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THE PATH TO RECOGNITION: COAL MINERS,
THEIR UNIONS, AND COAL OPERATORS IN TENNESSEE

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The coal industry has held a significant position within the economy of the United States ever since coal replaced wood as a basic fuel. In apposition, coal miners have held an equally prominent status among the ranks of labor. Beginning with the early 1830's workers realized that the most effective means to improve wages, hours, and working conditions was through collective action. Unions along craft lines were formed, which used the members' skills as bargaining leverage. Since unskilled laborers lacked this necessary advantage and could be easily replaced, unionism was restricted to artisans. Even though the demand for skilled labor was acute, these early unions failed to function in times of depression. While in prosperous periods, the workers saw no real need for a union.

The very nature of the coal industry made it impossible to organize along craft lines. Coal miners were undoubtedly skilled, but it was not a skill which required a long apprenticeship. For this reason, and because many of the numerous immigrants were experienced coal miners, the labor supply could not be restricted. Therefore, to be effective in a strike, miners had to close the coal mine. This strategy required an industrial union, an organization which included all labor engaged in a single industry. It must not only include various skilled groups but also the common laborers, and those who worked above ground as well as those who entered the mine.

Tennessee had no violent coal strikes to compare with those of the Rocky Mountain fields, the Pennsylvania bituminous and anthracite areas, or the West Virginia and Kentucky regions. However, Tennessee was a major coal producing state and her miners were successful in their attempt to gain union recognition. Our modest effort here will be to examine some of the very sketchy extant evidence of Tennessee's coal miners, and to trace their progress from individualism to unionism. We must not only focus on events in the coal fields but upon larger issues, which either stimulated local action or were a result of regional movements. The coal industry as a whole and individual operators must be studied because these influences determined the action of the miners.

In the early 1830's United States Civil Engineer Howard Stansbury, while making a survey of the Cumberland River Valley, was overawed by the "inexhaustable supply of bituminous coal" which was being mined near Burnside, Kentucky.¹ In 1833, 102,500 bushels of this coal was transported to Nashville on the spring freshets at a profit of \$10,865. Stansbury reported that this alone justified the improvements required to open the Cumberland River to year-round navigation.

¹Leland R. Johnson, "Army Engineers on the Cumberland and Tennessee, 1824-1854," Tennessee Historical Quarterly, XXXI (Summer 1972), 158.

Extensive development of coal mines was hindered by the lack of convenient transportation. In the early period, most southern mines were not near enough to navigable rivers to make the use of barges profitable. Until the late 1840's, railroads involved too many serious problems to be used for transportation from the mine site. By 1855, however, the Sewanee Mining Company connected its Tracy City mines with Nashville, thus securing a market for its product while providing the city with a low-priced and abundant supply of coal.²

While labor upheavals plagued the rest of the nation, Tennessee escaped mildly from the turbulence of 1877. "It can be safely said [however] that by the early 1880's one characteristic feature of modern industrialism in a free society, open and continuing strife between employers and employees, had become fairly common in Tennessee."³ In 1883 the Soddy miners believed that the scales used to weigh coal were adjusted to benefit the company. The workers struck, accusing the operator

²Stanley J. Folmsbee, Robert E. Carlew, and Enoch L. Mitchell, History of Tennessee (2 vols., New York: Lewis Historical Publishing Company, 1960), I, 392.

³Constantine G. Belissary, "Behavior Patterns and Aspirations of the Urban Working Classes of Tennessee in the Immediate Post-Civil War Era," Tennessee Historical Quarterly, XIV (March 1955), 31.

and the checkweighman of "using fraud to deprive them of justly earned wages."⁴ Even though the strike was broken, legislation passed in 1887 guaranteed Tennessee miners the right to hire a checkweighman and made provisions to protect the employees checkweighman against company intimidation.

The business decline of 1884, which caused operators to reduce wages, resulted in a strike by the coal miners at Soddy and Coal Creek. The Soddy miners were able to retain their old rate of \$1.25 per day, which was then the lowest in the Tennessee coal fields, but the strike of the Coal Creek mine workers failed after a month. Wildcat strikes, as those just described, more often failed than succeeded. Many miners realized by experience that only through organized and disciplined collective action could their strike goals be achieved and retained.⁵ The industrial oriented Knights of Labor entered the coal fields with its National Trade Assembly 135 and was active in Texas, Tennessee, Kentucky, and Alabama. Many miners still preferred, however, to form independent local unions.

The year 1890 must be recognized as a turning point for the union movement in the coal mines. The Knights' National

⁴ Ibid., 32.

⁵ Ray F. Marshall, Labor in the South (Cambridge, Mass: Harvard University Press, 1967), 71-72.

Trade Assembly 135 combined with the National Progressive Union to form the United Mine Workers, which was chartered by the American Federation of Labor. While the new organizations' overall objective was to raise wages and to improve working conditions, the strategy adopted to bring about these goals consisted of more subtle and complex issues. First, the UMW wished to improve the coal miner's economic status in relationship to that of other industrial workers. Second, it looked to stabilize wage fluctuations due to movements along the economic cycle. The third goal consisted of equalizing competition between the diverse bituminous coal regions.⁶ The union looked not only to the immediate needs of its members, but sought to cure the illness of the coal industry itself.

Following the Civil War, a sharp increase in crime filled Tennessee's prisons to capacity. To alleviate costs to the state, which was plagued by an unstable financial basis, convicts were leased under close supervision to private employers. The Tennessee Coal, Iron and Railroad Company, with its first lease being in 1884, took complete advantage of this system to raise its profit margin. Publicly though, the firm announced

⁶Morton S. Baraty, The Union and the Coal Industry, Yale Studies in Economics, Vol. 4 (New Haven, Conn.: Yale University Press, 1955), 51.

that it was employing the convicts to relieve a desperate labor shortage.⁷

The company soon used the convicts to break strikes. Arthur S. Colyar, general counsel for the Tennessee Coal, Iron and Railroad Company, realized the advantage of using convicts as strikebreakers, and revealed his sentiments to the Nashville Daily American of August 23, 1892. "'For some years after we began the convict labor system, we found that we were right in calculating that free laborers would be loath to enter upon strikes when they saw that the company was amply provided with convict labor.'"⁸ Besides this evil, southern miners were victims of the script system of compensation, high prices in company stores, dishonest coal weighing practices, low wages, dangerous working conditions, and the autocratic rule of the company towns by mine guards.⁹

In 1891 the Tennessee Coal Mine Company, located in Anderson County, presented its employees with an iron-clad contract, which denied the workers a checkweighman, provided for payment in script, and extracted a non-strike pledge from the employees. When the miners rejected this

⁷Folmsbee and others, Tennessee, II, 165-66.

⁸Marshall, Labor in the South, 72.

⁹Ibid., 71.

agreement, the company ordered its leased convicts to tear down the company's houses and to build themselves an inclosure. After one unsuccessful attempt, the strikers, using threats of violence, forced the convicts and their guards to return to Knoxville. Angry laborers in Chattanooga, Memphis, and Nashville called for an end to the hated lease system, but to no avail. On October 31, 1891, miners freed some of the Tennessee Coal Mine Company's convicts and burned their make-shift prison. These tactics caused operators to give up the convict labor system and in this case, agree to a checkweighman.¹⁰

The miners' revolts against the convict lease system, a violent reaction in the wake of frustrated political and judicial attempts of abolition, were not directly responsible for the overthrow of that arrangement. But the "insurrections succeeded in bringing the necessary influence to bear upon the citizenry of the state, both private and official, and resulted in the overthrow by legislative action of Tennessee's iniquitous convict lease system."¹¹

¹⁰C. Vann Woodward, Origins of the New South, 1877-1913. Vol. IX of A History of the South, edited by Wendell Holmes Stephenson and E. Merton Coulter. X vols. (Baton Rouge: Louisiana State University Press, [1951] 1964), 233-34.

¹¹A.C. Hutson, Jr., "The Overthrow of the Convict Lease System in Tennessee," The East Tennessee Historical Society's Publications, VIII (1936), 103.

Up to this point Tennessee's coal miners did not refrain from using the strike, a form of collective action, to overcome what they considered to be injustices. Although the union movement was in an infant stage of development, Tennessee's miners, preferring to retain a degree of individualism, chose not to affiliate with a national body.

Between 1870 and 1920 the coal industry experienced tremendous expansion, but inherent in this growth was the problem of over-development. "Under a competitive system coal mines have been opened in excess of the country's needs."¹² In addition to this, the South effectively excluded the nationwide union movement and maintained a wage-price-profit advantage over the unionized North. These two situations plus the post-World War I recession "were the underlying factors in the crisis which gripped the coal industry during the 1920's."¹³ The South, needless to say, took complete advantage of the situation to increase both output and profit.

Just because a major national union did not gain a strong foothold in the South, this does not mean that collective action did not exist there. Miners of the Tennessee and south-

¹²A.F. Hinricks, The United Mine Workers of America and the Non-Union Coal Fields, Columbia University Studies in History, Economics, and Public Law, no. 246 (New York: Longmans, Green & Company, 1923), 93.

¹³Baratz, The Union and the Coal Industry, 32.

eastern Kentucky fields signed a collective contract with the operators in 1917, the first such agreement signed in fifteen years in the region. This was followed by a second contract signed in Knoxville in April 1920. These, however, were essentially open shop agreements since they "did not provide for the 'check-off.'"¹⁴

Because of the unending recession in the coal industry, the operators appealed to the permanent referee, provided by the Knoxville agreement, for a wage decrease. On November 30, 1921, D. Stewart Miller conceded to a twenty percent wage reduction, but also required a fifty cent reduction in the smithing charge and the same reduction in house rent. Besides this, he demanded that the "companies...reduce to the limit of their ability the price of merchandise in their stores...."¹⁵ Other than these few changes, which were beneficial to both parties of the contract, the Knoxville agreement remained in effect.

In 1922 northern operators proposed wage reductions while all miners, both northern and southern, hoped for an increased salary. John Llewellyn Lewis, president of the United Mine

¹⁴"Wage Reduction Ordered by Arbitrator in Tennessee--Southeastern Kentucky Field," Coal Age, January 12, 1922, 60.

¹⁵Ibid.

Workers, pledged no backward step but also demanded adherence to existing contracts. As a result, many wildcat strikes occurred and a nationwide strike was called on April 1, 1922. "In Tennessee about half the mines that were operating in March...[were] closed" in April.¹⁶ The industry magazine, Coal Age, indicated, however, that the non-union fields were unaffected.¹⁷ Therefore, at the time of the 1922 strike, approximately half of Tennessee's coal mines were under UMW control.

In an attempt to settle the strike, an arbitration board for the Tennessee-Kentucky region met in Cincinnati. On July 28, 1922, it decided to restore the 1920 wage scale to the (union) miners of Pineville, Kentucky, to select (union) mines near Nashville, and to those (union) mines along the Tennessee Central Railroad. The miners received twenty-four cents per ton for pick and machine miners, a twenty percent increase (over the wage reduction proposed in April), and men hired by the day and by the month received \$2.50 per day. The operators, however, would not yield to union recognition, insisting that the decision was simply "a resumption of the 1920 wage scale with the miners as individuals."¹⁸

¹⁶"Strike Is Practically Complete in Union Fields; Non-Union Areas Not Affected," Coal Age, April 6, 1922, 589.

¹⁷Ibid.

¹⁸"Operators Restore 1920 Scale in Parts of Kentucky and Tennessee," Coal Age, August 10, 1922, 223.

In the Survey magazine, Norman J. Ware referred to the coal industry as being "a mess."¹⁹ Over-production and over-capitalization continued to plague the industry throughout the 1920's. As the UMW fought to preserve the provisions of the Jacksonville Agreement (February 1923), which resulted from the 1922 strike, southern mines operated at peak capacity. As a result of this, the UMW's strike of 1927 was broken, and local contracts, rather than an overall agreement, had to be accepted by the mine workers union. Regions of both labor and operator interests engaged in internecine competition, which only further injured the industry.

The UMW emerged from the 1920's holding only a fragment of its former strength. Other coal miners' unions, such as the Progressive Miners of America (which was strong in Illinois), Frank Keeney's West Virginia Mine Workers Union, and the Communist-led National Miners' Union, competed with Lewis' union for members. The inroads against UMW preeminence were mainly regional, rather than national in scope.

Another factor which seriously weakened the UMW's bargaining position was its inability to organize the southern coal fields. There were many reasons why the union movement was defeated in Tennessee's coal mines and in those throughout the South. "The basic factors were the highly competitive nature

¹⁹ Norman J. Ware, "An Experiment in Coal," Survey, March 15, 1926, 688.

of the industry and the abundance of strikebreakers. The UMW also faced hostile courts, injunctions, yellow-dog contracts, and the evictions [sic] of strikers. There was also considerable debate...as to whether union officers should have permitted wage reductions [as they diddo] to meet non-union competition...."²⁰ Furthermore, John L. Lewis blamed a large part of the union's losses on irresponsible leadership. Of course, these were problems which were experienced nationwide by the UMW, but they were more pronounced in the South.

In their efforts to break strikes, operators were able to use the pressure inherent in the company town system to force the miners into submission. The company built town was adopted because coal mines were generally located in isolated districts, and operators were forced to import labor from distant areas. This form of paternalism was soon extended to every aspect of the miners life--stores, schools, and churches. "Conditions... [were] dependent upon the 'generosity or lack of generosity of the operators' and the miner...[became] virtually a slave."²¹

Winthrop Lane drew a very preceptive picture of a company town for the readers of the Nation.

²⁰ Marshall, Labor in the South, 78-79.

²¹ Hinricks, The UMW and the Non-Union Fields, 53.

In the coal towns everything is owned by the company....They stand on company land; they were built by the company; the store, the movie theatre, the amusement hall, the little bank if there is one, the cafe, the ice-cream parlor--all are run by the company. The school is often a company built project, and so is the church; sometimes the company supplements the salary of the teacher and helps to maintain the minister. Roads leading through the town are private property. Not infrequently the post office is a corner of the company store and the man who sells crackers and meat is the postmaster. These towns are not incorporated. The company is responsible for whatever²² exists in the nature of a public utility....

With such control over the miners' lives and families, the operators wielded almost omnipotent power. The house notice was one of the most ruthless weapons used by the operators. This example comes from the West Virginia coal fields.

Mr. _____
Warden, West Virginia
[February 1, ____]

Dear Sir: I only give you until the seventh of this month to get your household goods out of our house. If they are not out by that time I will have to throw them out, as I have people working for us wanting the house. Will expect you to act at once.

Yours truly,²³

This miner had less than a week to find another job and to move his household, a near impossible task. The Nation commented

²²"The Curse of the Coal Town," Nation, March 14, 1928, 285.

²³Winthrop D. Lane, "Breaking the Miners," Survey, March 4, 1922, 887.

that the miners "live as serfs, denied the fundamental rights guaranteed by the Constitution...."²⁴

The depression which began in 1929 only intensified the ills of the coal industry. During the three year period from 1929 to 1931, coal production declined by just over fifty percent.²⁵ This decline in consumption made wage reductions necessary in both union and non-union coal fields of the North and the South. Labor, needless to say, did not concede willingly to these austerity measures.

In a further effort to end profit losses because of cut-throat competition and to ward "off legislative proposals designed to place control of the industry in the hands of the federal government," the operators adopted a collective sales agency plan to alleviate industry problems.²⁶ Appalachian Coals, which was founded by 137 operators on March 1, 1932, controlled the sale of 70 percent of the coal mined in West Virginia, Virginia, Kentucky, and Tennessee, while the producers of another 12 percent of the regions output revealed their intention to sign with the sales agency.

²⁴"Curse of the Coal Town," 285.

²⁵"Coal Industry Widens Battle Front in War Against Competition," Coal Age, February 1933, 35.

²⁶Ibid., 36.

According to the operators, the purpose of Appalachian Coals "was to increase Appalachian coal sales and production through better methods of distribution, intensive advertising and research, to achieve economics in marketing and to eliminate abnormal, deceptive and destructive trade practices."²⁷ It was definitely not an attempt to restrain or monopolize interstate commerce. In any case, the combination was challenged in the courts, and following a favorable Supreme Court decision in March 1933, Appalachian Coals, Inc. set up offices in Cincinnati and elected officers. James D. Francis, vice-president of Island Creek Coal Company (Huntingdon, West Virginia), was elected president; Howard N. Eavenson, president of Clover Splint Coal Company (Pittsburgh, Pennsylvania), was chosen to be chairman of the board; E.C. Mahan, president of Southern Coal and Coke Company (Knoxville, Tennessee), was elected vice-president; C.C. Dickinson, president of Dickinson Fuel Company (Charleston, West Virginia), was selected as chairman of the executive committee; R.E. Howe, president of Premier Coal Company (Knoxville, Tennessee), was elected secretary; and T.J. Davis, chairman of the First National Bank of Cincinnati was chosen as treasurer.²⁸

²⁷New York Times, March 14, 1933.

²⁸"Appalachian Coals Organizes; Other Agencies Planned," Coal Age, April 1933, 135.

By May 11, Appalachian Coals definitely exerted a positive influence on the industry. A greater demand for coal was reported by Appalachian president Francis, who informed the New York Times that the national economy was experiencing an upswing and that "the coal industry...[was] improving in proportion."²⁹

In early 1933 the miners of Wilden, Tennessee struck against the frustrating situation imposed by the company town. A member of the Highlander Folk School in Wilden, J.B. Thompson, reported that "the miners worked hard and dangerously, but sank deeper and deeper into debt. They didn't have enough to keep their children alive, so they finally went out on strike. They were affiliated with no outside organization; they just had a little union of their own."³⁰ In the middle of winter, the company turned off the electricity and removed the doors from the company's houses. The leadership of Barney Graham kept morale high until an imported thug murdered him. The strike then collapsed.

With the inauguration of the New Deal in March 1933, Franklin Roosevelt initiated reforms with the express purpose of pulling the nation out of depression. F.D.R., unlike previous

²⁹ New York Times, May 12, 1933.

³⁰ John Greenway, American Folksongs of Protest (Philadelphia: University of Pennsylvania Press, 1953; reprint ed., New York: Octagon Books, 1970), 158-59.

executives, would not forget labor when he delegated assignments which formed his vague ideas to concrete programs. In April, bills to stimulate industry were developed both by Senator Wagner and by the Raymond Moley-Hugh Johnson team. By May, it was apparent that Roosevelt's industrial recovery program would include provisions for both business and labor.

Hoping that Roosevelt's program for industry would pass Congress, Lewis, at a meeting with his district leaders, announced plans for a reorganization of the shattered United Mine Workers, and placed the union's \$50,000 treasury into the effort. In the South the campaign centered on Alabama, Tennessee, and Kentucky.³¹ William Mitch and Van Bittner were sent into the South³² and as a result of their coordination, the effort created "a tidal wave of union enthusiasm [which] swept over the coal fields" in June 1933.³³ In Tennessee this drive experienced little resistance and "ninety percent of the miners had joined by the middle of July."³⁴

³¹Milton Derber, "Growth and Expansion," in Labor and the New Deal, Milton Derber and Edwin Young, eds. (Madison, Wisconsin: University of Wisconsin Press, 1957), 27.

³²James P. Johnson, "Drafting the NRA Code of Fair Competition for the Bituminous Coal Industry," Journal of American History, LIII (December 1966), 526.

³³Philip Taft, Organized Labor in American History (New York: Harper and Row, 1964), 426.

³⁴Johnson, "Drafting the NRA Bituminous Code," 526.

In an effort to comply with the pending recovery bill and yet to inhibit the growth of legitimate unions, the operators organized company unions and urged employees to accept them. H.C. Ryding, president of the Tennessee Coal, Iron and Railroad Company, presented a plan to the workers on June 15, 1933, the day before President Roosevelt signed the National Industrial Recovery Act into law.

The Tennessee Coal, Iron and Railroad Company, adhering to the principles set forth in the 'National Industrial Recovery Act,' has inaugurated a plan of Employee Representation under the provisions of which the employees of our various plants and operations will have a voice in matters pertaining to industrial relations. It is hoped that you will secure a copy of the Plan, read it carefully, and give it your hearty support. We would suggest that arrangements be made promptly to have this Plan become effective by nomination and election of representatives as provided under the Plan."³⁵

Even before NIRA became law, Hugh Johnson, future NRA director, initiated talks with coal operators, in hopes that the required industry-wide code could be quickly agreed upon. In writing codes for other industries, Johnson had relied on aid from industrial trade associations. The coal industry, however, was divided by regional antagonisms, which made cooperation nearly impossible. Three sales agencies, Northern Coals, Inc., Central Coals Associates, and Appalachian Coals, Inc., represented a vast majority of operator interests, but

³⁵Marshall, Labor in the South, 140.

also divided the industry into competing blocs. Most prominent among the code negotiators, and representing non-union interests, were John D.A. Morrow, president of Pittsburgh Coal; Charles O'Neill, president of Peale, Peacock, and Kerr, Inc.; Ralph E. Taggart, vice-president of Stonega Coke and Coal Company; and James D. Francis, vice-president of Island Creek Coal Company and president of Appalachian Coals.³⁶

The inability of the operators to cooperate was reflected in the New York Times: "The bituminous coal code is reported to be blocked by the inability of the operators of different sections to agree on labor and wage provision."³⁷ On the other hand, reported the New York newspaper, "labor has been making the most of its opportunity."³⁸ In a report to Johnson on July 3, Lewis boldly asserted that "the United Mine Workers of America represents and speaks for the entire body of coal miners of the United States, and we are now ready for collective bargaining with the employers for wages and working conditions under the new law."³⁹

At a meeting in Charleston, West Virginia, 2,579 delegates representing 160,000 miners pledged their support for Lewis

³⁶Johnson, "Drafting the NRA Bituminous Code," 523-24.

³⁷New York Times, June 23, 1933.

³⁸New York Times, July 4, 1933.

³⁹New York Times, July 4, 1933.

and his proposals. "As a result of the meeting...John L. Lewis... will enter the hearings on the proposed coal codes...and place upon the table the mandate to represent practically all the coal miners in the United States."⁴⁰

In the code hearings, twenty-five codes were considered, and none of these could have been modified to the extent to become acceptable to everyone. A Tennessee-Georgia operators association proposed a forty-eight-hour week with an hourly rate of \$.25 for all employees. Another group of Tennessee mines was included in the Smokeless and Appalachian Coals proposal. This group favored a forty-hour week with a minimum wage of from \$.32-1/2 to \$.45 per hour for work inside the mine and an hourly rate of from \$.32-1/2 to \$.33-1/2 for outside labor.⁴¹ Basically, the UMW demanded a thirty-six-hour week and a \$5.00 daily wage.

President Roosevelt, who was becoming impatient for results, set August 31 as a target date. If a code was not completed by then, the administration promised to impose its own ideas upon the industry. When the deadline passed, Hugh Johnson submitted the administration's proposed code to the negotiators. "Its effect was that of a hand grenade. The coal operators...blew

⁴⁰New York Times, July 24, 1933.

⁴¹"Bituminous Coal Points for Code Hearings; NRA Organizes Board to Halt Industrial Disputes," Coal Age, August 1933, 279.

up."⁴² They claimed that this would "'deprive the owners of practically all of the rights of management and...[would] destroy any efficient and economical methods of production.'"⁴³ The industry representative also charged that "political socialization of industry was not authorized by the recovery act."⁴⁴ And yet the administration's plan laid the basis for the adopted coal code. A subcommittee composed of operators and the UMW worked out the final draft.

This code, signed by President Roosevelt on September 18, provided for an eight-hour day and a forty-hour week, an elected checkweighman, and a pit committee, to peacefully settle disputes between the operators and the miners. It also ended the reign of the company town. Most important, however, was the fact that the UMW was recognized as the official bargaining agent for its members. Representation elections were held at each mine, with the right of exclusive representation determined by a majority vote. Neither NIRA nor the coal code guaranteed that the UMW would represent the mine workers. Only Lewis' successful reorganization drive placed the union in such a favorable position. By the end of 1933, Lewis' union was strong, vigorous, and growing rapidly.

⁴²"Johnson's Coal Code," Nation, September 20, 1933, 313.

⁴³Ibid.

⁴⁴Ibid.

Interpreting the code, industry representative H.R. Hawthorne of Smokeless and Appalachian Coals, saw that although the right of collective bargaining was guaranteed, a specific organization was not stipulated. "'The law does not prohibit the existance of a local labor organization, which may be called a compnay union and is composed only of the employees of the company.'"⁴⁵ The UMW could still be voted out of the coal fields. The operators would be restricted though, to the tactics of raising wages and improving working conditions to undermine union strenght.

Separate from the coal code but an outgrowth of it was the Appalachian Joint Wage Agreement signed by the UMW and the operators on September 21, 1933. This agreement reorganized the wage structure basis of the coal fields and covered 340,000 miners, including the South, where the UMW had previously been unable to gain a foothold.⁴⁶ This, and not the coal code per se, intrenched the UMW in the coal fields.

This near-industry-wide contract, "said to be the most improtant wage agreement in American labor history,..." provided for a forty cent wage differential between the North and the South.⁴⁷ Tennessee was divided into three wage dis-

⁴⁵New York Times, August 28, 1933.

⁴⁶Johnson, "Drafting the NRA Bituminous Code," 538.

⁴⁷New York Times, September 23, 1933.

tricts. Wages in Northern Tennessee would be \$4.20 per day or \$.52-1/2 per hour for labor inside the mine, while outside common laborers received \$3.20 per day or \$.40 per hour. Mines in Marion, Grundy, Sequatchee, White, Van Buren, Warren, and Bedlow Counties, Tennessee would pay \$3.84 a day or \$.48 an hour for inside skilled labor and \$2.84 a day or \$.35-1/2 an hour for outside common labor. Hamilton and Rhea County mines paid \$3.40 per day or \$.42-1/2 per hour to inside workers while outside men received \$2.40 per day or \$.30 per hour.⁴⁸

The captive coal mines, which supplied coal to a parent industry, protested the Appalachian Joint Wage Agreement because they did not sell coal on the open market. The parent corporations were also afraid that unionism, if allowed to enter the mines, would spread to all the concerns of their conglomerates. While a northern subsidiary of United States Steel, the H.C. Frick Coke Company fought the unionization of its mines well into November, a southern subsidiary, the Tennessee Coal, Iron and Railroad Company, along with other captive mines of the region, consented to union organization. In a letter to President Roosevelt in October 10, 1933, these operators guaranteed that they would "recognize voluntary orders for payment of the wages of any employee of our coal mines for dues to any organization of

⁴⁸"Bituminous Coal Flies the Blue Eagle Under Code of Fair Competition, Coal Age, October 1933, 253.

which he may be a member...."⁴⁹ The captive miners gained the check-off and union recognition.

The coal miners of Tennessee, in the latter years of the nineteenth century preferred neither to affiliate with a national union nor to maintain local unions. Instead they attacked immediate problems, such as the convict labor system, with immediate action. The workers were certainly in a position to adopt a regional or national union in the early 1890's. During the period 1900 to 1920 the coal industry experienced a period of rapid growth and prosperity, and this was reflected in the miners' wages and working conditions.

The 1920's brought a period of decline, however, caused by over-expansion, an abrupt end to war-time demand, and a situation in which a unionized North had to compete with a non-union South. During the hard times of the 1920's unions could not gain a foothold because of the ruthless tactics employed by the operators. In such a desperate predicament, the operators may have felt compelled to use these tactics. By 1930, conditions had deteriorated to such an extent that miners in Tennessee and all over the United States were ripe for a unionization drive. At just the right moment John L. Lewis initiated a reorganization of the UMW.

⁴⁹ New York Times, October 13, 1933.

At this time also Section (7)a of the National Industrial Recovery Act provided labor with the needed impetus to organize the entire coal producing area and to bring desired stabilization to the industry. NIRA also focused national attention on the labor movement, thus disarming the owners of their most effective anti-union tactics.

The coal operators themselves welcomed some type of industry stabilization. Although they would have preferred an operator combination to regulate the industry, most peacefully accepted the inevitability of unionization, and hence a union voice in the activities of industry, under NIRA. Tennessee operators resisted the UMW's organization drive but did not engage in a death struggle with the union. Because of this policy of reluctant acquiescence, Tennessee did not experience the degree of violence which other coal producing states did.

One reason that Tennessee operators accepted unionization with so little resistance may have had a basis in the absence of organized union activity in the past. The operators had resisted unionization but were not forced to engage in outright war with an entrenched workers organization. An intense operator hatred of unions, apparent in other areas, may not have been a tradition in Tennessee. For this reason, the coal miners of Tennessee were able to achieve union recognition through a relatively peaceful process.

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