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David Yellin- This is tape 2 with Frank Miles, September 14th 1968 Tape 2.

Joan Beifuss- So the letter didn't work out either?

Frank Miles- No he had addressed the letter to all employees and that did not work out but by this time in my recollection of it and my consideration of it at the time it was a state of confusion. The city was everyday was improving on the garbage pick up to the point where they almost had it under control because people were putting their garbage cans out on the curb. So people began to feel that actually the city was going to win the strike. I think the union was afraid this was going to happen. So when the injunction, or contempt citation decision was made finding the principal officers and I think they were sentenced to 5 or 10 days in jail along with it, then it did create this vacuum. SO they were no longer, they no longer felt they could appear in meetings and talk to any great extent with membership. I think Taylor Blair has given you some insight into that because he was attending most of those meetings. Then they thought they had to bring other people into it and that is when they began to bring the SCLC people into it. Then they tried to get Dr. King into it and they were successful doing it. They worked on this very hard to bring him...

David Yellin- Now where were you in all of this?

Frank Miles- I wasn't doing a thing at this time except, well, I will take that back. Right after the injunction was granted and I could see this vacuum that was going to exist here, it was when I talked to Downing Prior. I was getting ready to leave town one day and I talked to Downing, and I didn't realize that Downing Prior was going to pick it up and make something of it. I was going over this same thing with Downing, I felt it was going to create a vacuum here as far as the leadership of this union was concerned, whether the union leadership was bad, good, or indifferent. You are going to wind up with some other elements getting into this thing who would try to take it over and there is no telling where it might lead. Things could go from bad to worse if they felt like they were losing it, then is when violence would begin to break out. Up to this time the members of that union and the people who were out on strike with a few exceptions, I think there was some instances where a few were involved in fights. On the whole I think they conducted themselves pretty well, I think the union representatives exhorted them very strongly not to become involved in violence.

David Yellin- And they weren't by their nature violent people?

Frank Miles- Well, by their nature most of them were not, there were some militants in the group, there is always bound to be that was ready to do anything. I wouldn't say that they all were 100% non-violent, but I would say that a great majority of them were non-violent, because they were just average people trying to make a living.

Joan Beifuss- Most of the black ministers were non violent too.

Frank Miles- Hmm.

Joan Beifuss- Most of the black ministers were resorting to non violence.

Frank Miles- Right, they were doing the same thing. But at the same time there were some of these ministers that were really making some broad bold statements, because they were made them down on the floor of the council that day when they took over the council chambers. Which really frightened people in general and alarmed people if you were here at the time. That really alarmed me considerably that they would just take over the council chambers and then do the things they did there. Then some of the statements the ministers made themselves was getting way out. It was a couple of them especially, and these were the things I was talking to Downing Prior about, that these people are going to come into this thing more and more until it will be out of control completely. I felt that perhaps some discussion should be held with those people to, with the union and the ministers and anyone concerned, anyone that had real concern for these people to try to bring, first of all to get those people to go back to work and then start the other way around. On the inside they had still had control of the organization. If they could work on that, and keep working and keep their organization together they could gain the objectives that they set out to gain in the first place. I have used this argument many, or a number of times as a mediator, in convincing unions if it looks like they were going to lose their strike to get back on the job and to stay inside and negotiate, negotiate, negotiate. Because you can do a lot more on the inside than the outside.

David Yellin- Now was part of your feeling predicated on the fact that you sort of had tried Mayor Lobe, we talk about the city we are talking about mayor Lobe and there wasn't too much of a possibility of changing him or loosening him at this point and particularly with the injunction. Now were you going around the other end?

Frank Miles- Possibly, subconsciously this was happening except that I had talked to Downing Prior several times and he at this time was asking me or suggesting to me if there was somehow I could get in as a mediator, he knew I had been a mediator. Downing was saying, Frank there is really none of us down here that knows about labor relations we need somebody that could get the people down to the table and talking. Because I was saying the same thing to Downing as I was saying to Henry, somewhere they just have got to start talking and begin to discuss these issues and how they are going to be resolved or they are never going to be resolved sitting out there in two camps fighting through the newspapers and all, and all these things are going on in the city.

David Yellin- Had anybody ever suggested that mayor Lobe appoint you to represent the city early on?

Frank Miles- No. This had never been discussed that I know of, or not that I am aware of.

David Yellin- No...

Frank Miles- I know an appointment by Henry Lobe would have been a death kiss as far as the union was concerned. I couldn't have been effective at all.

David Yellin- Because mayor Lobe wouldn't have...

Frank Miles- He was just absolutely persona nongratto, with the union and you see all the black people would have had no confidence in me at all as representing Henry Lobe see.

David Yellin- Wasn't that part of the reason for the kind of continuation too, the fact that mayor Lobe was on the other side. Did this help the stalemate or, I mean how could it have been resolved?

Frank Miles- Well...

David Yellin- Without what happened.

Frank Miles- You mean without the tragedy that happened?

David Yellin- Yes.

Frank Miles- Well it was beginning to, it was reaching a point without the death of King it would have eventually been resolved I think. It might have taken a little bit more time but it was one the way it was beginning to evolve and beginning to develop.

David Yellin- Now your talk with Downing Prior.

Frank Miles- Well I talked with Downing Prior about this need to perhaps get this people back to work, or perhaps convince the union and the negro ministers who were now getting into that this was the real salvation from their standpoint, but now their leadership was under such a real constricting injunction here. To the extent that none of them could really open their mouth and exhort these people to stay on strike, or whatever they could do without being in violation of this injunction, but the best thing these people could do was to get back on the job and covet those jobs and continue asking for meeting with the city because keep at it until they finally sit down and resolve it. Somewhere, and they just have to wear the city down that's all. But they would be inside, they wouldn't be outside you see, but they would be keeping after the city and asking them to sit down and work out an agreement. They keep after handling grievances and the city had agreed within the context of what the mayor said, that they would handle grievances eventually. It might take a year, it may have only taken 6 months. But at some point I thought they could finally obtain and gain their objective. This is within the context it appears that maybe they are going to lose the whole thing and it wasn't that I was so concerned about them losing it, because I have to be honest with you as a labor representative I am not going to be concerned with the union losing it. What I was concerned about was that you were going to have all these people on the outside and all these new hires on the inside, so you were going to have conflict of all kinds,

you were going to have violence within the city and there was just no 2 ways about it. There probably would be more of a shape up of white vs. black come out of this whole thing, This is what I could see. I am just laying the cards on the table as far as the union losing the strike is concerned, if they took it upon themselves to get another strike, they have to assume that calculated risk. Any union that does this, I had to do this, any union has to accept that calculated risk that they may lose it so I wasn't concerned about that as I was more concerned that these people were going to be on the outside and a lot of them were going to get hurt, a lot of them were going to get caught and be hurt. The fact that it was going to them to set up two camps the people who were in and the people who were out and you were going to have some conflict out of this could go some real racial disturbances and racial conflict. Well this is really what I was saying to Downing and so when I got back from my trip I got a call from Downing, going to meet down at the Tri-State bank on Friday I think it was. When I get down there Lucius Birch is there and Edmund Orgill, Downing Prior, Reverend Lawson.

David Yellin- Pretty good list there, Jesse Turner.

Frank Miles- Jesse Turner and all his people were there, Mr. Smith was there. SO we are talking about this thing and they want me to, and Downing of course had talked to other people while I was gone see. I didn't realize he had really developed this darn thing so much and during the time I was gone, so they pitched it in my lap and asked me to put it out there. I said, well I didn't have much preparation on this I just got a call this meeting was going to be held and I didn't really know what purpose except we were going to discuss this idea but there is nothing magic about it. I just told them in my many experiences as a mediator that many time when a cause just seemed to be almost lost that the best thing to do is to get the people back on the job and hold those jobs and keep negotiating and requesting recognition, keep at it and keep at it until you finally gain your objective. It is as simple as that. Then you have the jobs and you avoid the conflicts that will come out of it otherwise. They were putting it up, Reverend Lawson, and some of the negro representatives of whether or not this might not have some merit and whether or not they wouldn't try to convince the union that (muffled) that they would try to talk to them, and they had. The union turned it down.

David Yellin- Do you know why?

Frank Miles- I don't know why except that, well the way they put it, they said we are not through with this situation yet, we are not ready to give up. I could expect this would happen. It was just something I had tried many times when I saw a situation was going to be lost. Sometimes it works, sometimes it didn't. Sometimes union went on and lost it completely and other times they went on and they won it.

David Yellin- A couple things, did you feel that the union in this case it would have been Jerry Worth who made the opinion?

Frank Miles- Yeah, I think that Jerry Worth made the decision.

David Yellin- Felt on his end too that he would lose face.

Frank Miles- Oh yeah. Definitely. They would have to stand up in front of these people and say we have lost this thing, I can appreciate this, we have been unable to obtain our objective here, we have been unable to convince this city that they should recognize us so we recommend you go back to work. This is a hard thing to do and the union representative is not ready to do that until a strike has been going on 6 or 7 months.

David Yellin- Could it have been also that this union since it was involved with the international and so on, this thing in Memphis was also part of their overall plan around the country.

Frank Miles- Well I don't think are really involved at that point yet. They haven't really grasped that. This comes later. It is beginning to shape up at this point but it hasn't really....

David Yellin- I wondered....

Frank Miles- I don't think Worth had adopted this as something he was going to use in all other parts of the country to...

David Yellin- Well no, but he was aware that there was going to be a kind of national plan and if he had lost here...

Frank Miles- Oh I would say yes this could definitely hurt him in other places, because it would give encouragement to city governments and others. So this became one that gained enough publicity, well let's see here....

David Yellin- Certainly by March 10th. It was getting recognition.

Joan Beifuss- Not too much.

Frank Miles- Not, it really hadn't.

David Yellin- It had been on 6 weeks or so. Well it was after the injunction.

Frank Miles- It had gotten a little notoriety but it wasn't on the national scene too much.

David Yellin- No it wasn't.

Joan Beifuss- I bet the COME organization was trying to get it...

Frank Miles- Just the fact that he would lose it here, give it up.

David Yellin- The reason I bring this up is because it is kind of very interesting. Because Martin Luther King, you, in Memphis relation is the same thing, he had to come back here because of what was happening nationally particularly in Washington that was the march. That was one of his prime considerations. That he

couldn't lose here and here was Worth here that couldn't lose here, and here is Lobe on his own grounds and he couldn't lose here.

Frank Miles- Right, this is the whole thing. These conflicts going on. This was just nothing but a thought. As I say, I had used this idea in some mediation situations that were not as far down the river as this one was. Where the international representative recognized that they were likely to lose the whole thing see. And they went along and in fact they asked me to convince their committee, I can think of one plant out here now, that the union would probably not be here today except for that very thing that I did. This is when I got this assignment on this dispute and it involved textile workers union, and I come back in here from a trip when I had been down in Mississippi on a meeting, and here this plan on strike. And they are actually out on a wildcat strike, although they are in negotiations and it can be considered an economic strike, they really went out from under the international representative without sanctioning the international union. But I see this darn thing in the newspaper. So the first thing I do when I get into the office is I call the attorney representing the company and say well look, you know what happened in the American Snuff case? You were the attorney representing them. This went on 6 long months and surely we don't want another catastrophe of that kind going on here. This was 10 years ago or 12 years ago. It was the next worst thing after the greyhound strike that happened around here. I said, I don't think you want to get caught in another one of those and let me ask you to do one thing, you know actually I had a chance to get these people together just before they went out on a strike. I know we had several meetings and there is no reason for them to be out on a strike but call Charlie and ask him to hold up on hiring another person until I can get you all together over the weekend and he did. Charlie Goodman who is a vice president of American Finishing. He called me back, this attorney did, and he said Charlie is going along with you he isn't going to hire another one, let me tell you if there is one out there, there is 200 people ready to make applications. Great big ad in the paper like that. So when we got in the meeting over the weekend I convinced this committee, and the international representative was wanting them back to work. They held a meeting on Sunday and they voted to go back to work, and they negotiated, negotiated, negotiated, and about three months later the international representative told me, he said, we finally got a contract worked out alright. And you save a group of people, this is the whole thought I was trying to promote.

David Yellin- Well alright, but I think, wouldn't you agree that essentially your plan was a good idea.

Frank Miles- I thought it was a good idea, from their evaluation of it, it could have affected them, see this other situation I just described to you wouldn't have the effect on their organization in other cities. Because they are already organized. It would on this union you see.

David Yellin- One other thing that occurs to me too again to get the picture. At this meeting at Tri-State, and Reverend Lawson and his group and probably...

Frank Miles- They kept this out of the paper...

Frank Miles- Particularly Reverend Lawson probably because he was the leader of the ministers, and maybe one or two others. Why didn't they have you go to the union and talk and why did they go to the union to represent this plan?

Frank Miles- Well you see I was not functioning as a mediator at this time and I was a representative of the management. With this background, you see Edmund Orgill was one those old war horses of the Keifoffer days and Lucius Birch and so we had this familiarity with each other but actually it was felt by everyone, the one that had the most influence on the union would be the ministers, because at this point in time now, the ministers are the union's only salvation. The city could really break the strike, except for the help of the ministers. If the ministers had walked out of it and said we aren't going to have a thing to do with it, the union would have been done.

David Yellin- Yeah, except however here is a another pressure point. Perhaps the union, perhaps the union would have said to the ministers alright we will do this because this is good for us as a union will you go to your people and say this is a union problem go back...Because it was not a union problem any longer which is why the ministers got into it. The ministers were also as much concerned with the dignity and the recognition of the negro as a negro and as a man, and if they had given in this way, they would have lost that hold completely, that they were having on the people.

Frank Miles- Well you see but this time, at this point is when the labor organization and the ministerial groups are fusing together and before this there were many of those ministers that were, that really resented a lot of people in the labor movement. They resented a lot of people in the building trades union.

David Yellin- Yes,;

Joan Beifuss- uh huh.

Frank Miles- For example. Some of them even in the industrial unions. And I have just heard this one minister make the statement that I haven't given one god dung about the unions before, it didn't mean a thing to me. Now this is some weeks later, but right at this point we are talking about is when they are becoming close and closer together out of necessity.

David Yellin- So to ask them to separate was a pretty rough thing.

Frank Miles- Yeah this wouldn't be a, it was a proper thing to do there to ask the ministers to ask the union to consider this and for them to consider it together, whether or not this was the thing to do in the interest of saving this situation for these people and avoiding future conflicts. And at the same time giving them a better chance...retaining their foothold if they are on the outside and they are no longer employees they have lost their real foothold within the city sanitation

department. She didn't get that coco-cola for us let me go get that coco-cola for us. (Tape Break).

Frank Miles- As I saw it at least and I have to give it my viewpoint, I wasn't directly involved in some of these things at the time and it just appeared to me as this is when the ministers and the union were beginning to fuse, and to join effort and the ministers are appearing at the meetings now more and more. Then the meetings themselves I think maybe about this time are moving from the firestone hall down to the temple.

David Yellin- And just again for the record we are talking about the black ministers?

Frank Miles- Right. Although there are some white ministers are in the situation, in the fringes, they are not as directly involved as the black ministers were. The white ministers that were in it were supporting the black ministers in it. Of course when it came to the demonstrations, the march down to city hall and so forth they came forth. I mean the white ministers did, priests.

Joan Beifuss- That was after Dr. King was killed?

David Yellin- There was one before.

Frank Miles- There was one before, there was one march city hall before he was killed.

Joan Beifuss- Oh the one that broke up into the riot?

Frank Miles- No I am talking about when this whole group of ministers went down Poplar street as I recall.

Joan Beifuss- That was the day of the morning after.

David Yellin- It was scheduled the day before.

Joan Beifuss- They had talked about going on Wednesday and they didn't go and then King was killed on Thursday and they went on Friday.

Frank Miles- I was thinking it was just before he was killed, maybe not.

Joan Beifuss- No.

Frank Miles- it just seemed at this point of course there was something new every Saturday at that was coming up. New ideas. The next thing I heard was on Monday. I was becoming more involved because now people, more people are calling me and some of the people I had known before. Councilmen Jerry Blanchard called me, I believe on a Monday night. Frank, he said, I just talked to Lucius about an idea, and he suggested I call you and try it out on you and get your reaction. My idea is this, he was really intensely involved, emotionally and every other way, he was intensely involved in this thing. He just felt he had to be doing something and somebody had to be doing something to get this thing settled. His personal feelings were coming

closer and closer to greater appreciation of the black man's problems where it had not been that way before he was becoming more involved with them. He said, my idea is that everyone agree to submit to this idea of check off. Which was one of the real key issues to a referendum vote of the people of the city of Memphis. I said, fine idea Jerry but the union is not ready for that no more than they were ready for the idea I talked with them about last week. The idea I had was a calculated risk and it wasn't anything that I thought necessarily, that I had a great deal of confidence that they would accept, but it was just a chance. I said, I think this idea may at sometime may be a good idea. But not now, the union will turn it down flat. I said if you ever mention to Henry, he will grab it. Because this just appeals to him. (Tape Break)

Frank Miles- I told Jerry if this is mentioned to Henry he will grab on to the idea and he won't want to let go of it either. My advice to you is do not put it out now but hang on to it, because it may be two weeks, three weeks, maybe four weeks, this might be the means of giving everybody the opportunity to back away from a bad situation. By Friday, he called me to say a meeting was to be held in Donelson's office. So I get up there here is Edmund, Lucius, and about the same group that was in the other meeting. A couple new additions, Sugarman was in it. Ned Cook happened to be in it, he was sitting here along side of me, he is my boss now, I didn't know he was going to be my boss at that time.

David Yellin- You say Henry Lobe was there too?

Frank Miles- No, no, no, no. Henry no. But there was a couple new ones and Ed was one of them and Dave Kaywood was there. And what had happened evidently in the meantime this idea had been bounced around and Ned Cook and Dave Kaywood were working on it. I gathered this, that this was going on. But now we are calling group together again and we are trying to convince Lawson and the ministerial group, Jesse Turner and so forth that they should exhort the union and go back to work and settle this question...go back to work immediately and then submit this question to a referendum of the people. If the majority of the people vote that they should have a check off then they should give the union the check off and get on with the business of recognizing them and so forth. Well who is against, who is for sin, or who is against money with something like that it is a good idea, but and my thought was lost because Jerry Blanchard was there. I already told Jerry, it was his idea to begin with, I had already told Jerry what I thought about it. I gathered that while they were addressing the questions Lawson he thought, not being a union representative, that maybe it could be the answer. I think his reaction was honest in that respect. Of course he might have asked him if they thought the union would go along with it, I don't think he made any commitment on that. Then everybody was in a big rush to get going you know and get that show on the road and go over and see and get in touch with the union and that is for Lawson and the ministers to talk to the union and so forth. I leaned over to Lawson, he was sitting right here and I said Reverend Lawson look with all my experience in this field, this sounds like it is going to fall flat on his face. Let me ask you a simple question. When you get over there to talk to him about this idea, this check off, do you think they have gotten all

the other things they are concerned about? That is agreements procedure, the money and some of these other items they have been talking about. He said, no I don't think so. I said, I think they are spinning their wheels with this thing, but everybody seemed to be in a big rush to get on with it. Well, when we went out the door and down the stairs, when we were walking down the street, I am walking down the street with Ned Cook and Dave Kaywood and Kaywood stopped and picked up a precimeter off the stand, this was on Saturday at noon now remind you, about 12:30. Right on the front page here was this headline. I looked at Ned and I looked at Kaywood, you mean to tell me that while we were sitting up there talking was had asked that man to talk to the union committee that somebody had already given this to the paper this morning, and here it is right here in front of us? And they looked at me kind of funny. I say Lord that is one of the most stupid things I have ever heard of in my life, that is the most stupid thing. I just turned around and walked off. Well it made me so disgusted and mad that I had been part of the party, that I had even sat in on the meeting, I was down at the office and I walked in the door. I called Watson and I asked him, man, tell me something. Did you know that was in the paper when you went over there to the hotel? He said, no I went right over there from the meeting and he said, you know when I walked in that room they had the paper right out on the table in front of them, and showed me when I was going to talk to them about it. I started to talk to them about it and they said, oh you mean this that is here in afternoon Precimeter? And I said , I could imagine how you felt. I just handed it to him to find out and tell you my part of it. Because I want to apologize, because this is the most stupid thing that anybody could do and surely something that you are going to ask a man to go over and intercede with a group of peoples such as the union, to give them an idea to discuss, and they know about it before you even get there in fact because it is on the front page of the paper. So my part, I want to apologize, I had no real part in it but whatever part I played in it I want to apologize. You know this is a funny thing but I think he recognized the sincerity of the statement I made to him at that time. That I meant it. Because later on the question was addressed to him whether or not they could have confidence in me and I believe this fellow spoke up and said, of course he was concerned, he would have confidence in a mediator. I didn't know this until later.

David Yellin- Is there any way that, did you ever find out how this came to the paper?

Frank Miles- Oh they had given it to the paper, I don't know just who did it now. And you know they did it with all good intentions. They thought the idea was darn good, some of them just got hyped on the idea, Jerry made the unfortunate mistake of talking to Lucius Birch and boy nit got around to a couple other people and they grabbed a hold of it. This is a wonderful idea this is what we should do you know, go, go, go. Give it to the paper and we will talk to the union and the whole problem will be solved and everyone will go back to work and the strike is over with.

David Yellin- Of course I remember that, postpone it until August. And of course my only reaction was, well what are the men going to eat?

Joan Beifuss- I was thinking that had come out of a statement from Lobe originally, that he proposed the city...

Frank Miles- The minute he heard about it, when he saw it in the paper he was in full support of the idea.

Joan Beifuss- Just out of curiosity is there any place in the country you ever heard of having a referendum involving citizens on the point of labor recognition?

Frank Miles- Never had that, but I didn't tell Jerry that. First of all, what union, unless they were desperate, now see that is what I was saying to Jerry. Now at this point, if it reaches a point of desperation everybody is trying to find some way to retire from a real, from a situation that has gotten so bad that no one knows how to back out of it.

David Yellin- Now you have some way of backing out of it, because I would like to raise a little hand, that anybody who voted would be subject to the injunction. Because that would be an illegal referendum.

Joan Beifuss- I suppose it would be.

Frank Miles- But not on just that question though. You are getting bogged down in these legalities of whether or not a city or municipality can involve itself in the consummation of a collective bargaining agreement as such.

David Yellin- But the mayor always argued that in the city charter it was against them recognizing any union in any way. It was in the city charter.

Frank Miles- No I think he made it clear that they could not, consummate a collective bargaining agreement. I think they kept it...because there is a difference in what he was going on was the advice his attorneys were giving him on this. This is, would have been in violation of this Supreme court case.

David Yellin- State Supreme Court?

Frank Miles- State Supreme Court case. I heard also about that when I got into it finally.

David Yellin- Where you involved, before you get into the other, were you involved in any way in the situation of the letter of the mayor in which Ned Cook and David Kaywood and Lucius Birch and....were you there when Lucius Birch...

Frank Miles- No, uh uh. See these are some things that I was aware of but I wasn't involved in, and now let me ask you if you had interviewed Ned Cook?

David Yellin- No sir, in fact we want to and I have a note here to ask you if it is now within your providence to talk about your boss, your new boss. We want to interview Ned Cook and one of the reasons we haven't quite frankly is we have, I felt it was kind of a commitment the mayor didn't ask, but we have been talking to the

mayor now for a period now of 6 weeks. I mean not talking to him all that time, but getting postponements and all that. I felt that the would rather not talk to anybody that close to him until he was finished. He never said this we never made any agreement, so I have been sort of laying off talking to anybody around him. But not anymore. As I say this is, first of all it is too long. And as I say the mayor never even mentioned it except he did say, not to talk to his secretaries and so on because they are too busy too.

Frank Miles- I don't feel like the secretaries would feel like this would be. I think some of them that played some part in it might lend something to the purpose of your whole program here. Ned Cook did play a part in it, and Kaywood.

Joan Beifuss- Yes and Charlie Davis too.

Frank Miles- If you have talked to David Kaywood you know what Ned Cook was doing because for whatever reason they were working together.

David Yellin- Yes a good deal of the time, in fact Joan said we will wait Saturday and ask Mr. Miles, seeing about how we could approach Mr. Ned Cook.

Joan Beifuss- Well really, we are a little hesitant about Frank McCraig the Methodist minister who was a good friend of Henry Lobe's. Just a little dubious about talking to him without talking to Henry. We did talk to Frank Miles and it was fine, I mean Frank McCraig, he was perfectly willing to talk.

Frank Miles- I met him, he was one of them, that was coming out of the mayor's office that first time when (muffled) Blair went down there.

Joan Beifuss- yes with the ministers.

Frank Miles- Mayor called him on the phone to talk to him about the situation.

Joan Beifuss- He is a very good friend of the mayors.

Frank Miles- Yeah he is a very good friend.

David Yellin- How can we talk to Mr. Cook?

Frank Miles- There is only one thing to do and that is call him and ask him.

David Yellin- Where is the best place to call him.

Frank Miles- You can call him at Bruce as good as well as anywhere else. He comes in there everyday, I mean...

David Yellin- Is there another Cook?

Frank Miles- Let's see, his father is E.W. or Everett Cook. Actually his name is E.W. Ned Cook.

David Yellin- So we will ask for E.W. Ned Cook as opposed to...

Frank Miles- E.W. Cook is his initials and this is the way he signs his name and so forth, but everybody knows him as Ned. Now my knowledge of what was going on there was on the outside really and I know they had some discussions and they had every reason to feel that they were at a point one time where they might have had some kind of agreement between the union and the city. But I have always looked at that as some thing, unless the city was willing to say the union was requesting fundamentally, then it would have been a waste of time, I felt like there was a lot of wishful thinking going on there.

David Yellin- Enthusiasm.

Frank Miles- The same thing, but more of what they were doing was more of what was really required to settle it and that is the discussion. Somebody who was between them, and actually what Kaywood and Ned were doing was acting as mediators in a sense between them. Except that there was no formal meetings an such., What they were doing is going from one to the other and trying to draft some form of an agreement.

David Yellin- Now what you are saying just I think I maybe would like to have it explained and se if I have it right in my mind. This is a time honored procedure with negotiations, when they approached Worth on this and said look this is what we are doing do you agree, and he says yeah it seems fine. I mean just paraphrasing,. And then they went out the other way to try to get it and if they had gotten it and they came back to Worth, Worth might have said well I don't like this and I want this and he would have started to negotiate.

Frank Miles- Then if at some point if they could have brought them together, see after the meeting with them individually and separately if they could have brought them together and consummated what had been worked out separately this is negotiation.

David Yellin- The problem would have been, I would like to suggest, that had they done that and reported and gotten say Mayor Lobe to agree. And then Worth said I don't like this I want to change this, Mayor Lobe would have gotten very angry because he doesn't negotiate that way. So again it comes back to a certain naiveté.

Frank Miles- I think that there was some wishful thinking going on at this point. That they were really closer to (muffled) than they were. I knew Ned feels this way, I think Ned feels that they had this thing almost to an agreement, he said this to me as one of these first days he assumed presidency of the company and I was in his office, he said someday In will bring you that file and show you that draft that we had. We were just about done, of course we almost had an agreement same as you did. But I know that Ned and David Kaywood were so sincere in what they were trying to do and they were working on it. Lucius Birch was in the background and they had trusted the negro group, they trusted Lucius Birch and they came to trust Ned. I know for a fact that these people do have some confidence in Ned. Some thing

I can't talk about that just happened here recently. Give me reason to feel this. I think they felt he was sincere, he wasn't just trying to do what he was.

David Yellin- I am glad to hear that, because this is what is becoming apparent to us and I think Lucius Birch said it that way too, was that part of the problem was that everybody was sort of naïve about how unions negotiate with management and so if you say something and then say no, my honor is at stake and you walk out. This is the old style, you know. It is like you say son of a bitch to somebody and you really like them, it's the way....

Frank Miles- Wait till they cool off for a little bit and then go back and get it settled so you can get it worked out.

David Yellin- You know it take a certain sophistication you know.

Frank Miles- Sometimes you have to drive them to the point of cussing one another out a little bit and then the reaction sets in afterwards, one of willingness and a desire, a real desire to get it settled. It is really funny how some people react sometimes they sometimes have to get this out of their system and sometimes they want to cuss your party out and once they have gotten it out of their system and have called them everything in the world, then they can sit down and work out an agreement. I have seen that happen.

David Yellin- You know you learn that in marriage you know how you negotiate.

Frank Miles- Right all the time. I knew that they were working on it and I talked to David a couple times and he was not telling me too much of what was going on and I don't remember what the occasion was with my talking to him. As a person we have been in labor relations and so forth and I was standing on the side lines, so the, with a feeling of frustration, my gosh in heaven if they would just sit down and begin to talk to one another and then we can separate them like we do in mediation and bring them back together where they can talk to one another and hammer these things but step by step by step. Finally bring this thing to a conclusion but they are not going to do it with all this confusion, people running around with a different idea every Saturday morning.

David Yellin- How did you get into the negotiations?

Frank Miles- Well see in the meantime Downing Prior and I were talking and Downing is suggesting more and more that there is some way that you can get into this thing. I am telling him I just can't introduce myself as a mediator Downing. In the first place I don't have to ask my people around Bruce whether or not I can take the time. And so by this time the union was having meetings around at churches and what have you and they had one over here at St. Louis. I am talking, I am going to say this, but I am not going to mention the union leaders name, but I was talking to a union leader I had known a long time. He was as concerned as I was about what was happening. He would say, Frank, this is a fellow I had worked with as a mediator also. He was saying to me Frank, if we could only get them to sit down and negotiate

and you act as a mediator as you have in many labor dispute, perhaps this darn thing could be worked out. This suggestion was coming from several different sources but, this one night over here at St. Louis this young fellow Lucie was...Lucie was a real intelligent boy, gave a talk over there and he did a tremendous job. And then the next night or two our mayor was over there. So this labor representative and myself were talking and Henry walked up. This fellow turned to Henry and said you, and this man had gotten up during the meeting and given untreated hell, he was trying to embarrass the mayor really. He was asking some real pointed questions. Because he has told me I had let my garbage stack up in the back of my garage until this is my life...

David Yellin- Now was this young fellow somebody we know?

Frank Miles- Oh this wasn't a young fellow, this was a fellow that had been with the labor union...

David Yellin- Oh I see.

Frank Miles- This is a labor union representative we are talking about. So but he has known Henry a long time as I have, but when Henry walked up to us as he was on his way out the door, this fellow just turned around and said something to him. Frank and I have just been discussing how absolutely silly this whole doggone thing, and how dangerous it is. Here we are now just before King is going to come in for his first march. Henry said I haven't had a doggone thing to eat and here it is about 11 O'clock, and he said Mary is going to be made at me, why don't you two guys come to the house while I get a bite to eat. So we went over to the house to him, and if you have ever been to Henry's house he just has an average house I don't know how much money Henry has but if you look at Henry's house it doesn't impress you.

David Yellin- Not a millionaire.

Frank Miles- No. Nothing at all, just like any other joe out there. He is a very common guy in a lot of ways. So he had a bite to eat and we talked to him. We get down in the den, but he has always kept Mark Lee. Mark is always there, very close to him. We get to kicking this thing around and by this time I was sensing that Henry now was beginning to see some of the things that I talked to him about and of course other people talked to him about. Of course he is bull-headed stubborn as a mule and as far as his ideas and opinions and principles are concerned, but and it takes him a long time to give up on them but I can sense now he can see the real dangers ahead here. With this, some of the things I talked to him about creating this vacuum and the ministers come into him now and here comes Dr. King into him now. It really generates this thing now, it is getting bigger and bigger and bigger. I can sense now maybe he has open to a different approach to this thing. So this labor representative was suggesting this exact thing that Donny Prior had been asking me, this labor representative had been suggesting, he is saying nah to Henry. He was saying why in god's name don't you let Frank act as a mediator in this situation and call these people over from the union and sit down and try to work this doggone

thing out, he is just putting us right up the (muffled). Henry is hanging on to this referendum you know, oh boy if you could just get that idea, he keeps hanging on to this he doesn't want to give up on it. I told Jerry Blanchard once he gets a hold of it he will never want to let go. Well maybe we can do that. But he says, how does it operate? See he had no idea just how, what do you do, if we discuss it with you we don't necessarily have to agree in advance to anything....I went through the whole process and explained it to him.

David Yellin- You were going to mediate not arbitrate.

Frank Miles- Not arbitrate. See he was getting these two things mixed up as so many people do and so before we left there and this no one has ever known. Of course it could not have been known because in all the boring days the union never would have appreciated what happened there see. They would have been suspicious that I was the mayor's stooge. I was not because some of the arguments I had with him cover the phone when I was trying to press upon him some of where this thing was going, many times down there in his office that one time, where anything with real congenial discussion because that is the way you deal with Henry you just have to get right down to the mat with him. He still respects you, you don't lose his friendship over this as long as he thinks you are being honest and sincere about your opinion. At this point it is a question of how and I say look as far as coming into the situation as suggestion comes out of this meeting, that is the last thing that is going to happen as far as I am concerned, because I would be dead before I started. I said this request has to come from another court it can't come from here. Henry said, let me talk to my people I don't know whether we can go along with this idea or not, but we will think about it and I will talk to you about it in the morning. I said, well I want to talk to some people to because I was going to put this question to you. Number 1: If we do, If I do get into this thing there has to be a couple understandings. Number one there is not going to be any legal questions raised at that table with this injunction. Number two we are not going to have the newspaper sit in the balcony or something like that, this is going to be closed sessions. He said I can't participate in that. I said Henry this is up to you, it is the only way it can be. We can never get anywhere sitting in a fishbowl you have been all through that with the ministers group and all the other thing that you had. I would all pass that and as far as sitting down and getting anything done through mediation it is going to have to be closed doors and it has to be in agreement there will be no discussion of what goes on in those meetings until such time when we release it to the press. I'll have to agree in advance that I do release it to the press and I'll be the spokesmen that releases it to the press based upon a statement which will be prepared in advance and agreed upon by both parties. We will have to do that from time to time. Boy this was hard for him to swallow. That is when he said, I will have to talk to some people before I go on that but he said it sounds like maybe it is a good idea and maybe it is something we just need to do if we are ever going to get it settled, nothing else seemed to settle it. Didn't agree on a referendum, (muffled). I published a letter and so forth and so on. I am sensing now that he is beginning to realize that this is liable to get out of hand and he doesn't really want that to happen

either. So the next morning I went to Downing Prior and I told him about this discussion. I said, Downing, and I had thought about half the night, didn't get much sleep, I finally came to the conclusion there is only one way and that is for the council to request me to do this. So I went to Downing and I told him about the whole idea. Then I told him that is the only way I can really enter into this and that is at the request of the council and I think the council should do it, the adoption of the resolution. He said, well as far as I am concerned I will recommend it this is what I have been talking about all the time and I think we need to make this step and as far as I am concerned I will recommend it I think we can get the votes to carry it. What we didn't talk about was that this is something that you couldn't do on the meeting of that day it really had to be taken up the next meeting unless everyone agreed unanimously to suspend the rules and...So, and I said more than this I have to contact the union and see if they are receptive to it. Henry hasn't given me his word and there are certain things with Henry that we have to have an understanding about with him before I want to get into it.

David Yellin- This is a Tuesday that is right.

Frank Miles- I said I have to talk to my company. So the first thing I did was I went and talked to (muffled) my boss. Then I called Worth and he needs to talk about it, and he was talking to Lawson. This is where this thing with Lawson gets into, as I heard later, when Worth was checking it out with Lawson and some of his people, that they knew about, and of course I had met him already. They knew of my background and so I think this in the final analysis, Lawson's statement probably carried a lot of weight with them. Because this other thing that happened I didn't know it was going to have a thing to do with what transpired later. But never the less it seemed to carry some weight with him. So, someone was drafting a resolution and we were trying to put these things together all in one day before they had the council meeting down there at 2:30. So Worth was talking to his people, he called me back finally. In the meantime the mayor had called me first. Alright, we got into contact one way or the other, he called me I guess and he said Gianatti is sick and he can hardly talk, but he says Gianatti says it sounds like maybe it is a good idea and go ahead. I tried to pin him down about this legal aspect of this thing and Gianatti said he couldn't see any violation right off hand, but he said as far as that goes, if you are willing, to go ahead and set it up. I guess what he was thinking is I will get with the boys later and check it out. So in the meantime talking to Worth, and Worth is telling me who his committee is going to be and that they are willing to make...then I went over to the Reverend Jackson's office for a meeting and they were talking about where we would hold it, and they were wanting to hold it down there, this got to be a real delicate question, but I had already talked to Shorty down at the Clerge and asked him if he could make some rooms available to us down there, but I didn't tell him that I wanted them for free at that time. So I could see when I am down there in Reverend Jackson's office, boy we are shape up with a name down here on Hernando in the security building, and this is not going to be too good. Especially, if a crowd gathers outside and here the city representatives come out and you have an instant riot outside the place, this will really be

something. And so I just told him, you know I had taken the liberty of going ahead and contacting the people of the Claridge hotel, because I realize it is close to city hall never the less it is away from the city hall. I said more than that, I think we can get those rooms for free and it won't cost us a thing, we go anywhere else we are going to have to pay for them. Well if you got them for nothing then go ahead. So it was funny the reaction I got out of that, Reverend Jackson sitting back there and somebody he was dolling out some money for some poor soul that had come in there. He had money on his mind, well shoot if you can get it for free, he said, we will go to the Claridge hotel.

Bill Thomas- My folks are like that.

Frank Miles- (Laughs) I went over and I told Shorty, you know who I am talking about I can't think of Shorty's last name.

David Yellin- Yeah, Yeah.

Frank Miles- He is the hotel assistant manager, I done stuck my neck out. But I have made a commitment here that you would give us a couple conference rooms up here and you wouldn't charge me anything. He looked at me sort of funny and said boy if we can get this thing settled it will be money in the bank for the whole town. He said you got a commitment. He said, I won't even talk to Stewart I will give it to you now. So then I went over and I talked to Henry, and this is the matter, what I am going through is the matter of forming committees. Henry, he is not going to sit in and he is telling me who members of the committee are, but he hadn't gotten it all formulated. Then we come into Saturday.

David Yellin- All of this has not been publicized? Nothing had been in the paper?

Frank Miles- Nothing has been in the paper. Well, except when we were going to hold the meetings. You mean this background of this it happened.

David Yellin- Well not only the background, but the announcement that you were going to be involved.

Frank Miles- That was in the paper.

David Yellin- When? Do you remember?

Frank Miles- Oh there was a whole morning paper edition.

David Yellin- But not until Thursday.

Frank Miles- No you see the council meeting was...

David Yellin- the 19th.

Frank Miles- Was the 19th and the very next morning is when it was in the paper because the resolution was adopted that evening see. The resolution was adopted that evening and the minute I walked in the back door the papers were calling me.

David Yellin- Really?

Frank Miles- Yeah, so it was right on the front page of the paper. We got into my background in the mediation service and all that business.

David Yellin- I thought it was the day after.

Frank Miles- Channel 3 wanted to come out and do one here at the house. I said, look, I just have to stay out of that. I was trying to stay in the background as far as news is concerned I just wanted as little publicity as possible. It was dangerous see. Anything you said could be twisted or taken out of context. I have been through that too many times in the labor movement. With all due respect to the news media you know the least thing you say as a mediator, and when I was working as a mediator all during the years I never said anything, I never made any statements what so ever, unless it was a joint statement prepared by myself with both parties. So on Saturday we are going to meet for the first time and of course we had the press and everybody in and then I closed the meeting, or I was getting ready to close the meeting, and boy like a bomb out of the blue the spokesmen for the city's committee raised a question that the city's committee felt they could not sit at that table and negotiate with members of this committee whom they did not know. Well they did know too, it was announced on Saturday morning I guess before they came to the meeting and maybe on Friday. But at least members of this committee most of whom were under this contempt citation and was under a conviction by the Chancery court and that series of legal questions had been raised within their group as to whether they could sit there and continue these negotiations. This caught me flat-footed. This is number one on my list of understanding with Lobe see. So I kept it running for about 2 or 3 hours until it was finally agreed that they would go to court and get a clarification and then we would come back on Monday or soon there after, the clarification was gained in front of the Chancellor. Well as I walked up the street afterwards but who would be coming up the street but the mayor. He has a reporter sitting in the backseat and he is blunt as could be and I was walking across the street and he said hey son of a bitch. Oh hell I forgot about that doggone recorder is on.

David Yellin- That's fine.

Frank Miles- He said, come over here and get into this car and he said to the reporter, now this is off the record completely. Frank Miles, I want to apologize to you as humbly as I can apologize. This is the other side of the guy he is two-sided going back and forth. Some people say he is a buzzard, and then there is the other side of him. He said I want to apologize to you as humbly as I can apologize to another man, I never intended on this to happen. When I told you that I meant it sincerely, but he said, on the whole Gianatti recovers from his sore throat back on the job and he has the other boys in our group that are lawyers and all of them feel that we would be violating this injunction ourselves and becoming a party to the violated injunction if we participate in the negotiation. And he said, we have had one awful wrangle this morning and I am sorry that we had to walk, to allow this

committee to walk in the way they did. I promise you one doggone thing we will go to court Monday morning and I will be there myself and we will find out whether it is, and if it isn't then we are ready to sit down and go. But I can't tell my lawyers that I am just going to ignore them because after all what is the city got them for. So I thought surely he wouldn't do this to me pulling some subtle underhand trick there must have been some good reason and that was explanation enough for me. On Monday morning we went to Chancery Court and in 10 minutes the whole question was clarified and so we went back to the table and started Monday afternoon I think it was (Tape Cuts).

Frank Miles- Henry Lobe...

David Yellin- It's fine, because you have already explained on tape that he does this.

Frank Miles- He does this a lot of times and there is nothing personal about it at all, If he likes you he is liable to do this. If he dislikes you he will be real stiff and formal, or if he doesn't know you I don't think there is anybody that Henry actually dislikes. He is too much of a politician for that. (Laughs) I am sure there is some people that he probably dislikes very vehemently. Even with, it is a funny thing talking with, are we on the record then now. In talking about Champa and some of the union representatives he would say after all this guy has got to make a living, he is not a bad guy. Something like that.

David Yellin- He would say it afterwards when he was talking about him.

Frank Miles- He would laugh when he would say it, you know he really isn't a bad guy he just has got to make a living.

David Yellin- But he wasn't used to Champa was it.

Frank Miles- No he wasn't used to this way, this approach and he really felt sincerely and this I am convinced of, he felt sincerely that this group was coming in here that all they were interested in was getting union dues from these people not really interested in doing anything for them. I think he was convinced of this in the beginning.

David Yellin- Well as a matter of fact, I don't know if I can speak for him, I wonder if he still is convinced that that's what they were doing. Whether he is convinced that people can do something else I am not sure, but he is still probably convinced that is what they intended to do you think or not.

Frank Miles- You mean that they even intend to do today?

David Yellin- No, not that they...that is what they had intended when they came here in February.

Frank Miles- Oh I think he really may still feel this way yes. He still probably never got the significance of check off as being union security to them.

David Yellin- I think it is, again the word I can use is not a Naiveté about these matters. He is unknowing about it rather than even suspicious about it. I don't know it is even hard to say. Of course we are trying hard as heck to get him to talk about it but he won't.

Frank Miles- I can understand that.

David Yellin- He finds it rather difficult to kind of speculate this way the way we are doing. He either has to make a statement or say nothing.

Joan Beifuss- You probably aren't using the right approach, probably if you would have said damn you old son of a bitch...(Tape Ends)