

CHAPTER IX

REMINISCENCES ON THE NATIONAL DEFENSE MEDIATION BOARD (Dinner Address)

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I was asked by your charming president, Aaron Horvitz, to come here, and I came with great pleasure. There was more than one reason. In the first place, I have great respect for the Academy and a great affection for its members. Another reason was that Aaron asked me to talk about some past experiences, and at my age one always like to review the past and talk about it. It is more or less of a passion with me.

So I decided, principally for the second reason, that I would venture to expose myself to this high institute of eggheads with their feet on the ground, even if I took a risk.

In fact, I reminded myself of a story that Mr. E. B. White was telling recently about a fellow citizen of Maine. It seems that this group were loading Christmas trees down in Maine to take to the Boston market. It was a very cold day, the thermometer was 15 below, and the leader of the crowd was middle-aged, a husky looking fellow. His face was very red with the cold, his breath froze as he talked. It seems that some of these fellows were going to ride the trucks to Boston, to get "smoothed." So White said to this man, "Are you going to ride a truck to Boston?"

"Oh, no," he said, "I've got pneumonia."

White said, "You've got pneumonia!"

"Yes," he said, "I can't seem to shake it off."

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So I came. I do want to relate some experiences, some of which have a humorous side, and I want to string my talk together a little on some kind of a thread. The thread is this, that I have noticed in my experience in government, which was sort of an amateur experience, that, whereas the public think of the Government as an institution that has the power to plan—and even to plan wisely sometimes—and whereas the governors are accustomed, if their enterprise succeeds, to say “We planned it that way” or, if the enterprise doesn’t succeed, to avoid the subject, yet my experience was that plans which developed into national policies have the most extraordinarily small beginnings. They arise out of circumstances and not out of brains, generally. It is like the oaks that grow from little acorns.

And on that string, more or less, I wanted to tie in some of these otherwise unrelated remarks. I will start at the beginning, with the organization of the National Defense Mediation Board. It was set up in March, I think, of 1941, by an Executive Order. There were four labor, four industry, and the three public members—Dr. Clarence Dykstra, who was Chairman, Frank Graham, and myself. We were called to Washington for a Board meeting. We all went down there. The Executive Order had provided that the jurisdiction of the Board was limited to cases certified by the Secretary of Labor as affecting the national emergency. We had our pictures taken, we had a meeting at which I was elected vice-chairman, we conferred with John Steelman, and we went home, because no cases had been certified.

There was a good deal of excitement in the country at that time about labor disputes, and the press had quite a nice time with this demonstration of governmental efficiency. About a week later, I got a call from Washington, saying that the Secretary had certified four cases. Dr. Dykstra was out in Wisconsin appearing before the legislature to get his budget through, I was vice-chairman and it was in my lap. I got this call late in the afternoon. I jumped on the train at midnight and came

on down. And as I lay in my berth, I thought to myself, "Now, this is what you might call a crisis." I said, "If we don't do something quick with these cases, we are going to be laughed out of existence."

I conferred with John Steelman the next morning, and we got up a scheme which I think John was a little shocked at, really. I said to John, "I am going to try to get these people to call their strikes off"—everybody concerned was on strike—"and come on down here and discuss the dispute with us." Well, John echoed my own feeling that that was a thoroughly novel enterprise, and in fact I think John said to me, "Why the strikers will call us strike breakers" or words to that effect.

However, we got up a telegram which started off with a little flag waving:

"This case has been certified to the National Defense Mediation Board by the Secretary of Labor because of the national emergency," and so on, you see; and we said, "We are asking you and we are asking the other side to resume production at once, and in any event to appear before the Board in Washington"—this was on a Thursday, I think, and we set these hearings for Friday, Saturday, and Monday. One of the cases, in the meantime, had been settled by the parties.

Well, John and I had a little discussion about whether anybody would go back to work, but I pointed out to him that we were all right, because we had put in the telegram, "in any event," and if they came, whether they went back to work or not, we could say, "Well, in any event they came."

So I had a call on Friday morning, or Saturday maybe, from the leader of the workers in the International Harvester case, which was the largest case. He was a fellow I had known. And he said, as John had predicted, "What the hell do you think you are doing, strike breaking?" And I said, "Yes, that's exactly what we think we are doing, and we want you to help us."

"Well, it is a little difficult," he said.

And I said, "Well, why can't you do it?"

"Well," he said, "if we give those - - - a chance, we don't know what they will do to us in the meantime, if we go back to work."

I said, "Suppose I get assurance to the Mediation Board that the company will maintain the status quo, won't do anything. Could you handle that?"

"Well," he said, "I'll try."

So I called up Fowler McCormack, who was a former client of mine, and I told him the story. He said he would call me back, and in the course of an hour or so he called me back and said the company would go along.

"Now," I said, "I want a written assurance, to be here tomorrow morning, that you will not disturb the status quo during this period." And I got it. Meanwhile, I telephoned the assurance to the labor leader, and on Sunday he managed to get the boys together and got them back to work on Monday morning.

We had a fellow that John will remember, named Ernie Marsh, who has been assigned by the Secretary, probably by John, to us. Ernie was an old-fashioned A.F. of L. wheelhorse, and not as young as he might have been. And he said to me, "Well, Mr. Davis, are you going to do this in every case?" I thereupon announced what became a basic principle of the Mediation Board and later of the War Labor Board. I said, "Look, Ernie, we are working in the dark on this job. We are going to need flexibility, and I don't know what we will do in the next case, but one thing I am sure of is that we won't follow precedent."

And that did become a slogan of the War Labor Board. To anybody who sat on the War Labor Board and said, "We did this before," I'd say, "Well, let's not do it again."

The results of that telegram, that procedure, were twofold. In March of '41, in every case that was certified to us—and this was true for some months—the workers were on the picket line. In October of '41, in every case we had on our docket, the workers were on the production line. It really was a great success.

But it also had another repercussion, which is of the oak-from-acorn character. They had insisted on the status quo being maintained, for obvious reasons. Well, that idea of maintaining the status quo was coupled with the idea of regarding the subsequent proceedings as though they had happened on the day when the strike was terminated, and out of that grew the suggestion to the Board that the settlement, when it was reached, should be retroactive to the date when the men went back to work. That became a national policy.

As a matter of fact, in the first case that we took up with the President, which was the Appalachian Coal Operators' case, the situation was this: The Appalachian agreement included both the Northern operators and the Southern operators, and they had entered into a general overall agreement. But the Southern operators didn't like some parts of it, so they had not agreed. They got a great deal of criticism from the press, by the way; so much so that my wife, who is a Southerner, said to me one day, "Who are these Southern coal operators? Where do they come from?"

"Well," I said, "they come from the Appalachian mountains in West Virginia, East Tennessee, and Eastern Kentucky."

"Why," she said, "don't you know that the mountaineers of East Tennessee and Kentucky and West Virginia didn't join the Southern Confederacy? How dare you call them 'Southern operators?'" So from that time on, and to this time, and in all the records of the Mediation Board and War Labor Board, the Southern operators are referred to as the "Lower Appalachian operators."

Well, the case came to a point where the President was asked to intervene. We advised the President to—and he did—call upon the operators to continue the negotiations, with the agreement that whatever result was arrived at would be retroactive to the date of resumption of work. The Southern operators, or the "Lower Appalachian Operators," refused. The case was referred back to the Mediation Board. We sat on it for about ten days, and finally I polled the whole Board, that is, not only

the public members but the labor and industry members, and each one I asked, "Do you think that we have exhausted the avenues of inquiry? Has anybody got anything to suggest as a solution?" And no one had. We decided that we would recommend that they accept the President's recommendation, and they refused again.

I went over to the White House to see the President, and I said, "Mr. President, my face is red."

"Well, what's the trouble, Will?"

"Well," I said, "you gave me this job to do, and I haven't been able to do it. I am sorry.

"Well," he said, "what are we going to do now?"

And I said, "Mr. President, the question is, what are you going to do now?"

He laughed and said, "I have been talking with the Attorney General"—Francis Biddle at the time—"and I'll tell you what we'll do. We'll take over the mines. We'll appoint a triumvirate at each mine, one member from the government—from the Bureau of Mines—one from the union, and one from the management."

You can't realize today what an extraordinary, really shocking, suggestion that was to me. Our Board had been set up on an Executive Order which was as mild as honey and milk. We had no powers whatever but the powers of persuasion; we were permitted to make recommendations and publish them if we thought it would do any good, but nobody was under any obligation to follow them.

So that was quite a shock to me, and I said, "Well, Mr. President, if that's the way you feel about it, you give me 24 hours and Jesse Jones, and I think I can save you the trouble." "Well," he said, "Why Jesse Jones?" And then he caught on pretty quick—"Oh, yes." So he called Jesse on the phone. He said, "Jesse, Will Davis is here and he wants to talk with you about these Lower Appalachian operators." He put me on the phone and I invited Jesse for a cocktail—something Jesse never re-

fused; I knew he wouldn't—and we met, and I told him what I had in mind.

He had great influence, of course, with these Southern operators. At about 12 o'clock that night we had a 5-party telephone set-up, including the President of the United States, John Lewis, the lawyer representing the operators, Jesse Jones, and myself. And we settled it. They accepted; they went back to work the next morning.

That was the beginning of what is now national policy. That is, so far as the Government was concerned it was the beginning, so that now nobody thinks it is strange if you say that, when a contract runs out and you haven't reached an agreement, you go on talking about it with the understanding that the settlement will be dated back to the termination of the contract; or if it is a new contract to the date you agreed to continue at work.

Also, that incident was the beginning of the seizure procedure. The President didn't have to seize, but the Mediation Board knew from that time on that, when we made recommendations, they had something behind them, and it made a very great deal of difference, as John Steelman can tell you. Well, a little later we had the Alabama operators on our hands. I must tell you the story, which is typical of John Lewis.

We had this meeting. John got up and said, "Mr. Chairman, I should like to expose to this honorable Commission"—which is the name John always called us—"the way that the miners in Alabama are compelled to negotiate their contracts." He said, "The miners in Alabama are divided into two groups. There is one group of mines owned by the big steel companies, captive mines. They are well-run, they are always operating in the black; they know how to run a mine, everything is fine. There is another group, the independent commercial operators. They are almost always in the red, they are inefficient people, they don't know how to run a mine. But, when we have to negotiate, they march in these commercial operators, and they set them in

the front pew, and we have to listen to the howls of anguish of these impecunious operators."

"Oh, Mr. Chairman," he said, "don't think we don't know what they are doing to us. But, you know, the miners have suffered. They know what suffering means. So, although we know what they are trying to do to us, we sit there and listen to these howls of anguish, and they finally penetrate to our consciousness, and we reluctantly agree to the terms proposed by the impecunious operators, whereupon the captive mine representatives walk in and sign the same contract."

Well, as usual, John wound up his speech with a peroration; he said: "In other words, Mr. Chairman, the Alabama operators are like all Gaul; they are divided."

"Well," I said, "Mr. Lewis, if I correctly recall my Caesar, all Gaul was divided into *three* parts."

John looked at me, and said, "There you go, Mr. Chairman; you are always sitting me down for inaccuracy of classical reference."

There was another story in that same case. One of the problems in that case was the reject clause. I won't try to tell you what that is, but it was a very complicated matter which required a great deal of technical information. The operators came up before the Board, represented by an Alabamian middle-aged gentleman, a very handsome fellow, a very eloquent man, and he had with him the mine managers, a group of them. And I was trying to get through to the managers that they find out something about the facts. But this orator wouldn't let me by. I would ask his clients a question and he would answer.

So I finally said to him, "Well, Senator"—he was a State Senator—I said, "Can I tell you a story?"

And he said, "Yes."

"Well," I said, "we were over in London in '38, and we appeared before a hearing of the Labor Court over there on a case. It was presented by the parties, the managers and so forth. No lawyers. So after the hearing we were invited to meet their Lordships. And I went up and said to the presiding judge, 'Well,

My Lord, we have been interested in this case, and we wonder, do you permit lawyers to participate in these proceedings?' Well, he was a rather formal person. He drew himself up and he said, 'Well, Mr. Davis, the subject has arisen. We have had to consider it. We do not exclude lawyers, but we do not permit them to speak.' "

"To which I replied, 'Well, My Lord, we couldn't do that at home. That would be a cruel and unusual punishment which would be unconstitutional with us.' "

I thought that would hold the Alabamian, and I went on trying to break through the barrier, with no success. So finally I said, "Well, Senator, I am going to have to tell you another story."

And I said, "There were two young lawyers who were engaged in opposite sides of a case, and they had been on pretty friendly relations and gotten along fairly well. It came on for trial, and at the trial, much to the surprise of the plaintiff's lawyer, the defendant's lawyer showed up with eminent counsel. Whereupon the plaintiff's lawyer asked the court to postpone the trial in order that he might fortify himself with eminent counsel. To which the Court replied, 'Well, young man, have you got a good case?' 'Yes, Your Honor, I have.'

"Do you know your case?"

"Oh, yes, I know my case.'

"Well,' he said, 'if you know your case and you have got a good case, you and I can take care of eminent counsel.' "

Whereupon the Senator said, "Well, Mr. Chairman, I throw up my hands; I will let you by."

And I was prepared to see smooth sailing.

Whereupon John Lewis, who hadn't spoken up to that time, stood up and said, "Mr. Chairman, if this honorable Commission is going to fritter away its valuable time listening to the vaporings of eminent counsel, I and my associates will withdraw, and we will send in our counsel."

I was afraid the Alabamian was going to draw a gun on him. So I wanted to smooth the water again, if I could, and I said, "Why, Mr. Lewis, have you eminent counsel?"

John looked at me and said, "Why, I suppose, Mr. Chairman, you have in mind that it takes an opulent client to have eminent counsel."

I said, "Not at all, Mr. Lewis. On the contrary, it takes an eminent counsel to have an opulent client."

To which John replied, reluctantly, "Well, Mr. Chairman, you ought to know."

And so the waters were smoothed, and we proceeded with the discussion. We made recommendations in that case, and they were accepted.

Another acorn that grew to large proportions was the maintenance-of-membership clause. The things that beset the Mediation Board more than anything else were matters of union security. I won't try to recite to this crowd the picture as it existed on that subject in 1941, but it was a troublesome one. We had only three public members. We had the panel system, and I would assign cases to the three members, so that we were settling cases on the basis of one a day. And I would assign one public member to each case, including myself.

Well, Charlie Wilson, who is now the head of Defense, came down there with Walter Reuther on the General Motors case, and I took it, and it took me ten days. In the meantime, you know, things kind of got out of hand. Frank Graham, who was and is a hero, pitched in. Dykstra, I think, had left by that time, and I became chairman and Charlie Wyzanski was on the Board. But I felt some responsibility, so I would drop into these hearings. Well, Frank and Walter Teagle and Bob Watt were handling a case of the Wyerhauser interests. I went in there one day, and they announced that they had settled the dispute, and they had agreed to this maintenance-of-membership clause, which I had only vaguely heard of; I didn't know what it was.

Well, I inquired into that, and it turned out that Walter Teagle had proposed this basis of settlement to the panel. I was surely taken aback, but I used that fact afterward in more vigorous days. What had happened was that the Weyerhaeuser people were involved in that setup on the West Coast, which they called Industrial Self-Government. And they had a maintenance-of-membership clause in that agreement.

The union was insisting upon a union shop, and the company proposed this maintenance of membership as a compromise. That's how the maintenance of membership got in to the Mediation Board, through Walter Teagle.

Well, we went on, and the next case I want to tell you about is the Federal Shipbuilding case, up there at Kearney, New Jersey. They had a strike up there, and it was referred to the Board. They didn't actually have a strike, when we got it. At any rate, I remember there were 24 points in dispute, and we picked out 14 of them and handed them back to the parties, saying, "You handle these, and we'll handle the other ten." And we got an agreement on everything except union security.

As I remember it, Judge Stacey was the chairman of the panel. They went ahead, and they finally recommended the maintenance of membership. The union refused at first, but then, within three or four days, they reconsidered and accepted it. I had been doing a little bit of work on Johnny Green, in the meantime.

Then the company refused, and that led to an incident which probably none of you remember, but I remember very well. Korndorff, the president of the company, came out with a letter addressed to the public members in charge, in which he roasted this maintenance-of-membership clause, and represented it as compelling people to join the union and so forth, when it didn't. So I wrote a reply to this letter, and it was published, and there was quite a lot of debate about it. But it didn't satisfy Mr. Korndorff, and he refused to accept it. The workers went on strike when he refused, so he offered the plant to the Navy, and the Navy took it, and they went back to work.

That, incidentally, was the first case of an Executive Order seizing a plant, and it really was hardly a seizure.

But there were two rather amusing incidents about that. The Navy didn't want the plant. So I was sent for by the Secretary, Secretary Knox, who was an awfully nice fellow. And he said, "Mr. Davis, I want you to tell Johnny Green that if he doesn't agree to settle this thing, we are going to take that plant over and operate it as a Navy yard." Well, Johnny wouldn't want that because labor relations in a Navy yard are out of the hands of the CIO. And so I said, "All right, I'll tell him." Ralph Bard was there, and Adlai Stevenson. Ralph was Assistant Secretary, and Adlai was legal adviser. We went into Ralph's office, sat down, and Adlai exposed to my view a plan that they had for satisfying Johnny Green. It was no good, and I must have looked disappointed.

So Adlai said to me, "Well, Will, do you think that Johnny will take it?" I said, "I don't know." "He has got to take it," he said. "We can't take this thing over as a Navy yard. There is a war threatening and we haven't got any officers to run a Navy yard in New Jersey. We have got one in Brooklyn."

I said, "I know that, Adlai, and Johnny knows it, and Johnny knows I know it, and he knows that you know it, and you know that he and I know."

"But nevertheless," I said, "I will repeat to Johnny the remarks of the Secretary with as straight a face as I can muster."

And I did, but it didn't do any good.

Well, some time later I got another call from the Secretary. I went down there early in the morning, and practically the entire Navy was there. There was the Secretary, and Bard, Adlai, Admiral Robinson, and I think Forrestal, if I remember, and any number of admirals, you see. The crew was at quarters. The guns were unlimbered, the gun crews at their stations, and I was the victim.

So the Secretary said to me, "Now, Mr. Davis, we have got a plan here. I want you to hear it. But I want you also to understand that we are going to stand firm."

I said, "Well, all right, Mr. Secretary. May I know where you are going to stand firm?"

So they called in Dan Ring, who was with the Maritime Board, and Dan had a scheme that really fitted into what we were doing in the Labor Board in other cases in an extraordinary way, and I thought it might work.

So I said, "Why, that's fine, Dan."

And the Secretary, you see, was under full sail by now, and he looked a little disappointed. He said, "Do you mean, Mr. Davis, that you will approve this?"

I said, "Well, I can't approve it, Mr. Secretary. I think it is a work of genius, and I am glad to repeat it to my Board, and they may approve it."

"Well, that's fine," he said; "that's fine"—the breeze falling.

But as I got up to leave he said, "But I want you to understand, Mr. Davis, that we are going to stand firm."

Well, I had been struggling with John Lewis on the captive mine case, and other people, and the subject of standing firm had been one that I had given some consideration to myself. I couldn't resist the temptation; I said, "Well, Mr. Secretary, I think that's an excellent idea. I have had occasion to consider it. But I was shaving myself the other morning, and an aphorism popped into my mind on the subject that I would be glad to let you have, if you want it."

Well, Knox looked a little alarmed, but he said, "All right, what is it?"

"Well," I said, "as I was shaving, Mr. Secretary, I thought, if a wise man stands firm, he may become a statesman. If a fool stands firm, he can only be a calamity." And I added, "Mr. Secretary, my trouble has been to make up my mind whether I am a wise man or a fool. I have no trouble standing firm after that."

Well, the Secretary flushed up—you know he was quite a florid fellow—and I didn't know whether he was going to take it or not. But his face broke into a smile, and he said, "All right, Davis, I'll take that."

Well, a few days after that we were over at the White House—I think it was Frank Graham and myself, and somebody from the Navy, probably—to see the President about this thing.

And the President said, “Well, let’s get Johnny Green down here.”

So he called up, got Johnny. It was Sunday. Johnny is a little fellow—I don’t know whether a good many of you know him—and a Scotchman.

He came in; he had on a bright green suit and a brighter green shirt, and a still brighter green tie. He is a nervous little fellow normally, and he was just as taut as a bowstring.

The President said, “Glad to see you, Johnny, I haven’t seen you for a long time; glad to see you, it is nice of you to come over, sit down.”

So Johnny sat down, right on the edge of a straight chair, and the President proceeded to put him at ease. His first remark was: “Johnny, are you a Clyde sider?”

Well, Johnny, who was expecting something more pertinent, said, “Beg your pardon, sir?”

The President said, “Are you a Clyde sider?”

“Oh, no,” Johnny said; “I am a Tyne sider.”

“Oh, yes,” the President said; “I know the Tyne side.”

And then he went on telling some stories about when he had been on the Tyne side, still breaking the ice.

And finally approached the subject in hand.

He said, “Well, I understand, Johnny, that you’ve got the plant closed down up there, and they are not building any ships.”

“Yes, sir.”

“Well,” he said, “I understand that it hasn’t done any harm so far.”

We could see Johnny tighten up, because that wasn’t why Johnny called the strike, you see, not to do any harm. But he tightened up as the President said, “Yes, they tell me that there is no harm being done just now, because the engines are not ready.”

Well, Johnny drew in his breath, you know, and the President—I wish I could picture to you his manner—was just going strong.

Johnny says, “Well, Mr. President, the hulls, when they’re finished, will float in the water until their engines come.”

Well, it took Roosevelt right aback, you see, and he flushed a little. Then he threw back his arms and laughed and said, “Yes, Johnny, I know enough about ships to know the hulls will float in the water until their engines come.”

However, we didn’t succeed in getting Johnny to agree to anything much, and the fact was that the plant remained in the possession of the Navy until after January ’42. It was after Pearl Harbor, when the War Labor Board was set up, that they returned it on the general no-strike agreement.

Now, a subject which didn’t have so much amusement was the captive mines case. And that came up in the summer of 1941. We couldn’t get any settlement, and we finally recommended, by a nine to two vote of the Board, refusal of the union’s demands for a union shop, at least temporarily.

We made a recommendation that had two parts to it. One of them was we would go on with the Mediation Board, with power to decide, or set up a special board. The company accepted the second one. John refused both and called the miners out.

The President called on him three times to put the men back to work. And, of course, the thing was out of my hands.

Well, at that stage—it is quite a long story; I wish I had time to tell it; but probably I had better not—anyway, the upshot of it was that Mr. Lewis and Mr. Taylor and I went in to see the President.

This contract of John’s had a clause in it that was known as the “Wage Protective Clause.” The purpose of it was, to compel the Southern operators to raise their wage level to the Northern level. Lewis and Northern Operators had agreed that, in spite of the no-strike clause of the main contract, John might call a strike to force the Southern operators to pay this extra

amount. It had nothing whatever to do with the strike under the circumstances that existed then.

I had had a talk, at luncheon with John Lewis and Myron Taylor, but they hadn't said anything about this subject. And we then went over to the White House to report to the President.

I supposed they were going on with a proposition that I had rejected at the luncheon meeting. Not at all. Mr. Taylor got up and said, "Well, Mr. President, Mr. Lewis has been explaining to me that there is a clause in his contract which justifies this strike."

Well, you can imagine my state of mind. I didn't know whether the President knew about the intricacies of this Wage Protective Clause or not. I couldn't say anything. I couldn't say, "Look out, Mr. President, they are trying to take the gold filling out of your teeth," an apt remark like that. And I just had to sit still, very tense.

So the President said, "Well, all right, John, let me see it."

So John got up and took the contract over and spread it out before the President. These clauses had headings in black-face type. John showed him this clause.

Well, the President sat there smoking a cigarette, with his long holder, you know, and smoke blowing in his eyes, peering through the smoke at this clause. And I was trembling.

Presently the President looked up. "John," he said, "how did this title get in here, the Wage Protective Clause?"

Well, I relaxed and John tightened up. "Oh," John said, "Why, I suppose—I think it was put in by the editorial board."

"Oh," the President said, "you have an editorial Board?"

"Oh, yes," John said, "We negotiate the contracts, we turn them over to the lawyers, and they write them up, and then that's referred to the editorial board, and I suppose they put in these titles."

Well, the President looked right through him for about a minute, a really long time. He picked up the contract by the

corner, and said, "You know, John, if it weren't for that title, I think you might get away with it."

And he tossed the contract into the outgoing mail basket.

The parties agreed finally, under pressure from the President, to refer the thing back to the Board for recommendation, not binding on the parties. Our recommendation was rejected by the miners, and the CIO Members withdrew from the Board. Then the Steelman Board was set up by agreement between the President and the two parties. The issue was finally settled by the decision of the Steelman Board, on Pearl Harbor day.

There is just one further little story I will tell you. It illustrates the manner of the President. I went in with Jim Byrnes to the President's office to submit to him the Executive Order taking over the mines at the time Ickes was put in charge.

We had drawn up this Order, and it included, as usual, a call on the miners to go back to work.

The President had his pen in his hand, about to sign it. He looked up and said, "I wonder if these miners will go back to work when I ask them to?"

And Jim, who really was a sentimentalist and is a sentimentalist, said, "Why, of course, Mr. President. How can you think otherwise?" He said, "They are loyal citizens, they have sons and brothers in the Army." And so forth; he made quite a speech. "Why, who could doubt it? The President of the United States! In time of war!"

The President, who knew somewhat more about labor relations than Jim Byrnes did, looked at me and said, "What do you think, Will?"

Being a Yankee, I replied, "Well, I don't know, Mr. President. What do you think?"

"Well," he said, "I will tell you. These miners are very thoughtful people. They get down underground there, and they are alone a good deal, and they do a lot of thinking. You know, John thought that they would follow him to the polls in '40, but they didn't, they followed me."

Well, at that point Jim threw his chest out.

“But,” Roosevelt said, “it doesn’t follow that they will follow me into the mines. You know, they are pretty smart and they may think I know more about politics than John does and that John knows more about mines than I do.”

Those are just some of the amusing incidents that I recall in a career that many of you here joined in, that had its moments of crises and strain, but also had its moments of humor.