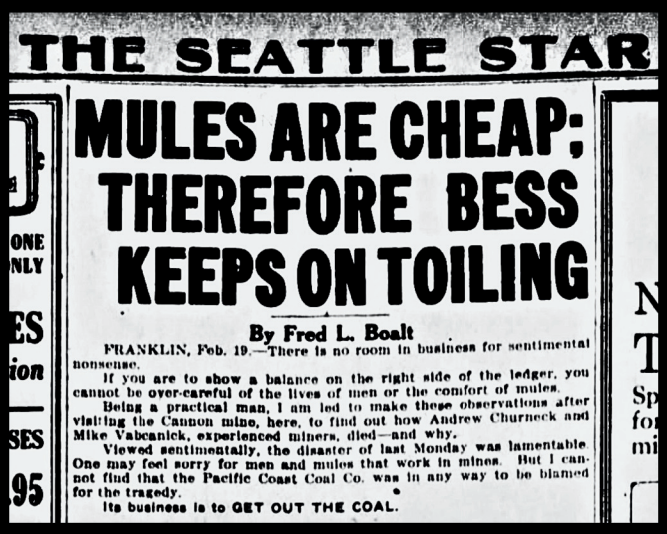
Bess the Mule, a Coal Mine Disaster, Capital, and Intertwined Oppression (1914)





THE SEATTLE STAR

MULES ARE CHEAP; THEREFORE BESS KEEPS ON TOILING

By Fred L. Boalt

FRANKLIN, Feb. 19.—There is no room in business for sentimental nonsense.

If you are to show a balance on the right side of the ledger, you cannot be over-careful of the lives of men or the comfort of mules.

Being a practical man, I am led to make these observations after visiting the Cannon mine, here, to find out how Andrew Churneck and Mike Vabcanick, experienced miners, died—and why.

Viewed sentimentally, the disaster of last Monday was lamentable. One may feel sorry for men and mules that work in mines. But I cannot find that the Pacific Coast Coal Co. was in any way to be blamed for the tragedy.

Its business is to GET OUT THE COAL.



On **Feb 16, 1914**, a coal mine in **Franklin, Washington** (1 ¼ hours SE of Seattle) collapsed, killing the miner **Andrew Chernick**.

Three days later, the *Seattle Times* reported that a mule named **Bess** survived the accident. And that she had been **worked in the mine 24 hours/day for 4 months straight**.

"Never have I seen such a ramshackle animal as this rack of bones. Her wobbly legs are swollen and bleeding. Her emaciated body is a mass of harness sores. Her mangy hide, stretched tight as a drumhead, shows every bone. Between bones are deep cavities where flesh ought to be. She had just strength enough left to drag the cars."

The **King County Humane society** intervened. The mine superintendent and three mule drivers were arrested and fined. Bess was taken to safety.

The cruelty charges and fines were overturned on appeal.
Bess was sent back to the mine, where she was presumably worked to death.

Capital exploits:

People

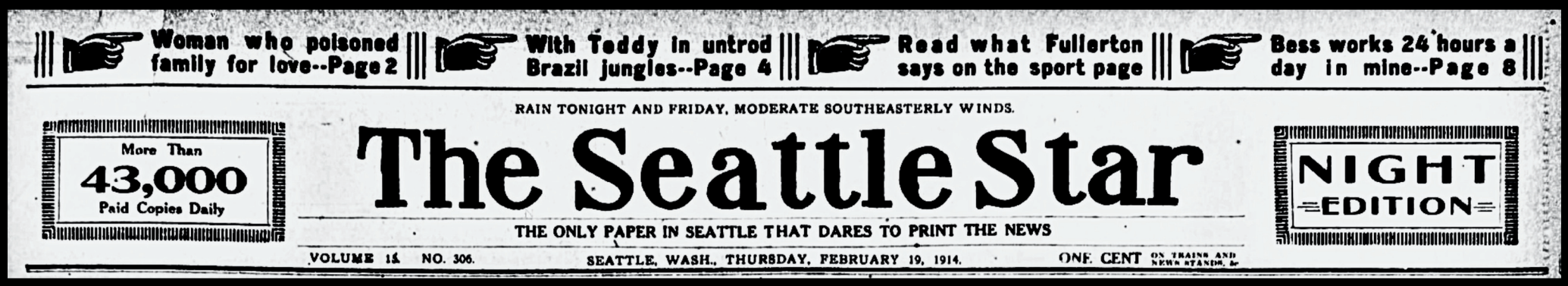
Animals

Ecosystems

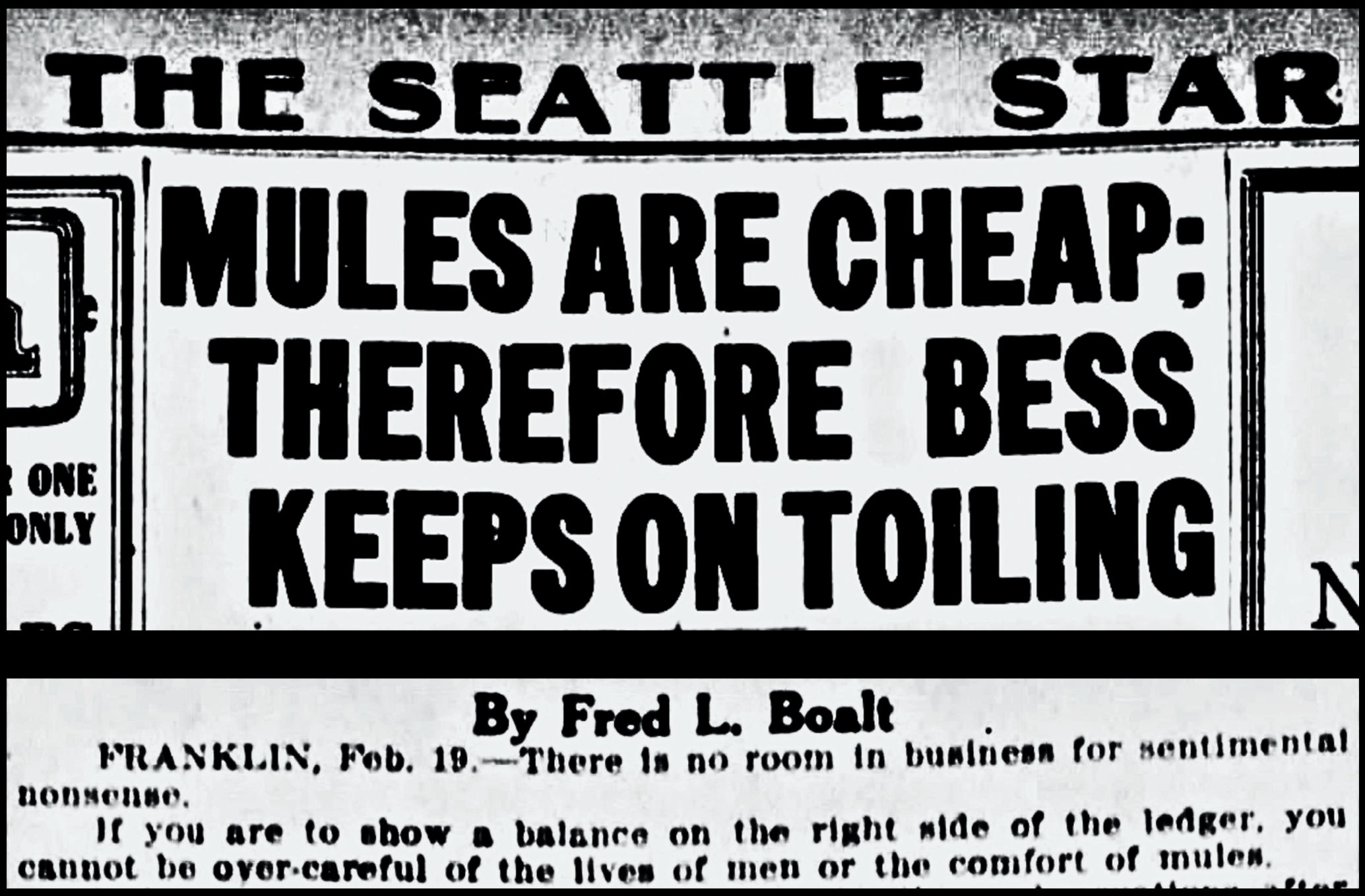




"BESS"

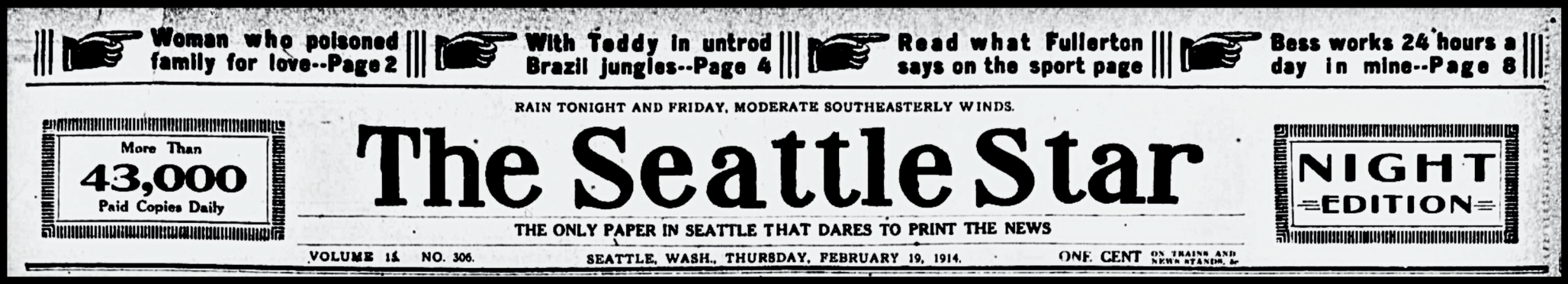

Woman who poisoned family for love--Page 2
With Teddy in untrod Brazil jungles--Page 4
Read what Fullerton says on the sport page
Bess works 24 hours a day in mine--Page 8
RAIN TONIGHT AND FRIDAY, MODERATE SOUTHEASTERLY WINDS.
More Than 43,000 Paid Copies Daily
The Seattle Star
NIGHT EDITION
THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS
VOLUME 15 NO. 306. SEATTLE, WASH., THURSDAY, FEBRUARY 19, 1914. ONE CENT ON TRAINS AND NEWS STANDS, 2c

The original report justifies the coal mine's treatment of the workers and mules – in the name of profits:


THE SEATTLE STAR
MULES ARE CHEAP: THEREFORE BESS KEEPS ON TOILING
By Fred L. Boalt
FRANKLIN, Feb. 19.—There is no room in business for sentimental nonsense.
If you are to show a balance on the right side of the ledger, you cannot be over-careful of the lives of men or the comfort of mules.

Boalt's article begins:

"There is no room in business for **sentimental nonsense**. If you are to show a balance on the right side of the ledger, **you cannot be over-careful of the lives of men or the comfort of mules**."


Woman who poisoned family for love--Page 2
With Teddy in untrod Brazil jungles--Page 4
Read what Fullerton says on the sport page
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VOLUME 15. NO. 306. SEATTLE, WASH., THURSDAY, FEBRUARY 19, 1914. ONE CENT ON TRAINS AND NEWS STANDS.

Boalt, the reporter, was pro-company and anti-worker + anti-mule.

He continues:

One may feel sorry for men and mules that work in mines. But I cannot find that the Pacific Coast Coal Co. was in any way to be blamed for the tragedy.

Its business is to GET OUT THE COAL.

"One may feel sorry for men and mules that work in mines. But I cannot find that the Pacific Coast Coal Company was in any way to be blamed for the tragedy. **Its business is to GET OUT THE COAL.**"

Boalt describes Bess's condition:

When I reached the mouth of the mine I met Toby, the Slav mule-skinner, and Bess, his mule.

Never have I seen such a ramshackle animal as this rack of bones. Her wobbly legs are swollen and bleeding. Her emaciated body is a mass of harness sores. Her mangy hide, stretched tight as a drum-head, shows every bone. Between bones are deep cavities where flesh ought to be. She had just strength enough left to drag the cars.

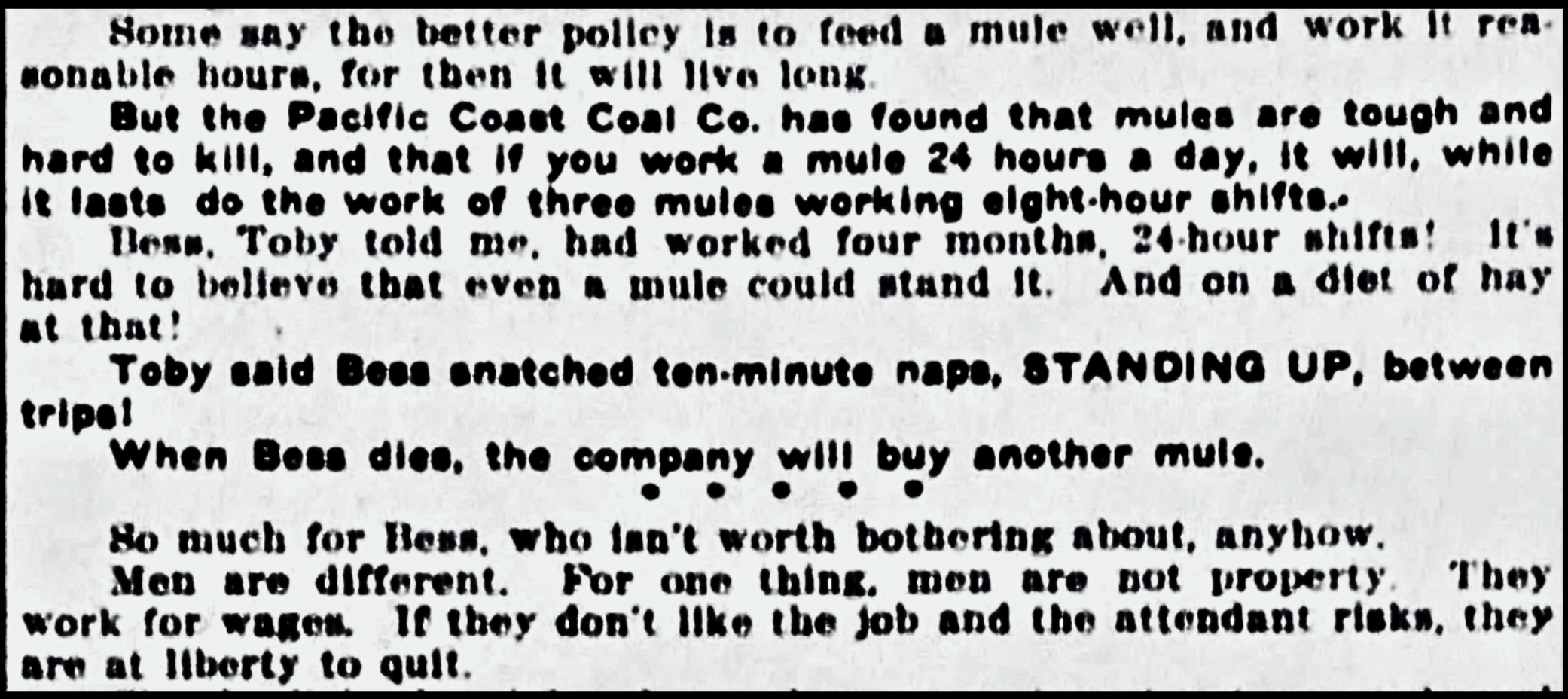
"Some mule," I observed.

Toby, the tow-headed, regarded his beast without pride.

"Bess he dam' tired," he said.

We talked. It seemed Bess was once a fine and prideful mule. Good mules cost money. Mule experts disagree as to which of two poli-cies brings the best returns on an in vestment in mules.

"Never have I seen such a ramshackle animal as this rack of bones. Her wobbly legs are swollen and bleeding. Her emaciated body is a mass of harness sores. Her mangy hide, stretched tight as a drumhead, shows every bone. Between bones are deep cavities where flesh ought to be. She had just strength enough left to drag the cars."



Some say the better policy is to feed a mule well, and work it reasonable hours, for then it will live long.

But the Pacific Coast Coal Co. has found that mules are tough and hard to kill, and that if you work a mule 24 hours a day, it will, while it lasts do the work of three mules working eight-hour shifts.

Bess, Toby told me, had worked four months, 24-hour shifts! It's hard to believe that even a mule could stand it. And on a diet of hay at that!

Toby said Bess snatched ten-minute naps, STANDING UP, between trips!

When Bess dies, the company will buy another mule.

• • • • •

So much for Bess, who isn't worth bothering about, anyhow.

Men are different. For one thing, men are not property. They work for wages. If they don't like the job and the attendant risks, they are at liberty to quit.

“Some say the better policy is to feed a mule well, and work it reasonable hours, for then it will live long.

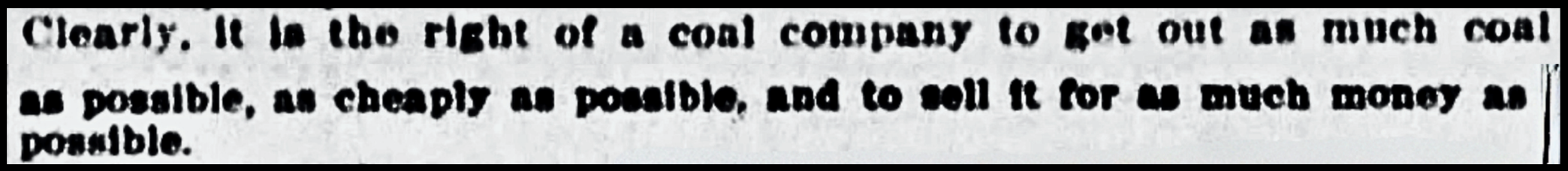
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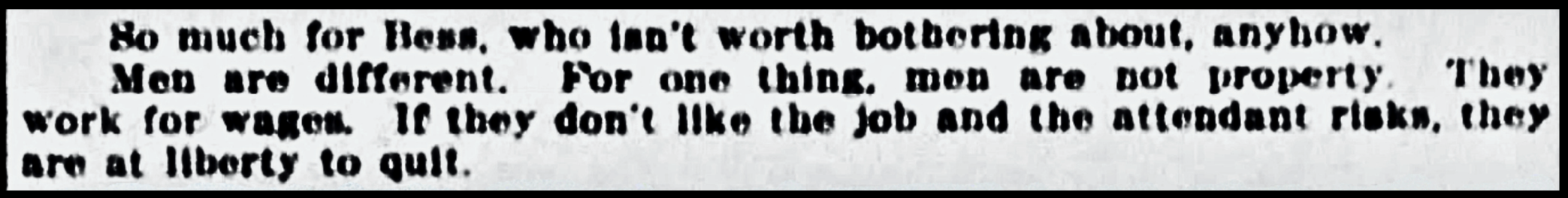
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So much for Bess, who isn’t worth bothering about, anyhow.

Men are different. For one thing, men are not property. They work for wages. If they don’t like the job and the attendant risks, they are at liberty to quit.”


Clearly, it is the right of a coal company to get out as much coal as possible, as cheaply as possible, and to sell it for as much money as possible.

"Clearly, it is the right of a coal company to get out as much coal as possible, as cheaply as possible, and to sell it for as much money as possible."


So much for Bess, who isn't worth bothering about, anyhow.

Men are different. For one thing, men are not property. They work for wages. If they don't like the job and the attendant risks, they are at liberty to quit.

"So much for **Bess, who isn't worth bothering about, anyhow**.

Boalt understands that the men took the dangerous job out of desperation to ward off starvation, yet thinks the miners can just leave the mining job if they're not comfortable with their safety:


So Churneck and Vabcaneck approached the chute in fear. But a job's a job. And $3.80 A DAY WAS ALL THAT STOOD BETWEEN THEIR FAMILIES AND STARVATION.

"So Churneck and Vabcaneck approached the chute in fear. But a job's a job. **And $3.80 A DAY WAS ALL THAT STOOD BETWEEN THEIR FAMILIES AND STARVATION.**"

HOW DID THE COMPANY FEEL ABOUT ITS EMPLOYEES?

A 1903 coal mine train disaster:

THE PACIFIC COAST COMPANY

J. C. FORD,
Vice-Pres't and Gen'l Mngr.

SEATTLE, WASH.,
At San Francisco, 10th Nov.

H.W.Cannon, Esq.,

Chairman of the Board

10 Wall St. New York City.

Dear Sir,-

Am advised that Engine 8 pulling Train No.2 on Columbia and Puget Sound RR November 8th left the track at south wye switch between Franklin and Black Diamond and turned over on its side.

Fireman Parker and Brakeman Dixon both jumped off and were killed by the engine falling upon them. Engineer Hicks who remained on the engine, escaped with slight bruises.

Two coal dumps were also derailed at the time. Accident is supposed to have been caused by connecting rod at switch working loose.

Track was cleared on the afternoon of 8th and engine picked up the following day. Damage not serious except the killing of the two men.

Yours truly,

J. C. Ford

Ack. 11/17/1903



J. C. Ford
Pacific Coast Coal Company
VP in 1903
President in 1914



Henry White Cannon
Pacific Coast Company
Chairman, Board of Directors
Former Company President

"Damage not serious except the killing of the two men."



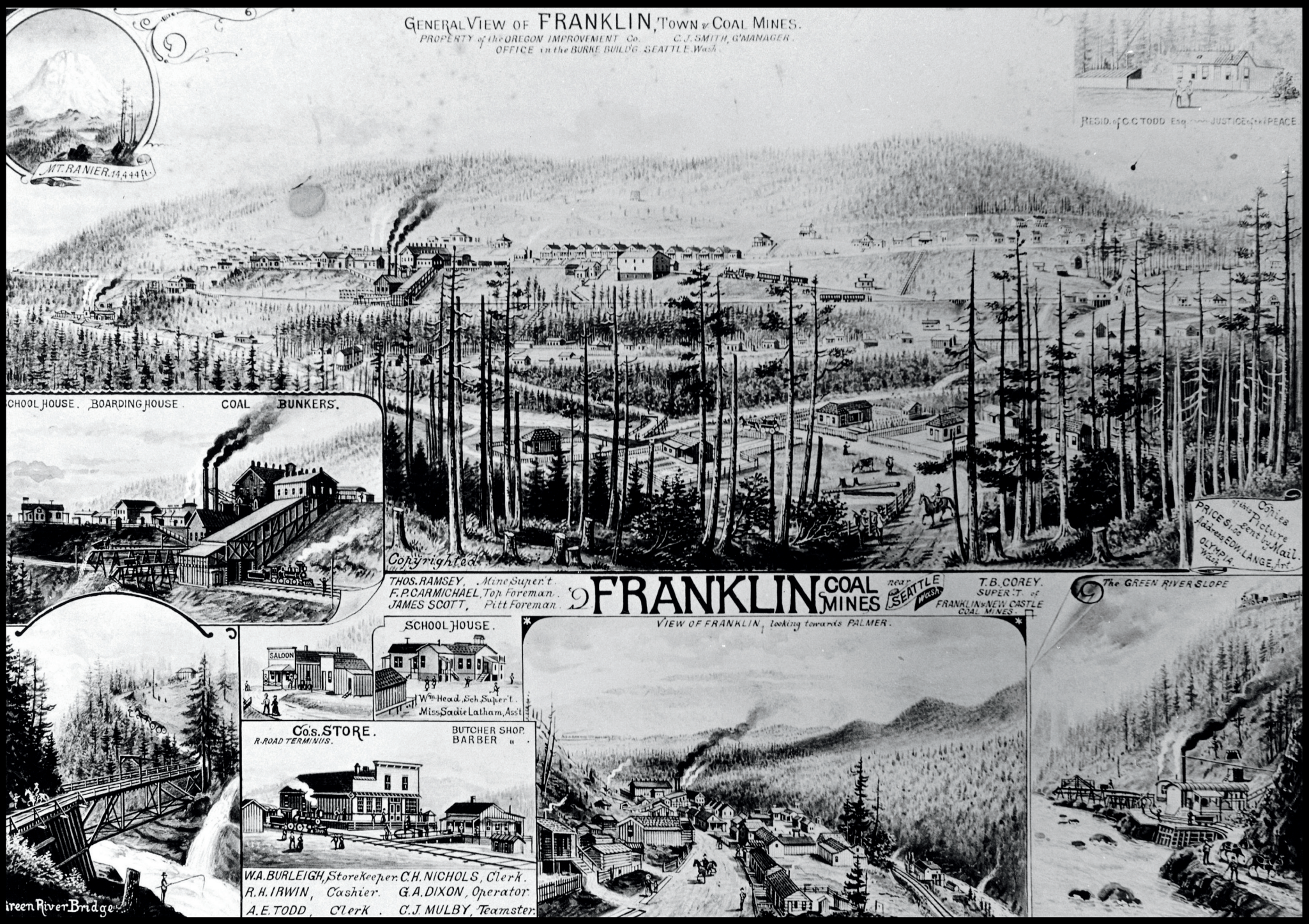
Fred L. Boalt.

REPORTER

The Seattle Star

June 1913

Boalt, dressed as an unhoused man during an undercover report on Seattle's Christian churches' treatment of the down-and-out



Franklin, WA - Coal mines & town, circa 1887

PACIFIC COAST COAL COMPANY



Franklin Mine, 1895



Pacific Coast Coal Company store
Franklin, WA
1920



Pacific Coast Coal Company's Seattle offices, circa 1916



Pacific Coast Coal Company's Seattle rail yard, circa 1915



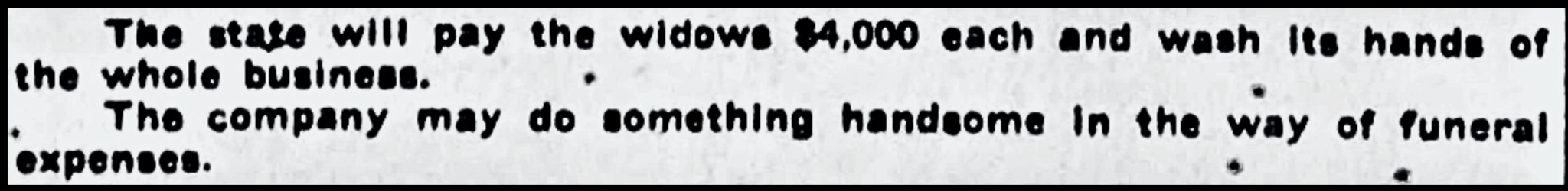
Pacific Coast Coal Company's Seattle coal wharf, circa 1911



Bess, finally above-ground at the Franklin mine.
With Mine Superintendent Walter Warnock.



Man and child in an underground mule barn at another Washington coal mine.
Child laborers retrieved coal from small passageways and sorted coal chunks.


The state will pay the widows $4,000 each and wash its hands of the whole business.
The company may do something handsome in the way of funeral expenses.

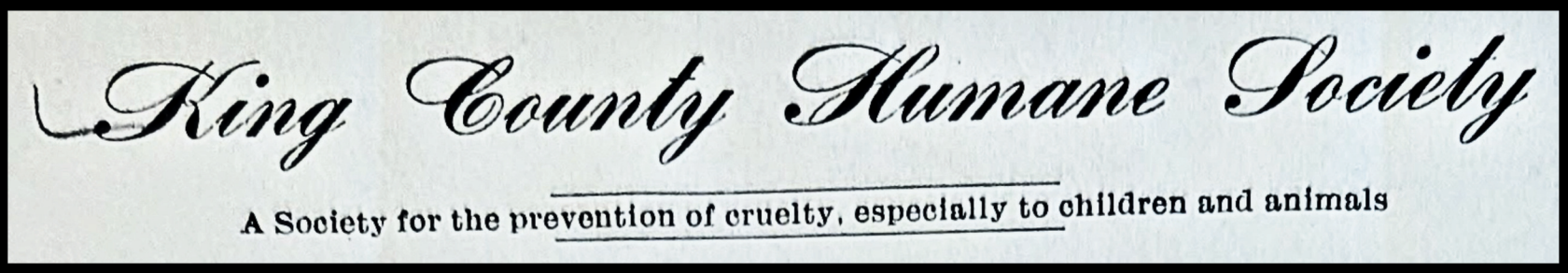
"The state will pay the widows $4,000 each and wash its hands of the whole business. The company may do something handsome in the way of funeral expenses."

The cost of the widows' benefits are **socialized to the state and taxpayers**, while the mine's **profits are privatized to its owners**.

Boalt reports that "the company *may* do something handsome in the way of funeral expenses."

I wonder if they did even that...

Next, the **King County Humane Society** intervenes...


King County Humane Society

A Society for the prevention of cruelty, especially to children and animals

The Seattle Star

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

VOLUME 15. NO. 307. SEATTLE, WASH., FRIDAY, FEBRUARY 20, 1913. 1914 ONE CENT ON TRAINS AND NEWS STANDS, &c

COUNTY HUMANE SOCIETY TO AID BESS, THE MULE

The King County Humane society promises to put an end to the practice of the Pacific Coast Coal Co., which has found that by working mules in its mines continually without a rest until they die, more work can be accomplished than by working the animals in shifts.

Fred L. Boalt, special writer for The Star, found such a condition upon arriving in Franklin, Wash., to "cover" an accident in the Cannon coal mine.

The story appeared in Thursday's Star; and, acting immediately, the humane society assigned Officer Vaupel and Mrs. S. A. Hollabaugh to investigate.

HUMANE AGENT RESCUES BESS; TO MAKE ARREST

"Bess," the mule which worked 24 hours a day in the Pacific Coast Coal Co.'s mine at Franklin, Wash., is enjoying a much-needed rest today as a result of prompt action by the King County Humane society, following publication of an article regarding her in The Star.

An arrest will be made at the mine today, as a consequence.

Fred L. Boalt, The Star's special writer, discovered "Bess" while "covering" a mine accident at Franklin. He found that the company worked its mules until they die, instead of getting more and working them in shifts. It was cheaper.

Mrs. S. C. Griggs, secretary of the Humane society, visited the mine with two officers Friday. She immediately ordered Bess to the barn.

"The mule had worked two weeks without a rest," Mrs. Griggs said.

The **King County Humane Society** stepped in to investigate Bess's treatment.

The investigation rescued Bess and arrested mine employees.

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YEAR BOOK

OF

KING COUNTY HUMANE SOCIETY

SEATTLE, WASHINGTON
1914

KING CO. HUMANE SOCIETY
PHONE QUEEN ANNE 423

Morgan, D. B., 1406 E. Thomas St.
Morris, C. L., Arcade Bldg.
Muirhead, Wm., 62 Alki Ave.
Murray, Mrs. W. H., 1518 Thirty-third Ave.
Niles, Mrs. E. C., 724 Thirty-third Ave.
Nordhoff, R. G., Bon Marche.
Oakes, Mrs. Walter, 1116 Minor Ave.
Pacific Coast Coal Company, Railroad Avenue and Washington St.
Pantages, Mrs. Alexander, Thirty-sixth Ave. and Madison St.
Patterson-O'Brien Co., Walker

The **Pacific Coast Coal Company** was a regular member of the **King County Humane Society** in 1914.

FAIR TONIGHT AND THURSDAY; MODERATE WESTERLY WINDS.

More Than 43,000 Paid Copies Daily

The Seattle Star

NIGHT EDITION

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

VOLUME 16. NO. 1. SEATTLE, WASH., WEDNESDAY, FEBRUARY 25, 1914. ONE CENT

LETTERS TO THE EDITOR

SPEAKS OF BESS

Editor The Star: After reading Mr. Boalt's story of the mines and Bess, I want to protest against such inhumane treatment. To me it is heart-rending. Just think of a willing creature tortured in such a manner.

Surely, faithful Bess has earned a rest. Let's all of us right-thinking, square-deal folks see that she gets one. Her sad old face keeps haunting me.

Bess is only a dumb animal, not much good, maybe, but the God above asks that we be kind.

S. STODDARD.

This reader wrote in to speak on behalf of Bess: **"Her sad old face keeps haunting me."**



"BESS"

PRINCIPAL PROTESTS

Editor The Star: I have read the story in The Star of "Bess." It is indeed sad.

Cannot something be done to stop such terrible cruelty? Can't the Humane society stop it? It is hard to imagine that we have such brutes of men in the twentieth century.

How I would like to buy Bess, if she is living yet, and have her put out of misery.

MRS. MARY L. TRAVIS,
Principal of Schools, Pearson, Wn.

Another reader wrote in with sympathy for Bess, saying she would have her euthanized if she could

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The Seattle Star

NIGHT EDITION

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

VOLUME 16. NO. 6. SEATTLE, WASH., TUESDAY, MARCH 3, 1914. ONE CENT ON TRAINS AND NEWSSTANDS

HOW ABOUT CHILDREN?

Editor The Star: Having read some of the letters in The Star about Bess, the mule, I would like to say I am glad there are some people who have a tender heart. But what about the little boys who toil in possibly that same mine, working long hours and for little wages? MRS. F. W. BOLEY.
Bellingham.

Another sympathetic reader asks...where is the concern for child laborers in the mines?

King County Humane Society

A Society for the prevention of cruelty, especially to children and animals

The King County Humane Society advocated for animals *and* children (and prisoners, sex-workers, & the unhoused).

FAIR TONIGHT; RAIN THURSDAY; MODERATE SOUTHEASTERLY WINDS.

The Seattle Star

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

VOLUME 16. NO. 13. SEATTLE, WASH., WEDNESDAY, MARCH 11, 1914. ONE CENT ON TRAINS AND NEWS STANDS, &c

Fred L. Boalt, who published the initial report on the disaster and Bess's treatment, reported on the arrest and fines:

THE INITIAL TRIAL



Mine Superintendent Walter Warnock

Warnock was the Pacific Coast Coal Co.'s private police Sheriff at the Franklin mining town before becoming Mine Superintendent

BESS HAS HER REVENGE; HER BOSS IS FINED

Superintendent of Mine Who Overworked Mule Convicted Before Justice Wright.

ABUSED, SAYS COURT

Drivers, Who Took Orders, Are Less to Blame, Judge Declares.

By Fred L. Boalt.

"Bess," the Pacific Coast Coal Co.'s mule at the Cannon mine, Franklin, is avenged.

Justice Wright yesterday fined Walter Warnock, the superintendent, $25, and three "skinners" $1 each for cruelty.

As the unconscious instigator of the prosecution, the outcome gives me no satisfaction.

I encountered Bess, you may remember, at the time of the mine cave-in at Franklin last month, when one man was killed and another entombed for seven days.

I took Bess' picture and came away.

Warrants Are Issued

The Humane society read in The Star of the unhappy mule, that worked 24-hour shifts, and slept standing up, saw Bess, and issued warrants for the superintendent and the three drivers. Attorney Gordan McGouvran prosecuted for the society.

"I am satisfied," said the court, in finding the defendants guilty, "that Bess is an old, sick and decrepit mule, and unfit for work. The drivers were taking their orders from the superintendent, and are less culpable than he."

Up to the Directors

Even so. The superintendent was taking orders from the general manager. And the general manager was taking orders from the board of directors.

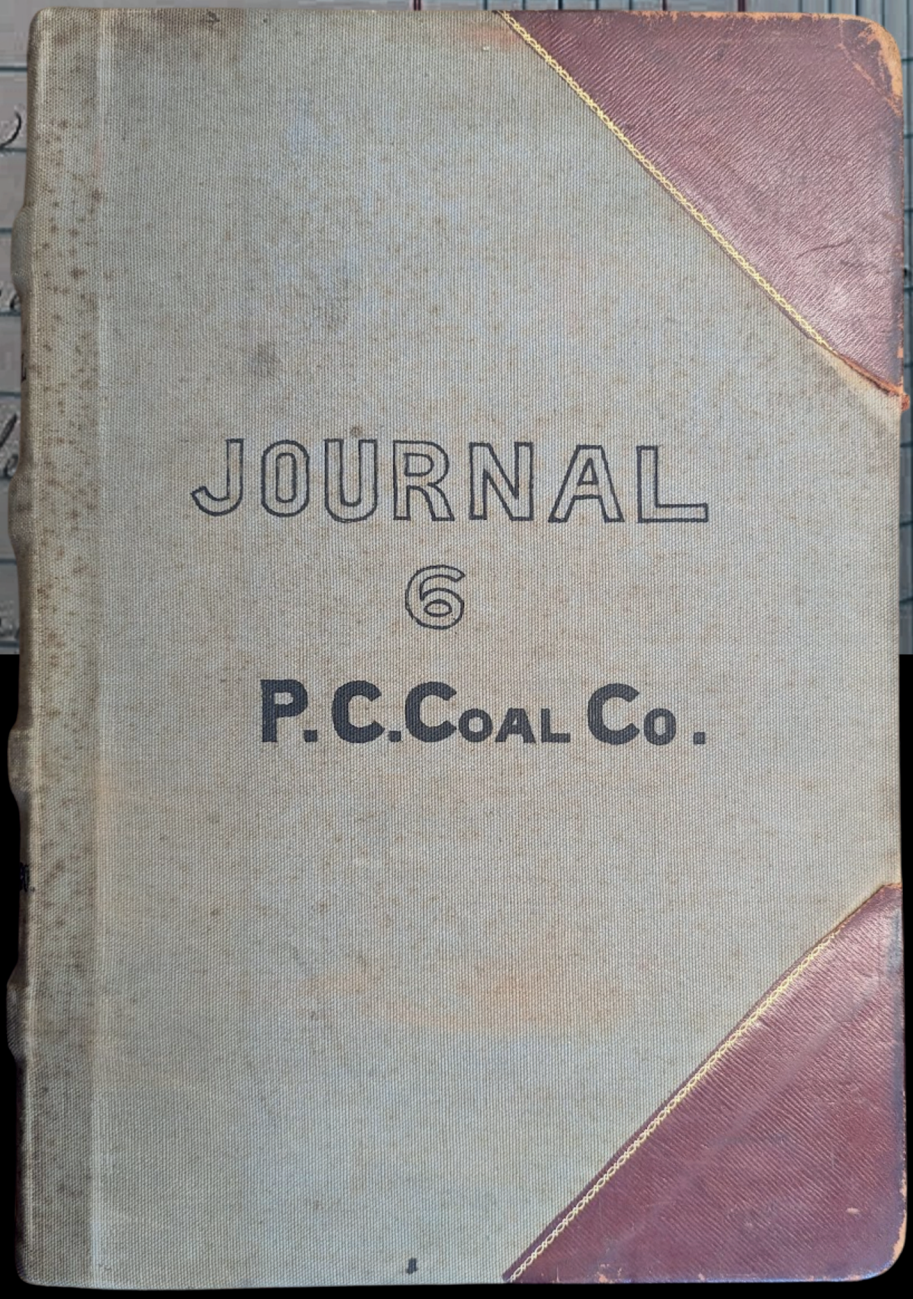
And boards of directors of coal mining companies know it is cheaper to work a mule 24-hour shifts until it dies than to work three mules eight-hour shifts.

It would be idle to suggest an American Federation of Mine Mules to demand of the operators shorter hours and three feeds of oats a day. Mules are tactless, cross-grained, soulless and incoherent.

It seems equally idle to fine workingmen for obeying the orders of a higher-up, who, to hold his own job, MUST MAKE PROFITS FOR THE HIGHEST-UPS, WHO ARE MORE INTERESTED IN DIVIDENDS THAN IN THE COMFORT OF MULES.

Seattle - Wash. - February 1914

	Sundries		
	To Sundries		
	adjusting mine agency accounts		
	for February 1914		
100	Franklin Mine Agency		12,7[illegible]91
45	Earnings Franklin Store		
	20% of 2107.05		
3,5	Gem Coal Franklin		
	58 tons sold for	172.00	
	cost	166.58	
50	Profit Gem Coal		
47	Earnings Franklin		
46	Newcastle Mine Ag[illegible]		
46	Earnings Newcastle		
	20% of 2406.50		
3,5	Seattle Coal Newc[illegible]		



Pacific Coast Coal Company's accounting ledger from the time of the mine collapse and trial.

WHO IS REALLY TO BLAME?



Up to the Directors

Even so. The superintendent was taking orders from the general manager. And the general manager was taking orders from the board of directors.

And boards of directors of coal mining companies know it is cheaper to work a mule 24-hour shifts until it dies than to work three mules eight-hour shifts.

It seems equally idle to fine workingmen for obeying the orders of a higher-up, who, to hold his own job, MUST MAKE PROFITS FOR THE HIGHEST-UPS, WHO ARE MORE INTERESTED IN DIVIDENDS THAN IN THE COMFORT OF MULES.

In his initial report, Boalt argued on behalf of the Pacific Coast Coal Company's duty and right to **maximize profits regardless of the dangers and suffering to the men or mules**.

In this article, he rightly points out that it's **the mine's directors and owners who are ultimately to blame**, not just the mine superintendent and mule drivers who were fined.

WHO IS REALLY TO BLAME?



Henry White Cannon
Pacific Coast Company
Chairman, Board of Directors
Former Company President



William M. Barnum
Pacific Coast Company
President
Elected 1913



J. C. Ford
Pacific Coast Coal Company
President

Pacific Coast Company

(*Report for Fiscal Year ending June* 30 1914.)

Extracts from the report of William M. Barnum, President, and J. C. Ford, Vice-President and General Manager, will be found on another page.

Statistics.—The earnings and expenses, income account and balance sheet have been as follows:

INCOME ACCOUNT—ALL COMPANIES.

	1913-14.	1912-13.	1911-12.	1910-11.
Gross earnings	$7,063,650	$7,945,931	$7,496,912	$7,798,739
Operating exp. and taxes	6,237,965	6,763,819	6,410,401	6,469,759
Net earnings	$825,685	$1,182,112	$1,086,511	$1,328,980
Other income	9,248	43,148	28,579	34,698
Total net income	$834,933	$1,225,260	$1,115,090	$1,363,678
Deduct—				
Interest on bonds	$250,000	$250,000	$250,000	$250,000
Interest on notes	9,375	------	------	------
Pacific Coast Coal Co. loss	------	------	------	x55,610
Improvem'ts written off.	------	5,734	------	------
Loss on steamships	36,702	72,088	68,284	39,181
Reserves	------	------	------	125,000
Depr., &c., of coal mines	21,415	24,935	20,550	24,464
Reduc. bk. val. S.T. lands	------	50,000	------	------
Miscellaneous	46,080	19,484	14,596	391
Div. on first pref. (5%)	76,250	76,250	76,250	76,250
Div. on 2d pref	(5½)220,000	(6)240,000	(6)240,000	(7)280,000
Div. on common	(5½)385,000	(6)420,000	(6)420,000	(7)490,000
Total	$1,044,822	$1,158,491	$1,089,680	$1,340,896
Balance, surplus	*df.$209,889	$66,769	$25,410	$22,782

* This amount was met by $125,000 special reserve fund transferred and $84,889 transferred from profit and loss for dividends for quarter ending June 30 1914.

x Consists of Pacific Coast Coal Co.'s loss by explosion, Lawson Mine, $165,410, less its reserve for replacements, $110,000.



William Hann
Pacific Coast Coal Company
Manager of Mines

The ***Pacific Coast Coal Company's*** parent company, the ***Pacific Coast Company***, made **$1,044,822 profit** in the fiscal year ending June 30, 1914.

That is a **$34,143,215 profit in 2026 dollars**.

WHO IS REALLY TO BLAME?



MORE ABOUT

Henry White Cannon

Pacific Coast Company

Chairman, Board of Directors
Former Company President

In addition to his leadership roles with the Pacific Coast Company, Henry White Cannon held the following professional ranks during his life:

- **United States Comptroller of the Currency (1884 to 1886)**
- **Chase Bank, *President/Chairman of the Board of Directors***
- **Great Northern Railroad, *Director***
- **Lake Erie & Western Railroad, *Director***
- **Oregon Railroad & Navigation Company, *Director***
- **Manhattan Trust Company, *Director***
- **United States Guarantee Company, *Director***
- **Delaware National Bank, *Director***

WHO IS REALLY TO BLAME?



Henry White Cannon

Pacific Coast Company

Chairman, Board of Directors

Former Company President

These are the homes of a man who pinched pennies by working his mules 24 hours a day for 4 months straight and sacrificing workers' lives...



15 E. 62nd St., NYC



Cannon & his second wife lived in this NYC townhouse between 5th Ave & Madison Ave, less than a block from Central Park.

He also owned homes in: Long Island, NY; Cocoa, FL; Daytona Beach, FL.

and, a former monastery in Tuscany...



Henry White Cannon

Pacific Coast Company

Chairman, Board of Directors

Former Company President

WHO IS REALLY TO BLAME?

These are the homes of a man who pinched pennies by working his mules 24 hours a day for 4 months straight and sacrificing workers' lives...

In 1900, Cannon purchased this former monastery outside Florence, Italy:



Luxury brand LVMH currently owns it. They operate it as a luxury hotel.

Hotel rooms cost $1,700 to $12,000 per night.



Villa San Michelle
Tuscany, Italy

Back to Bess and the mules...

The Seattle Star

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

VOLUME 16. NO. 26. SEATTLE, WASH., THURSDAY, MARCH 26, 1914. ONE CENT ON TRAINS AND NEWS STANDS 5c

THE APPEALS TRIAL

BOALT WITNESS FOR MULE 'BESS'

"Bess," the humble, hardworked mule of the Pacific Coal Co.'s mine at Franklin, is having another inning in her favor today before Judge Ronald.

"Bess" was represented by attorneys for the Humane society, who have charged Walter Warnock, J. Reed, Frank Zalinski and Tony Kirkut with overworking "Bess."

Fred L. Boalt, of The Star, whose article about "Bess" was taken up by Humane officials, was called as a witness. The case is on appeal from justice court.

Boalt served as a witness in the initial trial,
which resulted in convictions.

The convicted employees appealed.

Weather Today—Rain.
Yesterday: high 42; low 32.

THE POST-INTELLIGENCER.

LAST EDITION

VOL. LXV., NO. 133. SEATTLE, WASHINGTON, FRIDAY, MARCH 27, 1914. ONE CENT. | NEWS STANDS AND TRAINS 5c

DECREPIT MULE NAMED "BESS" IS EXHIBIT A.

Cruelty to an Animal Charge Against Miners—Rescue of a Comrade Is Defense.

A decrepit mule named "Bess" is exhibit A in the case of the state against Walter Warneck, J. Reed, Tony Kirkut and Frank Zelinski, in which the defendants are charged with cruelty to an animal. Judge Ronald is hearing the case, with a jury.

The defendants are mule drivers at the Franklin mine. Officer J. Vaupell, of the Humane Society, charged that the mule was worked without sufficient rest or feed. Evidence indicated that the mule was hauling gravel away from miners who were seeking to rescue a buried comrade, on February 19, the date of the offense.

THE APPEALS TRIAL

A mule alleged to be Bess was brought from the Pacific Coal Company's mine in Franklin to the appeals court for the retrial.

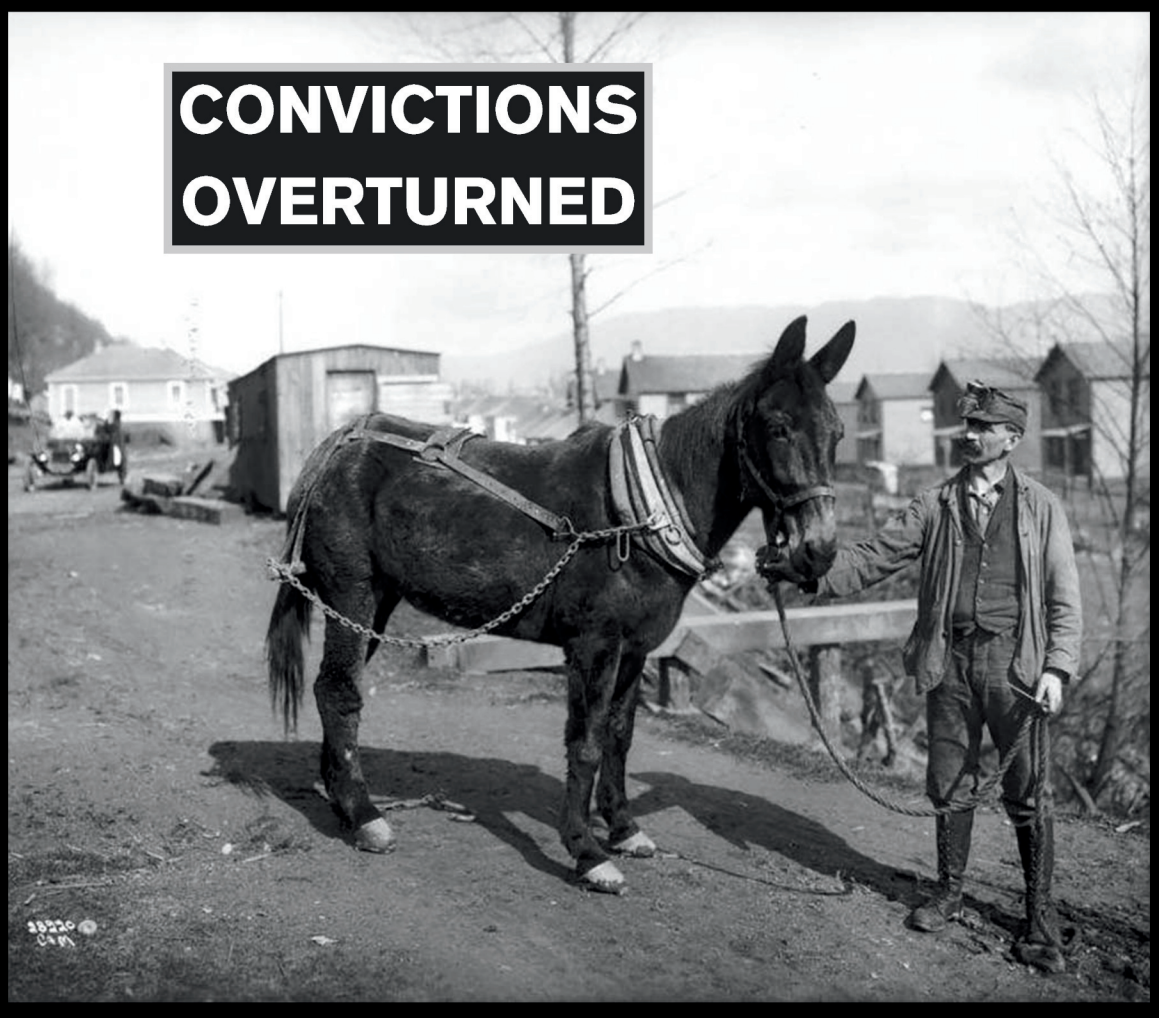
Weather Today: Occasional Rain
Yesterday: High 46; low 33; rain

THE POST-INTELLIGENCER.

LAST EDITION

VOL. LXV., NO. 134. SEATTLE, WASHINGTON, SATURDAY, MARCH 28, 1914. ONE CENT. | NEWS STANDS AND TRAINS 5¢

CONVICTIONS OVERTURNED



The mule's appearance convinced the jury that Bess recovered from what were minor injuries.

Miners testified that Bess was fed regularly and treated well.

We must note that Franklin, WA was a company town owned by the Pacific Coal Company. The witnesses and their families would have been unemployed and unhoused if they spoke against the company.

Seeing "Bess"'s alleged present condition, the jury overturned the original conviction after four minutes of deliberation.

MULE BROUGHT TO COURT FOR JUDGE'S INSPECTION

Considering Animal's Disposition, Advanced Age and Poor Teeth Cruelty Charge Is Dismissed.

After listening to evidence as to alleged cruelties and hardships, said to have been inflicted upon one mule, known as Bess, a jury in Judge J. T. Ronald's department of the superior court yesterday brought in a verdict acquitting Walter Warnock, Frank Zalinski and other miners at Franklin of the charge of inhumane treatment. The charge was brought by John Vaupell, of the Humane Society.

Bess was exhibit A in the case, and was brought down from Franklin for inspection by the jury. The animal was tethered in the court house yard, and behaved with great circumspection, though annoyed by thoughtless youths.

The Humane Society was informed that Bess had not had a harness removed for several weeks, and had been fed only occasionally, and was overworked. The evidence of miners indicated that the mule was fed regularly, and that the harness was removed every day. The jury decided that Bess was doing quite as well as disposition, advanced age and poor teeth would permit.

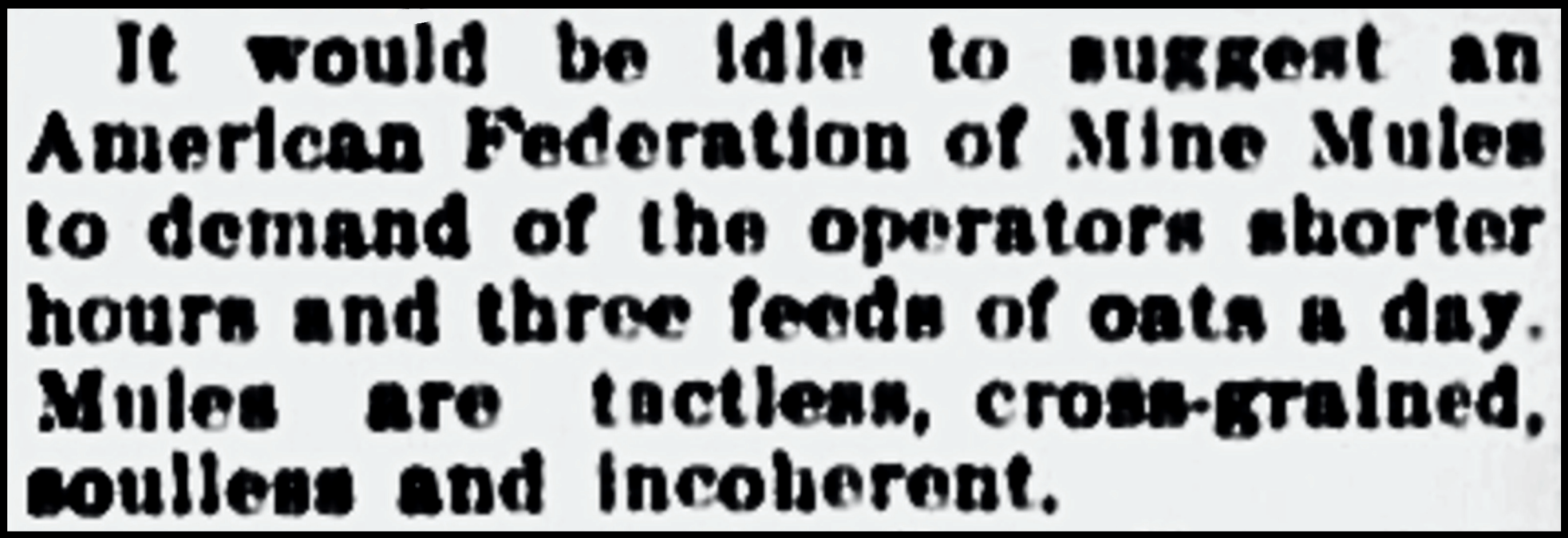
Bess was sent back to the mine, where she was presumably worked to death.



Judge James T. Ronald, who oversaw both of the trials in Bess's case.

He was Seattle's Mayor from 1892 - 1894

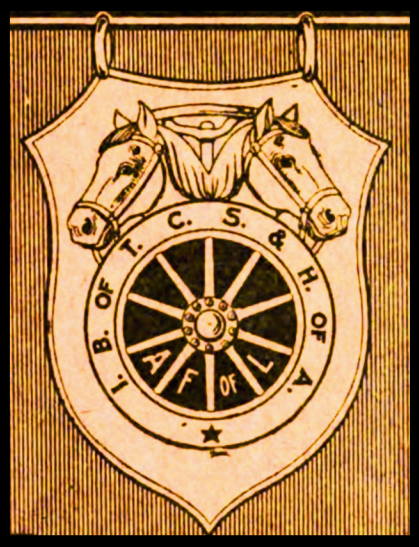
Reporter Fred L. Boalt mocks a hypothetical mules' union.



It would be idle to suggest an American Federation of Mine Mules to demand of the operators shorter hours and three feeds of oats a day. Mules are tactless, cross-grained, soulless and incoherent.

CONTEXT

Bess's case took place near the tail end of an 11 month Seattle Teamsters' strike, which would ultimately fail after the 1914 mayoral election.



1910 Teamsters' logo
Horse Mascots:
Thunder & Lightning

With unions in the zeitgeist, Boalt may have also recalled the **1910 Seattle Teamsters' Horse Solidarity Strike**.

In November 1910, the *Seattle Transfer Company* withheld their horses' lunches.

In a solidarity protest, the company's teamsters went on strike and appealed to the *King County Humane Society*. The strike was not backed by the Teamsters Union or Western Central Labor Union.

The strike succeeded and the horses got their lunches back. However, the company only re-hired 39 of the 53 strikers.

Despite Boalt's flippant dismissal of a union for horses, the 1910 Teamsters demonstrated that human worker organization & action could in turn improve conditions for the animals.

Look for my separate report on the 1910 Teamsters' Horse Solidarity Strike

TONIGHT AND SUNDAY OCCASIONAL RAIN; MODERATE SOUTHEASTERLY WINDS.

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The Seattle Star

THE ONLY PAPER IN SEATTLE THAT DARES TO PRINT THE NEWS

NIGHT EDITION

VOLUME 16. NO. 28. SEATTLE, WASH., SATURDAY, MARCH 28, 1914. ONE CENT ON TRAINS AND NEWS STANDS 2c

BOALT SAYS HE'S THROUGH HELPING MULES!

By Fred L. Boalt

I am through trying to help mules.

"Bess" slipped one over on me yesterday.

But for the duplicity of "Bess," the jury would never—but, whoa, "Bess!" It is not proper to speculate on what the jury might have done if "Bess" had kept her interfering nose out of it.

The jury in Judge Ronald's court yesterday found that the superintendent and drivers at the Pacific Coast Coal company's Cannon mine at Franklin were NOT GUILTY of cruelty to "Bess."

Finds Bess at Mine

I was sort of dragged into the business, anyhow.

There was, you remember, a cave-in at the Cannon mine, February 16. At the mine mouth I found "Bess." She was the worst looking mule I ever saw. My heart bled. My camera shed tears of pity. My typewriter sobbed as if its heart would break.

Thus was the attention of the Humane society directed to "Bess."

The society pinched "Bess," the superintendent and the drivers. I was subpoenaed as a witness for the state.

Superintendent Fined

Justice of the Peace Wright fined the superintendent $25 and the drivers $1 each. The defendants appealed.

All day Thursday and nearly all day yesterday, the case was threshed out before the jury in Judge Ronald's court. The evidence was contradictory. "Bess" was thin, and she was not thin. "Bess" was weak and she was strong. "Bess" had a sore on her rump, and there was no sore. "Bess" worked hard and long, and "Bess" scarcely did any work at all.

"Bess" Is Ungrateful

You must understand my position. I felt sorry for "Bess." Nobody loves a mule. Nobody ever had a mule for a pet. "Bess" is old. So much was admitted. I wanted to make her declining years happy ones. My motives were pure.

Note, now, the ingratitude of "Bess"!

It was announced yesterday morning by the defense that "Bess" herself was present and would testify. We all trooped downstairs to see her again. Then the jury viewed "Bess".

Tries to Bite Boalt

Oh, it was "Bess" all right. I knew her right away. I looked into her eyes for some expression of recognition and gratitude. Instead, she looked me over coldly, flapped her ears, and tried to bite off my ear!

Oh, it was the same old "Bess," sure enough. But, somehow, she didn't seem the same. The difference was material, rather than spiritual.

Now there was meat on bones which six weeks ago had boasted no padding. Now there was a smooth patch of healthy skin where I seem to remember having seen, six weeks ago, a ghastly sore. Six weeks ago "Bess" drooped. Now she stood with head flung high and ears flapping, quivering with vigor.

Back in the court room, it seemed to me the jury regarded me with accusing eyes. Where was the emaciation I had described? Where were the hollows between the bones? Where were the weak and quivering legs? Where the hideous sore?

Whatever she was six weeks ago, "Bess" is today a well-conditioned mule, with a sound body and stout legs, with flapping ears and defiant eyes; a good mule, if cross-grained.

Had It All Fixed

Oh, very well! I had it all fixed up for "Bess" to retire to a life of idleness and luxury. If I'd had my way, she would be standing knee-deep in clover, this minute.

If she wants to go on hauling cars of coal from the mine mouth to the dump, let her. If she thinks it's fun pulling cars of coal, why, she can continue her frolic until she drops, for all I care.

But why—why did she look at me so sadly, so appealingly, so wretchedly, when I saw her at the mine mouth? I swear her eyes were the very home of tragedy.

Anyway, since "Bess" slipped one over on me, I'm through trying to help mules.

Fred L. Boalt, the reporter who initially brought Bess's condition to light, wrote about seeing the mule at the trial.

He insists that the mule at the trial was indeed Bess.

He maintains that he wanted Bess "to retire to a life of idleness and luxury."

As if she would have actually been "put out to pasture" and not just shot if deemed unfit to work...

Boalt notes **"Now there was meat on bones which six weeks ago had boasted no padding. Now there was a smooth patch of healthy skin where I seem to remember having seen, six weeks ago, a ghastly sore."**

Weather Today: Occasional Rain
Yesterday: High 46; low 33; rain

THE POST-INTELLIGENCER.

LAST EDITION

VOL. LXV., NO. 135. SEATTLE, WASHINGTON, SUNDAY, MARCH 29, 1914.—EIGHT PARTS. PRICE FIVE CENTS.

Rights of Animals.

While we are not often reminded of it, nevertheless it is true that the rights of domestic animals are recognized and safeguarded by law with the same circumspection as the rights of man. The domestic animal may not always have the right of liberty and the pursuit of unalloyed happiness, but if it happens to be not a food animal it has an inalienable right to life and the common right to humane treatment and food for its necessities. The rights of a mule have just been adjudicated in these particulars, and the superior court has decided, after mature deliberation, that the particular mule has not been imposed upon by selfish and inhuman men, as charged.

A judge, twelve jurymen and two bailiffs, in all fifteen arms of the court, gave two days' time to this inquiry. Within recent days men have been sentenced to the penitentiary for invading the rights of the patient and useful horse. The panoply of the law is thrown about the domestic animal with the same circumstance and dignity and detail that apply to the adjudication of man's wrongs.

All of this, of course, is a testimonial to man's sense of justice and square-dealing between man and the lower animals. It indicates that man has a sense of law-justice that asserts itself even in the absence of protest or complaint from the injured.

Law is the strong bulwark of civilization when at its best, and justice is its natural and premeditated fruitage. But if the law against cruelty had a defect in its title, or impinged upon the constitution of the state or nation, it would be inoperative, and one might pound one's mule to heart's content without penalty. It is plain that we are not only bondmen to justice, but slaves in chains to the law. Cruelty is not a crime unless the law-making body has succeeded in so naming it without legal or technical error. It is not criminal, per se, but criminal only when the law so names it.

However, there is no question about the clarity of the Washington law, and Bess and Fido and the bay horse and the family cow are fully and generously protected.

As the law stands, if animals were treated as cruelly as some husbands and wives say they are, the courts would be congested with criminal cases.

Two days after the trial...

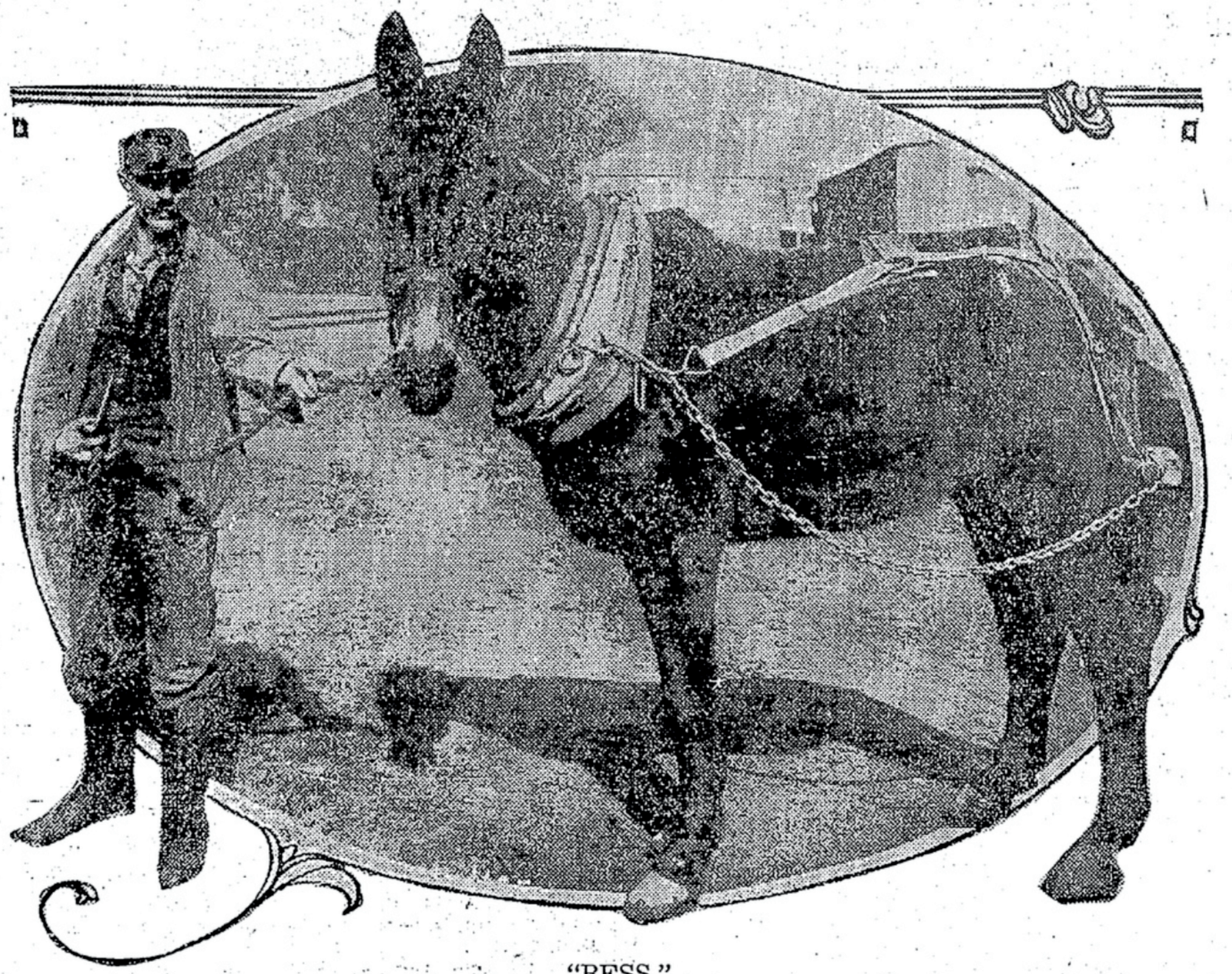
An editorial about progress for animals' rights

Meanwhile, the *Seattle Times's* coverage...

The Seattle Sunday Times

SEVEN PARTS. SEATTLE, WASH., MARCH 29, 1914. PRICE, FIVE CENTS.

HUMBLE MULE THAT FIGURED IN BIG ADO ABOUT NOTHING ENDING IN ACQUITTAL OF LABORERS



"BESS."

SOB SQUAD BLIND TO TOILS OF MEN, WEEPING FOR MULE

Prosecution of Warnock and Zalinski, Coal Miners, Instituted by Humane Society, Ends in Acquittal.

FOREWOMAN OF JURY CLARIFIES MUDDLE

WHEN a jury in Judge J. T. Ronald's court Friday brought in a verdict of acquittal in the case of the State versus Walter Warnock, foreman, and Frank Zalinski, a laborer employed at the Cannon mine of the Pacific Coast Coal Company, accused of cruelty to animals, the activities of certain individuals known at the King County court house as members of the "sob squad," anl the victims thereof as well, received a serious setback. There were four women on the jury and a woman was foreman of the jury, namely Mrs. Fannie C. Burt, whose home is in West Seattle.

Curiously enough, it was the evidence furnished by two women of the King County Humane Society, of Seattle, that brought about the arrest of Warnock, Zalinski and two other laborers, charged with inhuman treatment of a mule. The mule bore the short but euphonious cognomen of "Bess", and was of uncertain age. What, however, was not uncertain in the minds of the women of the Humane Society who gathered the evidence, namely Mrs. S. E. Griggs, secretary, and Mrs. F. A. Hallobough, was that Warnock had worked the mule day and night for a week or more until the alleged unfortunate animal was reduced to skin and bones and was on the point of dropping dead from starvation, overwork, exhaustion and extreme cruelty.

While Foreman Warnock and dozens of hardy miners at the Cannon mine delved and dug into the bowels of the earth in the hope of rescuing two of their fellows from death in a cave-in, Mike Davasconick and Andrew Chernick, February 20 last, the phantasmagorially perfected dream had its finest fruition in the appearance at the mine of the agents of the Humane Society, who, stirred by the reports of the horrible treatment of "Bess," the mule, demanded that Warnock come forth at once and answer their questions concerning the hair-raising charge that the "animal" had suffered "cruelty," which is under the ban of the laws of the State of Washington.

A man who lived, but was buried amid the rock and gravel of the mine, was a mere incident—the "big thing" was to arrest Warnock and his laborers who, the "dream" stuff told the Humane Society agents had outrageously "overworked" poor old "Bess" and had thereby punctured the statutes of the state of Washington, "therein made and provided."

Summons Fell on Deaf Ears.

Being a man, Warnock promptly refused to listen to the summons, although it had been brought into the mine where he was working by one of his own men, charged with the delivery of the notice by the Humane Society agents.

It took the jury four minutes to find that no cruelty had been practiced on Bess, the mule, after Attorneys W. B. Stratton and Stanley J. Padden had finished their arguments in behalf of the defendants. The prosecution was handled by A. C. McGovern, an attorney representing the Humane Society and not in any way connected with the office of the prosecuting attorney of King County. In the cold light of facts, the case melted away like a two-inch snowfall on Puget Sound against the warm influence of a Chinook.

The evidence against Warnock and his codefendants, gathered by the agents of the Humane Society, was of such a character as to induce the legal department of the society to swear out warrants. The defendants were arrested and brought before Justice of the Peace John B. Wright, who, after hearing the testimony, promptly found the defendants guilty, assessed fines against them and delivered himself of a weighty opinion concerning the "higher-ups" of the coal company, all to the great delectation and delight of the "sob squad" fraternity. Then the case was appealed.

It was because an incident connected with the heroic rescue of Mike Davasconick, the miner, was made the subject for a distorted report to the Humane Society that the case got into court and caused a judge and a jury to put in more than half a day listening to the testimony.

It was at 9 o'clock on Monday morning, February 16, that two miners, Davasconick and Andrew Chernick, were overwhelmed by a gravel slide and buried beneath tons of the ma-

Men Who Saved Davosconick's Life Could Have Sacrificed Hundred Mules, Declares Mrs. Fannie C. Burt.

(Continued From Page Five.)

terial in a narrow chute. Foreman Warnock, aided by scores of miners, worked day and night digging into the place where the unfortunate men were entombed. Bess, the mule, was needed for the work. The evidence showed that the mule, which was brought to the courthouse and produced on the lawn surrounding the temple of justice as "Exhibit A," had loafed in a grass pasture for several weeks before the tragic affair in the Cannon mine.

Working night and day in relay crews, the miners dug and dug their way into the spot where Davasconick and Chernick were believed to be. The mule, Bess, was hitched to a car and hauled the dirt from the new excavation. Three days after the gravel had covered Davasconick and Chernick, the body of the latter was found. Still the men pressed on, working like demons in the hope that the other miner might be found alive.

Seven days after the accident Davasconick was dug out, all but dead, but courageous and even cheerful. He was carried on a stretcher to his home in the little mining camp, his wife and children overjoyed and weeping with emotion. Slowly he was given food and stimulants until he finally fully recovered his strength and health.

We still see animal advocates accused of only caring about animals; neglecting human suffering.

"Sob Squad" Bustles.

Just four days before the marvelous rescue of Davasconick the "sob squad" got in its deadly work. There was a horrific report to the Humane Society February 19 all about Bess, the mule. Her picture was printed and a thrill went up the spines of the "sob artists." It didn't matter of course that Bess had worked but five out of twenty-four hours a day during the seven days' vigil, or that she had been fed all the oats she could eat and had actually loafed while the brave men of the mine worked as they never before in their lives had done, spurred by the faint but poignant hope that Davasonick—"Mike," they called him—might be found alive.

The story was told in all simplicity and straightforward truth to the jury in Judge Ronald's court, with the Humane Society prosecuting. The hysteria of the "sob squad" was allowed to creep in to the evidence of course, but when the twelve practical-minded jurors, headed by Foreman—or Forewoman—Mrs. Fannie C. Burt, retired to the jury room to make their findings, all the foam of the "sob squad" story vanished into thin air.

Four minutes only was needed to find Warnock and the rest not guilty, while Bess cheerfully munched the green sward of the court house lawn, her husky build and cheerful demeanor giving the lie to all the stories that had been told of her alleged miserable lot in life.

"The men who saved that miner's life in the mine would have been justifed in sacrificing a dozen, yes, a hundred mules," was Mrs. Burt's comment as she and the other jurors warmly congratulated Foreman Wannock and his codefendants. The "sob squad" beat a hasty retreat.

"Being a man, Warnock promptly refused to listen to the summons."

"'The men who saved that miner's life in the mine would have been justified in sacrificing a dozen, yes, a hundred mules,' was Mrs. Murt's comment as she and the other jurors warmly congratulated Foreman Warnock and his codefendants. The "sob squad" beat a hasty retreat."

"The evidence showed that the mule, which was brought to the courthouse, and produced on the lawn surrounding the temple of justice as 'Exhibit A,' had loafed in a grass pasture for several weeks before the tragic affair in the Cannon mine."

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Official Organ of the Central Labor Council of Seattle and Vicinity.

Seattle Union Record

An Official Organ of the Washington State Federation of Labor.

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Official Organ of the Central Labor Council of Seattle and Vicinity.

An Official Organ of the Washington State Federation of Labor.

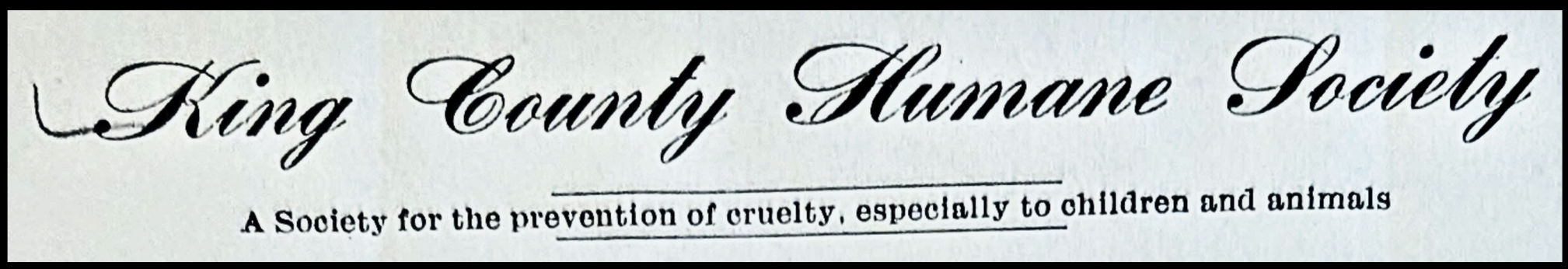
The *Seattle Union Record* reported that mine Superintendent **Walter Warnock** was fired less than a year later–reportedly for taking bribes from jobseekers:



Warnock was the Pacific Coast Coal Co.'s private police Sheriff at the Franklin mining town before becoming Mine Superintendent

Mr. Walter Warnock, who has been the superintendent of the mines at Franklin for the last four years, was either asked to resign his position or was fired on the 23d of January. For years the rumor has been current at Franklin that Mr. Warnock exceeded his authority as superintendent by diligently supervising the finances of applicants for jobs. Rumor has it that unless the applicant for a job was willing to pay for the same, it was exceedingly hard to get employment. It must be regretted that it is so difficult to get the evidence in cases of this kind, but if the rumors in this case have any basis, we can only wish that Mr. Warnock may be a standing fixture of the present system by remaining in the ranks of the unemployed.

RIP Bess & Andrew Churneck


King County Humane Society

A Society for the prevention of cruelty, especially to children and animals

Thank you to the King County Humane Society, its prosecuting Attorney Gordon McGauvran, Secretary Mrs. S. C. Griggs, Officer Vaupel and Mrs. S. A. Hollabaugh for trying to help Bess.

The coal mine was shut down in 1971.



"We can no longer operate and still comply with federal health and safety regulations, so we've been talking with the Department of Parks and Recreation concerning the purchase of a portion of the property for a recreational site," Morris said.

–Jack Morris, Palmer Coking Coal Company, Enumclaw Courier-Herald, 4/1/1971

Washington State (taxpayers) purchased the land from the coal company.

Parts of the mine still contain toxic Hydrogen Sulfide gas.

Taxpayers pay for cleanup and land reclamation.

Capital exploits:

People

Animals

Ecosystems

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