

Eight-Hour Mining Law

Correspondence Between Government and Members, Miners and Managers.

Feeling on the Matter as Shown by Communications Sent and Received.

A return of all correspondence between parties interested prior to the enforcement of the eight-hour clause of the Inspection of Mines Act Amendment by Hon. J. Fred Hume.

The return consists of now fewer than sixty documents, comprising an equal number of full folio pages, the first in the series of communications being a telegram addressed to the Minister of Mines by F. A. Heap, Alnsworth, March 16 last, in which the question is asked: "Is the miners' eight-hour law to be enforced here?"

H. F. Green, M.P.P., Kaslo, same date, writing the minister, says: "Section 4 of the amendments to the Inspection of Metalliferous Mines Act is creating a good deal of excitement throughout the Slokan. You are no doubt aware that the wages in this district have always been \$3.50 per day, while at Rossland and Nelson—potably at the Hall mines—they have only paid \$3 per day. The owners here threaten to cut wages to meet the situation, to \$3, which will in my opinion result in a strike. Under section 34, Victoria, chapter 134, Consolidated Statutes, the prosecutions under this act can only be instituted by the inspector of mines or with the consent of the Minister of Mines. A delegation of mine owners is on its way to the Coast to interview you on the subject, and I would suggest that you accede to their demands for an assurance that no prosecutions will be instituted until you notify them to the contrary. I ask this for the reason that I had no request from any miner in my riding asking for the eight-hour day, and I desire time to find out their wishes in the matter."

Next, under the date of March 17, is an instruction from the Minister of Mines to Inspector James McGregor, directing his attention to the section of the act, and requesting that he "see to it that the limit of eight hours in every 24 is strictly adhered to."

Hon. Mr. Hume replied to Mr. Heap: "I shall esteem it a favor, therefore, if you will let me know of any expressions of opinion you may have heard with regard to the operation of this particular section."

The Minister of Mines replied to Mr. Green's letter, informing the member for the Slokan that the delegation he had referred to had had an interview, and conveying the assurance that their representations—as well as those made by Mr. Green—would "receive every consideration on the part of the government."

March 14 saw a petition forwarded from the mine owners of the Sandown neighborhood—signed by seventeen large companies, headed by the Payne group, and employed by 884 miners—urging that the enforcement of the eight-hour clause "practically compels the mine owners of the Slokan to adopt one of two alternatives—either to reduce the present rate of wages, or to close down their workings."

The petitioners added: "We have consistently paid the highest rate of wages paid in the province, and owing to the climatic conditions prevailing here it is necessary for us to do so in order to obtain skilled workmen. There has so far been no conflict between employers and employees in this camp, but the enforcement of clause 13, Victoria 61, chapter 134, will work unavoidable disaster in this district. We therefore beg you to do your utmost to grant such relief as may lie in your power."

Hon. Mr. Hume acknowledged this petition on the 22nd March, in a letter to Manager F. A. Wood of the "Last Chance," with the observation: "I have received a letter on the same subject from the member for your district, and I would request you to inform the petitioners that their question is receiving the earnest consideration of the executive."

The workmen in the mines were first heard from on March 30, when President John Leaden and Financial Secretary James Devine, of the Rossland Miners' Union, wrote to the minister to this effect:

"You would greatly oblige the officers and members of this union if you could give us some knowledge when the eight-hour law is going to take effect. To us it seems the hour for action has arrived; the men's patience is almost worn out. We think there would be good results if the law was enforced at once."

Three days later, Hon. Mr. Hume replied that the matter was under consideration by the government, and expressed the hope that he would be in a position shortly to send definite instructions to the inspector of mines in the matter.

James Wilkes, of Rossland, on the 29th March, telegraphed Hon. Mr. Hume that:

"Eight-hour law thoroughly enforced; perfect harmony. Never mind Slokan kickers. Expect letter."

Two days later H. G. Needlands sent to the minister from Nelson, this message:

"Delegates leave here Monday to interview you. Will you be in Victoria?"

William Hunter of Silverton gave his views on the question in a letter addressed to Hon. Mr. Hume on March 31, in which he said:

"You have no doubt received many letters with regard to the new eight-hour shift for men underground. It seems that the bill was rushed through in a

hurry for no one seemed to know anything about it until it became law. Now I do not know how it will work in Nelson or Rossland, where the wages were only \$3, but I am afraid that it is enforced here it will cause no end of trouble for the mine owners declare that they will shut down before they will pay \$3.50 for eight hours' work; and the men say that they would rather work the ten hours for the larger pay. It seems too bad that when things were moving along so quietly, this question should have been brought up, as every one seemed satisfied with the existing arrangements. The trouble would have come soon enough without the government being the first to move in the matter. Now if there is any way of letting matters rest the way they are in the Slokan it will be much better, for if any trouble arises I am afraid that some of the mine owners will be apt to shut down at the present price of silver. I hope you will give the matter your earnest attention, and try to avoid trouble."

The reply of the Minister of Mines to this letter was written on the 6th of April, and contained the following: "I am afraid that it is more than probable that there will be some little friction in certain localities where this act is enforced, but I trust this will only be of a temporary nature. At the same time, I would have you bear in mind that this legislation was introduced upon the express wish of different mining constituencies, and I presume that they have fully considered beforehand the probable result of their action."

On the 1st of April, Charles Angus McKay of Nelson was heard from in a letter to the minister in which he said: "In view of so much opposition to your efforts in the enforcement of the eight-hour law, as a representative of labor I beg to offer a few remarks:

"First, we deplore the fact that our newspapers by no means voice the sentiments of labor on the question, but, nevertheless, labor here is, I may say, unanimous in favor of the law. We appreciate your stand, shown in the efforts you are making to enforce the system. The agitation got up here against the act represents nothing more than the moneyed class."

"The effects of the system will be most beneficial to all concerned, both capital and labor, inasmuch as it will in time result in gathering the very best of miners to this country, and in keeping here the good ones that we have now."

"In conclusion, I would say that I hope you will do all you can to enforce the measure, and let not any of these seven-tenth century political philosophers prevent you from doing your duty, as I can assure you you have the warm support of the great mass of the common people."

"Comparing other classes of labor with underground mining, as has been done in the Nelson Miner, is very foolish. Underground men have to contend with bad air, whereas the others have not. Now, if we can do a day's work in eight hours, it would be poor economy to stay in the mine for ten hours, doing the same work."

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As a postscript, Mr. McKay suggested that: "If you see fit, Mr. Hume, you can give this letter to the press."

It does not appear that Mr. Hume saw fit.

The minister acknowledged the letter on April 5, in these terms: "I beg to acknowledge your letter of the 1st instant, stating that the newspapers do not represent the real views of the people with regard to the enforcement of the eight-hour law, and that the agitation organized in certain districts against this measure represents only the views of the moneyed class. I beg to thank you for this expression of opinion, and I trust that, as you say, both labor and capital will benefit by the action of the government in this question."

Coincidentally with Mr. McKay's communication, on the 1st of April, M. P. Dezel, and many other business men of Nelson, addressed the following to the interested minister: "We, the undersigned business men of Nelson respectfully beg to ask you as our representative to do everything in your power to prevent the disaster which we foresee to us and to the district in which we are interested through the enforcement of the legislation passed at the last session of the legislature affecting the hours of underground labor in the metalliferous mines. From our intercourse with the miners in the neighborhood of this town, we are convinced that they have been satisfied with the wages they have been earning, and with their hours of labor, and from our knowledge of the conditions we believe that they are better off than the miners of the United States, from where many of them have come in better financial circumstances here. We have invested our money in this place, and have staked much of its growth and prosperity from the increased working of present mines and the development of new ones, and if, as we believe to be the case, this interference with the free right of contract of employer and employee be persisted in, we anticipate that present operations will be greatly reduced, and that the opening of new mines and the development of the country generally will receive a heavy blow from the frightening away of capital, which is known to be very timorous where there is danger of labor troubles. The results which we anticipate would be so ruinous to us whose business is dependent upon the prosperity and growth of the mining industry and to the district as a whole, that we cannot too strongly urge you to take nothing undone, or to take any action no matter how strong or unusual, to prevent any interference with the state of things which has hitherto existed between employer and employee."

An independent view of the situation, under the same date of April 1, is contained in the letter of Alfred Bunker of Nelson, in which the writer says to the Minister of Mines:

"Through an excitement caused by the amendment of the mining law constituting 8 hours a day's labor for underground working, a delegation of parties interested in mines has been appointed to go to Victoria, backed up by a petition to the government to repeal such clause said law affecting interested parties regarding the 8-hour section. I would say as a supporter of the government and as a disinterested party, neither employing miners, or wanting employment in mines, that the law is giving general satisfaction, and I think that after giving it a fair trial, and the excitement dies out somewhat, all parties will be satisfied."

"Of course there are miners who are continually agitating for something, and there are mine owners who are never satisfied, no matter how much work they get for a dollar. I think the law should be optional in properties under development, if miners are agreed to work 10 hours should be satisfactory; in deep workings, where air is bad, 8 hours is plenty. I should advise you to stand pat."

Bunker also adds: "You are at liberty to use this note."

In acknowledging the letter in question, Hon. Mr. Hume says: "The government are giving this matter their serious consideration." The acknowledgment bears date of April 7—and I shall be glad to place before them your views on the subject."

The previous day, however, it would appear that the government had arrived at a partial understanding, for on that date a telegram was sent by Hon. Mr. Hume, to Inspector of Mines McGregor, at Nelson, instructing him in the following: "Without enforcement of section 4, Inspection of Metalliferous Mines Act, as amended last session, until further advised."

This message was not delivered, as a telegram company note to the sender says: "Party addressed left town. Now somewhere in Slokan country—think Sandown."

The wire was worked from Ymir the same day, April 6, and Hon. Mr. Hume received the following from L. A. Snyder, of the mining camp: "Good results obtained by enforcing eight-hour law."

Next in order came a petition bearing the date of the 1st of April, signed by the London & British Columbia Goldfields, Ltd., the Ymir Gold Mines, Ltd., the Small Mines, Ltd., and many others. It read:

"We, the undersigned owners, representatives of owners, and managers of mines in the Nelson district, desire respectfully to urge upon you the great necessity of securing the safety and for healthy of workmen engaged in or about the Metalliferous Mines of the Province of British Columbia, by the appointment of an inspector of metalliferous mines, section 34, chapter 13, of the said act, amended at the last sitting of the legislature to the effect that 'no person shall be employed underground in any metalliferous mines for more than eight hours in every 24 hours, until such time as the opinion of the electors in the mining districts shall have been ascertained as to whether the enforcement of the said clause is in the interest of the province, and the government, through the Minister of Mines and yourself, has promised that until it is ascertained through the members for the Kootenays, the feelings of the electors in their various districts, you will instruct the Inspector of Mines not to prosecute the enforcement of section 34 of the Mines Inspection Act, and that you will refuse the necessary permission for any other person to prosecute, and that if you should decide that it is the wish of the electors in those districts that the provisions of the said clause be enforced, notice of one month or six weeks will be given before any prosecution will be permitted, and that no permission would thereafter be given for prosecution for any infraction of the act prior to the date stated in such notice."

To this the Hon. Mr. Hume replied the following day:

"I am in receipt of yours of the 7th inst., and beg to say in reply that the government have instructed the Inspector of Mines by way as follows: 'Without enforcement of section 4, Inspection of Metalliferous Mines Act, as amended last session until further instructions.'"

"The government has taken this step pending the receipt of reports from the representatives of the districts affected by the eight-hour law."

"If after receiving this information it is deemed in the public interest to enforce the act, 30 days' notice will be given by advertising in the Gazette."

Two days subsequently, on the 10th of April, Grant Cox, the financial secretary of the Miners' Union at Sandown, wired the minister:

"We request that the mining inspector now here enforce the eight-hour law at once."

On the same day the minister replied by telegram:

"Upon representations by mine owners of Slokan and others, the inspector has been instructed not to enforce the eight-hour law until further advised."

This message was acknowledged by the union on the 13th April, over the signature of its president, Jos. Stockham, who wrote:

"Your message was somewhat of a surprise to the miners of the Slokan country, as they knew it was a just law, and had all confidence in the government to enforce it. Now if the mine owners and their hirelings are going to defeat the wishes of the miners, representing the facts, it is time the government was paying some little attention to the miners—those who pay their just proportion to the taxes who go to support the government. Now I will say without fear of contradiction, that miners outside of the union have asked the Miners' Union to use their best efforts to have the eight-hour law enforced at once."

Presumably the appended remarks were addressed by Hon. Mr. Hume in reply to this, for on the 17th April, the Minister of Mines wrote:

"I beg to say in reply that the following representations have been made by the mine owners of Kootenay to the government:

"1. That the mine owners could not consent to pay the same rate of wages for eight hours as they have been paying for ten hours."

"2. That the miners themselves are satisfied with the old working day of ten hours."

"3. That they, the miners, did not ask the government for the reduction of hours."

"4. And that they would prefer the ten hours to a reduction of wages."

"5. And the mine owners state that rather than pay \$3.50 for eight hours, they would close down."

"The government have carefully considered the whole matter, and will leave it for the miners themselves to decide whether it is to their interest or no to enforce the act, the government in the meanwhile withholding their consent to any prosecutions or enforcement of the act until the general feeling among the miners has been more clearly ascertained, and they have laid their case before the government. At the same time I can assure you that if it is shown to be in the interest of the miners and the general prosperity of the country to enforce this act, the government will not hesitate to do so."

Writing from Rossland on the 12th April, to Hon. Mr. Hume, W. A. Carlyle, as mining engineer in charge of the works of the British American Corporation, was next heard from as follows:

"With respect to the eight-hour law, it is reported here that the inspector of mines has been instructed not to enforce it for the time being. I would be very glad if you would let me know whether any such step has been taken? I would like to say that this new regulation compelling us to adopt the eight-hour law, was totally unknown to the mining men here, and we could scarcely believe that it had been passed. Prior to that time there had been no dissatisfaction among the men, and no complaints had arisen whatever. Yet, without giving the mining men any opportunity whatever to discuss this proposed change, it was made law. When we got notice from the inspector of mines, we at once adopted it, without changing the rate of wages for the time being, in order that we might learn what difference it made in the cost of working. I might say that we are doing everything to prevent any conflict with labor, as such would be a severe blow to the province and very hard on the mining companies. The Miners' Union is becoming more and more aggressive, and the fact that two of three of their members were able to secure the passage of this bill bodes ill for the mining industry. In reference to this eight-hour law, it was not in vogue in Rossland, as has frequently been stated, except in two or three working places in the War Eagle. We already make, and the Le Roi, that our costs for the same production per day have been materially increased by the passage of this act, compelling us to work this. The result may be that we shall have to reduce wages, which may lead to a disagreement between ourselves and our men, when hitherto there was complete accord. I am sure that in this matter we have your sympathy, as you will fully understand the conditions that exist in Kootenay, but as I know you were standing for re-election at the time this law was passed, you were unable to give us your support. The mining men of Rossland have not as yet presented a memorial to you asking relief in this law, but they have by no means accepted it without thought of doing so, and I sincerely hope that until the mining men have an opportunity of presenting their side of the question, we may get relief. I am sure that the miners of Rossland, with the particulars of the case, and we are now prepared to resist very strongly labor interference, although in the meantime we will do all we can in justice to the men; we will pay the best wages, and do everything to maintain harmony, and if we are led into a disastrous struggle with labor, it will not be hard on us and the men alone, but it may lead to trouble all over the province, and nothing will be so damaging to our mining industry abroad as the fact that we are having serious labor troubles here. I may shortly be in Victoria when I hope to have the pleasure of a talk with you upon this subject. If you have decided to withhold this measure for the time being, I will be very pleased to be so informed."

The acknowledgment of this included a statement of the conditions of the withholding of the act in perpetuity, completed on the 26th April, in which it is said:

"While in Victoria the matter of the eight-hour law in the mines was repeatedly brought to my notice, and my opinion asked concerning it. I believe the principle of the legislation in its application to deep mining to be correct and in line with good precedents towards special classes of employment, but I think that there should be some qualifying amendment attached limiting its application to deep mining only."

Regarding the enforcement of the act in the present case, the suggestion of its operation only in cases where the work operation only is properly called deep, might be entertained for the present, it being understood that such would become the statutory meaning at the legislature's next session. Of course this is merely my personal idea upon the subject, and given only in that sense."

Hon. Mr. Hume, replying to this letter, said:

"Such expressions of opinion I am glad to receive, as they will be of great assistance to the government in arriving at a decision in the matter."

Next in order of communications is a resolution adopted at a meeting of the mine owners of the Boundary Creek district, as follows:

"Whereas it has been enacted by the legislative assembly of the province of British Columbia that no person shall be employed underground in any metalliferous mine for more than 8 in every 24 hours;

"And whereas there are certain tenancies for not complying with the said enactment;

"Now this body respectfully submits that the legislation in question will not only work great hardship upon the mine owners of this district but also upon the mines themselves, for the following reasons:

"1. The mines in the Boundary Creek district at the present time are entirely unproductive, owing to the lack of facilities for the reduction of ores, in consequence the expense of operating the said

shifts, thus giving employment to miners who are now compelled to seek other employment. The fact of the bluff made by the mine owners is simply laughed at; the men here say the owners are here to develop their properties and make money, that it is a matter of indifference to mine owners who they pay wages to, provided the work is done. The fact that organized labor has been fighting for years in all civilized countries for eight hours' work, eight hours' pay and eight hours' sleep, and that the greater number of working men in this country are asking for the eight hours' should be sufficient to convince the government that the legislation as carried will work mutual benefit. Where it has been tried heretofore, in factories, buildings, etc., the workmen have had better health, the masters better work, and the merchants increased business. For the country at large it is much better to have two men earning \$3.50 per day than one man earning \$3.50. If these miners can work in Rossland, Nelson and other points on shorter time, why not in the Slokan? If they are forced out of part of them are forced to leave the Slokan, and work on the railways for \$2.25 for ten hours' work, can they not work at a profit at \$2.80 for eight hours' work? The question is simply one of avarice. The fortunate ones who get \$3.50 don't want to divide with their less fortunate brothers. The mine owners will not reduce wages, nor will they close their properties. They will pay the same rate per hour, and other districts will follow. Because labor will not be so plentiful. They will employ more men, produce more ore, pay a bigger aggregate wage, and everyone will be benefited. This opinion is the result of interviewing over fifty workmen, with whom I have talked since the eight-hour law was passed."

Wm. Delahay was again heard from in a letter dated at Ymir on the 13th April, in which he says:

"I have complied with your wishes in making inquiries from the voters, residents and business men of Ymir, also from persons who are more or less interested in mining properties in this locality; and I have not met with one who is opposed to it. The mines working here are the Tamarac and Ymir, which when notified complied with the order immediately."

In replying the sentiments of Ymir, the government should not certainly enforce the law to the very letter, notwithstanding the Nelson delegation to the contrary, who, by the way, only represent a few disgruntled mine owners of the Slokan who are ready to reduce wages, and are not representative of the mine owners of the Slokan, and I am sure that the action of the government in enforcing the law will be endorsed by a great majority of the people. During my visit to Rossland a few days since I made it my business to make inquiries from a reliable source whether there was any dissatisfaction among the mine owners, and I found that everything seemed to be working very satisfactory indeed. In conclusion I hope the government will not weaken in enforcing the eight-hour law."

Wm. Delahay again to Hon. Mr. Hume, April 18th, replying to the 18th, as chairman of a mass meeting of miners and others held at Ymir on the evening of the 17th April, stating that James Graham, J. J. Roets, Wm. Delahay and A. L. Knox had been appointed to draft resolutions protesting against the suspension of the eight-hour clause, and forward them to the Minister of Mines and the Ymir Miner, for publication. These resolutions, subsequently presented read:

"1. That the eight-hour law passed by the Legislature of British Columbia was highly satisfactory to the miners of Ymir district."

"2. That the action of the government is now suspending the operation of the law and is highly detrimental to the interests of the miners of this district."

"3. That the Minister of Mines be requested to immediately enforce the operation of the eight-hour law in the district of Ymir."

"4. That the assurance that one month's notice be given to the mine owners be immediately rescinded, as such notice was never contemplated in the law."

"5. That the statement made by the reputation of mine owners to the effect that the law was obnoxious to the mine owners, is entirely incorrect."

A more moderate tone pervades a communication from B. R. Atkins to the Minister of Mines, addressed from Vancouver on the 26th April, in which it is said:

"While in Victoria the matter of the eight-hour law in the mines was repeatedly brought to my notice, and my opinion asked concerning it. I believe the principle of the legislation in its application to deep mining to be correct and in line with good precedents towards special classes of employment, but I think that there should be some qualifying amendment attached limiting its application to deep mining only."

Regarding the enforcement of the act in the present case, the suggestion of its operation only in cases where the work operation only is properly called deep, might be entertained for the present, it being understood that such would become the statutory meaning at the legislature's next session. Of course this is merely my personal idea upon the subject, and given only in that sense."

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"1. The mines in the Boundary Creek district at the present time are entirely unproductive, owing to the lack of facilities for the reduction of ores, in consequence the expense of operating the said

shifts, thus giving employment to miners who are now compelled to seek other employment. The fact of the bluff made by the mine owners is simply laughed at; the men here say the owners are here to develop their properties and make money, that it is a matter of indifference to mine owners who they pay wages to, provided the work is done. The fact that organized labor has been fighting for years in all civilized countries for eight hours' work, eight hours' pay and eight hours' sleep, and that the greater number of working men in this country are asking for the eight hours' should be sufficient to convince the government that the legislation as carried will work mutual benefit. Where it has been tried heretofore, in factories, buildings, etc., the workmen have had better health, the masters better work, and the merchants increased business. For the country at large it is much better to have two men earning \$3.50 per day than one man earning \$3.50. If these miners can work in Rossland, Nelson and other points on shorter time, why not in the Slokan? If they are forced out of part of them are forced to leave the Slokan, and work on the railways for \$2.25 for ten hours' work, can they not work at a profit at \$2.80 for eight hours' work? The question is simply one of avarice. The fortunate ones who get \$3.50 don't want to divide with their less fortunate brothers. The mine owners will not reduce wages, nor will they close their properties. They will pay the same rate per hour, and other districts will follow. Because labor will not be so plentiful. They will employ more men, produce more ore, pay a bigger aggregate wage, and everyone will be benefited. This opinion is the result of interviewing over fifty workmen, with whom I have talked since the eight-hour law was passed."

Wm. Delahay was again heard from in a letter dated at Ymir on the 13th April, in which he says:

"I have complied with your wishes in making inquiries from the voters, residents and business men of Ymir, also from persons who are more or less interested in mining properties in this locality; and I have not met with one who is opposed to it. The mines working here are the Tamarac and Ymir, which when notified complied with the order immediately."

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In replying the sentiments of Y