

CHAPTER VII

TESTIMONIAL TO WILLIAM H. DAVIS*

MR. HILL: This luncheon is, and at the same time, in a sense, is not a celebration of the 80th birthday of William H. Davis. He had his 80th birthday on August 29th last year. The Academy wanted to hold its convention at that time, but we found that the meeting must be held this week in January. This is the only organization I have ever heard of which provides in its basic constitution the date of its Annual Meeting. Knowing that Will Davis would never want to be unconstitutional, we put it over to this date.

Many of you out there, I am told, were not connected with the War Labor Board, so the rest of this proceeding will be wasted on you. Some of you were too young; some, like Aaron Horvitz, were too old . . . I am sorry, that is a ridiculous statement. There is no such thing as "someone like Aaron Horvitz."

Some of you were wives and mothers of War Labor Board people; some of you were just simply able-bodied and went into the Army.

And there are a few who ran the plants or the unions of that day and were not involved in the War Labor Board.

In any event, we shall try to communicate. Although the quality level of the educational program cannot be lowered, you are eminently welcome here.

Now, there was a snafu, there have been many in the program. There is a fellow who is known as the "Pete" Laureate of the Academy, and on any occasion he will write a song. The song, of course, requires accompaniment by a piano, and efforts were made throughout the city to obtain one. A wire was even sent to Harry Truman, but no piano could be located, neither could we find anybody familiar with the glockenspiel or the zither. I did find

* The luncheon to honor William H. Davis was held in the South American Room of the Hotel Statler, Washington, D. C., on Thursday, January 28, 1960, at 12:15 p.m., Mr. James C. Hill, Toastmaster.

someone who was familiar with the cello, but she declined to come, so it is my understanding that to introduce Will Davis, to tell you something about the various phases of his life and his personality, Peter Seitz, ably assisted by Abraham Stockman, will come forward and sing this number *a capella*. All that I can add is that, as arbitrators, you should be used to taking risks.

. . . Peter Seitz and Abraham Stockman then sang the following song: . . .

Remember the Maine

*A Song in Affectional Felicitation of
WILLIAM HAMMATT DAVIS
on his Eightieth Birthday*

*(To melody of "When Britain Really Ruled the Waves"
by Gilbert and Sullivan)*

When William Davis chaired the Board,
He stayed its mandatory hand;
He nobly spurned the use of force;
Directive Orders were his course—
He'd ask but not command!
Yet Davis led that motley horde
As by a slender silken cord;
No matter how the ox was gored
He never would unsheath his sword.

When Management screamed out in pain
And Unions howled that they were fleeced,
Our hero then would never fail
To spin a long and pointless tale
Of what he heard Down East.
He'd act in quaintly rural vein,
Just like a barefoot boy from Maine.
We often heard that old refrain—
I'm just a simple lad from Maine!

If you'd succeed, he made it plain,
It does no harm to know your field!
Become a scholar, teach and write,
And do research both day and night,
And power you may wield;
But majesty if you'd attain
It's better if you come from Maine
Don't ever try to be urbane
Become a simple lad from Maine.

MR. HILL: Yesterday at the meeting of the Board of Governors there was quite a long discussion of the problems of qualifications for membership in this Academy. It is not an easy thing to handle, and I looked back with that in mind when I was doing my more recent researches on Will Davis and found that he is, full time, a patent attorney, or, as John L. Lewis put it, a predatory Park Avenue patent attorney.

He is a member and past president of the New York Patent Law Association.

He is former chairman, and still a member, of the Board of Trustees of the New School for Social Research.

He is a member of the Executive Board of the Citizens Union.

He is also an Executive Member of the Civil Service Reform Association.

He is founder and trustee of the Grand Central Art Galleries, and he is a member of the Downtown Athletic Club, the Wall Street Club and the Century Club, and has been a Commissioner on the Board of Transportation, and a member of the New York City Housing Authority.

Things like this are what the Membership Committee takes into account.

There is another requirement for membership. I think the language reads that you must have substantial and current experience as an arbitrator, and I have researched this.

Will Davis protests often that he is not an arbitrator. I have looked this up and I find he is quite wrong and overly modest. If you look in the Index of the BNA—and I offer equal time to Mr. Prentice and Mr. Hall, if they are here—you do find him mentioned. The case is cited in Volume 1, New York Shipping Association and the ILA. True, he is not listed in Volumes 2 to 33, but there was another case which was not published, which has to do with the New York transit industry in later years.

I don't think there were any others, but we call that substantial current experience.

Only yesterday I heard of one of the attorneys, Mr. Cherbonnier, who was representing the employers in that shipping case, recalling that after the award came out, he and Louis Waldman, Attorney for the Union, visited Mr. Davis, and pointed out to him that there were parts of this award that none of them could understand at all. He looked at it and said: "Gentlemen, this is what it says. As to what it means, I haven't the foggiest idea.

There were other accomplishments. Some of them are sum-

marized in one of the many letters that I have. I wish there were time to read all these letters. I shall read a few paragraphs from some of them. The first reads:

HARRY S. TRUMAN
Independence, Missouri

January 21, 1960

"Dear Will:

"I wish I could be at the luncheon the National Association of Arbitrators is having in your honor in Washington on January 28th. You so richly deserve all the good things anyone could say about you, I would like to be there to have my say.

"You have had a truly remarkable career. I know most, of course, about that part of it which took place in Washington during and after World War II. And that part is enough to fill a book—Chairman of the National Defense Mediation Board, Chairman of the National Labor Board, Director of Economic Stabilization, Chairman of the Atomic Energy Labor Relations Panel, Member of the National Advisory Board of Mobilization Policy. There were some very tough assignments in that bunch, and you did a good job in all of them. This is quite a record of side-line activities for a patent lawyer.

"You brought to these vital tasks a rare combination of patience and courage and wisdom—motivated by a deep sense of public service. I'm sure I speak the sense of many, many others when I say that all Americans owe you a debt of gratitude for all you have done.

"Sincerely,
/s/ Harry Truman"

Hon. William H. Davis
30 Broad Street
New York, N. Y.

MR. HILL (Resuming): When I think of that list of accomplishments, almost all of which seem to be aside from his original training—or, as Mr. Davis once said, "My vocation is a patent lawyer, labor relations is my vacation"—I am reminded a little of a farmer—in Maine, of course—whose wife produced triplets. The neighboring farmer was marvelling at this. The farmer himself was feeling quite boastful and said to his neighbor that the doctor had told him that this happened only once in 386,000 times. The neighbor scratched his head in a tone of respectful perplexity and said, "Abner, when did you get your plowing done?"

It is not hard for a man to recite Will Davis' accomplishments; it is a different thing to talk of his qualities. It is hard to bring those out, but we shall try in several ways. One way is to read this note from one of the people who was most influential in bringing Mr. Davis into the Federal service before and during the war period. It reads:

"Few men in American life have done so much for their country in the field of social invention as has Will Davis. A strong and orderly mind with a great talent for extending order into the affairs of men, he was willing to take up the many problems of adjustment, of explanation, of education, of conciliation, and even of arbitration. He has been inventive of new devices, new methods, new formulas of adjustment at a time when the issues between labor and their employers, and even between labor and the government seemed critical on account of the war.

"I have cause to be deeply grateful to him for all that he did in those years and for his willingness to spread the distinction of his logical and yet experimental approaches to a wider world.

"Long may he wave.

/s/ Frances Perkins"

Another way is to ask two people who knew him well to put their heads together to see how they would bring for a description of Will Davis. One of these men you have frequently read in *The New Yorker*. His name is Mr. Arbuthnot. The other is Mr. Arbuthnot's stooge.

Will Mr. Arbuthnot and Mr. Arbuthnot's straight man come forward?

. . . (The following scene was then enacted between Mr. Arbuthnot, played by Benjamin Aaron, and the Interlocutor, played by Lewis Gill:) . . .

INTERLOCUTOR: Mr. Arbuthnot, you are, I believe, an authority on Mr. William Hammatt Davis?

ARBUTHNOT: Which Mr. William Hammatt Davis?

INTERLOCUTOR: What do you mean? There is only one, and, if I may coin a phrase, they broke the mold after they made him.

ARBUTHNOT: Please stop stealing my lines. *I am the cliché expert, not you.* To answer your question, however, there are a number of William H. Davises: There is Davis, the eminent patent attorney; Davis, the classical scholar; Davis, the distinguished citizen

of Maine; Davis, the elder statesman in the polity of industrial relations; Davis, the philosopher. There are also many other Davises, including Davis, the administrator—but he is a rank impostor.

INTERLOCUTOR: I see. Are you an authority on the joint and several Davises?

ARBUTHNOT: Well, there is only one real authority on Davis, singular or plural, and he—need I say?—is William H. Davis. Still, in my modest way, I have acquired a small store of Davisiana.

INTERLOCUTOR: Well, let us verify your credentials. Suppose you were appearing before Davis, Chairman of a Government Labor Board. How would you present your case—in good lawyer fashion?

ARBUTHNOT: Definitely not. That would be fatal. I would never talk to Davis as if he were a lawyer.

INTERLOCUTOR: What do you mean—"as if?" He is a lawyer.

ARBUTHNOT: It is plain to see that *you're* no authority on Davis. Davis is a lawyer only on certain occasions. In the case you suppose, he is not.

INTERLOCUTOR: Okay. If he isn't a lawyer, what is he?

ARBUTHNOT: A simple-minded physicist.

INTERLOCUTOR: Oh?

ARBUTHNOT: A simple-minded physicist who wants to get at the facts.

INTERLOCUTOR: Yes, but in this line of work the facts are always in dispute, aren't they?

ARBUTHNOT: Thank you, Mr. Interlocutor, I was wondering how long you would wait before setting up that one for me. Reasonable men can never be in dispute about facts; they can only be in ignorance of them.

INTERLOCUTOR: Yes, but what if men insist upon being unreasonable?

ARBUTHNOT: Well, then, you just have to subject them to one of the Davis treatments.

INTERLOCUTOR: Are there more than one?

ARBUTHNOT: Indeed there are. To name but a few, there are the ego-deflation treatment, the exhaustion-through-patience treatment, the calculated irrelevance treatment, the Socratic dialogue treatment, the homely Maine philosophy treatment, and a host of others.

INTERLOCUTOR: This is all too confusing. To borrow a phrase from your distinguished colleague, John Dunlop, can't you boil it all down to a nutshell?

ARBUTHNOT: Well, since you force me to it, I would put it this way: He whom Mr. Davis would make reasonable, he first drives mad.

INTERLOCUTOR: That's better. Now, after reasonable men get the facts, what do they do with them?

ARBUTHNOT: They draw correct inferences from them. For example, suppose I sent an engineer to measure the President, and he reported that the President was three feet tall. The inference would be obvious.

INTERLOCUTOR: You mean, that the man you sent didn't know simple arithmetic?

ARBUTHNOT: No, stupid. You forget that in my hypothetical case, I sent an engineer, not an economist. No, the obvious and only possible inference would be that my engineer had measured the wrong man.

INTERLOCUTOR: This fellow Davis must be pretty deep. Where did he get his education?

ARBUTHNOT: Mostly at his mother's knee.

INTERLOCUTOR: Where was she sitting at the time?

ARBUTHNOT: In Maine, naturally.

INTERLOCUTOR: Who else influenced Davis?

ARBUTHNOT: Oh, Plato and Socrates and Timaeus.

INTERLOCUTOR: Who's this Timaeus?

ARBUTHNOT: He was an old philosopher who inspired Mr. Davis' passion for creation.

INTERLOCUTOR: Well, now, after all, isn't Mr. Davis getting, you know, a little too old for that sort of thing?

ARBUTHNOT: It isn't what you think. There is really no strain. It's all done through persuasion, except, as Davis says, in case of rape.

INTERLOCUTOR: This Davis seems to be quite a prophet. Take the recent steel settlement, for example.

ARBUTHNOT: Maybe we'd better change the subject.

INTERLOCUTOR: All right. Tell me, has this latter-day prophet of yours suffered the proverbial fate of all prophets in their own time?

ARBUTHNOT: No. On the contrary, there are monuments to him all over the country.

INTERLOCUTOR: That's funny. I don't recall seeing any.

ARBUTHNOT: You have to know where to look. They exist in the hearts and minds of all the people who were ever touched by the magic of his personality.

INTERLOCUTOR: He must cast a mighty potent spell. Do you have any idea what's in it?

ARBUTHNOT: The principal ingredients are well known. They are intellectual power, common sense, integrity, kindness, humor and humility. But there's something else, an ineffable, indefinable, *je ne sais quoi*—nasal Maine drawl.

[At this point MR. HILL mentioned, or read extracts from, a number of letters and telegrams received from persons who were unable to attend, including Senator Wayne Morse, Lloyd Garrison, Dexter Keezer, George Meany, Thomas Kennedy, Roger Lapham, Almon Roth, Clinton Golden, Emil Rieve, George Meade, James Brownlow, George Bahrs, E. J. McMillan, Walter Margetts, all members of the National War Labor Board.]

Jim Brownlow's reference to the Atomic Energy Labor Panel brings to mind something I have to mention, which is remarkable in this group. The original panel was composed of Mr. Davis as Chairman, Aaron Horvitz, Ed Witte and John Dunlop. With a new administration in 1953, this group not only was dropped, but in March their resignations were accepted, effective as of the preceding month. This is the only group I know which enjoyed the distinction of being fired retroactively. It was only a matter of weeks before it became urgently realized that they simply had to be replaced. And who was put on? Cyrus Ching; Tom Holland; Leo Brown; Art Ross; Russell Smith; and later, Bob Flemming and Joe Miller. Practically every one of these people is presently in this room.

Back in the early days when the War Labor Board called a staff conference whenever it had a case, a person who was there before I was fortunate enough to enter these portals, but about whom I have heard many a saga, is here today. It is my understanding he was the kind of man who, when the staff had a problem, was always very receptive. You would go into the office of the Executive Director and try to recite your story. The Executive Director would look at you with a cold and fishy eye, and then, when you would become thoroughly confused and run out of words, he would say, "What do you want from me?"

He is now publisher of *The Nation* magazine. He was then, and has always since then, been a great friend of Will Davis. I will ask him if he will come forward.

George Kirstein.

MR. GEORGE KIRSTEIN: This act of Lew's and Ben's reminds me of the incident you may have read about in the newspapers the other night. They had a great dinner party for the motion picture industry. Everybody in black tie. Jack Benny got a little tight and rambled on at great length about a beautiful star called Eva Marie Saint, and among many other qualities he attributed to her, was that she was the embodiment of virtue, her very face was a symbol of all that was splendid in American womanhood, and this went on and on and on. Finally, Miss Saint herself stepped to the microphone and said, "Aw"—then an Anglo-Saxon four-letter word—one of the most familiar, and sat down. There was a stunned silence.

The next speaker was Jack Warner, and he said, "You know, Eva Marie Saint is a very tough act to follow."

There is going to be so much said in praise of Mr. Davis and so much has been said that I feel, at least, one speaker should point out a serious flaw in the man. I nominate myself for that role.

I charge that this serious defect of Mr. Davis is naiveté. He is a very naive man, and this, in a period when the realists are the only valid philosophers.

I want to make myself clear, so I will get away from labor relations for a moment and to illustrate my point, just talk about disarmament. The realists are perfectly aware that the way you get disarmament is, you multiply your arms. You have got to have more arms than the enemy, so that he eventually will reduce his arms, at which point you can then reduce your arms, and while it isn't exactly explained, why it doesn't work in reverse, why it doesn't work when he has more arms than you have—nonetheless, I think all of us who are realists in the room realize we have to have more arms.

If I am not clear about this, I urge you to listen to any of the candidates for the presidency of the United States, because they talk of very little else, and they can make it much clearer than I can.

But I want to charge, very specifically, Mr. Davis with certain kinds of naiveté. He is perfectly aware, like the realists that the struggle between good and evil is eternal, it goes on forever. Of course, the realists recognize that, because there is never going to

be a real victory, the forces of good will never win forever, so there isn't very much point in participating. Now, Mr. Davis is naive to this point: He is aware of the struggle; he is naive enough to have participated, but, worse than that, he really believes that each chapter of the struggle takes place from a slightly higher plane, in other words, that man makes some progress. Well, I charge, this is not realism, as we understand it.

One more example: Mr. Davis proceeds on the theory that one of the powerful motivating factors of man is logic. The realists understand thoroughly that the thing that motivates man is the balance between fear and greed, that, you want something, you go after it, and it is only when you become afraid that you stop, and so forth. This is the realistic approach to the matter, not Mr. Davis'. He believes that you can actually appeal to the mind, and that it is subject to persuasion.

I would like to give you an example that I actually saw of this naiveté at work:

When Mr. Davis first came down to the War Labor Board, then the National Defense Mediation Board, there were about six strikes going on. Allis-Chalmers was one, General Motors was about to strike—I can't remember them all, but there were six good, big strikes on. The men were out, the country was trying to prepare to defend itself and this naive man had the idea that, without settling these strikes, the thing to do was to get these men back to work. Every realist said, "This is madness, you have to settle the strike before you can ask the men to go back to work." But he was very stubborn about this and sent out wires, insisting the men go back to work. And, the oddest thing happened—it would happen for him, of course:

They did. This is the kind of naiveté I am talking about.

I don't really despair about this flaw, though, in Mr. Davis' character, because this kind of naiveté is part of youth. It is the kind of optimism and blindness that maturity will take care of.

In the many years which we hope are ahead of Mr. Davis, he may open his eyes and see realism, but I think not, and I hope not.

MR. HILL: I am in a difficult spot. As a Southerner, how can I tell a story having to do with Maine? I really can't, and I am going to venture into only two that have, I think, some small relationship to Will Davis. One, of course, Will tells on himself, and that is the great problem. You can go around and find out things about anyone else, but when you ask, "What about Will

Davis?," all you hear are stories that he told. This is one of those that he told, and it is a true story:

When the Atomic Energy Labor Panel was in Bangor, Maine, a picture of Will Davis appeared in the paper. That day he drove into a garage where the mechanic had known him for many years. The mechanic said, "That your picture I saw in the paper, Mr. Davis?," and Will replied, "Could be. It was there." The mechanic said, "Hmm, gettin' up in the world, ain't you?"

Then, there's one which reflects that quality of youthful independence of those men from Down East. It's about a man who was a witness in a trial. He had seen an accident and was hauled into court. They asked him:

"Your name?"

"Arnold Bucknew."

"Your age?"

"About 85."

"Where do you live?"

"Bailey Island."

"You lived there all your life?"

"Not yet."

Now I would like to simply call upon one of the noblest warriors of them all, George Taylor.

MR. GEORGE TAYLOR: I would just like to strike two serious notes, and I will tell a story, too, about Will.

The two serious notes are these: Of all the people I have ever met who loved freedom and were willing to fight for it, Will is that person. This was his dominating factor always, as I perceived it, but, you know, he understood this like no one since the early Greeks—that only the man who holds himself within self-chosen limits can be free.

That is why Will, not an arbitrator, disdaining the label of arbitrator, disdaining the label of arbitration, comes here; because arbitrators understand this, that the self-imposed limits that the parties set up for themselves, really, is what will give them their freedom. This belief permeated his thinking and his actions and accounts for his great achievements. Some of you don't know this whole business of the old War Labor Board that everybody has been talking about here today, how it served the country so well. I would like to give an illustration of how it worked.

You will recall the system of tripartite panels that was tried during the days of the National Defense Mediation Board, and how

it broke up with a bang when Lewis pulled the United Mine Workers off, with the result that the defects of the tripartite system were exposed and its vulnerability made clear for everyone to see.

Nevertheless, when the War Labor Board was being considered, the same system of tripartitism, Will believed, would have to be utilized, if we were going to do this, if we were going to fight for freedom with freedom. At a time when we were being challenged by a totalitarian force, as everybody was saying we would simply have to succumb and adopt totalitarian methods to grapple with it, this phrase of "fighting for freedom with freedom" was epitomized by this tripartite panel system, and this was a service to the nation which is, of course, inestimable.

And the inspiration that he gave to most of us here to work down that road was something that has affected all of our lives.

On the subject of administration, there are a great many stories. I know something about it because I was very much part of the Board when Will was Chairman, and on this score, I have just one story that I would like to mention:

There was a famous Executive Order that Will drafted, pretty much by himself, which was to serve as a guide for all the people in all the factories throughout the United States. Of this Executive Order they used to say, "pages 1 and 2 any intelligent person can understand, with the help of God. Pages 3 and 4 only God and Davis understand. Pages 5 and 6 God dropped out."

I shall never forget, either, the first time that Will and I sat on a case together, and I turned to him rather plaintively and said, "These people before us, these lawyers, let's get them down to tell us the facts in the case, so we can discern the issues to be resolved," and Will turned to me, in a fatherly way, and said, "Don't you understand? These people aren't here to help you?"

In any event—incidentally, this is not just a past circumstance—I think always he will be with us as a great fighter for freedom; but, beyond all this, you can say all you want about his contributions to the country—and all the rest of it—he is just a very good friend.

MR. HILL: I can't help being reminded of another story which Will tells on himself:

When he was called from the War Labor Board to the office of Director of Economic Stabilization, he protested to Judge Vinson, saying, "This is crazy. I am constitutionally opposed to sta-

bilization, and I never understood it." Vinson replied, "I know that, but I have to have somebody there I can trust."

Then, there was the time he came to New York and delivered a lecture to a group of people about the meaning of stabilization, and then, driving home with Ted Kheel, he said to Kheel, "We are trying to get a raise for a secretary in our office. Do you think we can get by with this under General Order 31?"

I would now like to call upon another noble warrior and a great American, Frank Graham.

MR. FRANK GRAHAM: As I looked around here to the left, I saw one of the original members of the National Defense Mediation Board, and to give you an illustration of the feminine interpretation of history, when he was asked to come and sit with his old colleagues of the original War Labor Board, Cy Ching looked toward his beautiful wife and indicated that he would rather sit with her than to sit up here. And, as we think of Cyrus Ching and others of the old Defense Mediation Board and the War Labor Board, we think of some who have ended their human pilgrimage, like Philip Murray, Van Bittner and Arthur Meyer.

So, in memory of them and of those who gather with us here today, may I say, Mr. Davis, that some of the most precious memories of our lives will always cluster around those memorable days of the War Labor Board.

And I accept your challenge, Mr. Toastmaster, as a Southerner, to tell a little story here:

Once Mr. Davis sent me on a mission out to Ohio to debate with the President of the United States Chamber of Commerce, on the maintenance-of-membership formula of the War Labor Board, and as the subject was thrown open for discussion, a man rose in the audience and challenged me. He said, "How in the world can you, a Southerner, be here championing" what he called "compulsory maintenance of membership in the union?"

And I replied to him by saying, "How can you, from the State of Ohio, the State from which General Sherman came into my State, who stood, not for the principle of voluntary membership in the Union, but for compulsory membership in the Union?"

When I think of all the great qualities of our dear friend, his naiveté, as outlined by George Kirstein, his inventiveness, as indicated by George Taylor, we should also add a remark his wife just made to me, that he is one of the most absentminded men that walks the earth. She said, "You know, I wouldn't be surprised if

some day he looked around at me and said, 'Who is that woman there?'

Well, I would say, she has been his companion, his helpmate and inspiration, and without her he would not be here today. Mrs. Will Davis.

The versatility of this man is illustrated by something Justice Frankfurter once said. He said, "How in the world could a man, right in the midst of a crisis with U. S. Steel and the United Mine Workers, step out of that turmoil of mediation and conciliation to walk over to the Supreme Court, without a note, and make one of the greatest analyses of patent law in the judicial history of the United States?"

That is the kind of brain he has, this lad, this simple lad from Maine, on his way to being, as John Lewis said, the greatest predatory patent lawyer of Park Avenue.

Versatile, naive, inventive, stubborn—and—absentminded.

He was not like a banyan tree, with great shade and shelter, but under which no other trees could grow. He was like a great oak tree, and his own freedom, his own source of inspiration to us all, his own inventiveness and flexibility enabled people like George Taylor and Lloyd Garrison and Wayne Morse, and a whole school, whose faces I see gathered around here, to grow.

Will Davis was the founder, the father of a new approach to industrial relations in the United States of America, and when you think of those days, when there were thousands of strikes, on the eve of the Second World War, he invited and opened the way for initiative and invention to scores of his colleagues in all the regions of this Country. He introduced the retroactive principle which should apply to those who immediately went back to work; the tripartite principle, which meant, when labor and the public stood together, businessmen rallied behind that decision, and when business and the public stood together, labor rallied behind that decision, and on that basis, under his leadership, this country produced, to an unprecedented degree, the most gigantic production, which played such a decisive part in the winning of the Second World War.

Tripartitism; retroactivity; the Little Steel Formula; maintenance of membership; the right of women to receive an equal wage for the same work, and the right of Negroes to receive equal pay for equal work. These were all part of the policy and administration of William H. Davis.

And, as our minds go back to these beginning days with Cy

Ching and Arthur Meyer and Phil Murray and the rest, when there were thousands of strikes and thousands more in the making, an illustration comes to my mind that is symbolic of what he meant in those days:

I remember one August night my wife and I were on a little sand bar, a little sand bar between the big Sound and the great Ocean, and a terrific hurricane washed over that little sand bar and we had to seek refuge in a cottage on higher ground, and as we waded through the waters, I saw a venerable cook standing in the kitchen, and this reassured me, an uplander, that this woman, at least, thought the world would last until breakfast time. So I went into the kitchen for further reassurance, and I said to her, "It seems to me that the ocean outside your kitchen window may be going down just a little bit perhaps." And she turned to me, with the wisdom of her people and her years, and said, "Mr. Graham, it ain't them three little feet of ocean outside my kitchen window that is bothering me." Then she looked afar and said, "It's those 3,000 miles of ocean out there leaning up against those three little feet."

So, as the news of those impending thousands of strikes came rolling across this continent, America, industrial production in America, and, to some extent, freedom in the world, leaned up against Will Davis, as he led us and led management and labor and industrial production in America to an unprecedented, unparalleled height in the whole history of industry in the world.

And as I sit down, may I, also as a Southerner, tell a story?

You know, Harry Truman, a man of great stature, proved it when he fired two of the greatest commanders-in-chief of our time, Douglas MacArthur and Will Davis. However, he repented of that latter firing and called Will Davis back into service. You may say, "What right have you to talk about commanders-in-chief?" Well, I might say this:

You remember that one of the high points in the military career of George Washington was when he crossed the Delaware River; and another great commander-in-chief, Robert E. Lee, reached one of the high points in his military career when he crossed the Potomac River.

Now, believe it or not, ladies and gentlemen, in the First World War, this little marine crossed both the Delaware and the Potomac Rivers, and thereby reached the height of his military career.

Well, I believe I will tell you one more:

We also associate Will Davis' name, as George Kirstein stated, with atomic power, and we recall in George's spirit, that thermonuclear force, even though the light breaks through the dark clouds of our time, thermonuclear force still casts its lengthening shadows and poisons across this earth, darkening all the hopes of man, and in this atomic age of which Will Davis is one of the major prophets we notice that the road of human destiny faithfully crosses even in the drift down ward toward universal annihilation, or in the struggle upward toward more effective international cooperation.

May we, in the spirit of freedom and cooperation, personified by Will Davis, in your Annual Meeting here, rededicate ourselves to the concept of the brotherhood of all people on this earth, as the God-given home of the Family of Man in this age of mortal peril and mortal hope for all mankind.

MR. HILL: There were so many letters and telegrams, Will, that I will put them in a binder and give them to you. I couldn't possibly read them out in the time we have. I have listed them in no order of distinction.

Just let me say that among the people whose paths have crossed Mr. Davis' so often and who have written special letters, as I go through them are:

Isador Lubin, Donald Straus, Hans Simons, President of the New School for Social Research, Eleanor Roosevelt, Herbert Lehman, Frances Perkins, who wanted very much to be here, Anna Rosenberg, and Chester Bowles; and one of our group who could not be here because of the illness of his son, asked me to read this short paragraph:

"I don't know anyone who is more deserving of thanks by this organization. It is common knowledge that general acceptance of the practice of private arbitration is due in large measure to its sponsorship by the National War Labor Board, over which Chairman Davis presided with such distinction. More than that, the world will never know a man so gentle, so kind, and at the same time so courageous; a man whose way of life is enriched rather than embittered by adversity.

"Sincerely, Nathan Feinsinger."

I claim the privilege of adding one comment, which is a little different. Frank Graham, George Kirstein, George Taylor and others at this table worked closely with Will Davis. I was a young recruit on the staff. I often marvelled at the work that the War Labor Board did with that small staff, handling virtually all the labor disputes of

significance in the country, and at the same time having to rule on practically every wage increase. No mean accomplishment.

I think it was a devoted staff and I think that is one of the reasons the job was done, and without which it could not have been done. There were, I am sure, dozens of people on that staff whom Will wouldn't know by name, who somehow knew of the quality that he has, and I know of only two or three people in my lifetime of whom I could say this, who, even though they never see you, possess a quality of human contact, of character and magnetism, that makes you feel you know them personally, not only know them, but are proud of that association, and you love them.

Now, finally, I want to call on Allan Dash, our President, who will make the presentation.

PRESIDENT DASH: Mr. Davis, I hope you will understand that I speak not as an individual, but as the collective voice of the 270 members of the National Academy of Arbitrators. On August 27, last year, I wrote to you to send birthday greetings on behalf of the Academy, and I then said that we looked forward to other more suitable recognition later. This has been partly accomplished here today.

The Board also determined, and the membership were happy to agree, that the publication of the proceedings of this 13th Annual Meeting of the Academy would be dedicated to your honor.

We turned to our chief, the man who knew you the best, George W. Taylor, to compose the brief dedication which will appear in the front of the book.

It reads as follows:

Above all else, the name and the man—*William H. Davis*—stands for freedom—"the power to live under one's own control and not another's." In his staunch defense of freedom over the years Will has demonstrated by word and by deed how "only the man who holds himself within self-chosen limits can be free." The effectuation of these principles involves a high goal—the achievement of democracy. All this assumes that the individual can be trusted and that man has a capacity for self government. These ideas and ideals have long been a part of Will. He has had the rare faculty of bringing them with great impact into the thinking of his associates. Upon these principles, moreover, governmental bodies, such as the National Defense Mediation Board and the National War Labor Board were created under Will's leadership. These agencies were unique as an expression of the democratic ideal, and they served the nation well in times of

great peril. Will Davis was convinced that, in his own words, we could "fight for freedom with freedom" and also that self-chosen limits could be voluntarily established. He was right.

In honoring Will, the members of the National Academy of Arbitrators express their affection for an esteemed friend. They also express their gratitude for his leadership in the never-ending effort to realize the potentialities of the democratic idea. His example has been an inspiration to the Academy in its efforts soundly to establish voluntary arbitration as a part of industrial self government.

It has been recorded that Pericles said of his Athens: "We are a free democracy. . . . We do not allow absorption in our own affairs to interfere with participation in the city's." Then, as now, to serve one's country is a precious part of our kind of a way of life. Will Davis believes that, and has acted upon his belief. He did so in far more important ways than most of his fellows. Among his greatest achievements is the desire he created in so many others to serve with his spirit.

Will, these words have been inscribed in a dedication plaque which I now present to you, on behalf of the National Academy of Arbitrators.

MR. WILLIAM H. DAVIS: I find it, my friends, rather difficult to speak. In fact, believe it or not, I am practically speechless. It is only my naiveté and sense of humor that save me at all.

But, being a Damnyankee, I'll tell a brief story to illustrate my difficulty in speaking.

We like, in Maine, to save our words. This story is about a farmer who came into a blacksmith's shop with a broken plow share. This was the entire conversation:

The blacksmith says, "How'd you break it?"

"The hired man hit a rock."

"Same fellow got your daughter in trouble?"

"Yes."

"Awkward, ain't he?"

Well, my dear wife is whispering to George Kirstein about this absent-minded man, which reminds me of another story.

My former partner lived in Augusta. He had this ancestral home there and a lot of children used it in the summer. There was an old fellow who used to come around and do odd jobs for him. Frank went up one year and the old man didn't show up. Frank inquired about him, heard he was sick, so he drove out to see him.

He found the old fellow sitting in the rocking chair on the porch. He said, "Don, what's the matter that we don't see you around?"

He said, "Well, I had a stroke. Didn't you hear I had a stroke?"

Frank said, "Well, yes, I did hear it, but how did it affect you?"

He said, "Well, I can't walk. They put me in this chair and I just rock back and forth. They tell me I lost my mind. But I don't miss it."

These stories of the War Labor Board, of course—don't get me started on them—but it is the sense of friendship that really moved me more than anything else. We had a grand time. We did tackle some hard problems, and I agree with this idea that we, among us, displayed a good deal of invention.

Now, as far as administration goes, you have heard this criticism of the Chairman's administrative ability. Well, I always claimed, it was a fact, I think that it was recognized during the war that the War Labor Board was a well-administered organization. Feeling very sure of that, I said, if it weren't, I would get the blame. Since it is, I'm going to claim credit. And I didn't deserve it.

George Kirstein started out as the first administrator. After he went into the Navy we had others. So it wasn't my doing; it was theirs.

As a matter of fact, at the War Labor Board you didn't have much time for administering, because you had to sit every day, all day long, sometimes part of the night, presiding over the Board.

I remember one day, just as I left my office to go into the Board, I picked up a letter that had come in. It was on the top of my mail. It was, without a doubt, the nastiest letter I have ever read, the most subtly insulting document that could be imagined, and, although my hide by this time was rather thick, it really got through, so much so that when I got into the Board I read it to the Board.

Well, George Meany who was accustomed to beat the table and call me every name under the sun at one time or another—we were good friends, though—when I got through reading that letter, got up, his face flushed—you know, he is a rather florid man—and said, "Mr. Chairman," he said, "I move that this Board instruct its chairman to write a letter to the S. O. B. and say to him that the Chairman of the War Labor Board is accustomed to being insulted by experts." He was pretty indignant about it.

Now, I heard a talk this morning by Mr. Stein, which touched on a theme that has always been very close to me. In fact, I was talking about the same thing with George Taylor last night. That is,

the fact that these creatures we talk about, the labor people, the industry people, using those terms about both, isn't worth it, because they are all human beings. You are sometimes surprised at the things they do, but not if you are as old as I am, and that is the essence of industrial relations. It is, I venture to say, the essence of these shop rules. What are shop rules? They are the habits in the shop by which the human beings in the shop manage to get along with one another day by day.

George was saying last night, a foreman, for instance, is confronted with some complaint by a group of his men. Well, if he is a good foreman, he tries to soften it. If he is up against a shop rule that he can't change, he tries some other way. He says, "Well, fellows, suppose I can do this for you" and nine times out of ten, he'll work it out.

Well, you cannot do that by having a lawyer read a section of the contract. It is quite a different kind of thing, and it is that human contact which, in my belief, is the promise—it has hardships about it—but it is the promise that makes me, in my old age, still, as George Kirstein says, naive.

And I did use this expression of Plato's: creation is the product of persuasion. I was forced, afterwards, when we got the power to issue orders, which we did not want especially, which we asked the Congress not to give us, but which they did, anyway, to issue orders.

Then the boys commenced writing libelous articles downstairs about the old man going around with the big stick, and so forth, and it was then that I said to a meeting of the staff one time: "I know what is going on downstairs. You fellows have me against the wall, and although this aphorism isn't mine, it is Plato's, and I only ventured to modify it for the War Labor Board, so, from this time on my motto will be: Creation is a product of persuasion, except in cases of rape." That is how that expression came into the War Labor Board.

We tried not to rape, but in the ultimate, we had to.

But this matter of human contact is the promise of the future. Also, it is the threat of the future.

Now, I think it was George Kirstein who said that I remained in this naive state of mind, in spite of everything that happened, but I want to give you an instance. He spoke about my belief that the plane of progress in humanity raises gradually. We are confronted at this moment with perhaps one of the most extraordinary things that has ever happened to the human race, and right in this connection.

We have always said, if we could have in peace an incentive as powerful as the incentive in war, what a fine thing it would be.

Well, we have pretty nearly got that in the so-called cold war, but the instance that I want to emphasize is this: It is unique and it is pure. I am talking about the plans that are going forward and have advanced a great deal in the last year or two of the *have* countries joining together to help the backward nations. You realize, this is the first instance in human history that I ever knew of in which, to paraphrase a remark of Mr. Lincoln's, the fuel of self interest is added to the flame of brotherhood.

It now becomes an essential requirement of life on earth, that nations should help one another, and, in my judgment, with all respect to George Kirstein, because I know he was not expressing his own views about it, I say, anybody is a fool that doesn't realize that that confronts the world with an opportunity that it has never faced before, and I get so sick of hearing every day, in church, from the pulpits, in Congress, in the street in taxicabs if you are foolish enough to talk to a taxicab driver, everywhere,—this talk about what terrible things are ahead, what an awful world it is.

Well, it is the same old world. And, actually, the opportunities that lie ahead of this country are almost infinitely greater than ever before.

And I say, if that is naive, make the most of it.

I don't want to keep you any longer. I cannot really express the humility that this meeting has aroused from this rather carefully protected cocoon.

I thank you all.