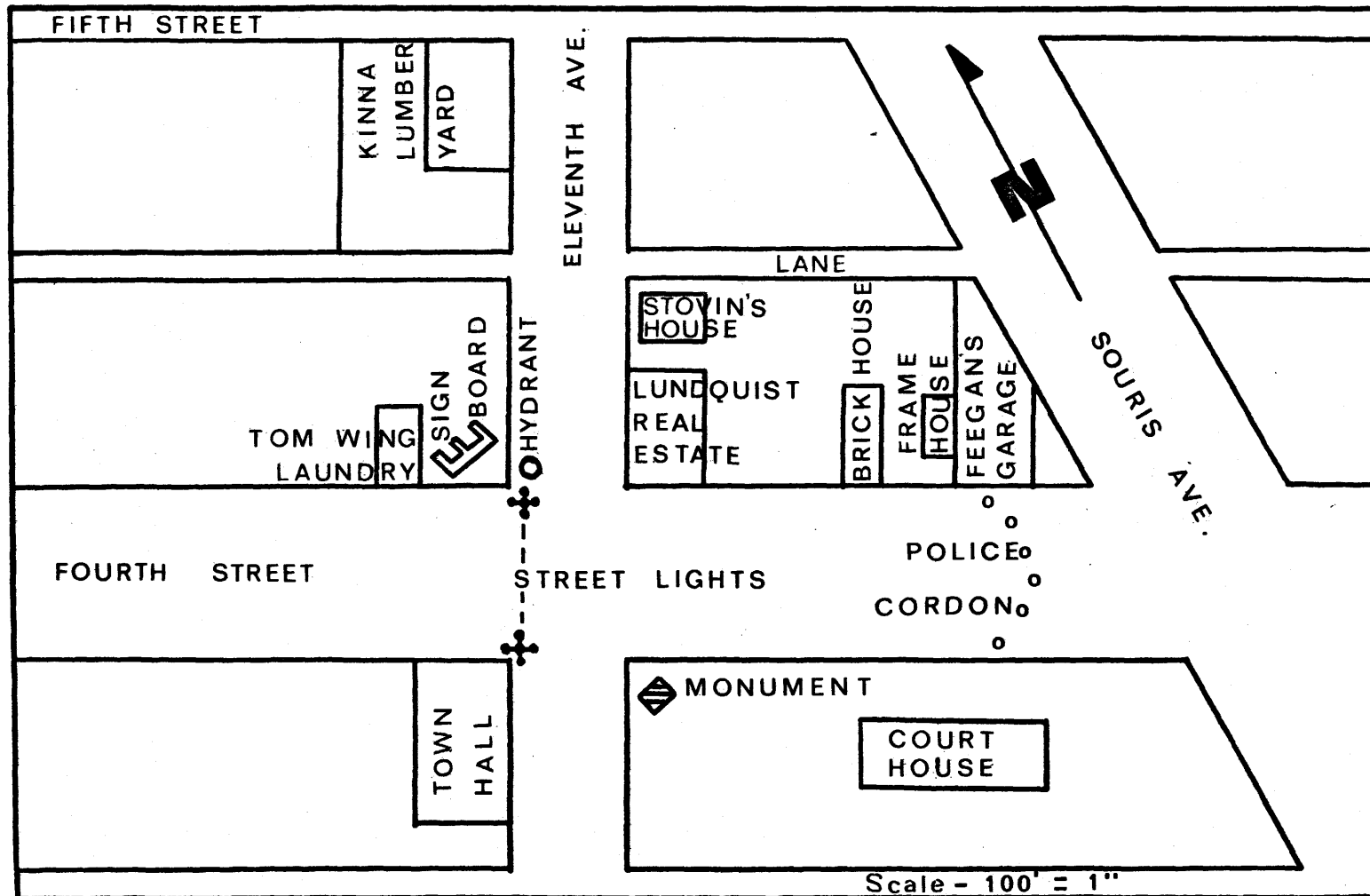
Either of two things then seems to have occurred. According to one account, while the vehicles comprising the motorcade were in the process of swinging from Fourth onto Souris, one truck left the procession, raced down Fourth Street, and broke through the police cordon.⁵¹ Strikers descended from the truck and led by Martin Day, who shouted: "Come on boys, come on, give it to them,"⁵² rushed toward the police. Chief McCutcheon first attempted to remonstrate with the miners, telling them the parade had been prohibited. But Day struck him with a club (if Day struck him at all it was probably with a piece of lathe, as one account states) and McCutcheon ordered his arrest. When two policemen seized Day to take

⁵⁰Ibid., September 30, 1931, p. 11.

⁵¹Ibid., and Estevan Mercury, February 25, 1932, p. 8.

⁵²Leader-Post (Regina), October 1, 1931, p. 9.

SCENE OF RIOT



MAP 6.1.

TOWN OF ESTEVAN

Source: AS, Estevan Judicial District, File of documents relating to the trial of Anne Buller, Exhibit P 2.

him to the police station, several strikers interfered and the battle was on.⁵³

According to the other account, that of the Canadian Labor Defence League, soon after the miners arrived:

The police attempted to stop the parade and arrest Martin Day, on the advice of Chief McCutcheon of Estevan, having previously incensed the miners by trying to break the windows of their cars with their loaded sticks. The miners defended their comrade and Chief McCutcheon, without any warning, started to shoot, followed by the Mounties.⁵⁴

Regardless of which account of how the riot began is most accurate, the following reconstruction of events of the next hour or so is common to a number of accounts, though the reliability of witnesses is open to question on certain points. Striking miners and their women, wielding clubs and throwing stones, rocks, and other missiles, now reportedly launched their assault on the police. Hopelessly outnumbered and unable to halt the advancing crowd with their riding quirts and batons, the police retreated step by step firing warning shots above the heads of the crowd and at its feet. According to the only newspaper reporter at the scene, it was not until the police, "with blood streaming down their faces from wounds caused by stones, bricks and sticks,"⁵⁵

⁵³Ibid., and Estevan Mercury, March 3, 1932, p. 5.

⁵⁴Estevan Strike File, National Executive Committee, Canadian Labor Defence League, "Protest Against Brutal Murder of Miners in Estevan." Also see Leader-Post (Regina), October 20, 1931, p. 12.

⁵⁵Leader-Post (Regina), September 29, 1931, p. 1.

stood with their backs to the wall of the town hall that they levelled their weapons and commenced shooting into the crowd.

At 3:20 P.M., in the midst of the battle, the fire brigade was called to the scene and despite the missiles hurled at them succeeded in coupling hoses to a hydrant. Their intervention, however, proved both unavailing and tragic. After a brief encounter five miners captured the equipment and prevented any widespread drenching, while one striker, armed with an axe, began smashing and chopping at the engine. He was shot dead on the spot.⁵⁶ At approximately this moment, Inspector Moorhead accompanied by a squad of about thirty RCMP arrived on the scene from Truax-Traer where trouble had been expected. The police then took the offensive and by 4:15 P.M. the mob had been dispersed, leaving in its wake some wounded, dead, and dying, and \$60,000.00 damage to store fronts, light standards, and the fire-fighting equipment.⁵⁷

The grim toll of the battle consisted of three dead and twenty-three injured. Nick Nargan, a twenty-five year old miner from Taylorton, died instantly from a bullet in the heart; Julian Gryshko, age twenty-six, died of abdominal bullet wounds.⁵⁸ Pete Markunas, a Bienfait miner aged

⁵⁶Regina Daily Star, October 5, 1931.

⁵⁷Ibid., and Papers of R. B. Bennett, T. S. Belcher to R. B. Bennett, September 30, 1931, Archive No. 267264.

⁵⁸Leader-Post (Regina), September 30, 1931, p. 1.

twenty-seven, died in Weyburn General Hospital two days later as a result of bullet wounds to the abdomen.⁵⁹ Eight other miners, John Forbeg, Louis Revay, Fred Konopachi, Tony Stankovitch, Metro Kyatick, Steve Aryluk, Mike Pulharuski and Charles Grigalis sustained bullet wounds, Kyatick and Pulharuski being shot in the back. Four bystanders, Miss L. King, Clive Butterworth, Tony Marten, and Ewald Krueger, and RCMP Constable Palmer were also injured by bullets. In addition, eight RCMP personnel and Police Chief McCutcheon were injured by weapons wielded and thrown by the strikers.⁶⁰

One death, that of Markunas, may have been the result of sheer callousness. Testifying later before the Wylie Commission, Dr. Creighton stated that he realized there would be some men wounded during the melee so he telephoned his secretary and instructed her not to allow anyone into the hospital unless payment was made to the hospital for a week in advance. The only exceptions were to be men in uniform "because the government pays the medical expenses of their own people."⁶¹ An astonishing order from a man who had been collecting \$1.25 a month for a number of years from numerous miners in the area! Moreover, the doctor's orders may have been adhered to. In an article which appeared in the

⁵⁹Ibid., October 2, 1931, p. 1.

⁶⁰Ibid., September 30, 1931, p. 1 and October 1, 1931, pp. 2 and 9, and Canadian Miner (Calgary), October 12, 1931, p. 1.

⁶¹Wylie Commission, Proceedings, X, 217.

Canadian Labor Defender, the Reverend A. E. Smith, national secretary of the Canadian Labor Defence League, wrote:

I was told a story of the wounding and death of one of the men. Shot through the body in several places, he was rushed to the hospital in Estevan in a dying condition. Entrance was refused him. Prior to his appearance at the hospital, which is a private affair conducted by a Doctor Creighton, a girl comrade had run to the hospital. 'Come, doctor!' she cried, 'a wounded man is bleeding to death on the road down here.' She was told to go to hell, and when she insisted on the attendance of this doctor, she was thrust out of the office with a kick. The dying man had to be driven by auto some 57 miles to Weyburn before he could receive any treatment. He did not last long.⁶²

The Estevan riot was a tragedy of errors. Although Council held authority under The Town Act to prohibit the proposed parade, their decision to do so proved most unwise. Parades and demonstrations designed to dramatize the plight of miners and acquire support in their fights for improved wages and working conditions were common throughout the coal mining regions of North America. Had Council issued a permit to the striking miners to demonstrate, it is unlikely that any violence or loss of life would have resulted. Although the situation in the Souris coalfield was tense, it would appear that the town authorities overreacted in banning the parade.

Nor were the strikers themselves blameless. Several miners and sympathizers were cognizant of the Council's prohibition of any parade or demonstration. McCutcheon had

⁶²Canadian Labor Defender (Toronto), March, 1932, p. 4. Since a number of injured miners were admitted to the Estevan hospital, it is possible that Markunas was taken to Weyburn because of the seriousness of his wounds and the crowded condition of the local hospital.

informed Sloan by telephone and Moar, McLean, and Hesketh had definitely been made aware of this fact at the town office. Detective Staff-Sergeant Mortimer of the RCMP alerted another man, Chester McIlvenna, the morning of the riot: "I hailed him and said 'hello' and stopped him and I said I suppose you know about the parade being stopped. He said there was going to be a parade and he said he was going to be there."⁶³ The union's parade committee obviously discussed the ban because it concluded that the prohibition would apply only to a walking parade, not a motor cavalcade. This rather interesting rationalization indicates that the strikers were intent on proceeding with the demonstration regardless of its legality. But were they determined to proceed under any and all circumstances? Perhaps they were not. Moar later testified that the parade would not have materialized had the men been aware of the fact that the local police and the RCMP had been instructed to prevent the demonstrators from entering the town of Estevan. If what he said were true, it is indeed unfortunate that the Town Clerk neglected to include this important piece of information in either of the communications he handed to Moar and McLean on the morning of September 29. And it is equally unfortunate that two of the senior men charged with carrying out the Council's decision should likewise neglect to mention the matter when they had occasion to refer to prohibition of the

⁶³ Estevan Judicial District (Hereinafter referred to as EJD), King's Bench (Criminal), King v. Chester McIlvenna et al, KB #286.

parade--Police Chief McCutcheon in his telephone conversation with Sloan and Staff-Sergeant Mortimer in his conversation with McIlvenna. If Moar spoke the truth, reference to Council's instructions would have averted a tragedy.

It would seem then that in addition to attributing an error to the Estevan Council and another to the miners' parade committee, responsibility for a third should be placed jointly on the Town Clerk, McCutcheon, and Mortimer. It would be rather farfetched to suggest that any of them would know that Council had prohibited a parade and not know of instructions to the police to enforce that decision. The very fact that a permit had to be obtained from the police before a parade could be held suggests otherwise. Moreover, the Town Clerk would have to know what went on at the Council meeting. And to suggest that one man, McCutcheon, named by Council, and Mortimer, the senior officer of the other man, Moorhead, designated by Council to enforce its decision would be told of that decision without also being told they had been called upon to enforce it is quite unreasonable. The three then were guilty of contributing to a tragedy by failing to mention something which might have averted it. Or were they? Before such an accusation is made, one must be able to account for certain rather puzzling things which occurred at Estevan on September 29. How could three men fail to mention Council's instructions to the police? How could a telegram and its letter of confirmation differ markedly in detail? How could 60 per cent of the police in the

area be absent from a place where trouble was expected strongly enough for plans to be made to meet it at the time such trouble arose? How could a police cordon be thrown across a downtown street when existing plans called for it being placed on the edge of town?

Let us begin by assuming that two statements, each of which would seem to be true on the basis of existing evidence, are in fact true. If they are indeed true one should be able to answer all the above questions. First, Council passed a resolution prohibiting parades and demonstrations and instructing the police to enforce the prohibition. Second, the Town Clerk, McCutcheon, and Mortimer knew the contents of the resolution, informed parties affected of part of its contents, and, in the case of McCutcheon and Mortimer, made plans accordingly and enforced the resolution when required to do so. Let us now test these statements against certain questions. Why would the Town Clerk, McCutcheon, and Mortimer all omit mentioning that the police had orders to prevent any parade when they had occasion to refer to Council's decision to forbid it? There are four possible answers. First, they simply forgot to mention it. That is possible but highly improbable. It is scarcely conceivable that three men directly concerned with an important, very recent development should forget exactly the same detail concerning it. Did they, then, simply decide it was unnecessary to mention the instructions to the police? Again such an explanation is possible; it would go without saying that if it were necessary to use

coercion to enforce a local government decision, that coercion would be provided by the police. But neither explanation enables one to answer the other questions. Take, for example, the letter to Moar, postmarked 10:00 P.M. confirming the copy of a telegram handed to him before the riot. If it were believed necessary to state in a confirming letter that the police had been instructed to prevent a demonstration, why was it not deemed necessary to include the information in the original telegram addressed to Moar? To use a letter to confirm something which had not been stated earlier is to adopt a procedure which places in doubt exactly what had occurred earlier. It raises the question, was the letter designed to cover up something? But before examining that possibility, let us look at the third possible explanation of why none of the three officials mentioned instructions to the police. Is it possible that they decided that it would be best not to mention it? In certain respects that is a very reasonable suggestion. Authorities in Estevan could simply have said to themselves, "Why wave a red flag before an already enraged bull?" Let us not tell the miners about instructions to the police lest it provoke them into doing things they might otherwise not do." This explanation has the dual advantage of explaining both the conduct of the three men and the difference between the Moar telegram and letter of confirmation. But it creates more problems than it solves. To begin with, it is a procedure which might not work. Council minutes are open to public inspection. Someone could have asked to see the

minutes and discovered the instructions to the police. Secondly, it involves a decision which could prove at least mildly embarrassing--a decision to compose a telegram and a letter confirming that telegram which would differ rather significantly in their details. And it raises even more serious problems. Supposing Estevan authorities reasoned along these lines, they could not have failed to consider the question of whether prohibition of the parade would be followed by a decision on the part of the miners to call it off or to proceed with it. Suppose they did this at the meeting and concluded that if they prohibited the proposed parade, the miners would call it off. Under such circumstances, including instructions to the police in the resolution would have been pointless. On the other hand, if Council concluded that the miners would likely proceed with the parade despite a ban, it is possible that instructions to the police to enforce the decision might be included in the resolution. On the surface, this seems to be the best explanation of what occurred in Council. After the meeting, the police would make plans to enforce the ban. They would have lots of time to do it. And plan they did, at least so we are told. They laid plans to halt the miners at the outskirts of town. But at this point this line of reasoning breaks down. If they had hours to plan and indeed formulated a plan to stop the miners at the edge of town, why did the men forming the cordon dash out at the last minute and spread themselves across a street in the downtown area where innocent citizens could be

killed or injured? And if they were expecting trouble seriously enough to plan for it, what on earth was the major portion of the police doing at Truax-Traer when the anticipated trouble broke out?

Since the three approaches so far attempted all lead to unanswerable questions, let us start anew with a single basic assumption on the basis of which all questions can be answered and all developments explained in a logical manner. Suppose the resolutions purported to have been passed by the Estevan Town Council on the morning of September 29 were not precisely the ones which were passed. In other words, suppose that on the afternoon or evening of September 29 the council minutes were altered by the addition of certain words. Suppose that in the morning Council passed resolutions merely stating that the parade had been forbidden and that the town hall would not be rented. The supposition is sensible. That is all Council needed to do. By refusing the miners the use of the town hall, the parade would lose much of its meaning; and by prohibiting the parade, Council had placed itself in a position to take such steps as might become necessary to prevent it. If this is indeed all the resolutions said, all questions concerning the contents of the letters handed to Moar and McLean, the telephone conversation between McCutcheon and Sloan, and the remarks passing between Mortimer and McIlvenna disappear. The other questions likewise become explicable. Therefore let us proceed on the assumption.

Evidence suggests that when Council ended its meeting

no one knew what would occur in the next few hours: would the miners cancel their parade; would they attempt to proceed with it; or would they decide to do something else, perhaps close down Truax-Traer? In the light of both the evidence and the events it seems reasonable to conclude that until early afternoon the authorities believed that serious trouble if it developed would take place at Truax-Traer rather than Estevan. Why should they expect trouble in Estevan from demonstrating miners? A prime purpose of the proposed parade had been to advertise a meeting which could not now be held in the Estevan town hall since Council had refused to rent it. Moorhead therefore kept enough of his forces (60 per cent) stationed in the vicinity of Truax-Traer to maintain law and order and left the balance in Estevan with Mortimer just in case they were needed at some other location. Early in the afternoon, authorities in Estevan learned that a large number of miners were forming a motorcade and would be coming to the community. They could not have known this until sometime in the afternoon because the miners' decision to do so and to speak to the mayor about renting the town hall was made in Bienfait "shortly after the lunch hour."⁶⁴ Somewhat later a hurried consultation among authorities in Estevan probably took place to decide what should be done. And a decision was made to call out the police to prevent the parade, a decision which perhaps envisaged stopping the miners on the edge of town. But the decision came too late. It was likely made

⁶⁴Leader-Post, September 30, 1931, p. 11.

just as the miners' lorries began reaching the edge of town. The police could not run fast enough to set up their cordon on the outskirts so they threw it up at the only place possible at such a late moment: across a downtown street. What followed was tragedy--three miners dead or dying and twenty-three other persons injured, including four bystanders struck by bullets.

Viewing the carnage, the authorities like normal individuals were doubtless horrified and frightened lest they be regarded as heavily responsible through failure to take necessary steps to head-off violence, especially violence in which nonparticipants had been struck by flying bullets. Under the circumstances they might well panic and begin asking what they could do to make themselves appear as innocent as possible and thereby place as much blame as possible on the miners. They could do a number of things, only one of which concerns us at the moment. The Council minutes could be changed to state that Council, meeting in the regular manner earlier in the day, had specifically advised the police to prevent a violation of its edict. Such a change would be very useful. It would suggest that the Town Council was an alert body of men, making specific, even if unsuccessful, provisions to safeguard the lives and property of their citizens. A copy of the altered resolution could then be mailed to Moar, indicating an intent by authorities to warn the miners that if they came to Estevan they would be met by police even though it had to be post-marked hours after what it was supposed to prevent had ended

in tragedy. Lastly, a resolution early in the day specifically advising police "to prevent any demonstration or parade" would lend substance to the claim that plans had been made to stop the miners on the edge of town even though the police offered no explanation as to why that plan was not adhered to. Only in the light of such a theory of what went on in official circles in Estevan do certain events make complete sense: the failure of the Town Clerk, McCutcheon, and Mortimer to mention Council's instructions to the police, the difference between the telegram and letter received by Moar, the ill-chosen site for the police cordon and the retaining of three-fifths of the police at Truax-Traer where it was rumoured trouble might but did not erupt rather than moving them to Estevan where plans had supposedly been made to control trouble and where the confrontation did develop. If this theory of what happened is true, the Town Clerk, McCutcheon, and Mortimer should not be singled out for criticism, but rather they together with the Town Council and Inspector Moorhead should be charged with being parties to the falsification of official records and circulation of stories with which to shift responsibility for events from themselves to the miners. It would also be in order to accuse officials of failure to plan in advance to safeguard the lives and property of Estevan citizens. Lastly, Moorhead would be open to the charge that he had not created an intelligence network capable of keeping him adequately informed of what the miners were doing. This theory may seem utterly fantastic, but it cannot

be rejected as impossible. For one thing, it cannot be disproven by the records of Estevan. There is no account of the meeting of September 29, 1931 in the minute book. All that remains as a record of this meeting is what is purported to be a copy of the minutes filed as an exhibit at the trial of Anne Buller, a document bearing no notation stating that it is either the original or a certified copy of the minutes. At the same time, other details concerning the Estevan riot tend to increase the plausibility of this theory.

Among other aspects of the riot warranting discussion are the weapons employed by the strikers during the battle. Just what they used is none too clear. "Exhibit A," introduced at the preliminary trial of the individuals charged with rioting, consisted of pieces of lead and iron pipe, an old-fashioned army rifle with a broken butt, and an impressive assortment of old automobile parts--gear wheels, pulleys, axles, shafts, and miscellaneous pieces of metal. Concerning the exhibit, the Leader-Post commented: "Judging by the size of some of the weapons, some husky men must have been in the crowd to wield them, or to throw them any distance."⁶⁵ The Reverend A. E. Smith questioned the exhibit's validity more explicitly:

I have had some conversation with workers about the notorious 'Exhibit A' which is being used in the case. This collection consists of pieces of old piping, rods and old iron, and one old, rusted axe, gathered from a scrap heap near the scene of the battle after the crowd had gone. My informant stated that after the massacre, the police were in a state of panic and began to cast

⁶⁵Leader-Post (Regina), October 13, 1931, p. 1.

about for some way out of the hole into which they had plunged. They turned to the old scrap heap in the vacant lot.⁶⁶

W. H. Heffernan, defence counsel for many of those individuals charged in connection with the riot, was equally skeptical of it. During cross-examination, he charged Chief McCutcheon with having paid a group of youths to go out and collect the junk which constituted the exhibit. McCutcheon denied the charge, stating that after the riot he had instructed Constables Band and McKay to gather up any missiles, except the stones, that had been hurled at the police.⁶⁷

"Exhibit A" provokes some interesting questions. First, is it likely that any miner would have transported an old, broken army rifle to Estevan much less have dared to throw such an object at the police? Surely any individual with even a minimal degree of common sense would realize that his chances of being shot by the nearest police officer were exceedingly great should he be seen even picking up such a weapon. Second, what criterion were Band and McKay to employ in determining which missiles had indeed been thrown at the police? There is every possibility that some of these so-called weapons were dropped, not hurled, or had in fact been lying in the street for some time.

The ambiguity of an "official" account of the confrontation provokes yet another question. Having charged the

⁶⁶Canadian Labor Defender (Toronto), March, 1932, p. 4.

⁶⁷Saskatchewan, Court of Appeal (Hereinafter referred to as SCA), *King v. Anne Buller*, CA #52.

strike leaders with failing to inform the men that the parade had been prohibited, the Honorable M. A. MacPherson, Attorney General of Saskatchewan, in an inspired bit of logic, claimed: "they were fully armed with clubs, missiles and even fire-arms."⁶⁸ If they were unaware of the ban, what possible reason could the strikers have had for departing for Estevan "fully armed"?

But armed they were, at least at one time or another. The melee began with the Day-McCutcheon affair, whatever it was, and none can deny that missiles were hurled by the demonstrators--stones, brickbats, iron washers, chunks of metal, and pieces of wood.⁶⁹ According to testimony, at least one of the miners was also armed with a revolver. A bystander alleged that he had been wounded by a shot fired by a miner.⁷⁰ Another eyewitness, Ken More, claimed that the first shot of the riot was fired by a striker: "I saw one man pull a revolver out of his pocket and fire directly towards the police before any shots had been fired by the police."⁷¹ An RCMP officer also attempted to connect one of the miners, Peter Smarz, with a revolver. What he described, if it were true, would have occurred rather late in the riot since Inspector Moorhead was present. Constable Taylor stated:

⁶⁸Leader-Post (Regina), October 3, 1931, p. 1.

⁶⁹Ibid., September 29-October 1, 1931, passim.

⁷⁰Ibid., September 30, 1931, p. 1.

⁷¹EJD, King's Bench (Criminal), King v. Isadore Minster et al, KB #285.

In company with several other officers under Inspector Moorhead we proceeded opposite the court house to the oil pump. He [Smarz] was with several others, there was a constable in the middle of the road and he shouted 'Seize that man in the black sweater he has a gun.' In running away he handed something to a woman and he was arrested as he was boarding a moving car. . . .⁷²

Like so many other things concerning the events of September 29, these statements by More and Taylor raise a number of questions. If Smarz in fact had a gun, why did the police not seize it? If they were able to apprehend Smarz in the next few moments, why did they not apprehend the woman to whom he was observed to hand something? If Smarz were in fact seen holding a gun by a member of the RCMP, why did that officer not testify when Smarz was subsequently tried? Over a score of people had been killed or wounded by flying bullets; here was the sole opportunity for the authorities to establish that some of the bullets might have come from a gun wielded by a miner. Yet they failed to do so. The fact that such a police witness did not appear at the trial cannot be explained away by his having been killed in the riot. He simply was not produced by the prosecution. Nor did More or Taylor make their accusations at the trial of Smarz. Their statements were made during the trial of four other individuals. Why were they not required to submit their evidence at Smarz's trial? As things turned out, the one man among the miners whose name was associated with a gun was sentenced to merely three months in prison at hard labour while his "mental capacity" was being observed.

⁷²Ibid.

As is frequently the case in a confrontation such as this, the police came in for a considerable amount of criticism. Heffernan accused them of being "the aggressors in the whole affair" and of having "started the riot with their riding crops."⁷³ The riot began with the attempt to arrest Day, a move by authorities which resulted in intervention by his co-workers. It is conceivable that the officers had already provoked the miners or used more force than was necessary to prevent Day's being freed. If this were in fact the case, only a thin line separates attacker from defender. Heffernan also charged that: "Several of the police . . . were young and inexperienced men who were brought here before finishing training school, and who had lost control of themselves in the fight and had started firing."⁷⁴ Thirty-four of the forty-three RCMP constables on strike duty the day of the riot had less than one year service with the force and twenty-six were only twenty-two to twenty-five years of age.⁷⁵ That several of these constables had served with the armed forces either at home or overseas does little to enhance their suitability for riot duty; soldiers are taught to shoot first and ask questions later. Did this happen in Estevan on "Black Tuesday"?

More than one policeman giving evidence at the trials stated that their revolvers were not drawn until they had

⁷³Estevan Mercury, March 10, 1932, p. 5.

⁷⁴Ibid.

⁷⁵See Appendix I for a list of RCMP stationed at Estevan on September 28-29, 1931.

their backs to the town hall.⁷⁶ John Munroe of the Estevan fire brigade, however, stated: "They [the police] were retreating to the Town Hall and firing into the ground. . . ." ⁷⁷ And Plate I clearly indicates the police had in fact drawn their revolvers prior to reaching the town hall. At the time this photograph was taken, the police had retreated from Souris Avenue down Fourth Street to Eleventh Avenue. It was evidently not until after the fire engine had been captured and a man shot that the striking miners launched their final assault on the police and drove them to the wall of the town hall.

⁷⁶EJD, King's Bench (Criminal), King v. John Kolenkas et al, KB #284. See testimony of RCMP Constables Malcolm Sutherland and John Nash and William McKay of the Estevan Police.

⁷⁷King v. Isadore Minster et al.

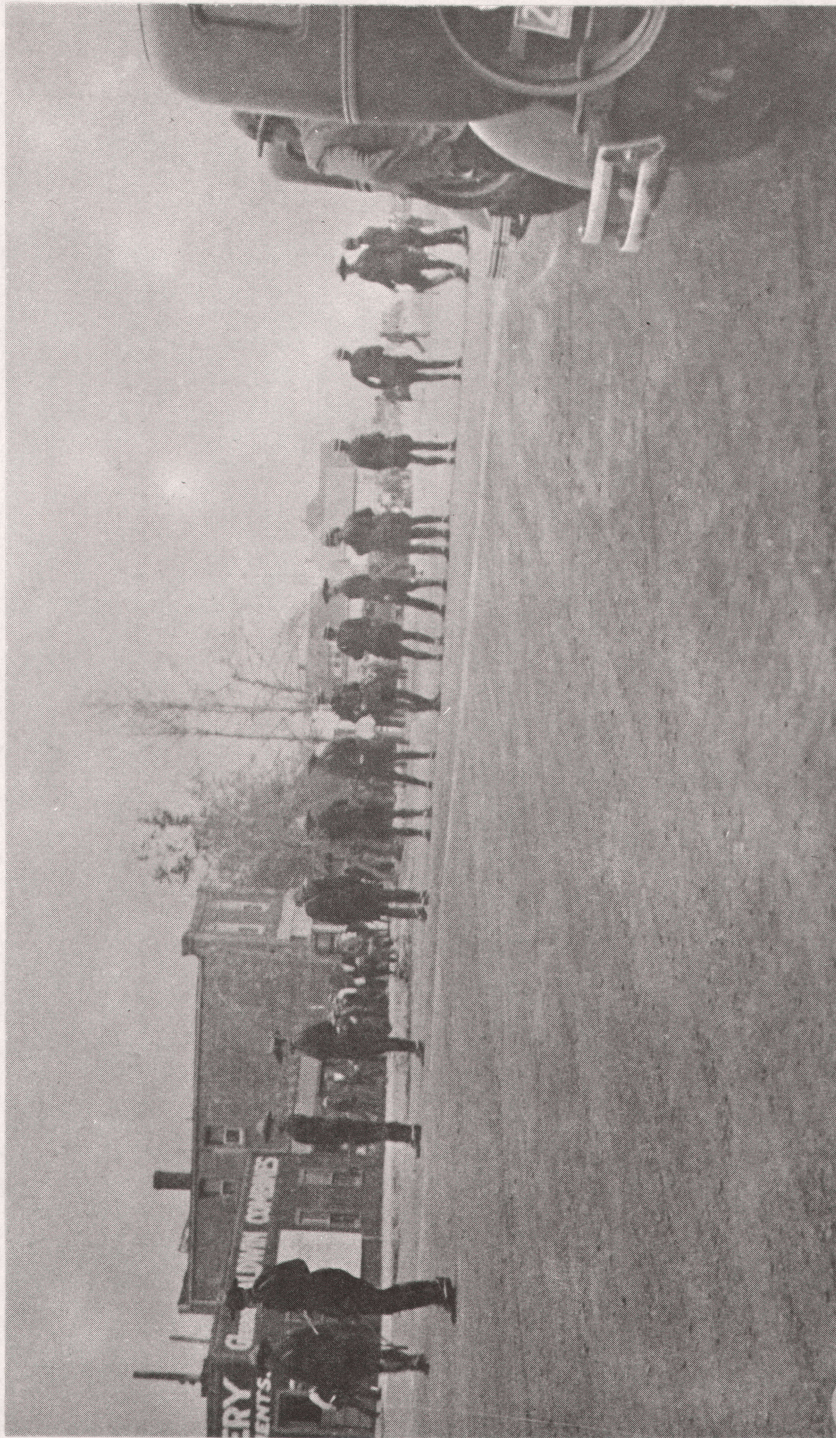
PLATE I



(Saskatchewan Archives photo)

RCMP, with guns drawn

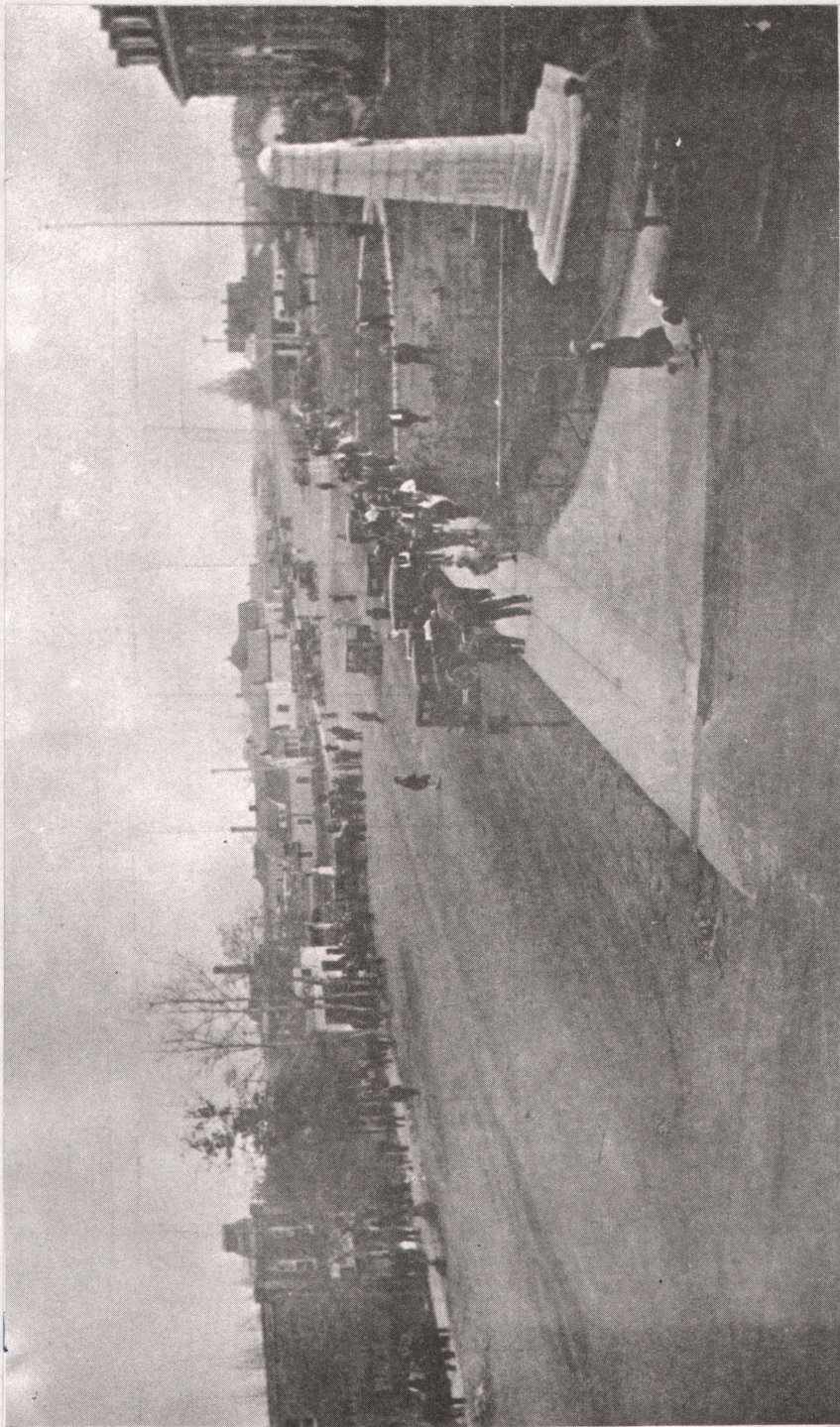
PLATE II



(Saskatchewan Archives photo)

RCMP cordon, with guns drawn

PLATE III



(Saskatchewan Archives photo)

Photo snapped during lull in the riot

PLATE IV



(Saskatchewan Archives photo)

RCMP stand with guns at the hip while fire brigade connect a length of hose
(Lady on street corner is Anne Buller)

CHAPTER VII

THE AFTERMATH: ARRESTS, TRIALS, AND FUNERALS

In the evening after the riot everything was quiet, but Estevan was like an armed camp. The RCMP, expecting reprisals from the strikers hourly, maintained a ceaseless vigil throughout the night. The Mounties, reinforced by a forty-five man contingent rushed from Regina by special train, patrolled the community and mining sites incessantly.¹ Sentries were on duty at different points throughout the town; machine guns were mounted at strategic locations; and tear gas bombs were held in readiness for any outbreak.² The night was filled with rumours that Sloan, Forkin, and Scarlett had fled Bienfait in a high-powered automobile headed north and that a large group of Alberta miners were on their way to Estevan.³ As further precautions the Estevan militia, sixty strong, was called out in case its services were required to maintain law and order⁴ and arrangements were made to move the eighty-one members of the Winnipeg Strathconas to the strike zone if they were

¹Leader-Post (Regina), September 30, 1931, p. 14.

²Ibid., October 1, 1931, p. 9.

³Ibid., October 3, 1931, p. 16.

⁴Regina Daily Star, October 5, 1931.

requisitioned by the Attorney General of Saskatchewan.⁵

In accordance with their belief that Sloan, Forkin, and Scarlett were being harboured by sympathizers in Bienfait, sixty RCMP descended upon the village at noon on the thirtieth. Armed with rifles, revolvers, quirts, and billies and accompanied by a patrol wagon on which a Lewis machine gun had been mounted, they surrounded and searched Boruk's boarding house but failed to find any trace of the three union officials. A systematic search of several miners' homes and a tour of the mining camps also failed to produce any results.⁶

Although these three leaders could not be located immediately, thirteen other men were arrested on charges of rioting and remanded for trial at a preliminary hearing in Estevan. The thirteen, R. W. Dixon, Alex Petryk, John Kolenkas, Joe Leptak, David Rowsen, Isadore Minster, Joseph Bernatos, Mike Pulharuski, Martin Day, John Gryciuk, Andy Levie, Peter Smarz, and Metro Uhyran,⁷ handcuffed and under heavy police escort, were then entrained for Regina in the early evening of October 1. Wives, sweethearts, friends, and children of the men followed the solemn procession to the railway station to offer their encouragement and to say their good-byes on a platform crowded with curious bystanders.⁸

⁵Papers of R. B. Bennett, A. G. L. McNaughton to A. W. Merriam, September 30, 1931, Archive No. 267369.

⁶Leader-Post (Regina), September 30, 1931, p. 1.

⁷Ibid., October 1, 1931, p. 9.

⁸Regina Daily Star, October 2, 1931.

When they arrived in the capital, representatives of the City Police and CPR investigation branch were on hand prepared to frustrate any attempt to release them from police custody. The arrested men were taken to RCMP station cells downtown, booked, and held over-night prior to being transferred to Regina Jail.⁹ However, their period in custody was rather brief. Solomon Greenberg of Winnipeg, engaged by the MWUC as counsel for the miners, arranged the release of eight of the prisoners within the week. The remainder were released a few days later. Day, Smarz, Minster, Bernatos and Rowsen were initially refused and then granted bail by Judge J. W. Hannon.¹⁰ Four of those arrested, Dixon, Leptak, Pulharuski and Levie, also appear to have soon had the charges against them dropped. There is no record of them ever being tried.

The total number of arrests was brought to sixteen when William Cunnah, James McLean, and Tony Stankovitch were taken into custody on charges of rioting and committed for trial on October 2.¹¹ Somewhat later still further arrests occurred. Fred Konopachi, Charles Grigalis, and Roy Buttazoni were committed for trial on charges of rioting at a preliminary hearing before Magistrate J. C. Martin of Weyburn on November 18. Each was released on \$1,500.00 bail.¹² Finally,

⁹Leader-Post (Regina), October 2, 1931, p. 15.

¹⁰Ibid., October 7, 1931, p. 2 and October 14, 1931, p. 2.

¹¹Regina Daily Star, October 3, 1931.

¹²Estevan Mercury, November 19, 1931, p. 1.

Chester McIlvenna, appearing on charges of rioting and unlawful assembly, was remanded for trial by Martin on December 15. Unable to furnish bail set at \$3,000.00, he was taken to Regina Jail to await a hearing of his case.¹³

Despite a concentrated search in Canada and the United States, police were unable to discover any trace of three other men wanted on charges of rioting and inciting to riot--Sam Scarlett, James Sloan, and Martin Forkin. Traced through a letter written by Mrs. James Sloan, Scarlett was finally arrested on C. W. Pavo's farm at Birsay, Saskatchewan on October 15.¹⁴ Judge Hannon set bail at \$10,000.00 and Scarlett was released after electing to be tried with the other prisoners on March 3, 1932.¹⁵ After "travelling all over the country," Sloan eventually surrendered to the authorities.¹⁶ Heffernan, Sloan's counsel, telephoned the Crown Prosecutor, W. J. Perkins, on November 11 and informed him that he and the fugitive would arrive in Estevan the following day, at which time Sloan would surrender for preliminary hearing. At the hearing, Magistrate Martin commented that Sloan, charged with rioting, "was undoubtedly in a position where suspicion would fall on him . . . but my feeling is that were I to commit for trial, I should be doing

¹³Ibid., December 10, 1931, p.1.

¹⁴Leader-Post (Regina), October 16, 1931, p. 1.

¹⁵Ibid., October 23, 1931, p. 2.

¹⁶Estevan Mercury, November 12, 1931, p. 1.

so on suspicion only."¹⁷ Hence he dismissed the charge and released Sloan from custody. Forkin was arrested at Pembina, North Dakota on a charge of illegally entering the United States. After his hearing at Grand Forks on June 10, 1932, he was deported and immediately arrested at Emerson, Manitoba and brought back to Estevan by Detective Staff-Sergeant Mortimer of the RCMP to face trial.¹⁸ Finding no evidence that Forkin took an active part in the riot, Magistrate Martin dismissed the rioting charge against him at the preliminary hearing.¹⁹ Meanwhile, Annie Buller had been arrested and charged with rioting and two wounded miners, Louis Revay and Metro Kyatick, for unlawful assembly.

When court opened in Estevan early in 1932, defence counsel made application to have eighteen of the twenty prisoners tried under a joint indictment. Stating their willingness to have Sam Scarlett and Annie Buller tried separately, counsel contended that the evidence in the remaining cases was so similar that a joint trial would be sufficient. The Crown, represented by H. E. Sampson and W. J. Perkins, objected to the application on the grounds that the weight of evidence would only confuse the jury and make a fair trial impossible. It was finally agreed that eighteen of the accused would be dealt with in groups.²⁰

¹⁷Ibid., November 19, 1931, p. 1.

¹⁸Leader-Post (Regina), April 19, 1932, p. 1 and June 11, 1932, p. 1.

¹⁹Estevan Mercury, June 23, 1932, p. 1.

²⁰Leader-Post (Regina), March 1, 1932, p. 13.

The first group to be tried appeared before Mr. Justice J. F. L. Embury on March 1, 1932. Counsel for the defence, W. H. Heffernan and F. J. Cunningham, entered pleas of not guilty on behalf of Day, Petryk, and Smarz, all three of whom were charged with rioting, and Bernatos who faced an additional charge of assaulting and wounding a police officer. When the jury failed to reach agreement in the cases of Day and Petryk, both men were ordered to stand trial at a later date during the March, 1932 sittings of the Court of King's Bench. Smarz was found guilty and sentenced to three months at hard labour in Regina Jail where he was to be kept under medical observation for his "mental capacity." Bernatos was also found guilty as charged and sentenced to one year at hard labour in Regina Jail.²¹

All members of the second group were charged with rioting and found guilty. Owing to their having had to be hospitalized as a result of injuries sustained during the riot, three of the accused, Konopachi, Buttazoni, and Grigalis, received special consideration. Extreme leniency was recommended for Konopachi who was bound over to keep the peace for two years on his own recognizance of \$1,000.00 and two sureties of \$500.00 each. Leniency was urged for Buttazoni as well. He was fined \$200.00 and bound over to keep the peace for two years on a personal recognizance of \$2,000.00 and two sureties of \$1,000.00 each. Gryciuk, Kolenkas, and Grigalis were each fined \$150.00 and bound over to keep the

²¹EJD, King's Bench (Criminal), King v. Martin Day et al, KB #283.

peace for two years on their own recognizance of \$1,000.00 and two sureties of \$500.00 each. Kolenkas and Gryciuk were also sentenced to two and three months respectively at hard labour at Regina Jail, a jail term being deferred in the case of Grigalis.²²

The third trial commenced on March 10 and concluded with the Crown dropping charges of rioting and unlawful assembly against Rowsen when the jury failed to agree. Minster, found guilty of rioting, was sentenced to two years less one day in Regina Jail at hard labour. Cunnah was convicted on a charge of unlawful assembly and was bound over to keep the peace for two years on a personal recognizance of \$250.00 and two sureties of \$125.00 each. He elected to serve one month's hard labour at Regina Jail rather than pay a \$50.00 fine. McLean was also convicted on an unlawful assembly charge and was given eight months at hard labour in Regina Jail.²³

In the final group trial Stankovitch and McIlvenna were acquitted on charges of unlawful assembly. Kyatick and Revay, meanwhile, were convicted on the same charge and each received suspended sentences. Both men were bound over to keep the peace for two years on personal recognizances of \$500.00 and two sureties of \$250.00 each. Day and Petryk were retried and again the jury was unable to reach a verdict. The cases were set over to the fall assizes, but the Attorney

²²King v. John Kolenkas et al.

²³King v. Isadore Minster et al.

General's department dropped all charges against the pair.²⁴
A charge of rioting laid against Metro Uhyran was also withdrawn by the Crown.²⁵

Convicted on charges of unlawful assembly and rioting, Scarlett was fined \$100.00 and sentenced to one year imprisonment in Regina Jail. Hard labour was omitted from his sentence in consideration of his health. Scarlett suffered from a severe case of sciatica which he claimed caused him very excruciating pain. Upon Scarlett's conviction, his counsel submitted a notice of appeal. Justices F. W. G. Haultain, W. M. Martin, and George Taylor heard the appeal and, although they removed the fine, they upheld the jail term imposed by the lower court.²⁶

Of the trials arising out of the Estevan riot, that of Anne Buller provoked the greatest interest. Arrested in Toronto in mid-December, 1931, Mrs. Buller was brought back to Estevan by RCMP Staff-Sergeant Metcalfe for preliminary hearing on a charge of rioting.²⁷ Magistrate Martin remanded her for trial and on February 23, 1932 W. J. Perkins, agent for the Attorney General officially charged that:

she, the said Anne Buller, at Estevan . . . on the 29th, September, A.D. 1931, with divers other persons, unknown, unlawfully and riotously and in a manner causing reasonable fear of tumultuous disturbance of the peace, did

²⁴King v. Chester McIlvenna et al.

²⁵EJD, King's Bench (Criminal), King v. Metro Uhyran, KB #291.

²⁶SCA, King v. Sam Scarlett, CA #53.

²⁷Estevan Mercury, December 17, 1931, p. 1.

assemble together, and being so assembled together, did then and there make a great noise and thereby began and continued for sometime [sic] to disturb the peace tumultuously, contrary to the provisions of the Criminal Code of Canada.²⁸

With the courtroom jammed to the limit of its seating capacity, the trial commenced at 3:30 P.M. on March 17, 1932. Mr. Justice H. Y. Macdonald presided with Sampson and Perkins appearing on behalf of the Crown and Heffernan and Cunningham for the accused. Prior to pronouncing sentence, Macdonald asked Mrs. Buller if she had anything she wished to say. She replied in a clear, firm voice:

Your Lordship, I appreciate the opportunity you grant me. I am prepared to receive your verdict and I want to state further that when I received the invitation from the miners to come and assist them in connection with their relief I felt it my duty to assist these miners. My speech on the Sunday afternoon before the disturbance was of no character to incite the crowd to riot. My intention was, and I state now on the basis of the analysis of the conditions of which I spoke, to make a speech of an educational character. As such it has since been commented upon by a number of miners. I am not of the destructive type. I aim to educate my class. Throughout my short life I have endeavored to be and I have been loyal to that class I belong to, and I emphasise to you that I did not incite, and my activities were all directed to the welfare of the men and women that toil. In some small way I have made an effort to assist the exploited workers and farmers of this country.²⁹

The trial was interesting in that a great deal more was made of a speech before a mass meeting of the striking miners at Bienfait on September 27 than of her participation in the subsequent riot. Her own statement before the presiding judge would seem to indicate that she felt obliged

²⁸SCA, King v. Anne Buller, CA #52.

²⁹Estevan Mercury, March 24, 1932, p. 1.

to answer a charge of inciting to riot rather than riotous conduct. Although several witnesses testified to her being present and even urging on women participants, no one provided conclusive proof that she did in fact actively participate.³⁰ Nevertheless, the jury found her guilty as charged and Macdonald sentenced her to one year at hard labour in the Common Gaol at Battleford and imposed a fine of \$500.00.³¹ The conviction was appealed and on November 17, 1932 Justices Turgeon, Martin, and McKenzie ordered and adjudged "that the appeal of the said Annie Buller be allowed and her said conviction be quashed."³² However, the court further directed her to stand trial at the next sittings of the Court of King's Bench in Estevan "to answer to such charge as may then and there be preferred against her."³³ On March 10, 1933 she again appeared in Estevan before Justice J. F. L. Embury on a charge of rioting. She was found guilty and sentenced to imprisonment of one year less three months and eighteen days in Battleford Jail. An appeal on this conviction was dismissed on May 9, 1933.³⁴

Despite the relatively light sentences handed out by the presiding judges, certain circumstances concerning the trials of the miners are puzzling while other events make

³⁰SCA, King v. Anne Buller, CA #52,

³¹Ibid.

³²Ibid.

³³Ibid.

³⁴Ibid.

their fairness suspect. As has already been shown, the authorities' attempt to convince the jury that a few of the miners may have been armed was a clumsy one. And there are other puzzling matters. According to what may be best called the official version of how the riot began, the blame was placed heavily on Martin Day. He was said to have struck Police Chief McCutcheon with a club. At Day's preliminary hearing at Estevan on October 1, 1931, McCutcheon and Sergeant John Molyneaux of the RCMP said Day had done so. Molyneaux said he then proceeded to arrest Day and the fight started. The following discussion concerning the subject is also reported to have taken place in the Estevan courtroom:

'Who struck the first blow?' Sergt. Molyneaux was asked. 'The first blow I saw struck was struck by Day,' replied the officer.

'It's a lie,' roared Day from the prisoner's box. He was warned to keep quiet.³⁵

Molyneaux is further reported to have said he definitely saw Day strike McCutcheon and that in the melee he also saw Joseph Bernatos (who, according to McCutcheon, was right behind Day in the rush toward the police cordon) draw from somewhere on his person a large black object, similar to a rubber club. Such an article was placed before the court as an exhibit.³⁶ However, when the charges on which Day was to be tried were drawn up on February 3, 1932, he was simply accused of rioting. Bernatos, on the other hand, was charged with both

³⁵Leader-Post (Regina), October 1, 1931, pp. 1 and 9.

³⁶Ibid.

rioting and assaulting and wounding a police officer. At their trial both McCutcheon and Molyneaux gave evidence and, according to the press, it was stated that both Day and Bernatos were seen striking McCutcheon with clubs.³⁷ As was mentioned earlier, the charges against Day were eventually dropped while Bernatos was found guilty as charged. Granted the records of these matters are sketchy, but they suggest that the police could not decide among themselves for a few days who had struck McCutcheon and hence were not consistent in presenting evidence. That such should be the case is not surprising in view of the hasty and probably even confused manner in which the police dashed about to prevent the miners from reaching the town hall.

Testifying in the case of Roy Buttazoni, Oliver McKay, Estevan town constable, reported unsuccessful attempts to secure the accused's conviction for alleged violations of The Liquor Act. When asked by defence counsel if the police were out to get Buttazoni, McKay replied: "yes, if we get the opportunity."³⁸ A sworn statement by a juror, R. J. Buckner, indicates that a rather blatant attempt to influence a jury was committed by W. W. Lynd, legal counsel for the coal operators. According to the statement, Lynd invited Buckner, Peterson, and Erickson, jurors in the case of Martin Day et al, to a hotel room for a drink and in reference to Scarlett and Buller stated, "we will have to get the whole bunch of red

³⁷Ibid., March 2, 1932, p. 9.

³⁸King v. John Kolenkas et al.

sons of bitches."³⁹ Lynd also referred to the lawyers for the defendants as "not having a ghost of a chance as they did not know the jurymen."⁴⁰ The Attorney General's repeated references to several of the accused as "radicals," "reds," "Communists," and "agitators" certainly must be recognized as prejudicial to the trials. Even Justice Macdonald seems to have exceeded the bounds of propriety in the Buller case when he said, "I do not think you will have any difficulty coming to a conclusion that there was a riot."⁴¹ Surely when an individual is on trial on a charge of rioting the presiding judge should leave the jury to determine whether or not a riot occurred on the basis of the evidence submitted by counsel during the trial.

Mr. Justice J. F. L. Embury's charge to the jury in the case of Minster et al also warrants mention. His lordship stated:

Unfortunately we are not trying the man or the men, the individuals holding positions of authority, who withheld from the miners the information that the parade was forbidden and prohibited by the town council. I am sorry that we are not trying those men. They, having received this information, should have conveyed it to their people. They knew of the resolution of the town council and it makes one's blood boil to think that they kept this information secret.⁴²

This statement is significant in that it clearly indicates

³⁹Canadian Labor Defender (Toronto), November, 1932, p. 4.

⁴⁰Ibid.

⁴¹SCA, King v. Anne Buller, CA #52.

⁴²Leader-Post (Regina), March 10, 1932, p. 12.

that Embury had formulated a conclusion about the innocence or guilt of the strike leaders (Scarlett, Sloan, and Forkin) before these men had even been brought before the courts. This action raises two important questions. First, if in one instance Embury could pass judgment on individuals who had not been brought to trial, could he not have done so in other instances. Consequently, although he displayed some sympathy for the men on trial, he could have been presiding over a case in which he had already determined the defendants to be guilty as charged. Second, because two of the presiding judges, in their charges to the jury, were obviously not unbiased, could the individuals charged in connection with the events of September 29, 1931 expect to obtain a fair trial? Given the circumstances, it is questionable whether justice could be served.

While the arrests and preparations for the foregoing trials were getting under way, those who died in the riot were laid to rest. On Sunday afternoon, October 4, in flower-covered caskets borne shoulder high by eighteen comrades and followed by a procession of 600 men, women, and children, Nick Nargan, Julian Gryshko, and Pete Markunas were buried in a common grave in the little cemetery half a mile north of Bienfait. Several mourners held aloft banners reading "They Fought for Bread, But Got Bullets Instead," "Honor to Martyrs for the Workers' Cause," and "Murdered by the Bosses' Hired Police Thugs."⁴³ The brief graveside

⁴³Winnipeg Tribune, October 5, 1931.

service, contained in the constitution of the MWUC and read by A. Gough, an official of the Canadian Labor Defence League of Winnipeg, was the only ceremony of the funeral.⁴⁴ Solemn Ukrainian funeral hymns and "Nearer My God To Thee" sung unaccompanied by the huge gathering were the only music.⁴⁵ According to Edith Fowke, the funeral prompted John Weir, a left-wing journalist, to write a song to the tune of "Kevin Barry":

In a little mining village
Scarcely noticed on the map
Bourgeois guns were turned on toilers
And their life's blood there did sap.

No one dreamed of such a slaughter
In that town of Estevan,
That armed thugs with guns and bullets
Would shoot men with empty hands.

Three more martyrs for the miners,
Three more murders for the boss--
Brutal laws to crush the workers
Who dare fight in freedom's cause.

As those miners lay a-dying
In their agony and pain,
Murmured, "Though we die for freedom,
Yet we do not die in vain.

"For the working class will triumph
If united they will stand,
They will win the world for labor
And the workers rule the land."

Come unite! Come unite!
And for freedom we will fight!
Workers of the world, awaken!
Workers of the world, unite!⁴⁶

⁴⁴See Appendix II for the text of the graveside service provided for in the MWUC constitution.

⁴⁵Leader-Post (Regina), October 5, 1931, p. 12.

⁴⁶National Affairs Monthly, VI, 4 (1949), p. 172, as cited by Edith Fowke, "Labor and Industrial Protest Songs in Canada," in Journal of American Folklore, Vol. 82, No. 323 (January-March, 1969), pp. 41-42. See Appendix III for a similar version by Cecil Boone.

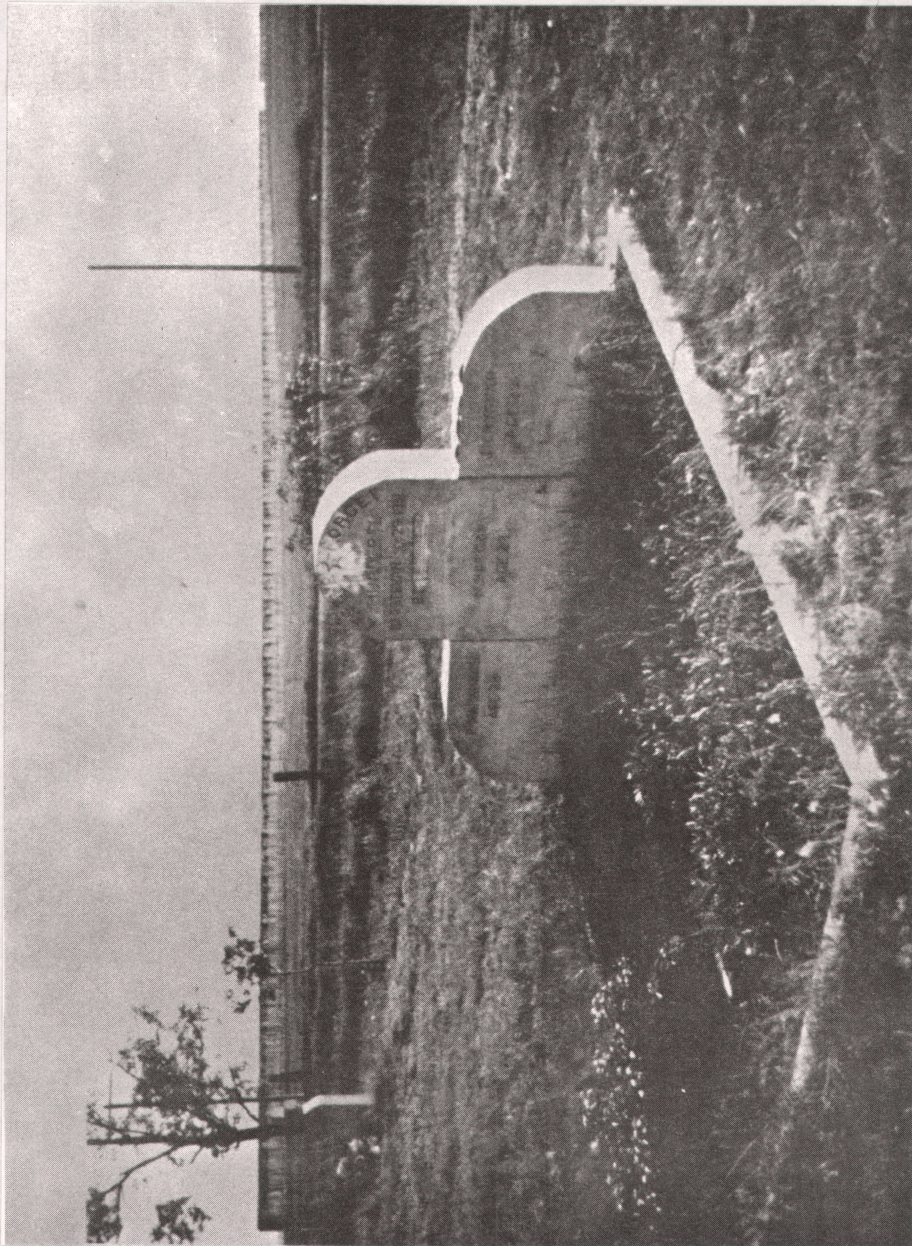
The tragic demise of these three miners produced a deep feeling of resentment against the authorities among their relatives, friends, and co-workers, a feeling probably increased by the trials and sentencing of other participants. On the first anniversary of the riot, the Ukrainian Labor Temple unveiled a monument to the three victims. The stone, bearing the phrase "Lest We Forget" and marked with a star, was inscribed with the names of the deceased and carried the inscription "MURDERED IN ESTEVAN SEP. 29 1931 BY RCMP."⁴⁷

⁴⁷Having succeeded in having the letters "RCMP" obliterated, village authorities attempted to have the objectionable word "Murdered" removed. In a letter dated September 26, 1932, A. Nelson wrote to the officials of the Ukrainian Labor Temple saying:

"I am instructed by the Bienfait Cemetery Board to order you to remove the word MURDERED from the Monument you have erected in the cemetery, on the bodies of those killed in the Estevan Riot. If this word MURDERED is not erased before September 29th, 1932, the Board will remove the Monument from the Cemetery without further notice." (Canadian Labor Defender [Toronto], November, 1932, p. 4.)

The Labor Temple refused to comply with the order and expressed a willingness to place the matter before the courts. (Leader-Post [Regina], September 29, 1932, p. 1.) Apparently nothing came of the matter--the tombstone bears the inscription to this day!

PLATE V



(Saskatchewan Archives photo)

Grave of the three dead miners

PLATE VI



(Saskatchewan Archives photo)

Headstone which marks the grave of "Black Tuesday's" victims

CHAPTER VIII

THE "SETTLEMENT" OF THE STRIKE

During the course of the strike, as mentioned previously, the Governor General in Council, under the provisions of The Inquiries Act, appointed Judge Edmund R. Wylie commissioner on September 18, 1931 "to make inquiry concerning the causes and circumstances which led to a cessation of work in various mining and other industries at or near Estevan or elsewhere in Southeastern Saskatchewan during the early part of September 1931. . . ."¹ The Lieutenant Governor of Saskatchewan, under authority of The Public Inquiries Act, issued a concurrent appointment on September 19, 1931. Although the strike had been called contrary to the provisions of The Industrial Disputes Investigation Act, the appointment was not conditional on the miners returning to work. Both governments, nevertheless, believed the men should not be pursuing both a legal and an illegal solution to the dispute simultaneously.² For this reason, Wylie was requested to defer commencement of the enquiry pending the outcome of negotiations undertaken by M. S. Campbell.³ A few days later, on September 26, after Campbell reported his efforts to effect a

¹Wylie Commission, Proceedings, I, 4.

²Wylie Commission, Report, p. 3.

³Wylie Commission, Exhibits, No. C-19.

settlement had failed, Wylie was instructed to proceed.⁴

Where academic qualifications were concerned, E. R. Wylie was probably as suitable an individual as could be found to carry out the enquiry. Born in Durham County, Ontario on December 12, 1873, Wylie, upon completion of his primary and secondary school education, enrolled in the arts program at the University of Manitoba. After graduation he studied law under J. T. Brown of Moosomin and was admitted to the Bar of Saskatchewan in 1903. Ten years later he was appointed King's Counsel and in 1914 District Court Judge, Judicial District of Estevan. In politics Wylie was a Conservative and where religious affiliation was concerned a member of the United Church. Yet one cannot but wonder how critical an observer he was. In 1931, despite having spent seventeen years in Estevan, he was evidently far from familiar with the situation in the coalfield. He was, for example, of the impression that labour-management relations were good. When Harris requested protection against any intimidation or discrimination resulting from the miners' testimony before the Commission, Wylie refused to grant it and stated that he believed any resultant grievances could be worked out between the men and the operators.⁵

Advised by telephone of the individuals who were to participate most extensively in the enquiry, Wylie at once

⁴Ibid., No. C-20.

⁵Wylie Commission, Proceedings, VI, 51-52. Also see Leader-Post (Regina), October 23, 1931, p. 11.

arranged for an organizational meeting to be held in the Estevan Court House on September 30. W. W. Lynd appeared on behalf of the operators of the six deep seam mines, W. J. Perkins as counsel for the Commission, and John Galloway, coal operator, on behalf of twenty-two of the smaller mines in the district. However, as a result of the riot, Perkins was unable to contact any representative of the miners, and the inquiry had to be adjourned until October 5. On October 3, the miners asked to have Solomon Greenberg of Winnipeg retained as their counsel, but the government refused their request. It gave as its reason the fact that Greenberg was not a member of the Bar of Saskatchewan. Perhaps this was the cause of the refusal. Nevertheless, it is equally possible that the government did not want an inquiry into the riot and feared Greenberg would press for one. If this were so, their fear was justified when, at the inquest into the deaths of the three riot victims, Greenberg strongly urged the jury to recommend a complete investigation of the whole affair.⁶ As an alternative the government agreed to provide the miners with any counsel they wished to name from the provincial Bar. The mines committee responded by agreeing that Perkins be assigned to the preparation and presentation of their case and that R. D. Newsome be appointed associate counsel to the Commission. It was further arranged that J. H. Harris be in attendance during the enquiry to instruct counsel on behalf

⁶Leader-Post (Regina), October 10, 1931, p. 2.

of the miners.⁷ These arrangements completed, the Commission adjourned to permit a conference between the coal operators and miners.⁸

The Estevan riot, with its terrible consequences in dead and wounded, served as a catalyst to bring the warring factions together in an attempt to settle the dispute. As a result of a meeting with W. J. Perkins, the striking miners expressed a willingness to negotiate with the coal operators and to formulate a temporary agreement under which they would return to work pending the outcome of Wylie's enquiry. A preliminary conference of operators and miners was quickly arranged and commenced at 11:00 A.M., October 6, in the Estevan Court House with T. M. Molloy acting as chairman. The operators were represented by C. C. Morfit and S. W. Holley (Western Dominion Collieries), A. C. M. Wilson and I. C. Thompson (Manitoba and Saskatchewan Coal), H. Wallace and E. Pierce (Eastern Collieries), R. J. Hassard, J. R. Brodie, and F. Norde (Bienfait Mines), J. F. Anderson and H. N. Freeman (National Mines), J. F. Anderson and G. A. Richardson (Canadian Coal), W. L. Hamilton and F. Newsome (Crescent Collieries), and J. G. Peterson (Shand Mine). The miners' representatives were G. Wilkinson, T. Bowman, G. Brown, and N. Guba, Taylorton Mine; F. Booth, J. Smyth, A. Eddy, and J. Gordon, Manitoba and Saskatchewan Coal; J. Harris,

⁷Wylie Commission, Report, pp. 4-6. W. H. S. Glew was appointed secretary to the Commission.

⁸Wylie Commission, Proceedings, I, 127.

H. Hesketh, G. Beatty, and J. Robertson, Bienfait Mines; E. Jones, T. Kirkbridge, and A. Konopaki, National Mines; W. Prokop, J. Adams, E. Knight, and A. Beattie, Crescent Collieries; J. Billis, A. Boruk, M. Grusha, and W. Molyneaux, Eastern Collieries; J. Tiers and W. Ashner, Shand Mine; D. Moar, president of the local miners' organization; and J. Bryce.⁹

When the meeting got under way, Dan Moar, speaking on behalf of the miners, submitted a proposed contract including a detailed wage schedule and enumerating twenty-seven conditions under which the men were prepared to return to work. The first condition called for recognition of the MWUC and the pit committees at each mine. The remaining twenty-six points dealt with specific working and living conditions.¹⁰

While this move by the miners suggests that at the conference they were prepared to bargain seriously and in good faith, it is by no means as evident that the other side was prepared to act similarly or that the miners were meeting their employers in the presence of an impartial third party. The miners placed their cards on the table by submitting a

⁹Estevan Strike File, Preliminary Agreement Resulting From Conference Of Operators And Miners Of The Bienfait (Saskatchewan) Coal Field And On Which Miners Went Back To Work Pending Final Agreement And Findings Of Royal Commission Now Holding Sitzings At Estevan (Hereinafter referred to as "Preliminary Agreement"), pp. 1-2. Because he participated in drafting the proposed contract, it is probable that the J. Bryce referred to was in fact James Bryson, an organizer for the MWUC.

¹⁰Ibid., pp. 4-6. See Appendix IV for the contract as proposed to this meeting.

proposed contract. But the operators neither submitted any proposals for a contract nor responded to the miners' representatives by indicating that they would meet certain of their proposed terms on the understanding that employees would resume work on a temporary basis. Rather they viewed the commencement of negotiations thus: "We are hopeful that . . . our meeting will result in the only solution practicable at this time and that is, the immediate return to work of the employees. . . ." ¹¹ As well, they expressed their intention to consider those miners in attendance as individuals, not as representatives of the MWUC. ¹²

Molloy apparently believed the onus was on the employees to submit proposals to settle the dispute. He failed to require any submission or commitment from the operators. Quite the contrary, he suggested that the miners present their "minimum or maximum demands" and leave all other matters to subsequent negotiation. ¹³ What was Molloy's purpose in assuming this position? Did he feel that the committee was too large a body to consider the one hundred-odd items contained in the proposed contract? Did he believe it to be the quickest method of normalizing conditions in the

¹¹ Ibid., p. 3.

¹² Ibid. The Leader-Post (Regina), October 7, 1931, p. 12, states that recognition of the union was temporarily waived by the miners and was not an issue at this meeting. However, from the statement by the operators it would appear that the miners made that decision at the meeting rather than earlier.

¹³ "Preliminary Agreement," p. 9.

coalfield? Or did he have some other purpose? Since the miners' proposed contract obviously embodied their maximum demands, the procedure could lead them into disclosing the minimum that management would have to concede to resume operations. Management could then enter negotiations aimed at a temporary return to work with a distinct advantage. They could seek to have the men compromise on their minimum rather than maximum demands. And was Molloy's approach a part of a larger plan to get the men back to work, a plan involving even the use of force? This possibility will be discussed in due course. For the moment, let us examine merely the immediate result of the procedure.

Responding to Molloy's request, the miners stated that as a minimum employers would have to agree to the appointment of checkweighers, an eight hour day, payment on a mine-run basis, water removal by company men, all wage increases being retroactive to the commencement of work, and to refrain from intimidating or discriminating against employees connected with the strike. The miners compromised on what was probably their most important demand--recognition of the MWUC was reduced to merely a demand that pit committees for each mine be a recognized organization in each mine.¹⁴ After four and one-half hours of discussion, Morfit, representing the operators, and Moar, representing the miners, signed a temporary agreement which read:

¹⁴Ibid., pp. 10-11.

We, the mine operators and employees in conference at the Court House, Estevan, this 6th day of October 1931 hereby agree that the mines be opened immediately and the men return to work on the following conditions, viz.,

- (1) That this be considered a temporary arrangement pending the findings of the Wylie Royal Commission and the possible drafting of a working agreement between the operators and the men.
- (2) That Pit committees for each mine be a recognized organization in each mine.
- (3) That the provisions of the mines Act be observed in relation to check weighers.
- (4) That all water in the roadways and working face be removed by the company and that such places be kept as dry as possible.
- (5) That the terms of any schedule or agreement finally reached between operators and men be made retroactive to the date of the re-commencement of work by the men.
- (6) That there shall be no victimization or discrimination against men on account of the strike, particularly in reference to men on the payroll on or before September 7th last.
- (7) That contract men be employed on an eight hour basis, face to face, and the company men work nine hours a day.
- (8) That because of working conditions in the various mines, the removal of slack and questions of overweight be left to negotiations between the operators and the men.¹⁵

Short congratulatory speeches, handshaking, and cheering marked the conclusion of the negotiations throughout which a spirit of understanding and co-operation was said to have been clearly manifest.¹⁶ The only point of the agreement which prompted prolonged discussion was number seven which dealt with a change in the ten hour day that was in existence prior to the strike. The men pointed out that an eight hour day for underground workers had been recommended

¹⁵Ibid., pp. 40-41. With regard to the seventh item, the men asked for an eight hour day, bank to bank. This meant eight hours from the time a miner entered the mine to the time he came back out. Eight hours face to face represented the number of hours spent working at the coal face.

¹⁶Leader-Post (Regina), October 7, 1931, p. 12.

by the League of Nations and was already ensured by legislation in many countries. They also maintained that owing to the unsatisfactory conditions and poor distribution of cars eight hours per day was a sufficient period of time to work below the surface in any of the mines, and they assured the operators that an eight hour day would increase production. The operators, citing the depressed economic conditions of the province, the reduction in realization from coal, and the fact that the existing wage schedule was based on a ten hour day, argued for a compromise of nine hours. In the end, primarily as a result of Freeman's intervention, the operators agreed to the eight hour day for all underground employees.¹⁷

While the press reported cheering at the conclusion of discussions, it is questionable whether or not the reporter was paying much attention to the miners' representatives who were present. Had he done so, he may well have detected evidence of emotions other than pleasure. There is reason to suspect that the authorities had already decided to take action which amounted to breaking the strike. By October 6 they appear to have decided to blame the troubles on "outside agitators," to remove those agitators, and consequently place the men in the position of having to meet the bosses face to face without the advice and support of union officials or individuals from outside the coalfield. Statements and speeches by individuals, members of government, police officers and others; the large number of armed police in the field,

¹⁷"Preliminary Agreement," pp. 35-36.

their presence at various meetings, a number of arrests; the conduct of meetings; the creation of a Bienfait branch of the Legion; and the trip to the strike sector by several government officials support this belief.

A number of rather suggestive events preceded the conference and the men's subsequent ratification of the October 6 agreement. On the day following the riot, the Mercury carried an open letter to ex-servicemen from Erwin R. Osler, president of the local branch of the Canadian Legion, in which Osler appealed to his comrades to disassociate themselves publicly from the MWUC organization.¹⁸ On the weekend of October 3, A. H. Graham, Overseer of Bienfait, led a delegation of returned soldiers to Regina where the Honorable M. A. MacPherson informed them that the MWUC was Communistic in its affiliations. According to the Mercury, this event marked the turning point in the dispute: the ex-servicemen reportedly returned to the coalfield and vociferously condemned the union.¹⁹

October 3 seems to have been the turning point in the dispute. It was on this day that the provincial government apparently began putting into effect what may well have been a plan to smash the miners' union, deprive them of any outside support, and silence militants. On October 3 the Premier stated that the mine strike was most unfortunate and that trouble could have been averted had not "outside agitators"

¹⁸Estevan Mercury, October 1, 1931.

¹⁹Ibid., October 8, 1931, p. 4.

been able to persuade the men not to go back to work.²⁰ On the same day, the Attorney General replied to a Saskatoon Trades and Labor Council resolution criticizing the government for its handling of the dispute. MacPherson branded the MWUC as "Communistic in its attitude, prepared to carry on a wide agitation and propaganda of the principles of revolutionary class struggles" and charged union leaders with avoiding government ministers who had endeavoured to effect a settlement of the dispute.²¹

October 6 witnessed a further unfolding of the government's apparent plan to break the strike. In addition to weakening the men's position at the bargaining table by requesting them to submit their minimum demands, Molloy, speaking at a meeting of Bienfait miners, told the assembly that their union was "Red."²² Then, on the evening of the sixth, again on the initiative of A. H. Graham, members of the RCMP quietly descended on Bienfait and arrested six alleged strike agitators from Brandon and Winnipeg on charges of vagrancy.²³ Meanwhile, although all was quiet in the strike sector, eighty-seven RCMP--almost every available man in Saskatchewan--maintained a ceaseless vigil. Every road

²⁰Leader-Post (Regina), October 3, 1931, p.2.

²¹Ibid., p. 1.

²²Ibid., October 7, 1931, p. 12.

²³Ibid., p. 1 and Estevan Mercury, October 8, 1931, p. 1. Those arrested were Mike Pereversoff of Brandon and Percy Poole, Fred Chernisky, Robert Quinn, Frank Lucas, and Orton Wade, all of Winnipeg.

leading into the district was patrolled day and night and many road blocks were erected. In one or two instances, police reportedly fired at the tires of passing automobiles when the motorists ignored a command to halt.²⁴

On the morning of October 7, the day the miners were to ratify the agreement, James Bryson, a former miner from Lethbridge and organizer for the MWUC, was arrested at the Bienfait hall where he was "alleged to have been making a statement inciting interference with guns should the miners go back to work. . . ." ²⁵ He too was apprehended on a charge of vagrancy. On that same day, T. M. Molloy, speaking at a meeting of the Estevan Branch of the Canadian Legion, outlined the provincial government's attitude to trade unions affiliated with the Red Internationale and stated that because the organization behind the MWUC was revolutionary in character it "could not be recognized by the Government."²⁶ It is little wonder that the Mercury should mention the ex-servicemen in the district, A. H. Graham, and T. M. Molloy as having been highly valuable in the cancellation of the strike!²⁷

Nor was that all. While the miners were gathering

²⁴Leader-Post (Regina), October 1, 1931, p. 9 and October 6, 1931, p.12.

²⁵Estevan Mercury, October 8, 1931, pp. 1 and 4. The reference to James Bryce is erroneous; the man taken into custody was James Bryson. Anne Buller File, Transcript of evidence in connection with the cross-examination of James Bryson, Estevan District Court, December 2, 1931, pp. 4-54 passim.

²⁶Estevan Mercury, October 8, 1931, p. 1.

²⁷Ibid., p. 4.

in Bienfait for a meeting to ratify the temporary agreement, the authorities put on a show of force. Forty armed RCMP were in attendance to ensure that only miners carrying union cards entered the meeting and "to prevent agitators from outside points getting into the meeting."²⁸ Although the police returned to Estevan before the meeting adjourned, their presence was not without effect. The miners, by an oral vote delivered before Harry Hesketh, decided 130 to 41 in favour of returning to work. The WUL alleged that out of some 400 strikers only a minority were permitted to vote on the question. According to the League, anyone whose name did not appear on lists supplied by the operators were denied the right to signify their agreement or disagreement with the temporary settlement arrived at by labour and management representatives.²⁹

Early the following morning, a patrol of forty RCMP was again on hand reportedly "to nullify possible attempts on the part of agitators at preventing the recommencement of work."³⁰ However, perhaps because all these so-called agitators were in custody, no such disturbances occurred and at 7:00 A.M. on October 8 the strike ended. Some 300 miners then returned to the pits, the shipping of coal being resumed the same day.³¹ A short time later, it was agreed that the

²⁸Ibid., p. 1.

²⁹Wylie Commission, Exhibits, No. C-24.

³⁰Estevan Mercury, October 8, 1931, p.1.

³¹Western Producer (Saskatoon), October 15, 1931, p. 7.

operators and the men would meet on October 19 to try to draft a permanent agreement covering wages and working conditions.

In an "Open Letter To The Miners Of The Sask. Coal-fields," the Saskatchewan-Manitoba District Council of the WUL despaired of the miners' decision to return to work without what it described as anything more tangible than a promise of negotiations by the coal operators. Claiming that the miners were returning to work under unbearable conditions and the "old" wage schedule, the Council stated that the operators granted several concessions in order to maneuver the men into going back to work, disrupt the union, and completely break down the demands of the miners. According to the letter, "the operators were able to gain this temporary victory over the miners by employing all the means of terrorism and treacherous betrayal at their disposal"--the Estevan police, RCMP, a royal commission, and the operators' agent T. M. Molloy, "an A.F. of L. faker."³² In a second statement, the Council also accused some members of the pit committees of betraying the miners for whom they were supposed to speak: ". . . some of them had secret meetings with the agents of the operators, without the knowledge of the men. [And they] . . . exposed their betrayal . . . by urging the men in their mines to resume work immediately . . . before the strikers themselves had voted on the question." The Council went on to claim that there were also serious irregularities in the manner in which

³²Wylie Commission, Exhibits, No. C-24.

the vote was arranged, the operators preparing the lists of voters. The miners were advised "not to be further misled by the smooth promises of the Royal Commission and the faker Molloy. . . . [to] prepare their forces to resume their struggle with renewed vigor on October 19th. . . . [to] Build up the Union. . . . [to] prepare to strike on October 20th if the demands . . . are not granted. [And to] DEMAND THE IMMEDIATE REMOVAL OF THE POLICE AND THE MILITIA. . . ." ³³

Speaking at a mass open air meeting in Regina on October 8, Tom Ewen, general secretary of the WUL, severely criticized the provincial government for attributing the labour dispute in the Bienfait-Estevan coalfield to "red influences" and "Moscow." According to Ewen, the dispute arose from local conditions, not the influences itemized by the government. ³⁴ The UFC also blamed the provincial and federal government for "condemning Communists and communism on every possible occasion" and suggested that if their object was to stamp out Communism "they can best do it by remedying such grievances as are found to exist. . . ." ³⁵

With the dispute temporarily settled and the miners back at work, the Wylie Commission sat for a couple of days and then adjourned, first because W. W. Lynd's father was taken seriously ill and then while management and employees

³³Ibid.

³⁴Leader-Post (Regina), October 9, 1931, p. 2.

³⁵Ibid., September 30, 1931, p. 1.

again conferred.³⁶ During the interval the miners maintained that they would not continue working under the "old" conditions and would demand a substantial wage increase. The operators in turn declared that they would be severely handicapped by shrinking markets and falling prices in meeting the men's demands.³⁷ Evidence also came to light that one of the companies was apparently not keeping faith with its men. In a letter to Molloy dated October 13, W. J. Perkins warned of a "fly in the ointment, which promises immediate trouble." He went on to state that according to reports reaching him, Eastern Collieries, while observing the letter of the temporary agreement, was violating its spirit, with the result that the men were again speaking of striking.³⁸ When questioned by Molloy, Herbert Wallace denied the allegations: "As usual your information from this field regarding ourselves is garbled and incorrect."³⁹

That Eastern might violate the articles of the temporary agreement is not surprising. Could not all the operators have believed that by its actions in arranging a temporary settlement the government was firmly on their side? If this were indeed the case, the operators had little to fear from the authorities even if the agreement was not fulfilled.

³⁶Ibid., October 16, 1931, p. 13.

³⁷Star-Phoenix (Saskatoon), October 17, 1931.

³⁸Estevan Strike File, W. J. Perkins to T. M. Molloy, October 13, 1931.

³⁹Ibid., H. Wallace to T. M. Molloy, October 19, 1931.

With work in the coalfield having been resumed, actions by government officials and the police to isolate the men, smash the MWUC, and keep the mines operating continued apace. On October 12, a week before the second conference was to be held, Premier J. T. M. Anderson journeyed to Bienfait and spoke as the guest of honour to those assembled at a "smoker" held in connection with the founding of a branch of the Legion in Bienfait. The Premier had not gone to the area to attempt to avert the strike, had visited neither the wounded nor the bereaved, and had not attended the funeral of the slain miners. However, he took time to make a special trip to Bienfait to mark the establishing of an organization which would assist in destroying unity among the miners. Anderson "strongly urged the men to keep away from another revolutionary movement in their organization."⁴⁰ Scarlett observed that the type of union the Premier advocated in place of affiliation with the MWUC was comparable to "a meal ticket found on the sidewalk with all the nourishment punched out of it."⁴¹

Two days later, on October 14, several of the men held in custody on charges arising from the riot were released on bail. Two of those granted bail, Isadore Minster and D. Rowsen, were evidently looked upon by the court as "outsiders." Both men were ordered to return to Manitoba and to remain

⁴⁰ Estevan Mercury, October 15, 1931, p. 1. Also see Leader-Post (Regina), October 13, 1931, p. 9.

⁴¹ Leader-Post (Regina), October 17, 1931, p. 1.

there pending their trials which were to be held at King's Bench sittings in Estevan on March 1, 1932.⁴² On October 19, against this background, the coal operators and miners met for a second time. T. M. Molloy, representing the provincial government, was also in attendance, as was W. J. Perkins, counsel to the Wylie Commission, who chaired the meeting. The operators scored two important victories before the negotiations even began. The miners' committee, stating that the public had been "kept in the dark too much already," requested that the meeting be open and the press allowed to be present. The operators, alleging that their competitors would obtain certain valuable information to be tabled during the conference, refused.⁴³ After two hours of sporadically heated exchanges, public and press were expelled. The second victory came with the expulsion of L. Maurice, vice-president of the MWUC, who had journeyed from Calgary to act in an advisory capacity to the miners.⁴⁴ Because T. M. Molloy was present at this meeting, one is led to conclude that the government favoured not only a complete news blackout but also the expulsion of what were considered "outside agitators." Negotiation on terms then commenced.

At the conclusion of the first day, a spokesman for the miners stated that the strike might resume because management appeared unwilling to grant any concessions in those

⁴²Ibid., October 14, 1931, p. 2.

⁴³Estevan Mercury, October 22, 1931, p. 1.

⁴⁴Ibid.

matters which meant more money for labour. The owners had agreed to have materials delivered by company men to places required by the miners, to a reduction in the price of blasting powder from \$3.65 to \$3.50 per keg, to refrain from discrimination against or intimidation of employees purchasing goods at private stores, to the appointment of a checkweighman at each mine, and to sell coal to miners at \$1.50 per ton rather than the former rate of \$2.00. Although the operators had agreed on October 6 to recognize pit committees of the men, they again refused any recognition of either the miners' committee or the MWUC. They were obviously as determined as ever to prevent any type of organization arising which would enable the miners to bargain collectively with all operators. Other questions still at issue were the interpretation of the eight hour day which had also supposedly been settled on October 6, a minimum wage of \$4.00 per day, and pay for timbering.⁴⁵

M. A. MacPherson, fresh from a speaking engagement the night before in Bienfait where he "exposed" the MWUC as being directly affiliated with the Communist Party of Canada, arrived in time to attend the October 20 meeting.⁴⁶ When negotiations concluded that day, both sides intimated that the outlook for a settlement was not promising. Dan Moar, spokesman for the men, stated:

I may be wrong but I do not believe the miners will

⁴⁵Leader-Post (Regina), October 20, 1931, p. 12.

⁴⁶Estevan Mercury, October 22, 1931, p. 1.

accept the terms which we will present to them at the mass meeting this evening. The terms which resulted from the conference are something better than we formerly had, but very little better, and some of the miners to whom I talked Wednesday do not favor accepting them. I have advised the executive of the miners' union to seek another conference if the miners fail to accept the terms offered them Wednesday night, and I also will advise the meeting to seek another conference rather than see another strike called.⁴⁷

In an interview with the Leader-Post, J. R. Brodie claimed that the operators had granted the majority of the men's demands regarding working conditions and had conceded a wage increase of 10 per cent. Brodie also stated that: "I am of the decided opinion that, if it were not for interference on the part of agitators from outside the province, our men would take a sane view of the situation and continue to work."⁴⁸ It was Brodie's opinion that if the strike resumed it would be owing to interference by these outside agitators.⁴⁹

In the event that negotiations failed and the strike resumed, an additional twenty-six RCMP were sent to the area on October 18 to preserve peace.⁵⁰ On October 20, yet another arrest occurred. For a second time James Bryson was taken into custody by Mortimer of the RCMP. Branded an agitator, Bryson was arrested at Boruk's boarding house and, after a brief appearance before Magistrate D. Bannatyne on October 21, was convicted on a charge of vagrancy and sentenced to thirty

⁴⁷Leader-Post (Regina), October 22, 1931, p. 20.

⁴⁸Ibid.

⁴⁹Ibid., October 21, 1931, p. 20.

⁵⁰Ibid., October 19, 1931, p. 2.

days in jail.⁵¹ An interesting aspect of this case is that before Bryson appeared in court the RCMP stated the prisoner would be "remanded for a time, until the police seek more information about him."⁵² Under these circumstances, it must be asked: Why was James Bryson arrested? Was it that he had failed to comprehend the reason for his former arrest? Should he, "an outside agitator," have interpreted that arrest as a hint to leave the area and cease taking part in labour negotiations in the Souris coalfield? Whether or not such was the case, the RCMP was living up to Inspector Moorhead's assertion that his men were "keeping close tab on the situation" and that the arrest of additional "alleged agitators" might take place.⁵³

With police still very much in evidence, the men returned to work on the morning of October 21 despite no agreement being reached at the mass meeting of miners held in Bienfait the previous evening. Many miners withdrew from the meeting upon finding that a vote on the proposed contract was to be given to everyone holding a MWUC membership card--the majority of them felt that only those men employed in the mines on September 7 should be permitted to vote.⁵⁴ The pit committees met the operators separately during the day and on the evening of the twenty-second the men voted 221 to 83 in

⁵¹Estevan Mercury, October 22, 1931, p. 1.

⁵²Leader-Post (Regina), October 21, 1931, p. 20.

⁵³Ibid.

⁵⁴Ibid., October 22, 1931.

favour of a continuation of work.⁵⁵ Although the agreement was ratified by a majority of 138 out of a total vote of 312, L. Maurice, vice-president of the MWUC, legitimately claimed:

The vote was a directly intimidated one, intimidation being carried on not only by the R.C.M.P. and the operators, but by Hon. M. A. MacPherson, attorney-general, who openly fought against the Mine Workers' Union of Canada at a Bienfait meeting which was calleod [sic] under the auspices of the Canadian Legion.⁵⁶

Maurice apparently overlooked the important role played by T. M. Molloy. Among other things, the latter presented the Leader-Post with a file of documents which further designated the MWUC as a "Red" organization.⁵⁷ If the publication of these documents failed to convince anyone that "Communists" at Estevan represented a threat to all British institutions, testimony in the case of the "Toronto Nine" perhaps succeeded. A few days later evidence placed before the Court in the trial of nine prominent Canadian Communists, including Tim Buck and Tom Ewen, charged with being parties to a seditious conspiracy, suggested that the Communist Party of Canada, through the agency of the WUL, sent Communists into Estevan to organize the men into the MWUC.⁵⁸

After the miners were back at work and the RCMP had been withdrawn, Maurice warned that "all is not clear sailing yet," and accused Molloy and MacPherson of "holding meetings

⁵⁵Ibid., October 23, 1931.

⁵⁶Estevan Mercury, October 29, 1931, p. 1.

⁵⁷Leader-Post (Regina), October 21, 1931, p. 11.

⁵⁸Ibid., November 10, 1931, p. 14.

with anxious miners and non-sympathizers to smooth the situation up in favour of the coal operators. . . ." He further charged that they had influenced "the men to vote for practically the same destitution"⁵⁹ that they had faced before the strike. Meanwhile MacPherson, referring to the "overwhelming vote of the men to accept the proposals of the operators," reported his satisfaction that the self-appointed leaders of the strike were eliminated by the men themselves. He also expressed the opinion that the miners' grievances "might readily have been adjusted by the operators had not the field been infested by members of the Red Internationale of Trade Unions and representatives of other communistic organizations."⁶⁰ The evidence already put forth clearly indicates that Maurice's appraisal of the events was much more perceptive than that of the Attorney General. It was the RCMP and the courts who "eliminated" the "self-appointed leaders" by arresting them, imprisoning them, or driving them out of the district. It was government officials who, greatly aided by the police, dedicated their efforts to eradicating all vestiges of the union.

Of the twenty-seven demands contained in the proposed contract submitted at the October 6 conference, almost all were officially granted by management. However, few were apparently conceded with any real degree of sincerity. Three conditions were refused by all six deep seam mine operators--elimination of bunkhouses, pay every two weeks, and recognition

⁵⁹Ibid., October 24, 1931, p. 16.

⁶⁰Ibid.

of the MWUC.⁶¹ This failure to obtain recognition of their union meant that the final agreement signed by the operators and their employees can scarcely be considered even a partial victory for the miners. In addition to this serious setback, certain operators refused to concede various other demands and still other items were to be adjusted at individual mines. The following terms were refused by individual operators:

Proposal No.	Refused by:
11. right of contract miners to choose partners	National and Bienfait Mines
12. extra pay for working in water	Bienfait Mines, Crescent, and Manitoba and Saskatchewan
14. free tools for men and no sharpening charges	Bienfait Mines
15. reduced charges for electric lights and continuous service	Crescent
17. all companies to have wash houses and charge men fifty cents per month for use of same	Western Dominion
20. removal of machine cuttings from mines by companies	Manitoba and Saskatchewan
23. lost or damaged cars to be responsibility of company	National and Bienfait Mines, Western Dominion, and Crescent
27. pay for over-shovelling	Bienfait Mines, Crescent, and Manitoba and Saskatchewan ⁶²

With the dispute supposedly settled and the men back at work in the district's coal mines, Judge Wylie reopened

⁶¹Wylie Commission, Exhibits, No. C-21, and O-83, -86, and -89, and ibid., Miscellaneous Documents, No. 2 and 12.

⁶²Ibid. See Appendix IV for a more complete explanation of the demands the operators of these mines refused to meet.

the public hearings which continued for about three weeks. By the time its work was completed on November 17, 103 witnesses had appeared and given 2,533 pages of testimony and evidence.⁶³ In addition to these proceedings, thirty-seven exhibits were entered on behalf of the Commission, ninety by the coal operators, and thirteen by the miners. Miscellaneous documents numbering twenty-two were also filed with the Commission. Wylie then proceeded to complete his report which was transmitted to the Governor General of Canada and the Lieutenant Governor of Saskatchewan on January 25, 1932. That report, consisting of 147 pages, dealt in considerable detail with each aspect of the dispute in the six deep seam mines as well as with matters generally applicable to all lignite mines in the Souris coalfield.

The report submitted by Commissioner Wylie presented seventeen recommendations designed to enhance the various aspects of the Saskatchewan lignite industry.⁶⁴ In his first two recommendations, Wylie advocated that the October 19-20 agreement continue in force until September 1, 1932 and that during the summer of that year a new wage schedule be formulated at a conference of the coal operators and miners. In recommendations 3, 4, and 5, the Commissioner advocated payment on a mine-run rather than screened-coal basis, payment for additional timbering in any abnormal conditions, and a

⁶³See Appendix VI for a list of witnesses appearing before the Royal Commission.

⁶⁴See Appendix VII for the recommendations of the Royal Commission.

differential wage scale for a partnership consisting of an experienced and an untrained miner.

Having put forth his conclusions regarding the wage schedule, Wylie turned his attention to health and sanitation in recommendation number 6, to living conditions in number 7, and to working conditions in numbers 8-11. He advocated better enforcement of health regulations, repair and maintenance of company houses, a sufficient supply of good drinking water, a more thorough inspection of the mines and a more detailed inspector's report, strict enforcement of The Mines Act and accompanying regulations, and a regular inspection of all tipple scales.

Recommendations 12, 13, 14, and 16-a pertained to the marketing of Saskatchewan coal. The Commissioner advocated that: specific heat values and other properties of all coal mined in the province be ascertained by government analysis; these values and properties also be established by the same method for coal produced by all mines with a specified annual ton output; coal produced by these mines be sold under a trade name; and that the Canada Fuel Board re-examine the existing subvention rate.

A deputation from the Bienfait Branch of the Canadian Legion, consisting of A. H. Graham, E. Pierce Jr., K. G. John, G. Richardson, L. C. Moffatt, and P. Prescott, stole part of the Commission's thunder with respect to these recommendations when it interviewed the provincial government in mid-January, 1932. Arguing that the deep seam mines, employing a maximum

of hand labour, were being put at a distinct disadvantage by the highly mechanized stripping mines, the delegation requested the government to purchase all coal for the Relief Commission from the deep seam rather than strip mines in the Souris coal-field, to purchase coal for government buildings from the deep seam mines, to stabilize the price of coal in Saskatchewan to ensure fair profits to the mine owners and fair wages for miners, to test the various Saskatchewan coals to determine officially their value in heat units and publicize the results, to enact legislation prohibiting misrepresentation of coal value by dealers, and to request the federal government to pay a coal subvention only to deep seam mines.⁶⁵ The ministers informed the deputation that the government was already buying coal for public buildings from the deep seam mines insofar as was possible and that all other requests would be taken into consideration pending the findings of the Wylie Commission.⁶⁶

The question of the provincial government patronizing Saskatchewan coal mines was brought up on a number of occasions during the Commission hearings. George Richardson of Canadian Coal reported that the Saskatchewan Power Commission plant in Saskatoon used Saskatchewan coal during the summer months and Alberta coal in winter because the Tofield mines provided the plant with slack at fifty cents per ton. He said his impression was that "the Power Commission was not concerned about the prices in the [Souris] field, or the mines being kept up

⁶⁵Leader-Post (Regina), January 19, 1932, p. 1.

⁶⁶Ibid.

or not, or anything else; all they were looking [sic] was keeping the cost down."⁶⁷

W. L. Hamilton and H. N. Freeman also found fault with the government's system of purchasing coal by tender. This practice resulted in heightened competition within the Souris field and forced the realization from lignite even lower. Hamilton claimed that for some time the provincial government had been purchasing coal for less than the cost of production.⁶⁸ Freeman's statement was typical of that of several deep seam operators:

I think we, as tax-payers in the Province, and in the Dominion, also the men that are working for the tax-payers . . . should have protection, and that the Government should give us a living price, or a fair price for our coal, and enable the operator, who has spent his money to develop the coal mine and to build up industry in the Province . . . to get some of that money back, and possibly make conditions a little better for the workmen than they are at the present time.⁶⁹

Apparently the government was persuaded by the operators' arguments. Honorable J. F. Bryant reported that as a result of exhaustive tests at the Weyburn mental hospital the supremacy of lignite "has been established beyond all dispute."⁷⁰ He also stated that the government was paying \$2.55 instead of the former rate of \$2.30 per ton and that it was the government's intention to divide its purchases among all Saskatchewan mines as fairly as possible on the basis of the

⁶⁷Wylie Commission, Proceedings, VIII, 501.

⁶⁸Ibid., X, 179.

⁶⁹Ibid., VIII, 445.

⁷⁰Estevan Mercury, December 10, 1931, p. 1.

number of men employed.⁷¹ In the Throne Speech the Lieutenant Governor also announced that his government "has continued to conduct tests of Saskatchewan lignite and has circulated copies of reports on such tests among the combustion engineers of the Dominion, particularly those engineers interested in the construction of coal-burning equipment."⁷²

Judge Wylie also advocated some twenty-five amendments to The Mines Act in recommendation number 17. These pertained to the licensing and certification of mine employees, wages, hours of work, ventilation, safety measures, mine inspections, first aid facilities, and wash facilities. As a result, on March 17, 1932 the Minister of Labour introduced Bill No. 64, an act to amend The Mines Act, in the Saskatchewan Legislature.⁷³ The Bill was given second reading on the twenty-eighth and referred to the Select Standing Committee on Law Amendments.⁷⁴ Royal assent was granted and The Coal Mines Safety and Welfare Act became effective November 1, 1932. Almost without exception, the amendments advocated by the Wylie Commission became law under the new legislation. Its passage, however, was not unopposed. On March 31 a delegation of miners' representatives and coal operators representing both the large and small mines of the Souris field

⁷¹Ibid.

⁷²Saskatchewan, Legislative Assembly, Journals, 1932 (Regina: King's Printer, 1932), p. 10.

⁷³Ibid., p. 84.

⁷⁴Ibid., p. 105.

appeared before the amendments committee. The operators strenuously objected to several clauses in the proposed legislation. Making it compulsory for all miners to hold certificates would, they claimed, prevent farmers from obtaining employment in the mines during the winter season, necessitate importing labour during the busy months, and create unemployment during the slack periods. Ordering all mines employing less than six men to provide a certified manager would mean that many owners who managed their own mines would have to close. Paying the men every two weeks would be impossible because coal was sold on terms of thirty, sixty, or ninety days. Finally, instituting an eight hour day would in fact result in a working day of seven hours or less because the miners would be paid from the time they reached the shaft until the time they returned to the top.⁷⁵ Although their protestations resulted in a minor amendment to the clause relating to certification of miners working at the coal face, the operators failed to convince the committee that their objections to the proposed legislation were valid.

Charged with enquiring into and reporting on the labour dispute involving the coal operators and miners of the Souris field, the Royal Commission fulfilled its duty admirably. Virtually every aspect of the dispute received thorough examination. With the capable assistance of a number of expert consultants, the financial position of the industry and the wages, working, and living conditions of the employees

⁷⁵Estevan Mercury, March 31, 1932, p. 1.

were duly ascertained, analyzed, and reported. The task was by no means an easy one. A vast quantity of statements, reports, statistics, and testimony--much of it contradictory--had to be assembled, correlated, and interpreted. This the Commission did, as is evident from the concise and precise report it submitted to the federal and provincial governments.

The recommendations submitted by Commissioner Wylie clearly indicate that he accepted the evidence put forth by the miners to substantiate their grievances of September, 1931. Without exception, his suggestions, if accepted by the federal and provincial government and put into effect, were designed to improve the lot of coal miners in Saskatchewan. Wylie advocated an improved wage schedule, better working conditions in the mines, and more congenial living conditions. Even his recommendations pertaining to the marketing of Saskatchewan lignite would benefit the miners indirectly. Nevertheless, Wylie failed to provide for what was undoubtedly the most important single factor which could ensure a decent standard of life for the Souris coal miners--union organization. The testimony before the Commission of miners and operators alike should have convinced him that pit committees could not possibly serve the men as well as union organization. Apparently the evidence he heard failed to convince him that a strong voice representing the miners was required. By not recommending that they be permitted to organize into the union of their choice and that management be compelled to recognize such an union, Wylie left the miners in essentially the same unhappy

position they had previously occupied.

It is equally unfortunate that the Commission was not also endowed with the requisite powers to undertake a thorough investigation of the riot. When the question of an enquiry arose during the Commission's public hearings, Judge Wylie stated that: "Unless there is some particular demand of investigation [sic] those riots, I wasn't intending to do it. In that case I will get instructions from the Government to extend the scope of the Commission."⁷⁶ Why was the Commissioner not requested by authorities to enquire into and report on the events which precipitated the violence of September 29? In the light of the evidence, it would appear that the authorities believed it was in their interest to suppress the facts in order to ensure that the public would remain totally ignorant of the official blunders which were in part responsible for the tragedy. Although the cases brought before the courts shed a certain amount of light on the causes and events of the September 29 melee, a full investigation undoubtedly would have removed much of the mystery which surrounds a number of aspects of the confrontation.

In retrospect, it is quite clear that the October conferences settled little--labour-management relations improved only negligibly. Before the end of 1931, it appeared that another strike would be called at Eastern Collieries owing to violations of the final agreement. Working conditions improved but were still not satisfactory and discrimination continued.

⁷⁶Wylie Commission, Proceedings, X, 218.

A strike in the early part of 1932 led to arrests and trials at which the courts continued to favour management. Finally, deportation of and refusal to grant naturalization to militant miners also occurred.

Shortly before the Commission permanently adjourned, a confidential report submitted by J. Raffles Cox, an engineer with the Dominion Fuel Board, indicated that all was not well in the Souris coalfield. Upon inspecting the six deep seam mines in early November, 1931, Cox observed that working conditions at Manitoba and Saskatchewan Coal were good but that the attitude of the men was not entirely satisfactory, that conditions were fairly good at Western Dominion Collieries, as was the general feeling of the miners, that the general attitude was antagonistic at Bienfait Mines where conditions were only fair, that attitudes were good at Crescent Collieries despite conditions being only fair, that conditions were good and attitude excellent at National Mines, and that the general feeling amongst the miners at Eastern Collieries was surly and unpleasant, working conditions being poor.⁷⁷

That the attitude of the miners at Eastern Collieries was "surly and unpleasant" is not surprising. As was pointed out earlier, only a few days after the temporary agreement had been signed certain miners charged that its provisions were being abrogated by this company. Then, only a few weeks after the so-called permanent agreement had been signed, reports indicated that conditions were such that another strike appeared imminent.

⁷⁷Wyllie Commission, Exhibits, No. C-68.

When shown a sworn statement regarding a proposed strike at Eastern, the Minister of Railways, Labour and Industries directed a memorandum to his deputy on December 7 saying: "these people will have to be told, and told decisively, if they are not prepared to live up to their agreement the Government will have to step in and see that the miners are treated on a fair and reasonable basis."⁷⁸

Although the December, 1931 strike was averted, 1932 witnessed a continuation of labour unrest in the Souris coal-field. In the latter part of February, five employees of Crescent Collieries walked off the job. The five men, Martin Day, John Propoff, Harry Schytitcka, and Alex and William Peattie, the pit committee at this mine, left the job because a checkweighman (James McLean) appointed by the miners had not been allowed to take his place at the mine. Because he had not been previously employed by the Crescent operators, he was ordered off the property. The five strikers were arrested and charged under Section 57 of the Industrial Disputes Investigation Act.⁷⁹ All were released on \$50.00 cash bail each by Magistrate J. C. Martin.⁸⁰ Rumours of a general sympathetic strike arose, but it did not take place. However, about 150 men representing all employees of Bienfait Mines and Crescent Collieries and three-quarters of the miners

⁷⁸DNR, Coal Administration Branch, Mine Strikes and Disputes, J. A. Merkley to T. M. Molloy, December 7, 1931.

⁷⁹Leader-Post (Regina), February 23, 1932, p. 1.

⁸⁰Ibid., February 25, 1932, p. 1.

at Eastern Collieries went out in sympathy with the five-man strike party.⁸¹

An interesting sequel in this dispute was the subsequent arrest of W. L. Hamilton, owner of the Crescent mine, on a charge under The Mines Act of unlawfully causing the removal of a checkweighman appointed by the men at his mine.⁸² Appearing before Magistrate Martin on March 5, Hamilton was freed on the charge against him. His employees, on the other hand, were given the alternative of a \$20.00 fine each or twenty-one days in jail. At the conclusion of the trial, Wilfrid Heffernan, counsel for the five Crescent employees observed: "The Mines Act is a piece of class legislation designed for the protection of the coal barons of this district."⁸³

That labour-management differences remained unresolved during the next few years is evident from the records of the Royal Commission on Coal, 1934. Several miners testifying before Commissioner W. F. A. Turgeon reported that many of the terms of the October 22, 1931 agreement had been and were being abrogated:

⁸¹Ibid. Twenty-six miners at National Mines went on strike for a few hours, but on a purely individual matter. It was alleged that certain men at this mine were not union members. The dispute was quickly settled by the miners themselves. Ibid., February 23, 1932, p. 1.

⁸²Estevan Mercury, March 3, 1932, p. 8. Information against Hamilton was laid by Alex Peattie.

⁸³Ibid., March 10, 1932, p. 1.

Proposal No.	Abrogated by:
2. eight hour day	Bienfait Mines and Western Dominion
3. right of miners to appoint a checkweighman	Crescent and Eastern
12. extra pay for working in water	Western Dominion
15. reduced charges for electric lights and continuous service	Bienfait Mines
16. rent charges and repair of houses by company	Bienfait Mines and Crescent
17. all companies to have wash house and charge men fifty cents per month for use of same	Crescent and Eastern
19. removal of clay and blackjack from mines to be paid for by company	Crescent and Western Dominion
20. removal of machine cuttings from mines by companies	Bienfait Mines and Eastern
21. handling of rubbish and waste from mines to be borne by companies	Crescent
22. water removal by company	Crescent and Western Dominion
25. wrecked cars of coal to be paid for by company at average weight of such cars	Crescent
26. companies to supply chalk free of charge	Crescent and Eastern ⁸⁴

As previously mentioned, a delegation of miners met with the law amendment committee of the provincial Legislature

⁸⁴AS, Saskatchewan, Royal Commission on Coal, 1934, Proceedings, XV, 195-214 (Bienfait Mines); XIX, 7-31 (Crescent Collieries); XIX, 74-111 (Eastern Collieries); and XIX, 123-31 (Western Dominion Collieries). See Appendix IV for a more complete explanation of the items abrogated by these mines.

in April, 1932 to discuss proposed amendments to The Mines Act. At that time, two members of the delegation, Harris and Hesketh, put forth charges of discrimination on the part of coal operators in the Souris coalfield against miners who took an active part in the strikes in that area.⁸⁵ Reporting on the matter of discrimination, D. A. Niven, Counsel for the Turgeon Commission, stated that the men involved in the 1932 strike were prejudiced in the eyes of the employers and that any possibility of a union of the men had been totally eliminated. One man involved in that strike was later unable to obtain naturalization papers. Some twenty others had been unable to obtain employment since the February wildcat strike. Referring to the 1931 dispute, Niven stated that practically all the miners prominent in the strike were no longer in the employ of these mines, that one leader had been unable to obtain employment in the field since that time, and that another leader had been deported.⁸⁶

Several disputes of varying magnitude occurred during the period 1932-1949, the majority of which involved union recognition, collective bargaining, and wage schedules. Settlements were as temporary as the October 6 agreement and commissions of enquiry into the causes of the disputes were frequent. The miners flirted with a variety of unions and affiliated with a number of parent bodies; the coal operators

⁸⁵Leader-Post (Regina), April 4, 1932, p. 10.

⁸⁶Royal Commission on Coal, 1934, Factum of D. A. Niven, p. 18.

usually refused to recognize any of the groups. In many instances, the grievances allegedly rectified in 1931 were prominent factors in subsequent strikes.⁸⁷

⁸⁷Eight major strikes were called during this period, involving a total time loss in excess of 23,000 working days. A federal conciliation board in 1938 and a provincial conciliation board in 1940 were invoked to settle two of the disputes. Canada, Department of Labour, Labour Gazette, 1932-1949. In addition, three royal commissioners appointed by the federal government, G. E. Britnell (1941); T. W. Laidlaw (1943), and W. F. Carroll (1944), and two provincially appointed commissioners, W. F. A. Turgeon (1934) and J. E. L. Graham (1949) enquired into and reported on coal mining in the Souris Valley. George Fletcher Henderson, Federal Royal Commissions in Canada, 1867-1966: A Checklist (Toronto: University of Toronto Press, 1967), pp. 140-45 and Archives of Saskatchewan, "A Guide to the Records of Royal and Special Commissions and Committees of Inquiry Appointed by the Province of Saskatchewan," 1968, pp. 62 and 86.

CHAPTER IX

CONCLUSION

There is a definite tendency to view industrial conflicts primarily as being precipitated by disgruntled workers who strike for higher wages, improved working and living conditions, shorter hours, certain welfare benefits, union recognition, and the like. The worker's dissatisfaction arises from the belief that "he is productively dependent on someone else; the dependence is called a job; from it he receives a wage; for it his day is clocked, his routine pre-determined, his operations segmented, his creativity fragmented."¹ In Joy in Work, an extensive study of the industrial influences that decrease or eliminate entirely the pleasure in work, Henri De Man distinguished two groups of causes of worker dissatisfaction: intra- and extra-occupational social hindrances. With respect to intra-occupational hindrances, he enumerated three contributing factors: dissatisfaction with general working conditions, unjust wage systems, and disciplinary subordination of the worker. De Man listed permanent relegation of the worker to a lower economic and social class, insecurity of livelihood, and disparagement of manual labour as extra-occupational social hindrances.² From these

¹Mabel A. Elliott and Francis E. Merrill, Social Disorganization (New York: Harper & Brothers, Publishers, 1950), p. 212.

²Ibid.

basic dissatisfactions come protests against the existing social structure, industrial conflict, and social disorganization, such as occurred in the Souris coalfield in 1931.

Manifestations of social disorganization in industry are seldom the result of unilateral action on the part of organized or unorganized labour. Usually the employer, the personal manifestation of the establishment, is equally responsible for those factors which produce industrial conflict. Consequently employers have developed certain "weapons" for use in industrial struggle--espionage, discrimination, propaganda, and scab labour.

The Estevan experience by no means exemplifies all the methods and techniques to be discussed. However, it does provide an adequate illustration of the utilization of certain weapons by the employers. Although there is insufficient evidence to indicate that the coal operators used espionage tactics to spy on a legitimate labour organization either to ascertain the miners' activities or sabotage the union, it is apparent that the employers were aware of the steps taken by the miners to organize into a union and that a determined movement was launched to destroy the MWUC. The RCMP, on the other hand, definitely used "special agents" to obtain information on the activities of the strikers. It was through the efforts of John Eberhardt, special constable, that the police discovered the miners planned to parade several days before it was scheduled to take place in Estevan.³ Eberhardt was

³SCA, King v. Buller, CA #52.

also directed to attend at least one of the mass meetings at which Buller, Scarlett, and Sloan spoke to the assembled strikers.⁴ Although this information was not obtained directly by the operators, they evidently gained access to it and used it for their own purposes and to their own advantage.

Discrimination is another weapon which employers use effectively. Militants can be discharged on different pretexts; they can be transferred to less desirable jobs; their pay can be reduced.⁵ The employer may also promote non-union workers over their heads to demonstrate that advancement can be obtained only through co-operation. Confidential blacklists can also be invoked to prevent a militant worker from securing gainful employment locally or in other industrial regions. The practice of blacklisting and discrimination has already been discussed and it has been shown that both these tactics were used in the Souris coalfield. Adams was fired by Crescent Collieries for organizing the "foreign" workers. P. Dzuba, a machine man at Western Dominion Collieries, told the Wylie Commission that four men were also fired because management said they were Bolsheviks, despite the fact that the charge was not proven and the men had created no trouble at the mine.⁶ Several other miners were blacklisted, discharged and denied employment, or otherwise discriminated

⁴Anne Buller File.

⁵Elliott and Merrill, Social Disorganization, p. 215.

⁶Wylie Commission, Proceedings, VIII, 126 and 135.

against owing to their militancy or suspected Communist tendencies.⁷ Once the strike was settled, some were subjected to a series of petty discriminations on the job--providing they were fortunate enough to get their jobs back--and others were blacklisted. At least two miners were even evicted from company houses on one pretext or another.⁸

Propaganda, the deliberate manipulation of certain symbols to secure a desired response, is another important device utilized by management. The dissemination of propaganda by employers or employers' groups involved in industrial conflict, discrediting the purposes, leadership, and activities of the labour organization with which they are dealing, often influences public opinion, especially in smaller communities where the general public may be persuaded their interests lie with the employer and in opposition to the strikers.⁹ This tactic may be instrumental in getting the men to return to work and in breaking the strike. The Souris coal operators, immeasurably assisted by government officials and police authorities crying "Red," "outside agitator," "Communist," and "British Democracy," quickly succeeded in swinging public support to their side and against the MWUC. Union officials were characterized as ogres who sought to wreck havoc on the industry, the community, and the workers, and as agitators

⁷DNR, Coal Administration Branch, Mine Strikes and Disputes, Memorandum for file dated September 14, 1932.

⁸EJD, District Court, Crescent Collieries v. Martin Day, #52A of 1932 and Crescent Collieries v. Alex Peattie, #52B of 1932.

⁹Elliott and Merrill, Social Disorganization, p. 216.

and opportunists who were concerned with furthering their own objectives rather than settling the strike quickly and amiably.

The union's affiliation with the WUL has been discussed and it has been shown that regardless of its Communist ties, the MWUC was a legal labour organization. Molloy's interview with several community leaders indicated that although they held considerable sympathy for the strikers, they opposed the strike because the miners were associated with what they considered a revolutionary union which posed a serious threat to all democratic institutions. The local newspaper, the Estevan Mercury, served management's purposes well in this matter. One editorial, referring to the Communist movement, stated, "unless it is hit, and hit hard, right now, there will be troublous times for good citizens. . . ." ¹⁰ Another referred to "the appearance of Communist agents in the field and the resultant fanning of the flame of discontent into a fury of law defiance." ¹¹ Letters to the Editor of the Western Producer, many of them from individuals in Estevan and vicinity, indicated that "the red scare" promoted by the government, employers, and the media had done its job well. ¹²

The use of imported labour is another weapon the Souris coal operators employed. Although the tactic failed

¹⁰ Estevan Mercury, October 1, 1931, p. 3.

¹¹ Ibid.

¹² Western Producer (Saskatoon), December 3, 1931, p. 10; January 7, 1932, pp. 14 and 16; and March 17, 1932, p. 9.

owing to the solidarity of the strikers and the sheer number of pickets, it served to place the miners in an awkward position. Even the brief use of "scabs" indicated to the general public that the wages and conditions the miners refused to accept were capable of attracting other men to the mines. The strikers were shown to be "dogs in the manger"; not only did they refuse to mine coal, they prevented others who were willing from doing so. The employing of "scabs" also presented the operators with the opportunity of demanding additional police to protect mine property and to enable them to resume operations. This placed the strikers in the position of possibly incurring the law's wrath by defending their jobs against management's interlopers.

The strike is the principal weapon of employees involved in industrial struggle. It is "a concerted suspension of work by a body of employees, usually for the purpose of adjusting an existing dispute over the terms of the labour contract."¹³ Most of the power the workers can mobilize is directly or indirectly related to the strike or the threat of its application. It indicates to the general public that the workers have reached the end of their powers of collective bargaining and restraint. The strike is also a deliberate "throwing down the gauntlet" to employers--job, security, and pay temporarily become secondary values risked in order to

¹³John A. Fitch, "Strikes and Lockouts," Encyclopedia of the Social Sciences (1935 edition), XIV (Hereinafter referred to as "Strikes and Lockouts"), 419.

enhance ultimate rights.¹⁴ Its application is dependent upon the willingness of the workers to precipitate themselves and their families into uncertain conflict for the sake of long- or short-range benefits.

Once a strike is underway, the leaders must maintain the loyalty and enthusiasm of the strikers. The means used to promote morale include meetings addressed by popular leaders, publication of bulletins carrying "encouraging" news, and social gatherings and other devices directed towards group solidarity.¹⁵ The Estevan strike leaders employed many of these devices. Picnics were held at which speeches were made to promote solidarity and to expound the justness of the strikers' cause. Mass meetings were held at which Buller, Scarlett, Forkin, Sloan, Minster and others decried the conditions under which the men were forced to work and live and the starvation wages paid by a group of coal operators dedicated to the exploitation of the miner in the name of free enterprise. The assembled miners were warned that victory would come only through solidarity and heeding the advice of MWUC officialdom.¹⁶ The nuisance parade was but another vehicle used to demonstrate the miners' solidarity and commitment to their cause.

Picketing is another weapon in the employee's arsenal. Individual picketing is designed to persuade the prospective

¹⁴Elliott and Merrill, Social Disorganization, p. 217.

¹⁵Fitch, "Strikes and Lockouts," p. 422.

¹⁶Western Miner (Lethbridge), September 8, 1931, p. 1.

customer or non-striking worker that the business or industry is unfair to organized labour and that patronage or labour services should be withheld.¹⁷ In the case of mass picketing, the tactics frequently change from persuasion to coercion. A large number of pickets usually indicates mass solidarity and sympathy with the strike and clearly informs non-striking workers that their best interests--and often their physical safety--lie in remaining outside the strike zone during the deadlock and not attempting to take the jobs of the strikers. Strikers despise "scabs" who attempt to replace them; non-strikers, alleging they are being denied their "right to work," despise strikers. Picketing played a very important role in the Souris labour dispute. The sheer number of pickets served to keep out prospective "scabs" and to bring unauthorized work to an abrupt halt wherever imported labour was being used. As previously mentioned, the strikers succeeded in closing and keeping closed several mines which attempted to operate despite the union's call for a 100 per cent walkout.

As is the case with employers, propaganda disseminated by or on behalf of the workers plays an important role: "groups involved in a controversy, in addition to controlling the opinions of their own members, invariably attempt to influence the opinions of other members of a public."¹⁸ During the coal mine dispute in the Souris field, labour

¹⁷Elliott and Merrill, Social Disorganization, p. 217.

¹⁸Logan Wilson and William L. Kolb, Sociological Analysis (New York: Harcourt, Brace and Company, Inc., 1949), p. 306.

attempted to enlist sympathy by identifying its corporate opponents with "big business" which is allegedly subversive to civil liberties. Mine owners and operators were characterized as tyrants who kept the miners in virtual slavery.¹⁹ The RCMP, sent to the strike sector to maintain law and order, were represented as being "the bosses' hired thugs," "Bennett's stool pidgeons," and "a fascist outfit." Everyone who failed to support the strikers and their cause were immediately placed in the awkward position of having to identify with these two objectionable groups. Several left-wing newspapers provided the reader with the "truth" about the dispute and roundly applauded the strikers' heroism and solidarity in the face of bourgeois terror.²⁰

Force is yet another weapon which labour unions might utilize as a last resort to keep the strike from breaking up, but most responsible labour leaders tend to avoid its use because the resultant violence and destruction of property damages labour's case with the general public. The United States Senate Committee on Education and Labor (the La Follette Committee), which investigated and reported on "Violations of Free Speech and Rights of Labor" in 1931, found a greater propensity to use firearms and other lethal weapons on the part of employers than strikers. The committee reported that

¹⁹Western Miner (Lethbridge), September 8, 1931, p. 1 and Canadian Miner (Calgary), October 12, 1931, p. 4.

²⁰Western Miner (Lethbridge), September 8, 1931, p. 1; Unemployed Worker (Vancouver), October 3, 1931, p. 4 and October 10, 1931, p. 2; and Canadian Miner (Calgary), October 12, 1931, p. 3.

"industrial munitioning on the part of employers is widespread and commonplace."²¹ This was certainly the case in the Estevan dispute. Shortly after the miners went out on strike, the Coal Operators' Association engaged thirteen special constables to patrol mine holdings in the district to prevent any damage to or invasion of company property. The strikers, on the other hand, obviously found no reason to equip themselves for any form of armed struggle.

The employer also has usually been able to mobilize the law enforcement agencies against strikers in industrial conflict when in fact the police should not have been used at all. When the Estevan strike was called, the mine operators immediately requested that the local RCMP detachment be increased to ensure the protection of mine property. Although the strikers had evinced no intention of invading or damaging the properties, the operators subsequently demanded additional RCMP. In refusing to grant their request, the Attorney General may well have suspected that some reason other than the protection of private property formed the basis of the demand. Perhaps the operators believed that the strikers would be intimidated by so large a temporary force. Or perhaps they felt public support could be gained by aligning themselves with the forces of good. Whatever their reason, it is more likely that hope for police assistance in breaking the strike rather than fear for their property prompted their demand.

²¹Elliott and Merrill, Social Disorganization, p. 219.

Social disorganization precipitated by a labour dispute is reflected most seriously among those directly affected by the strike, the worker and his family. In his struggle for higher wages, better working conditions, and the right to organize and bargain collectively, the Estevan miner sacrificed his sole source of income for the duration of the conflict. The depressed state of the agricultural economy prevented him from securing even temporary employment, and being removed from the relief role served only to compound the hardships. For actively participating in the strike, he faced the possibility of being unofficially but effectively branded as an agitator, a recalcitrant, and a troublemaker.

If the strike is the culmination of social disorganization in the lives of workers and their families, it also precipitates forms of social disorganization in the industrial community. Community institutions are endangered, group consensus is threatened, and normal community functions may be completely disrupted. For several weeks Estevan was an armed camp; the district was constantly patrolled. Rumors of violence were rampant. Anonymous letters carried threats to boycott certain local businessmen for employing non-union personnel; non-union workers were warned that they could escape bodily harm only by withdrawing their services.²² Non-participants also tend to take sides:

Since controversial issues usually involve conflict of group interests, people's attitudes toward a controversy are in a large measure determined by the position of the

²²Leader-Post (Regina), September 12, 1931, p. 8.

various groups to which they belong. In some controversies, of course, opinions are confused by the fact that the different groups to which people belong have different definitions of the issue.²³

It is extremely difficult to remain neutral. Wives, children, and friends of the conflicting groups join the struggle; and because each side defines the situation differently, social disorganization becomes a grim reality.

To understand the Estevan riot which arose from the strike, it is useful to refer to literature on riots in general. The Encyclopedia of the Social Sciences defines riot as:

an outbreak of temporary but violent mass disorder. It may be directed against a particular private individual as well as against public authorities, but it involves no intention to overthrow the government itself. In this respect riot stops short of insurrection or rebellion, although it may often be only a preliminary to the latter.²⁴

Riots are an index of social unrest, "as much a symptom of social disease as pain is a symptom of biological disorder."²⁵

The law governing riotous offences encompasses all those forms of attack upon the integrity of the state or the public tranquility which stop short of treason. In critical periods of social unrest there is often a tendency to confuse the two and to treat riot as treason, at least with respect to the instigators or ringleaders.²⁶ Under English Common

²³Wilson and Kolb, Sociological Analysis, p. 305.

²⁴K. Smellie, "Riots," Encyclopedia of the Social Sciences, XIII (Hereinafter referred to as "Riots"), p. 386.

²⁵Ibid.

²⁶William Seagle, "Riots," Encyclopedia of the Social Sciences, XIII (Hereinafter referred to as "Riots"), p. 388.

Law, riot is a misdemeanor consisting of tumultuous disturbance of the peace by an assembly of three or more persons. However, The Riot Act of 1715 made riotous assembly a felony when twelve or more persons were involved and failed to disperse within one hour of the reading of the Act, which had to be read exactly as prescribed by the Statute.²⁷

Civil disturbances (i.e. unlawful assembly and riot) are defined in Sections 87 and 88 of the Criminal Code of Canada. From an examination of these definitions, it may be seen that in order to constitute a riot, five elements are necessary:

- The presence of not less than three persons;
- A common purpose;
- Execution or inception of the common purpose;
- An intent to help one another, by force if necessary, against anyone who may oppose them in the execution of the common purpose;
- Force or violence displayed in such a manner as to alarm at least one person of reasonable firmness.²⁸

To constitute the offence of unlawful assembly, there need not be any intention on the part of any member of the assembly to commit any offence. It is the manner in which the assembly conducts itself that brings it within the purview of the section. However, according to Section 88, "If an unlawful assembly goes a step further and proceeds to do what the people in the neighborhood fear it may do, viz: 'disturb the peace tumultuously,' it has become a riot. . . ." ²⁹

²⁷Ibid., p. 389.

²⁸J. C. Martin, "Unlawful Assembly and Riot," Royal Canadian Mounted Police Quarterly, October, 1940, p. 146.

²⁹Ibid.

In the case of a riot by twelve or more persons any official who has notice of it is legally bound to read The Riot Act which calls on them to disperse. Should they fail to do so within thirty minutes, the official is legally bound to cause their arrest for which purpose he is entitled to call to his assistance whom he will. If in the endeavour to arrest or disperse them any of the rioters are killed, such killing is excused.³⁰ However, the agency or agencies charged with the responsibility of arresting or dispersing the crowd

are bound to use such force as is reasonably necessary to protect premises over which they are watching, and to prevent serious crime or riot. But they must not use lethal weapons to prevent or suppress minor disorders or offences of a less serious character, and in no case should they do so if less extreme measures will suffice. Should it be necessary for them to use extreme measures they should, whenever possible, give sufficient warning of their intention.³¹

It must be remembered that a riot must be in progress before the proclamation can be read--its reading is a warning of the possible consequences if the crowd does not disperse. Nevertheless, if a riot exists, the duty to suppress it does not depend upon the reading of the proclamation.³² Regardless of the fact that The Riot Act was not read in the Estevan affair and regardless of who one might charge with ultimate responsibility for it, it is quite clear that in the light of the law a riot did occur.

Judge James H. Lincoln in The Anatomy of a Riot

³⁰Ibid., p. 147.

³¹Ibid., p. 148.

³²Ibid.

observes that "riots are similar to a mulligan stew in that many factors are mixed up together, and, once mixed, can never completely be sorted out."³³ He asserts that anyone who attempts to arrange motives for the participants in a riot in a neat pattern gives only an inaccurate account³⁴ and that it is futile because of the dozens if not hundreds of variables needed to draw a portrait of a rioter.³⁵ A mob acts as one man but in a manner in which no one man would act alone; all inhibitions are cast aside and a sense of power develops.³⁶ Violence, irresponsibility, and destructiveness distinguish this type of collective behavior.

As the crowd begins to form, a universal feeling of anonymity . . . develops. Self-appointed leaders arise and channel the energies of the crowd in the direction it is already moving. The attention of the members is centered increasingly on a single object and purpose. At a certain pitch of emotional tension the crowd acts. It may continue to act for some time until the emotional level drops. The crowd then dissolves and self awareness returns to its members.³⁷

The Estevan riot was indeed a case in point. For several days strike leaders and strikers planned the parade to Estevan. On September 29, they set their plan in motion. As they confronted the RCMP cordon, either Martin Day or Chief of Police McCutcheon raised emotions to the required pitch.

³³James H. Lincoln, The Anatomy of a Riot (New York: McGraw-Hill Book Company, 1968), p. 6.

³⁴Ibid., p. 9.

³⁵Ibid., p. 10.

³⁶Edgar A. Schuler, et al. Outside Readings in Sociology (New York: Thomas Y. Crowell Company, 1952), p. 274.

³⁷Wilson and Kolb, Sociological Analysis, p. 307.

Regardless of which of them was responsible, the melee commenced with the arrest of Day.³⁸ During the battle, another self-appointed leader, Anne Buller, reportedly urged the rioters to maintain the barrage of missiles being hurled at the police.³⁹ Attention was centered on the police--the personification not only of the establishment, but also of the capitalist system which placed the workers in subjugation to the masters. With the arrival on the scene of Inspector Moorhead and reinforcements, and the wounding of some miners, the latter's enthusiasm for battle evaporated and the emotional level dropped. Only then did self-awareness return to the participants and they quickly dispersed.

The "active" crowd, a lynch mob for example, always has the same fundamental characteristics. It begins with an exciting event--sometimes with the mere rumor of an exciting event--which violates the expectations of the community or of a certain segment of the community.⁴⁰ The President's National Advisory Commission on Civil Disorders (United States) reports:

Disorder did not erupt as a result of a single 'triggering' or 'precipitating' incident. Instead, it was generated out of an increasingly disturbed social atmosphere, in which typically a series of tension-heightening incidents over a period of weeks or months became linked in the minds of many . . . with a reservoir of underlying

³⁸SCA, King v. Anne Buller, CA #52.

³⁹Ibid.

⁴⁰Ibid.

grievances.⁴¹

This observation is consistent with a statement in Sociological Analysis: "the behavior which takes place in a crowd does not grow out of attitudes spontaneously generated in the activity of the crowd itself. These attitudes have usually been present for a long time, although deeply repressed."⁴² At some point in the mounting tension a further incident becomes the breaking point and the tension spills over into violence which escalates rapidly. In the Estevan riot, the point was reached when the McCutcheon-Day affair, whatever it was, occurred. The President's commission expressed the belief that "What the rioters appeared to be seeking was fuller participation in the social order and the material benefits enjoyed by the majority of American citizens. Rather than rejecting the American system, they were anxious to obtain a place for themselves in it."⁴³ Despite membership in a union affiliated with a parent body dedicated to the overthrow of the capitalist system, it must be concluded that the individual Souris coal-field miner was much more concerned with making a place for himself in the system than destroying it.

Judge Lincoln further states that although professional agitators took advantage of a riotous situation in the Detroit riot of 1967, they did not start the riot and the

⁴¹Report of The National Advisory Commission on Civil Disorders (Hereinafter referred to as Civil Disorders), Otto Kerner, chairman (Washington, D. C.: Government Printing Office, 1968), p. 3.

⁴²Wilson and Kolb, Sociological Analysis, p. 307.

⁴³Civil Disorders, p. 4.

only real direction they exercised was to get store windows broken because the people were attracted like flies to honey by the broken windows and the opportunity to loot.⁴⁴ The National Advisory Commission on Civil Disorders states that it "found no evidence that all or any of the disorders or the incidents that led to them were planned or directed by any organization or group, international, national or local" but that "Militant organizations, local and national, and individual agitators . . . sought to encourage violence, and . . . helped to create an atmosphere that contributed to the outbreak of disorder."⁴⁵

Lincoln is extremely critical of those who would expect to reach valid conclusions by compiling and studying statistics on unemployment and poverty: "It is nonsense to attempt to analyze the situation and reach conclusions solely on the basis of what percentage of rioters have jobs, etc."⁴⁶ Although he states that jobs alone are not the answer for many who are unemployed and that counselling services must be extended along with jobs, he admits that "without job opportunities, all else is futile."⁴⁷ A few of Judge Lincoln's statements regarding poverty and the role it played in the Detroit riot are relevant:

It is asinine to try to measure the part poverty played

⁴⁴Lincoln, The Anatomy of a Riot, p. 4.

⁴⁵Civil Disorders, p. 5.

⁴⁶Lincoln, The Anatomy of a Riot, p. 62.

⁴⁷Ibid., p. 98.

solely by a statistical analysis of the income of those arrested.⁴⁸
 Poverty is the propagator of rebellion.⁴⁹
 Yesterday's poverty was respectable . . . today's poverty produces a poverty of spirit as well as stigma, despair, rebellion, defeat, anger, futility, and failure.⁵⁰

Perhaps the old adage "poor but honest" should be changed to "poor and angry."

The President's commission identifies twelve deeply-held grievances which it ranks into three levels of relative intensity:

First level of intensity:

1. Police practices.
2. Unemployment and underemployment.
3. Inadequate housing.

Second level of intensity:

4. Inadequate education.
5. Poor recreation facilities and programs.
6. Ineffectiveness of the political structure and grievance mechanisms.

Third level of intensity:

7. Disrespectful white attitudes.
8. Discriminatory administration of justice.
9. Inadequacy of Federal programs.
10. Inadequacy of municipal service.
11. Discriminatory consumer and credit practices.
12. Inadequate welfare programs.⁵¹

Many of the grievances identified by the National Advisory Commission on Civil Disorders can be applied to the Estevan scene. . Unemployment and underemployment, inadequate housing, the ineffectiveness of grievance mechanisms, and the inadequacies of federal, provincial, and municipal welfare

⁴⁸Ibid., p. 7.

⁴⁹Ibid., p. 8.

⁵⁰Ibid., p. 59.

⁵¹Civil Disorders, p. 4.

and other assistance-oriented programs were definitely factors in the outbreak in September, 1931. Discriminatory consumer and credit practices have already been discussed in connection with the company stores. Recreation facilities and programs were virtually non-existent, and the education of the miners can probably be accepted as inadequate.

In its report the commission states "The results of a . . . survey of various Federal programs--manpower, education, housing, welfare and community action--indicate that, despite substantial expenditures, the number of persons assisted constituted only a fraction of those in need" and that despite the institution of some post-riot programs "Little basic change in the conditions underlying the outbreak of disorder has taken place."⁵² This is particularly evident in the case under discussion--little basic change in conditions emanated from the October agreements. The new "program" initiated as a result of the October 6 temporary agreement was being circumvented by one mine before the ink had dried on the contract. Many of the items contained in the final agreement were being abrogated by several of the six deep seam mines within a few short weeks of October 20, 1931. The number of subsequent labour disputes in the Souris coalfield emphasize the insincerity of many of the mining companies' promises to rectify the deplorable conditions which precipitated the September strike and the resultant civil disorder.

The President's commission reported that in the

⁵²Ibid.

majority of instances the principal official response has not been to ameliorate the conditions which provoked disorder but to train and equip the police with more sophisticated weapons.⁵³ Lincoln asserts that more effective law enforcement will do nothing to stop the basic infection. He categorizes society as consisting of three groups; those who promote unrest but who do not necessarily provide direction; those who do not attack the basic causes of unrest, but merely suppress any expression of unrest by use of force; and those who are willing to attack the causes of unrest.⁵⁴ In his estimation, "it is important to treat the symptoms" but "it is vital to treat the conditions that produce the symptoms."⁵⁵ In his "Address to the Nation" on June 27, 1967 President Lyndon B. Johnson of the United States perhaps provides the most concise and pertinent observation:

The only genuine, long-range solution for what has happened lies in an attack--mounted at every level--upon the conditions that breed despair and violence. All of us know what those conditions are: ignorance, discrimination, slums, poverty, disease, not enough jobs.⁵⁶

From what has been said of the aftermath of the Estevan riot, it seems evident that among those whose task it was to pick up the pieces there was a majority who were more prepared to suppress unrest by force than attack its basic causes. The symptoms were remedied but the disease remained untreated.

⁵³Ibid.

⁵⁴Lincoln, The Anatomy of a Riot, p. 4.

⁵⁵Ibid., p. 74.

⁵⁶Civil Disorders, frontispiece.

APPENDIX I

List of RCMP stationed at Estevan,
September 28-29, 1931

Rank. Name.	Age.	R.C.M.P. Service.	Previous Service & Remarks.
S/Sgt. Mortimer.	46.	4 years.	15 years previous Police Ser.
Sergt. Mulhall.	55.	24 "	
" Molyneux.	51.	27 "	
" Richardson.	50.	25 "	
Const. Gowanlock.	25.	2½ "	
" Graham.	26.	2½ "	
" Chamberland.	25.	2 "	
" Todman.	46.	20 "	
" Thrussell.	35.	12 "	Overseas.
" Lockwood.	28.	9 Months.	School O.T.C. "Cold- stream Gds".
" Robertson.	29.	9 "	7 years in Gordon High- landers & 3 years in Indian Police.
" McLay.	24.	1½ Years.	9 months in Fifeshire Constabulary, Scotland.
" Taylor, D.W.	34.	6 Months.	9 years in London Met. Police & 6 years Royal Art. Overseas.
" Palmer.	28.	8 "	
" Tyne.	24.	16 "	
" Allen.	24.	8 "	3½ yrs. Coldstream Gds.
" Wilson.	24.	3 Years.	
" Wakefield.	25.	9 Months.	3 yrs. C.N.R. Police.
" Harcourt.	23.	7 "	3 " Air Force.
" Ruddick.	28.	9 "	
" Woodhouse.	24.	8 "	2 yrs. R.C.A.S.C.
" Nash.	27.	10 "	
" Billington.	24.	9 "	
" Sutherland.	25.	10 "	2 yrs. C.P.R. Police.
" Steel.	31.	11 "	
" Glendenning.	23.	8 "	
" Bird.	23.	6 "	
" Vidal.	25.	6 "	
" Hopkins.	24.	6 "	
" Martin.	32.	6 "	Commission Overseas.
" Beach.	23.	6 "	
" Beaching.	22.	6 "	
" Gray.	22.	6 "	

Rank.	Name.	Age.	R.C.M.P. Service.	Previous Service & Remarks.
Const.	Nightingale.	25.	8 Months.	4 yrs. in U.S.A. Marines.
"	.Harrison.	24.	8 "	.
"	.Parsons.A.W.	23.	8 "	.
"	.Needham.	24.	8 "	.
"	.Dilby.	23.	9 "	.
"	.Osborne.	26.	9 "	.
"	.McNeil.	25.	11 "	.
"	.Cameron.	27.	11 "	Met. & Glasgow Police Exper. & Scots Guards.
"	.Waddy.	28.	2½ Yrs.	.
"	.Stoddart.	26.	11 Months.	.
"	.Gray.	23.	8 "	.
"	.Thomas.	26.	7 "	O.T.C. in England.
"	.Hart.	22.	6 "	R.C.Air F. & Indian Service.
"	.Tench.	31.	8 "	Commission in Suffolks.

Source: Estevan Judicial District, King's Bench (Criminal),
King v. Chester McIlvenna et al (KB #286),
Exhibit D 9.

APPENDIX II

Text of Graveside Service

Fellow Workers--Today we are gathered here for the purpose of paying a last tribute of respect to our departed brother, who but a short time since was with us, sharing our joys and sorrows, but has now passed on into the great beyond from whence none return.

We do not understand life, how then can we understand death, but we do believe that death is only the entrance to a fuller and better life. Our presence here today and our tokens of respect would be mere symbols, if we did not believe that out in the great infinity beyond the comprehension of mankind, the soul of our departed brother is looking down on us today, conscious of our reverence.

Our departed brother shared the ambitions and hopes that are common to most of us, the right collectively to work and live in peace, getting that portion of this world's rewards that would keep him and those he loved in comfort and decency, and at the end that his brother workmen would tenderly place him to rest in the grave of his fathers.

He has, therefore, left us a duty to see that we make every endeavor to realize for his loved ones and all others who must pass this way, the rewards for which he hoped.

And so we lay on the grave of our departed brother, these evergreens, as a token of our respect and esteem, believing that this world is a better place because of his having been here. Amen.

Source: Leader-Post (Regina), October 5, 1931, p. 12.

APPENDIX III

"Estevan"
(Words by Cecil Boone)

In a little mining village
Scarcely noticed on the map
Bourgeois guns were turned on workers
And their life's blood there did sap.

No one dreamed of such a slaughter
In that town of Estevan,
That armed thugs with guns and bullets
Would shoot men with empty hands.

Just a protest from the miners,
And boss bullets then did fly,
Caring not who was the target
Or the number that would die.

Blazing forth, nine hundred bullets
Bodies full of lead did fill,
Murdered three, and wounded twenty--
But the Cause they could not kill.

Three more martyrs for the miners,
Three more murders for the boss
Brutal laws, to crush the workers
Who dare fight in Freedom's cause.

As those miners lay a-dying
In their agony and pain,
Whispered, "Though we die for freedom,
Yet we do not die in vain."

"For we know our class will triumph
When they shall united stand;
They will take the world for labor
And the workers rule the land."

"Then the workers' day of vengeance
Will be proclaimed with each breath;
Labor's cause is right and mighty
And beyond the reach of death."

Source: Canadian Miner (Calgary), January 30, 1932, p. 2.

APPENDIX IV

Proposed Contract

Between Operators and Miners of the Estevan District

1. Recognition of the Mine Workers Union of Canada and Pit Committees.
2. Establishment of the eight hour day from bank to bank.
3. Right for the contract miners to appoint their check-weighman.
4. Material to be delivered to the face, or where required by the miners.
5. Powder and supplies to be sold to miners at cost price.
6. No discrimination or intimidation of employees who purchase their goods in private stores.
7. Coal to be sold to miners at cost price.
8. Miners should receive their pay every second Saturday.
9. Bunkhouses to be eliminated.
10. The charge for room and board in the company boarding houses shall not exceed one dollar per day.
11. Contract miners shall have the right to choose their own partners.
12. 75 cents extra wages per day for both contract and day workers working in wet places.
13. Equal turn of cars for all men.
14. Free tools for the men and no charge for sharpening them.
15. A charge of 25c for light or bulb and continuous 24-hour service.
16. House rent to be charged one dollar per room, and proper repairing to be kept up by the company.

17. All companies to install wash houses; the men shall be charged 50c a month for use of the same.
18. Company to supply fresh drinking water.
19. Where the miner has to remove bone clay or blackjack from any portion of the seam, same to be paid on the basis of 10c per inch per lineal yard.
20. The company to remove all machine slack or cuttings, or where the miner loads same to be paid on a mine run basis, on the regular tonnage rates.
21. All rubbish, rock and other material and waste to be handled and unloaded by the company.
22. All water to be removed by the company, on all roads, and at the working face, and same places to be kept as dry as possible.
23. The company to be responsible for all cars lost or damaged in the mine.
24. Where any part of the mine has caved in the workmen not to be held responsible for loss of tools or any other material.
25. All wrecked cars of coal to be paid for by the average weight of same type of cars for the day.
26. Company to supply all chalk to miners free of charge.
27. In any room more than 20 feet wide, over-shoveling to be paid at 50c per lineal yard.

Contract Rates

Electric Undercutting and Shearing Machines

Sullivan 7 foot under-cut, per ton	\$.11
Jeffery 9 foot under-cut, per ton. . . . .	.06
Jeffery Shearing Machine, per cut. . . . .	.80
Sullivan Bottom Cutter, 9 foot cut, per ton. . . . .	.12
Morgan Gardiner Under-cutter, per ton. . . . .	.15
Sullivan Shearer & Under-cutter, under-cutting, per ton. . . . .	.06
Sullivan Shearer & Under-cutter, shearer, per place. . . . .	.80
Sullivan Shearer, Minimum Rate	4.00
Moving and repairing electric machines, Minimum Rate	4.00
Engineer Hydro Electric shovel, per hour . . . . .	.80
Helper " " " " " . . . . .	.70

Contract Miners Rates

Pick Mining narrow work 8 ft. wide, loaded by shovel, ton	1.25
Loaded by fork, single	1.50
Loaded by fork, double fork,	1.75
Yardage in entries, per lineal yard	1.00
In entries where bottom is taken out (seam) loaded by shovel, per ton	1.60
Loaded by fork, per ton	1.85
Yardage in entries, coal 3 ft. 6 in. & under, per lineal yard . . . . .	.75
In entries where coal is 3 ft. 6 in. & under, extra charge, ton . . . . .	.25

PICK MINING

Rooms

Rooms from 12 to 20 feet wide, loaded by shovel, per ton.	.80
Loaded by fork, per ton . . . . .	.90
Loaded by double fork, per ton	1.15
In rooms where coal is under 3 ft. 6 in. in height, loaded by shovel, per ton	1.05
Loaded by fork, per ton	1.15
Loaded by double fork, per ton	1.40
Yardage, narrow work 8 ft. wide, under-cut, per lineal foot loaded by shovel	1.65
If sheared	1.50

Contract Mining

Undercut in entries 8 ft. wide, loaded by shovel, per ton	.85
Loaded by fork, per ton . . . . .	.95
Loaded by shovel and sheared, per ton . . . . .	.70
Loaded by fork and sheared, per ton . . . . .	.80
Where only sheared in entries, per ton	1.00
In entries where undercut & sheared and also shot down, ton . . . . .	.40
Opening up room necks extra per cut	2.00

Contract Mining IN ROOMS UNDERCUT

Rooms from 12 to 20 ft. wide, undercut, loaded by shovel, ton . . . . .	.65
Loaded by fork, per ton . . . . .	.75
Rooms 12 to 20 ft. wide, undercut and sheared, loaded by shovel, per ton . . . . .	.60
Loaded by fork, per ton . . . . .	.70
Rooms 12 to 20 ft. wide, undercut and sheared and shot down loaded by shovel, per ton . . . . .	.40

All coal to be weighed and paid on a mine run basis of 2,000 lbs to the ton.

Handling of Cars

The company to handle all cars to and from the working face.

Timbering

Three piece set consisting of a boom and two props, each set . . . . .	.75
Where boom is needled into the rib side, and prop set under the other end, per set . . . . .	.75
Where prop and cap piece required, and ordered to be set up each . . . . .	.15

Tracklaying

The company to lay and lift all track at the working face,
as required by the contract miners.

Brushing

Lifting bottom in entries, price per lineal foot . . . .	.50
Lifting bottom in room necks and cross-cuts, price per lineal ft. . . . .	.75
Lifting bottom in rooms, price per lineal foot . . . . .	.25

Scale of Wages

(Per 8-hour Day from Bank to Bank)

INSIDE WAGES

Miner	\$ 4.00
Timberman	4.00
Shot Lighter	4.00
Tracklayer	4.00
Electric Motor Driver	4.00
Driver, one horse	3.75
Driver, 2 horses (or 25% extra for each horse)	4.00
Cager	4.00
Steam Incline Haulageman	4.00
Pumpman	4.00
Tracklayer's Helper	3.75
Timbermen Helpers	3.75
Cager's Helper	3.75
Rope Rider	3.75
Track Cleaners	3.75
All Other Unclassified Labor	3.75
Boys under 18 years, 1st year	2.50
2nd year	3.00

Outside Day Wages

Engineers, per month	\$ 150.00
Firemen, per month	100.00
Carpenters	4.50
Blacksmiths	4.50
Machinists	4.50
Electrician	4.50
Box Carloader Engineer	4.00
Car Repairer	4.00
Blacksmith's Helper	4.00
Machinist Helper	4.00
Tipple Dumper	4.00
Teamster	4.00
Box Car Shoveller	4.00
Wash Houseman	3.50
All other unclassified labor	3.50
Boys under 18 years of age, 1st year	2.25
2nd year	2.50

Source: Wylie Commission, Exhibits, No. M-13.

APPENDIX V

Protest Against Brutal Murder of Miners in Estevan!

Demand Immediate Withdrawal of Armed Government Forces
from Strike Area and Punishment of Murderers!

HELP THE STRIKERS IN THEIR HARD STRUGGLE!

Workers and Farmers! Sympathizers of the struggles of toiling masses against their exploiters and oppressors! Raise your mighty protest against this latest brutal and murderous attack of the armed forces of capitalism against the working class of Canada. Following all kinds of terrorizing measures against the impoverished and starving masses of workers and farmers, and the attack upon their rights and free speech, press and organization, the capitalists of Canada are now using their armed forces for massacring the unarmed workers peacefully demonstrating for the purpose of gaining sympathy for their demands.

On Tuesday, September 29th, several hundred miners of Bienfait, Sask., who are on strike, went on trucks and cars to the nearby city of Estevan, for the purpose of advertising a meeting that was to take place in the Estevan Town Hall in the evening to win the sympathy of Estevan workers for the Bienfait strikers. They carried some banners upon which the demands of the strikers were inscribed, but no fire-arms or any weapons whatsoever. All they intended to do was to hold a peaceful demonstration. Their wives and children were also with them. As soon as they reached Estevan, their trucks and cars, some of them decorated with Union Jacks, were attacked by the Mounted and local police.

The police attempted to stop the parade and arrest Martin Day, on the advice of Chief McCutcheon of Estevan, having previously incensed the miners by trying to break the windows of the cars with their loaded sticks. The miners defended their comrade and Chief McCutcheon, without any warning, started to shoot, followed by the Mounties. Men leaving Estevan to return to Bienfait were fired at and wounded when they attempted to climb on the trucks. People at the windows of nearby houses were shot at. The only weapons, used by the strikers in self-defense, were stones and pieces of iron picked up from the streets... This is the toll of this bloody massacre: three dead, eighteen wounded (some of them not expected to live) and twenty-three arrested. Wounded miners were not admitted to

the local hospital.

The 100% strike of the coal-miners of Bienfait was called about three weeks ago. Following are the unbearable conditions the miners are fighting against:.. Average wages amount to 25c per ton of coal; miners have to buy their own powder and pay rent for tools, boots and slickers. They work fourteen to sixteen hours a day and yet practically nothing is left of wages after deductions are made for different charges by the company. The miners are cheated on the weight of the coal dug. They have to buy food and clothing from the Company-owned stores and pay from 100% to 300% higher prices than in private stores. They have to live in company houses and pay exorbitant rentals. The houses are unrepaired. Bunk houses for single men are not fit for human beings to live in. Over and above prices for board, miners are compelled to pay 5c per day for the rent of dishes. They have to pay for the use of water. With one exception, there are no wash houses. Provisions of the Health and Mines Act are not adhered to by the Company. There are no first aid stations, etc., etc.

In order to change these conditions, the miners of Bienfait, for the first time, have successfully organized themselves into the Mine Workers Union of Canada, and put forward the following main demands:

(1) Recognition of the elected pit committees composed of miners working in the mines. (2) The eight hour day. (3) The right to appoint their own check weighman in order to see that they are not cheated on the weight of the coal dug. (4) Right to purchase goods where they please. (5) A minimum wage of \$4.00 for underground workers, \$3.50 for workers above ground and \$2.75 for young workers. (6) Proper housing, fair rents, free tools and powder to be supplied at cost. (7) Pure drinking water to be supplied free. (8) Wash houses to be provided in all camps at fair charge to the miners, etc.

The operators have employed all means in their power to crush the heroic struggle of the miners. They called on the police and militia to terrorize the strikers and arrest their leaders. They are responsible for the attack on the peaceful strikers' demonstration. They have enlisted the aid of the Government in setting up the Royal Commission presumably to enquire into the miners grievances, but in reality to lull the fighting spirit of the strikers by placing their hope in the "justice" of the Commission's findings. They have enlisted the aid of the Deputy Minister of Labor, Mallay [sic], an A F of L faker, to get the strikers back to work under vague promises of a satisfactory settlement later on. They have temporarily succeeded in getting the men back to work with the aid of the police and troops on the one hand and treacherous manouvres of Malloy [sic] and part of the strike committee on the other. Some of the demands of the miners were temporarily agreed to, the negotiations to be continued after the findings

of the Royal Commission. A dastardly betrayal of the strike is being prepared and the miners are getting ready to continue their struggle in the near future.

This in brief is the situation which demands an immediate action on the part of every thinking worker and poor farmer. The bloody massacre must be answered by the toiling masses with a thunderous protest to the Saskatchewan and Federal Governments, and with assistance greater than ever to the struggling miners of Bienfait.

RAISE YOUR MIGHTY PROTEST AGAINST THE ESTEVAN MASSACRE!
 STOP THE BLOODY HANDS OF THE MURDERERS OF WORKERS!
 DEMAND THE IMMEDIATE WITHDRAWAL OF THE ARMED FORCES
 FROM THE STRIKE AREA AND THE PUNISHMENT OF MURDERERS!
 DEMAND THE IMMEDIATE RELEASE OF THE ARRESTED WORKING
 CLASS FIGHTERS!

ORGANIZE A UNITED MASS DEFENSE FRONT OF WORKERS AND
 FARMERS!

RAISE AND SEND DEFENSE FUNDS TO:

CANADIAN LABOR DEFENSE LEAGUE,

Room 308, 331 Bay St., Toronto 2, Ont.

ISSUED BY THE NATIONAL EXECUTIVE COMMITTEE
 CANADIAN LABOR DEFENSE LEAGUE.

Source: Saskatchewan, Department of Labour, Deputy
 minister's office, Estevan Coal Strike, 1931.

APPENDIX VI

List of Witnesses Heard During the Sessions Of The Royal Commission

WITNESSES FOR THE WORKERS

<u>No.</u>	<u>NAME.</u>	<u>MINE.</u>	<u>DATE HEARD.</u>
1.	Harris, John Howell.	Bienfait Mines Co. Ltd.	Oct 5-1931
2.	Hesketh, Harry.	" "	" 5 "
3.	McWilliams, T. L.	" "	" 8 "
4.	Mularkey, William.	" "	" 8 "
5.	Marcilli, Pete.	" "	" 8 "
6.	Enmark, Wilbert.	" "	" 8 "
7.	Robinson, John.	" "	" 9 "
8.	Beattie, George.	" "	" 9 "
9.	Klymak, William.	" "	" 9 "
10.	Robinson, Mrs. Alice.	" "	" 9 "
11.	Baryluk, Annie.	" "	" 9 "
12.	Harris, Mrs. Mary.	" "	" 9 "
13.	Hogg, Wilfred.	" "	" 9 "
14.	Kingdon, Leslie.	" "	" 9 "
15.	Billis, John.	Eastern Collieries Ltd.	" 14 "
16.	Brooks, Charles.	" "	" 14 "
17.	Choma, William.	" "	" 14 "
18.	Keisel, Louis	" "	" 14 "
19.	Hominuik, Alex.	" "	" 14 "
20.	Sczyblo --	" "	" 15 "
21.	Szekeras, Paul.	" "	" 15 "
22.	Klien, Jacob.	" "	" 15 "
23.	Stenen, John.	" "	" 21 "
24.	Smyth, John.	Manitoba & Saskatchewan.	" 21 "
25.	Boruk, Pete.	" "	" 21 "
26.	Booth, Fred.	" "	" 22 "
27.	Elioff, J.	" "	" 22 "
28.	Mitmiataik, M.	" "	" 22 "
29.	Bonchal, W.	" "	" 22 "
30.	Davis, William.	" "	" 22 "
31.	Kresko, Mike.	" "	" 23 "
32.	Slenka, Joe.	" "	" 23 "
33.	Stalene, William.	" "	" 23 "
34.	Hewka, Charles.	" "	" 23 "
35.	Davis, Sam.	" "	" 23 "
36.	Thompson, Mrs. Madeline.	" "	" 23 "
37.	Gray, Mrs. Francis.	" "	" 23 "
38.	Lazur, Steve.	" "	" 23 "
39.	Salamanskek, Solomon.	" "	" 23 "

<u>No.</u>	<u>NAME.</u>	<u>MINE.</u>	<u>DATE HEARD.</u>
40.	Lochlan, John.	Manitoba & Saskatchewan	Oct 23-1931
41.	Polovitch, William.	" " "	" 24 "
42.	Brown, James.	Western Dominion Collieries	" 28 "
43.	Gembey, Procop.	" " "	" 28 "
44.	McQuarrie, L.	" " "	" 28 "
45.	Wilkinson, George.	" " "	" 28 "
46.	Smart, J.	" " "	" 28 "
47.	Kirkbride, Thomas.	National Mines Ltd.	" 30 "
48.	Sherratt, William.	" " "	" 30 "
49.	Moar, Dan.	Crescent Collieries Ltd.	Nov 2 "
50.	Knight, Edward.	" " "	" 2 "
51.	Peattie, Alex.	" " "	" 2 "
52.	Day, Martin.	" " "	" 2 "
53.	Peattie, William.	" " "	" 2 "
54.	Chikatky, Harry.	" " "	" 2 "
55.	Pochinka, Joe.	" " "	" 2 "
56.	Uhryn, Dimitro.	" " "	" 3 "
57.	Mackovitchuk, Mrs. K.	" " "	" 3 "
58.	Domurud, John.	" " "	" 3 "
59.	Nakorny, Alex.	" " "	" 3 "
60.	Puirsch, Wasyl.	" " "	" 3 "
61.	Bowman, Thos.	Western Dominion Collieries	Oct 27 "
62.	Brown, George.	" " "	" 27 "
63.	Durrant, Edgar.	" " "	" 27 "
64.	Lichinsky, Frank.	" " "	" 27 "
65.	Kanutka, Adam.	" " "	" 27 "
66.	Dzuba, Pete.	" " "	" 27 "

WITNESSES HEARD FOR THE OPERATORS.

<u>No.</u>	<u>NAME.</u>	<u>MINE.</u>	<u>DATE HEARD.</u>
1.	Brodie, John R.	Bienfait Mines Ltd.	Oct 8-1931
2.	John, K.G.	" " "	" 10 "
3.	Bembridge, Joe.	" " "	" 13 "
4.	Wallace, Herbert.	Eastern Collieries Ltd.	" 15 "
5.	Kushner, Henry.	" " "	" 21 "
6.	Wright, Arthur.	" " "	" 21 "
7.	Pierce, Ed.	" " "	" 21 "
8.	Lang, S.H.	Manitoba & Saskatchewan.	" 23 "
9.	Wildfong, S.J.	" " "	" 23 "
10.	Edwardson, N.	" " "	" 23 "
11.	Cuddington, Thos.	" " "	" 23 "
12.	Woodhead, Eric.	" " "	" 23 "
13.	Edwardson, Margaret.	" " "	" 24 "
14.	Edwardson, Isobel.	" " "	" 24 "
15.	Edwardson, Abel.	" " "	" 24 "
16.	Wilson, A.C.M.	" " "	" 24 "
17.	Galloway, John.	" " "	" 24 "

<u>No.</u>	<u>NAME.</u>	<u>MINE.</u>	<u>DATE HEARD.</u>
18.	Holley, S.W.	Western Dominion Collieries	Oct 28-1931
19.	Turner, A.E.	" " "	" 28 "
20.	Morfit, C.C.	" " "	" 28 "
21.	Freeman, H.N.	National Mines Ltd.	" 30 "
22.	Richardson, G.A.	" " "	" 30 "
23.	J.C. Thompson.	Manitoba & Saskatchewan	" 31 "
24.	Newsome, Frank.	Crescent Collieries Ltd.	Nov 3 "
25.	Hamilton, William.	" " "	" 3 "
26.	Garner, E.W.	Truax-Traer Coal Co. Ltd.	" 9 "
27.	Parkinson, James.	Parkinson (Small Mine).	" 17 "

WITNESSES HEARD FOR THE COMMISSION.

1.	Lorimer, E.C.	Inspector of Weights & Measures.	Oct 30-1931
2.	Molloy, Thos. M.	Deputy Minister of Labour.	Nov 2 "
3.	Creighton, Dr. J. F.	Medical.	" 3 "
4.	Lee, Robt. J.	Former Dominion Mines Inspector.	" 9 "
5.	Lee, Samuel A.	Mines Inspector.	" 9 "
6.	Winn, Bernard.		" 12 "
7.	Lynd, W.W. K.C.		" 12 "
8.	Sutherland, R.L.	Mining Expert.	" 13 "
9.	Douglas, Thos.	District Sanitary Officer.	" 14 "
10.	Cox, J. Raffles.	Dominion Fuel Board.	" 14 "

Source: Wylie Commission, Exhibits, No. C-30.

APPENDIX VII

Recommendations of the Royal Commission

- 1, That the agreements arrived at between the men and the operators during the conference held on October 19th and 20th continue in force until September 1st 1932.
- 2, That during the Summer of 1932 wage schedules for the following year, or such longer period as may be agreed on, be fixed at a conference between the operators and the men of the respective Mines.
- 3, That in order to remove a cause of friction in the future as to dockage screenings, etc. the wage schedules of the Miner be worked out so that in every Mine where the change of system can be reasonably effected, the Miner shall be paid on a Mine-run basis.
- 4, That pending the revision of these schedules, normal conditions of timbering in the rooms continue to be included in the tonnage rate, but that any abnormal condition, requiring additional timbering in the rooms, be paid for at the present rate for timbering in entries, or at such other rate as may be agreed on.
- 5, That on the revision of wage schedules, provision be made for a different rate for the man not qualified under the Act to have charge of a working face, and the qualified man with whom he is working in the same room.
- 6, For the better enforcement of health regulations, that the Government consider the advisability of including all Mining Camps outside of an incorporated village in a separate unit or Health District.
- 7, That provision be made in the Mines Act or Public Health Act, requiring the owner, manager or agent to keep all houses in Mining Camps, occupied by Mine workers, in a reasonably good state of repair, and to provide the Camp with a sufficient supply of good drinking water.
- 8, A more thorough inspection of the Mines and a more detailed inspector's report, covering all working conditions in the Mine and reporting on any contravention of the Act and regulations.
- 9, The strict enforcement of all provisions of the Mines Act and regulations.

10, An inspection of the tippie scales on or before the first day of September in each year by the Inspector of Weights and Measures.

11, That the check weighman, or representative Committee from any Mine may, at any time, apply to the Minister who shall be empowered to and may, if he thinks it necessary, direct an inspection either as to weight or as to the condition of the scales.

12, That the heat value in B.T.U. and other values of the coal mined in different districts of Saskatchewan, be ascertained and fixed by Government analysis.

13, That the heat value in B.T.U. and other values of the coal from all Mines producing coal above a certain quantity for sale, be ascertained and fixed in the same way.

14, That the Government consider the advisability of introducing legislation, with a view to having the coal from all Mines in the Province, producing coal above a certain quantity, sold under a trade name, and the name of the Mine and the area in which it is situated designated.

15, That the working arrangement between the operators and the men for the deduction of an agreed amount for medical services and sick fund, be continued, and that the amount be paid out by the operators as directed by the men, the details to be worked out and embodied in future legislation.

16, That the special Rules referred to in Section 39 of the Mines Act be formulated and adopted at a special conference between the Manager and a representative Committee of the men at each Mine, and approved by the Minister as soon as possible.

16-a That in view of the evidence submitted, the existing subvention rate be reconsidered by the Canada Fuel Board.

17, That the Mines Act be amended so as to incorporate in due form the following provisions:

(a) A provision making it clear that the Act is intended to apply to Coal Mining, and not to other forms of Mining.

(b) That in addition to the Certificates of Manager and Pit Boss provided by the Act, there shall be a Third Class Certificate granted to any applicant qualified to act as Manager of a Mine where less than six persons are employed, and a Miner's Certificate granted to any applicant entitled to be in charge of a working face.

(c) That no person be allowed to operate a Mine where less than six persons are employed, without having first obtained the Third Class Certificate referred to, at least.

(d) That no Miner be allowed to be in charge of a working face at any Mine, unless he is the holder of a Miner's Certificate, and that no Miner shall receive such Certificate, unless he has been employed in some capacity underground in a Mine for, at least, six months, and has satisfied the Inspector by oral examination as to his ability as a Miner.

(e) That an applicant for a Third Class Certificate must have qualifications, at least, equal to those of a qualified Miner, and must satisfy the Inspector by oral examination as to his ability to manage the class of Mine to which his Certificate applies.

(f) That any applicant for a Third Class Certificate, or any applicant for a Miner's Certificate, being dissatisfied with the decision of the Inspector may appeal in writing to the Minister, who may appoint a special Board for the purpose of granting such applicant an oral examination, or may otherwise decide the matter, and his decision shall be final.

(g) That on and after the 1st day of September, 1932, all wages earned by any person, or persons, employed in or about a Mine, in which twenty or more persons are employed underground, shall be paid twice a month unless otherwise agreed.

(h) In a Mine where wages depend on the amount of coal gotten out, all wages shall be paid according to the weight or admeasurement of all the coal gotten out by the Miner, with a provision that an agreement may be made between the Miner and the operator for deductions on account of slack or nut coal, or on account of impurities in the coal.

(h-a) That an adequate amount of ventilation shall mean not less than 200 cubic feet of pure air per minute, for each person and animal employed in the Mine.

(i) That the Mine fan be kept in operation for 24 hours a day, including Sundays, and that should it be stopped at any time during working hours, the Miners be immediately withdrawn until the operation of the fan is resumed.

(j) That all air passages be kept reasonably clear of clay-falls or other impediments.

(k) That all doors in actual use in the Mine be kept closed, and that all doors not in actual use be taken off the hinges, and that no doors be propped, or fastened back, or opened, except for the passing of persons, animals, cars or locomotives.

(l) That the Owner, Agent or Manager in every Mine shall post in some conspicuous place at the Mine, a plan showing the ways of ingress or egress to and from the various outlets, with the travelling roads leading thereto.

- (m) That immediately after inspection, the Inspector shall cause to be posted in some conspicuous place at, or near, the entrance to the Mine, a copy, or duplicate, of his report.
- (n) That properly constructed ambulances, or stretchers, with splints, bandages, and sufficient other medical supplies necessary for the purpose of rendering first aid, shall be kept at every Mine ready for immediate use in case of accident.
- (o) That at least one person in every Mine shall hold a Certificate showing that he has taken a course in First Aid and Ambulance work, fitting him to give first aid to persons injured in or about the Mine.
- (p) That where more than 20 persons are employed below ground, a wash-house approved by the Minister shall be provided containing hot and cold water, where such persons may conveniently wash themselves and dry and change their clothes.
- (q) That the present agreement in the larger Mines referred to as to hours, be continued until September 1st 1932, and that, thereafter, no Miner shall be allowed to work below ground for more than 8 hours during any consecutive 24 hours, except in case of emergency, provided that the time may be extended by special agreement between the operators and the men when necessary, in order to enable the Mine to fill increased orders in the busy season, or rush orders at other times.
- (r) That man-holes be required in every haulage way, the same to be at least 3 feet in depth from the wall, 5 feet high, and 3 feet wide, and when old rooms or cross-cuts are used as man-holes, the same shall be properly marked in accordance with the Act and kept clear of refuse or other material.
- (s) That no working place in a Mine shall be driven more than 60 feet ahead of ventilation, without cross-cuts.
- (t) That sub-section 3 of Regulation 5 of the Mines Act be revised so as to make it clear that in all Mines where inflammable gas has not been found within the preceding 12 months, the Pit-Boss, or other competent person shall inspect the Mine every day, immediately before work is commenced in any day.
- (u) That a copy of the report of such Inspector shall be signed as provided by the Act and also posted in a conspicuous place at, or near, the entrance of the Mine.
- (v) That Section 37 of the Regulations be repealed and a new Section substituted, providing that a sufficient supply of suitable timber shall be constantly kept in each working place, as near the working face as is practicable, and in no

case shall it be further away than the nearest cross-cut to the working face, or other convenient place in the vicinity thereof.

(w) That the Miners in any Mine may require the Owner, Manager or Agent to deduct a certain pro-rata amount from their wages to pay the check weighman, but will pay the same to him in such amount and at such time as the men in each Mine direct.

(x) The recommendations in this report have been limited to complaints made during the Inquiry, and matters arising therefrom, but some further revision of the Act, in due course, would appear to be necessary in order to better regulate the Industry in its present state of development.

Source: Wylie Commission, Report, pp. 139-47.

BIBLIOGRAPHICAL NOTE

The Report, Proceedings, Exhibits, and Miscellaneous Documents of the Royal Commission which enquired into the Souris coalfield labour dispute proved the most productive sources of information for this study. Other major sources were the Records of the Deputy minister's office, Saskatchewan Department of Labour; the Records of the Coal Administration Branch, Saskatchewan Department of Natural Resources; and the Labour Gazette and Labour Organization in Canada, publications of the Canada Department of Labour.

The Estevan Mercury and the Regina Leader-Post, while providing some important information relating to the strike, carried detailed accounts of the riot. The absence of other sources necessitated almost complete dependency upon the items reported by these two newspapers. The Canadian Labor Defender, Canadian Miner, Western Miner, and Unemployed Worker adequately presented labour's attitude and reaction to the events in the coalfield in fall, 1931.

The value of the court records was restricted because few of the lower court decisions were appealed. Had the cases been taken to a higher court, complete transcripts of the King's Bench (Criminal) trials in Estevan would have been produced. Unfortunately they were not, with the result that detailed information relating to the trials was available only in the cases of Anne Buller and Sam Scarlett.

Of the numerous secondary sources consulted, the works of Elliott and Merrill, Wilson et al, Fitch, Seagle, Smellie, and Martin merit specific mention. Lincoln's The Anatomy of a Riot and the Report of the National Advisory Commission on Civil Disorders both proved valuable in the general discussion of riots.

The absence of any records of the Mine Workers' Union of Canada or of the federal departments of Labour and Justice relating to the Estevan strike and riot of 1931 is indeed unfortunate. The existence of such records undoubtedly would have enhanced the quality of this study. Likewise, the records of the RCMP would have been of inestimable assistance. However, because they are held by the Special Investigation Branch of the force, these records are inaccessible for research purposes.

ABBREVIATIONS OF SOURCES CITED

AS	Archives of Saskatchewan
PAC	Public Archives of Canada

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