

# Rhodes College Digital Archives - DLynx

## James Manire, 1968

Item Type	Sound
Publisher	Rhodes College
Rights	Digital Audio (c) 2013, University of Memphis Libraries Preservation and Special Collections Department. All rights reserved. Use of this audio shall be governed by the University of Memphis Libraries "Duplication Agreement" <a href="http://www.memphis.edu/libraries/pdfs/duplication_agreement.pdf">http://www.memphis.edu/libraries/pdfs/duplication_agreement.pdf</a>
Download date	2026-05-20 18:50:15
Link to Item	<a href="http://hdl.handle.net/10267/33852">http://hdl.handle.net/10267/33852</a>

SS043.mp3

David Yellin- Well we do have some funding from reader's digest without any strings in case it becomes a book they would have first access to it. This is August 7<sup>th</sup> 1968 we are in the office of James Manire and we will proceed to talk to them. We being Dr. Ann Trotter and this is David Yellin. Well alright I will Mr. Manire as you said we are interested in the strike and all events leading to and from it and up and to the assassination. We are not detectives and we are not writing a mystery story we are as closely as possible re-create the setting of the time. So that if you could, which becomes more difficult as each day goes by, kind of recall the events and how you felt then rather than through the prism of today and looking back and I know it is difficult.

James Manire- It shouldn't be difficult. Because they were very pointed feelings I developed as a grad student.

James Manire- Could you recall when your first acknowledgement, awareness, contact with any of the events.

James Manire- Yes, I would say this in general it was my association within (muffled). I was called on by the mayor the Sunday before the strike began to discuss it, to just talk about it. I happened to go over his house, this was probably in early February, I am not going to know the dates of anything I can imagine. I was in it as a more or less counselor to the mayor with 3 or 4 individuals.

David Yellin- Do you recall who they were?

James Manire- Yes I can tell you who they were, throughout in other words, I participated in the state court injunction proceedings, I participated in the federal court injunction hearings which were undertaken after King's march and how the purpose of trying to establish some guidelines for the second march, in view of the fact that their had been this outbreak of violence in the first march. The basic point of the second injunction of course was to give the federal government through the federal courts certain supervisory power over the march itself to protect, really the principal thing was to protect Dr. King which was stated to the court by Mr. Gianatti who was actually chief council in the matter before federal court. The idea being of course to ask the court for an injunction and the injunction would take the form of setting up regulations or guidelines for the march to protect the marchers, Dr. King, citizens of Memphis and everyone concerned that was the objective. Prior to the actual injunction hearing the court who was judge Bailey Brown, issued a temporary restraining order which was a customary thing in federal...

David Yellin- You are talking about April 3<sup>rd</sup>?

James Manire- Right. That was to hold everything until he could have a hearing which I believe he had the next day, that temporary restraining order did hold everything for a matter of hours or perhaps a day. Now then I was a member of the city group which negotiated or participated in the mediation proceedings before the

under secretary of label and Mr. Frank Miles here in Memphis terminated in a so called settlement of the strike. So I suppose I was in it in every aspect and throughout all of this I had conferences with King's representatives, private conferences, and communication with different individuals here and there in an effort to determine how it could be resolved if at all. So that is my background in it.

David Yellin- Certainly fine and if we could we would like as much as possible your recall of....

James Manire- Start at the beginning?

David Yellin- Start at the beginning and any of the conferences you had because that is so part of the story. May I start you off? Why were you called on February 5<sup>th</sup>?

James Manire- I am a friend of Henry Lobes and from time to time he asked me as well as some others, who have generally been Walter Armstrong, Tom Pruitt, the city attorney Frank Gianatti, one of the members of the legal staff Myron Halley, and one or two others I will think of as we go along, have been men that have been having breakfast with him once a week.

David Yellin- Sort of a kitchen cabinet?

James Manire- That's what it has been called I suppose, plus the fact that I have agreed to serve on the city's legal staff at the request of the mayor and a couple of others in order to help the new form of government get off the ground here and so I am a member and was a member of the city legal staff. I am a lawyer for the city. I would hope that would come to a reasonable end before too long.

David Yellin- Just for information you don't have to answer, is this a paying job.

James Manire- It is a paying job, I am a paid member of the city legal team, which is a part time job. Pretty time consuming job and of course has that aspect of public service but being paid that aspect is somewhat different from...

David Yellin- Were you appointed immediately after his coming into office?

James Manire- I have been on the city legal staff for some years, Edmund Orgill asked me to serve on it when he became mayor and I served continuously, until last fall through two or three administrations. Ingram also asked me to be on it and I handled some cases for the city while Ingram was mayor. I resigned from the city legal staff last October because at that time there was a race between Ingram and Lobe and I felt that Lobe's election was better than having Ingram elected and I told Ingram that I appreciated his having me on the legal staff and I was glad to serve but I thought it best I resign. Normally I would not have thought about resigning because I look on that type of service as a professional service and not of political involvement, but conditions were such at that time, the atmosphere was such at that time that I think it was so totally political that I resigned in order to stay away from any petty implications about anything. By resigning I was good and clear of the

whole gang and could just do as I please. Normally I could do that anyway. For example when Edmund Orgill was running against Lobe some number of years ago even though Edmund had asked me to serve as city lawyer, I was for Lobe and I don't think it ever entered Edmund's head that I was a lawyer on the city staff nor did it enter mine or anybody's, but it was a different atmosphere when Ingram was mayor.

David Yellin- Would you care to comment further on that?

James Manire- On the resignation?

David Yellin- No on what you call the atmosphere. On reflection does it, you indicate that it didn't happen before, because wouldn't you agree that the atmosphere had something to do with...

James Manire- No question about that Ingram tended to make use of the various city offices and city agencies for their political support of he could get it.

Dr. Ann Trotter- (Muffled comment)

James Manire- Very much so and the city legal department had pretty much, under somebody like Frank Gianatti it is virtually totally removed from politics and is a professional group. Almost like we always look at the doctors because people think doctor's have a detachment from the world and I think they do. If you can say you are like a bunch of doctors it cleans you up you see. Well it would be like having several doctors on the staff serving the city. It just wouldn't have the typical political relationship, though being lawyers there would necessarily be some in some instances. Well under Frank Gianatti when he was city's attorney there isn't any political involvement. Under Ingram, everything was politics, the best thing to do if you were related to Ingram in any way was to get out and not get involved then nobody could say anything. That was really the reason I felt, I just felt better about openly supporting Lobe under those conditions.

David Yellin- Now if we could unless there was something that happened between January 1<sup>st</sup> and February 5<sup>th</sup>?

James Manire- Of course all that was completely unrelated to the strike matter, but it would be presumably of some interest to you. Yes on this Sunday before the strike began Henry Lobe called me at my house...

David Yellin- Was it in the morning?

James Manire- I would say so. I came over I think after lunch on a early Sunday afternoon. He said that he had heard that there was a strike in prospect in the sanitation department Mr. Blackmen was there and Mr. Halley was there. There was four of use to my recollection. We discussed it in general terms. It was brought out that the sanitation department had a lot of accumulated problems. That there had

been the possibility or the potential of a strike the preceding year or some period shortly there before. There were many things in the sanitation department that needed remedying. Blackmen was aware of that, and Lobe was aware of it. It had gone so far a year or two ago before this date I referred to this Sunday as to obtain an injunction against the strike in the state court, chancery court.

David Yellin- Had you been involved in that?

James Manire- I was not involved in that. They employed a labor lawyer named Winedrobb. Winedrobb handled it. There was no strike of course at that time. We really I don't think knew how imminent the strike was that Sunday. We simply, I think what Lobe was trying to do was alert Hallie and me as lawyers to be available to assist Blackmen, who he wanted to go right ahead and handle it. Lobe wanted it to be in Blackmen's hands because that was Blackmen's department. He wanted Hallie and me to be available to council on Blackmen with what the state law was in reference to public employee strikes and various other legal aspects of it. Blackmen was at that time very much interested, pointedly I remember that Sunday. Very interested in trying to work the matter out with an understanding with employees at that time had what I would extremely consideratory attitude about it with the city employees.

Dr. Ann Trotter- Did the racial aspect come up?

James Manire- There was no, it really didn't enter anyone's head at that discussion that there was a racial aspect.

David Yellin- You say I am going to sue the word that later came up but not because it was present then but there were a series of grievances.

James Manire- Yes there were a series of grievances and I don't know what all of them were, I know that they were accumulative and there had been an incident of some men going to work one day and there wasn't work available or weather held them off, I don't remember this...I think some men were paid in full, it turned out they were white and the men that were not paid for a full days work if at all, I don't know whether they were paid at all or only partially, were colored. This wasn't regarded as any racial thing by the city administration. Now presumably and of course naturally later after the union began to talk by the men in the department it was considered to have a racial aspect.

David Yellin- How did Mr. Blackmen, I assume he was the one notified or was in contact with whomever knew about grievances. Do you recall how he had been notified? Had he had a meeting with the union?

James Manire- He had meeting, what took place I don't know, but I know that this particular incident about the men being off was rectified promptly by Blackmen. See Blackmen hadn't been in the job much over a month and as soon as it was brought to his attention he rectified it and that was done. There was of course, it was well known that there had been for some time an effort to organize the sanitation

department by union people and it was known that and assumed that this was a continuation toward the same union effort towards organization that had brought on the injunction some years ago.

David Yellin- May I do something to digress a little bit from the main story. That is when you went over to the mayor's house did you have lunch, did you have coffee?

James Manire- No, I think I was doing some thing with my children and I don't even think I stayed 45 minutes.

David Yellin- you just sat around in a room and...

James Manire- Sat around in his house and discussed it that's right.

David Yellin- you remember the living room?

James Manire- It was in I guess what many people would call a den which is the main family room over in the Lobe's house. Wasn't the living room which they don't use very much.

David Yellin- Every once in awhile we try to get color and it is more interesting to say they sat here.

James Manire- Right, now Lobe had been commissioner of sanitation some years before that, a term of two before that. And when he took it on we had very low bad situation and they were very much underpaid and it was a bad situation. I think he more or less became the champion of the men improved their life, to whatever degree it was improved, he improved it. He put in showers and generally upgraded the men's circumstances while he was down there commissioner of sanitation. There pay had increased substantially since the time he took office as commissioner of sanitation. There wages naturally during the course of this we had all sorts of talk about their wages. The wage talk developed much later, the union didn't come in about wages.

David Yellin- I just want to get something clear. You said that the pay had increased since he had been commissioner, then after he was commissioner then I guess Farris was commissioner during his term and then...between the time Mr. Lobe left the commissioner's office and he became mayor again the wages had increased somewhat?

James Manire- Between the time he became commissioner and up until the strike Lobe himself did a, initiated and imparted the impulse to the wage increase. I remember he was very proud one year he got them an extra raise or double raise through cutting down on other facets of the budget. When he came in, I knew him at the time, when he came in as commissioner of sanitation he felt these men had a very low grade set of circumstances to operate in to work in. I think he was touched by that and he perhaps the biggest thing he wanted to do was to improve their life. And he did a great deal toward improving their life.

David Yellin- Mr. Manire perhaps I was going to say you could do the mayor a service, you know him certainly better than any of us, he probably will not say some of these things, first of all so many things have happened to the mayor since then. Anything that you can recall about his attitude and what he did do then and even some of his language and what he said would be just wonderful. Because that is so much part of the story.

James Manire- I can only remember that in talking with him about this in those years when he was commissioner of sanitation he was very excited about, and he would use the expression, I think I can squeeze out another nickel per hour raise. He used the expression squeeze out of the budget. He just seemed to be very delighted about this. Well the people like me, and other people who are not in close touch with the sanitation department this wasn't a particularly exciting thing and we just that that Lobe this was just something that appealed to him. But we heard him say it and he was delighted about it and he was delighted about the things he could do to improve their life. There is no real question I don't think about that and the men themselves there at that time would probably be able to support that, that did occur. Now what happened when Farris took over, I don't really know. What happened when Pete Sissen took over, I understand they generally had a sweep under the rug approach over there. I don't intend this as personal criticism of Sissen and it may not be accurate because I don't know first hand. But certainly the lid seemed ready to fly off during the latter part of Sissen's administration and did fly off immediately after the new government came in following the 1<sup>st</sup> of this year.

David Yellin- On February 5<sup>th</sup> was there anything that you recall, of any of you men, probably particularly the mayor about what his attitude would be about a situation if indeed they did strike or they did ask for union, was the question of union recognition, I would first appreciate the answer to the first part. Did he take a stand in other words?

James Manire- Yes he had a policy and it was not a difficult policy to understand because it was clear. His policy was he did not believe the men should be represented by a union as an exclusive bargaining agency,. He felt that the men themselves in any group either individually or any groups or represented by any organizations should be able to communicate directly with the executive, not just with Blackmen but with Lobe himself about any grievances. He did not object and had no objection to them belonging to the union. In other words he recognized their right to belong to the union and felt that he should deal with the union but not to the exclusion of any other representatives.

David Yellin- Was this his stand in relation to a union as the union was related to governmental body or was this his stand about all unions.

James Manire- Oh no this isn't his stand about labor generally. As far as labor generally goes of course Lobe is open minded as far as I know. I don't know what his private business background is on labor and I have never heard him comment on it. All I know is that he has some friends in labor and that sort of thing. He felt with

reference to public employees he felt two things if I recall. One is that they had to do with the health and safety of the people it would dilute the responsibility perhaps even to some degree eliminate or any administration's control over employees having to do with the health and safety of the community if they dealt with a labor union, plus he felt he would be dealing with tax payer's money and tax payer's money the question of whether or not it would be subject to bargaining in the same way that private enterprise money would be, it is a totally different question because taxpayer's money is more or less trust money.

David Yellin- Now can you I guess the February 5<sup>th</sup> it was more or less directed that Mr. Blackmen handle the best he could?

James Manire- That's right Blackmen was supposed to continue handling it and Hallie and I were available to, Hallie and I knew about some of the law at that time, the state law on municipal labor.

David Yellin- Did any of you gentlemen ever dream or contemplate I suppose, that there indeed would be a strike?

James Manire- We thought that there might be a strike. Our consensus that day was that it wouldn't be but a few.

David Yellin- Was there any mention made of the fact that the New York strike was going on at that time.

James Manire- Yes a few mentioned it and of course that was noted in the conversation. That was a factor that naturally would make us think that there would be a great deal of courage to the employees to strike because of the publicity that was being given the New York strike.

Dr. Ann Trotter- Did you think that the encouragement was coming from the leaders of the strike? That there might be pressure or something like that from the people involved in the New York strike?

James Manire- From those people?

Dr. Ann Trotter- Yes.

James Manire- Now we didn't, I don't believe that there was any feeling that there was identification between the two groups.

David Yellin- There would be no direct communication...

James Manire- Because if there was it was unknown to us.

David Yellin- So again it was just the impotence of the publicity of the New York strike that you thought might....

James Manire- It was a background that sort of gave a little spurt to the local situation.

David Yellin- In regard to that did any of you suggest to Mr. Blackmen that in his negotiations he should do everything to avert this, what was the general tendency?

James Manire- Yes I think the whole feeling there was to do everything that could be done to avert a strike. To try to resolve any grievances the men may have had the best that could be done. The next day however the strike began, there was not much opportunity to do that.

David Yellin- Well now we are getting a little...when you said the Sunday before the strike I had been misunderstanding you. I thought we were talking about the 5<sup>th</sup>, now we are talking about the 11<sup>th</sup> of February.

James Manire- Is that when the strike began?

David Yellin- Yes, the strike began the 12<sup>th</sup> and this is my error and I am glad...

James Manire- No it is not an error, see in my imagination you see in my recollection is we met on Sunday and they went out the next day Monday. It probably was a week later, it probably was a week later because as I recall now I had read in the newspaper there had been a meeting in which T.O. Jones had changed his clothes into.

David Yellin- That happened the 11<sup>th</sup>.

James Manire- So I would say that would place the meeting a week prior. That is the probable.

David Yellin- So we are correct.

James Manire- That is the probable.

David Yellin- Because there had been some grievances that the men had been on 31<sup>st</sup> with that rainy day incident. Then February 1<sup>st</sup> there were two workers that were killed on the truck.

James Manire- That's right, Lobe mentioned that he was very much concerned about that and he thought it was a very tragic episode and that it would further encourage people to feel bad about it in the sanitation department.

David Yellin- Now as far as we could tell the widows of the two workers did receive some money either from the city or somewhere which in essence they were not entitled to...

James Manire- I don't recall that, I know Lobe wanted to do something like that.

David Yellin- That was what I wondered how this came about?

James Manire- He wanted to do that and as I recall he got with Mr. Gianatti and they may have worked it out, I just don't know what happened on that.

Dr. Ann Trotter- Why doesn't the city have compensation?

James Manire- Worker's compensation? Well they are exempt under state law and the city has had a policy for some years of continuing pay roll you know within limited. They don't necessarily go on forever but they continue to pay disabled people and it is purely a policy, state law does not require a city to be...

David Yellin- You mean the city does this arbitrarily rather than by law?

James Manire- The city is not required to do it, the city does this voluntarily you might say. It is a policy of the city. If you were, if you worked for the city engineering department and you developed some illness, you developed an illness they would continue to pay you indefinitely. You understand there are a lot of city employees and this practice might vary in different departments, and I don't know much about it other than from time to time I have seen it in action.

David Yellin- Alright so the February 5<sup>th</sup>....

James Manire- Now these men in sanitation I don't know if they would necessarily get that because they were hourly workers, now they might, and they might not that is something I don't know.

David Yellin- As we recall they were not entitled to this, this was...

James Manire- They weren't entitled to workmen's compensation there is no question about that. Anything they would get from the city would have to be in the form of a gratuity.

David Yellin- So that somewhere along the line somebody, we are trying to find out who, said well look let's....

James Manire- Well Lobe wanted to do that and as I recall it he got with Gianatti to try and do it. Now Lobe was very much in a mind to let Blackmen handle it. In other words he wanted Blackmen to go right ahead, he didn't want to step in on Blackmen he wanted Black burn to be free to handle this thing within the framework of his responsibilities.

David Yellin- Then you were not called by either Mr. Blackmen or Mr. Lobe from February 5<sup>th</sup> until...

James Manire- I think I had a couple of telephone calls from Johnny Blackmen, I don't remember what they were about I know I went out of town for 2 or 3 days either to take some deposition or something and I was not in direct contact with, I heard nothing about the strike. My first knowledge of the strike was the day it occurred I was talking to Frank Gianatti about something and he said, well they

went out this morning. I said, how was it? He said, it looks like most of them. I had an idle subjective concept that if they went out only a small number would go out.

David Yellin- That is interesting you had this concept, you mention it and then most of them did go out. Have you found out why or can you give an educated guess?

James Manire- Of course many things led me to this as I say it is subjective. One, a great many of these employees were men that had worked for the city many years. They were not in and of themselves imbued with the types of groups that you find typically strike. They needed strong leadership to incite them to strike. They were easily led, that was of course apparent when you saw them in the marches and saw them in the trucks and saw them at all times. The men themselves it was felt, from my point of view, didn't really know what it was all about. The strike itself was brought on by what I supposed was strong leadership from the union.

David Yellin- I meant that is kind of interesting that these facts were known but when it came Monday morning most of them did go out, what happened, where is the magic if there is or what's the reason for this?

James Manire- Probably that there was some that was a lot of need for reform in the sanitation department. What that specifically was, I don't know to this day because we were told in negotiations that a grievance procedure was needed. I do think they needed a grievance procedure better than the one they had. But I also think that was sort of a surface thing. Well there was no question from the union standpoint it was a surface kind of thing. But the grievance, there was a poor way of handling grievances which is probably true in most places where you don't have a uniform way of handling them. The way it was I don't know. What the agitation was, I couldn't say, what means the union used to incite these men to the point where they would strike when most of them were settled men, used to their weekly paycheck or bi-monthly whatever it was. It was not wages, I can say that because wages didn't enter into the picture for many weeks thereafter. Wages was mentioned in a 9 point telegram that Lobe received after the union openly, after the international people from Washington openly came into it, it was one of nine points. But it was only one point the union was interested in from the beginning.

Dr. Ann Trotter- Do you think of the way (muffled) Henry Lobe?

James Manire- On the part of sanitation employees? If it was, it never occurred to me that it was. At that time I don't think it was,.

David Yellin- Because it really is a fascinating part of this thing.

James Manire- Now I think it quickly became that after the racial aspect came into it. Now whether that was in it a week after it started or 3 weeks I don't remember, but that we suddenly found that was in it when nobody advising Lobe really was considering that. This could well have been the police department or the fire department, any public department that had to do with the public safety the way we were looking at it.

David Yellin- So it caught you completely by surprise, I mean....

James Manire- The racial aspect, speaking for myself, came not as a total surprise because we knew that by far the dominance were negro.

Dr. Ann Trotter- As a matter of fact there was even talk in town I remember that if the group were not predominantly negro that the city would have moved much more firmly. That they were sort of playing things down in order to keep race from entering into it.

James Manire- Now that may be true I couldn't be sure of that, I do know that Lobe was trying to do everything he could to keep the employees from being on strike. He expressed it in terms of these men can't afford to not be paid. These men have been here a long time most of them. We will work these grievances out with them, whatever they are we want to. He talked as you know for Champa and others a long time after Champa came to town daily.

David Yellin- Would you say then, a kind of an accurate description or resume of the climate at the time that really, let's say Mr. Lobe, because in essence so much of this fell at least back to him, he did not necessarily, because there was no provocation for him or no impotence to him have a broad philosophical base about this strike he was treating it almost as you had indicated, they were men and let's talk this over kind of thing.

James Manire- I don't think there is any doubt about that. I think you are right about that. I think what Lobe would have liked to be able to do with the sanitation department with Blackmen was to really sharpen it from every angle, give the men a better platform from which to air their grievances. Do everything he could to streamline the department. I don't think he anticipated, if I am to guess at what he had in mind I don't think he anticipated any union problems. But I don't think, that doesn't say that there wasn't some basis for discontent because no doubt there had to be. But I think his recognition of the fact that it had not been handled very well under the previous administration under Ingram and Sissen, made him want to get some fellow like Blackmen for whom he has a high regard and straighten things out such as they were.

David Yellin- So in his mind he has his own time table whether it was pin pointed at that time because he had only been in a month or so, he had intended to make corrections here, so when this thing came it came kind of as a shocker and particularly when it came at him as an institution or an organizational type of thing which they demanded recognition as an entity which he was not prepared...

James Manire- Well he under the law really couldn't give them exclusive recognition.

David Yellin- How much of this do you feel even now kind of affected Mr. Lobe's conduct in this. Was he hurt in this? Was he the type of man who would...

James Manire- No he wouldn't. Lobe has amazed me all through this in that his demeanor has been even., even for the few days after King's assassination when he got no sleep and was in his office down there and so forth. When many of us began to wonder whether there was an issue you could grab anyway in this thing he had an even demeanor about it, he didn't raise his voice, he didn't lose his temper about anything. He saw things in a level fashion I thought.

David Yellin- Even Mr. Champa?

James Manire- Champa more amused him than irritated him but Champa at no doubt got to him at specific times if you have been around Champa like I have that is his talent. And I presume that is one of the reasons the union employs him.

Dr. Ann Trotter- Why did the mayor put all of that on television?

James Manire- Well, the mayor I suppose, felt that he wanted everybody to know what was going on, he tends that way. Lobe is criticized by many of his close friends for his so-called goldfish bowl approach to almost all public business. I don't think Lobe wanted it on television but I think he was willing to do it in public and since it was being done in public the television people....he didn't say let's do it on television. Television moved in to cover it.

Dr. Ann Trotter- Yes bad choice of words.

James Manire- Well...

David Yellin- Were you there?

James Manire- I was there off and on during the early exchanges between Champa and Lobe I wasn't sitting in there that was mostly Lobe and Gianatti.

James Manire- Now if we could get back chronologically then the strike started on the 12<sup>th</sup>, I have the dates here that is why I am so intelligent about it.

James Manire- I would expect you to know that.

David Yellin- Yeah well, and also I know some of these now. Then Mr. Champa came in the next day as well as the people from Nashville on the state level on the 13<sup>th</sup> of April. Then were you next notified other than Mr. Gianatti's...

James Manire- I was in touch with Frank Gianatti and Henry Lobe al the time. I did not actually sit in the mayor's office and talk with Champa, there was no need to have a group of people, I think Gianatti and Lobe talked to them. Champa's first statement on coming to town was give us the dues check off and you can write your own ticket. That quotes Champa. He said, you just give us the payroll dues check off and you can write your own ticket. Well Lobe did not want and as a matter of policy was against the union dues check off. Particularly in view of the fact that the city under the state law is not in power to recognize the union as an exclusive bargaining agency, Really nothing else was discussed. There were vague and general

discussions about union recognition and of course at all points I think the city, everyone who spoke to the union about this said well the union is definitely recognized and the men's right to join it is recognized and as an exclusive bargaining agency like the UAW and General Motors or something that can't be.

David Yellin- Now were the two things necessarily compatible, they had to be an exclusive bargaining agency in order to have the union check off.

James Manire- No, I think the union check off you can have.

David Yellin- It is voluntarily.

James Manire- That's right. That m's a city policy that Lobe took.

David Yellin- Even in your relationship with the mayor and so on, how was this handled, if you felt let me preface it this way, do you feel that Mr. Champa came in and later Mr. Worth that they took over and indeed T.O. Jones was no longer the man in charge?

James Manire- T.O. Jones was not only not the man in charge but they did quite a bit to try and keep T.O. in the background. T.O. was not a diplomat to put it mildly and T.O. was in the way really of Worth and Champa.

David Yellin- Do you have any reason to recall how that came...

James Manire- I think what I would say here about that is something that you might kind of hear from people that frequently have a bias in these things and I feel that I must have some bias in it. Jones came and I am told this by the mayor's office and on one occasion or more and was willing to come around the city's matter if things were made right for Jones I am told. Everybody appeared to be, when I say everybody I mean in the Jones' group which was a local group, Jones himself and the Champa and Worth group didn't have much in common at that stage of the game. Jones was valuable to Worth and Champa but Jones was kind of left out when they took the center of the stage. This was manifest during the mediation when they wouldn't let T.O. for eleven days and nights although he sat there. When he would start to say something they would squelch him.

Dr. Ann Trotter- Was this when he went to sleep?

James Manire- I don't know, T.O. there are times when you can't tell if he is asleep or not. He is an unusual looking fellow, interesting little guy.

David Yellin- Well still maybe get back chronologically though it is not necessary because you are relating incidents that I think are much more meaningful. Then do you recall the next time, I guess the next important thing was the injunction?

James Manire- Probably so, I will say this, Lobe did not want to go into court. He felt that by continuing to talk to them he could take some of the heat off of it and might get it resolved. He did state to them that any of the issues including the payroll check

off issue could not be resolved as long as the men were out on an illegal strike. One of the first things Lobe did was had the legal department advise him on the legality of the strike. I don't think that there is much question that the strike was illegal, that municipal employees cannot strike under Tennessee law otherwise they never would have gotten the state court injunction and that has been established by the supreme court. So Lobe took the position that they were on an illegal strike. If they come back to work or adopt a legitimate stance there is none of these things that can't be resolved. We, there were none of these things that can't be resolved. I remember Champa telling me was legalistic and unrealistic and so forth and many people said you should go on into court and establish this then you will be instead of just telling the union people that it was against the law for these men to be on strike and I speak of the common law of Tennessee. You would have a court decree pointing it out. He felt like going into court was not a good move, he felt like he didn't have to go that far. If you will recall earlier in this thing the newspapers and most overt public sentiment was very much on Lobe's side. Newspaper editorials were more (muffled). This was before the boycotts and such and the Scripts Howard group began to hear from their people up high. In any event we started getting editorials in the paper get into court and join this strike. Of course the injunction of the strike is of limited value when you can't force the men to work. But after that, after a period of time, when was the date of the court injunction do you recall?

David Yellin- I believe it was, I was trying to look it up and...

James Manire- Well it was not immediate.

David Yellin- No it was sometime in February, geez I thought I had it.

James Manire- Almost daily Lobe was getting advice from his lawyers, some of his lawyers, to go into court. Lobe didn't want to go into court and finally it was just an overwhelming sentiment in the community to go into court. So he goes into court. They get Winetroff, because Winetroff had been the last one and this was a continuation or a supplement to the original action and of course they got the injunction. After the injunction, Worth more or less took over for Champa along in here somewhere. Champa had more or less made himself objectionable to the community. This had been on television and people you would see towns around town Champa go home.

David Yellin- February 24<sup>th</sup>.

James Manire- Winetroff was in it but it appeared that after he got in it there really was no need for a labor specialist because we are dealing with common law issues however he was helpful in some respects on it...

Dr. Ann Trotter- What is the difference?

James Manire- Well common law of the state is state law made by the, brought over from England the continuation of the basic law which is not law passed by

legislatures such as congress or state legislature. It is the general law of the state made by the courts or confirmed by the courts you might say.

David Yellin- Was there at any time in, soon after the strike began and relationships began, that the mayor had any specific reason to be weary or frightened.

James Manire- I have plenty of time but the only reason I am doing this is so I will have some idea if I set the time myself.

David Yellin- Any reason that he had to be concerned or anybody to be concerned about the mayor's safety?

James Manire- No that did not enter his head,. That was not, I remember the policemen that began to be near him...

David Yellin- When was that?

James Manire- Seems to me and I don't know specifically, seems to me that happened after the...

David Yellin- Macing?

James Manire- That's right the little car pushing deal.

David Yellin- 23<sup>rd</sup>.

James Manire- Down by Goldsmith's.

Dr. Ann Trotter- But the mayor never requested this?

James Manire- The mayor didn't want it. The mayor never has wanted it and to this day objects to it and or course his family has some out at the house.,

David Yellin- Then it was probably Mr. Holloman.

James Manire- Holloman insisted on it and still insists on it. Mrs. Lobe wishes Mr. Holloman would not continue to insist upon that. I think Lobe himself might have gotten used to them it is like just having some old buddies hanging around but...

David Yellin- Most of the police action in that sense such as when the strikers did go to city hall on the 22<sup>nd</sup> and then the 23<sup>rd</sup> there were policemen at city hall. Now this probably was Mr. Holloman?

James Manire- Yes there is no question about that it was more or less h is...Lobe had nothing to do with that. On several occasions on which I sat with him and Mr. Holloman he continued to say now this is your doing, I am not taking over. Incidentally the mayor does have the power to take over the fire and police.

David Yellin- That was what I wondered. Now did he ask Mr. Holloman why he did it or did he question it in any way?

James Manire- I don't believe he did, his general approach was frank if you think this is necessary, I back you. The fact that Holloman himself, I remember on my birthday they happened to come out to my house. I had about 4 or 5...

David Yellin- You remember your birthday?

James Manire- Yeah February 22<sup>nd</sup> George Washington's birthday.

David Yellin- (muffled)

James Manire- I had some old friends, people that have shared a great many of my peccadillo's and sins over time.

David Yellin- We will come back to that another time.

James Manire- I got a call from Lobe and Holloman who came by the house with Jerry Blanchard. They came by the house and all came in and sat around for a couple hours which gave a little color to the birthday. All of this was talked about then. Holloman was very much worried about violence at that point.

David Yellin- That was the day he ordered the policemen at the council. That was the first day...

James Manire- Was it, was it. Well he was all concerned, Lobe then, I recall definitely said Frank, I don't want it to overstep your territory here, you have my backing 100% when you want me or need me you let me know, but you are running it, I appointed you to run it and you are running it. Holloman apparently wanted to be assured, which was never any question about this, he would have Lobe's backing at all times. This sort of thing went on from time to time Lobe going overboard telling Holloman he was backing him.

David Yellin- Did Mr. Holloman discuss the fact that he would have people down at city council, was there any reason that he had to believe that there would be violence, and I am not at all...

James Manire- Yes I don't remember what the reason was specifically but Frank Holloman has said and was saying in there that they through police channels were receiving information that there were people coming into town that wanted to make this a racial issue and that he was concerned about that.

David Yellin- Never were there, and I say never hardly ever or at least there was never thought of that the sanitation strikers themselves who you have said are patently undemonstrative...

James Manire- Definitely that is true of that group of men.

David Yellin- So that if there were, was any fear it was because of that over used term outside influence, agitator...

James Manire- No I don't know that Holloman was making a point that they were outsiders in the typical southern law enforcement attitude that we read about. I think what he was saying that there was people who were interested in making this thing a racial issue and he was concerned among violence. Included among those people were reports of people from out of town but he didn't by any means say this is a bunch of outsiders from Chicago or something.

David Yellin- But he equated racial tension with the possibility outbreak of something.

James Manire- People that had nothing to do with the sanitation strike is what he was equating with. There was people with grievances of a general sense that had to do with race.

David Yellin- So in order to keep the record clear are you implying that the ministers.

James Manire- I was implying that when I said that but there is in no doubt the ministers came in strong too.

David Yellin- They were the ones who took over.

James Manire- I don't think Holloman, you know Holloman met with the ministers, he met with Lawson and he knew Lawson. Holloman sort of felt like, I think, what do you call them? Black power people, black panthers, invaders and so forth were giving the department some concern. You know if you...

David Yellin- You say they were?

James Manire- Yes. If you are in the police department your view of many things is different than the actual citizen and policemen tend to get excited about certain things that the average person doesn't believe it will happen until it does happen. But the police always don't think they have enough police or enough cars or that's an old story. Was there any time, and I don't mean to intrude on your birthday party but since the gentlemen were there, was there any mention that perhaps there was communist influence somewhere?

James Manire- No, that is....everybody as I see it looked on this thing as a problem for what it was. There wasn't any of this conspiracy of foot or this is a communist or event hat this was labor generally, this was felt of course to be an effort...(Tape Break)

James Manire- This matured into this feeling on the part of those representing the city that this was a labor, the municipal labor unions exploitation of the employees of the sanitation department in order to get the union dues check off. That wasn't some thing we assumed that was what the union told us, what Champa told us, it was that clear and in a little meeting in Birch's office, with Birch and Worth and Kaywood. When Worth was way down and acknowledged that he lost more or less

and he was patting himself on the back that he had not brought in individuals to do violence to the trucks that were in operation. In other words by having no violence he felt he was acting reasonably. He said there was going to be violence, he didn't see how it could be avoided, because of the minister's position. At that point and in this little meeting he wanted one thing. He wanted a union dues check off, that was the only thing he wanted at the beginning and this must have been a month or two later, he still wanted it at that point he had converted it into a credit union arrangement. Lobe was agreeable to a credit union, Lobe knew, or was advised by his lawyers, I don't know that he loved the idea, but he knew that the credit union is a federally chartered organization over which he has no control and if these men wanted to borrow money from the credit union or make appropriate arrangements with the credit union he would be glad to, he could not interfere, I really take back the word glad to because he did not believe in the union dues check off. While there is no connection and no recognition proposition in union dues, if unless you have a recognition of a union and a full collective bargaining arrangement there wouldn't be as good a reason for union dues check off even objectively, without reference to Lobe's position even if there were such an agreement, a collective bargaining agreement. I could have them take out my BAR association dues if that were the case and everybody could.

David Yellin- Well then what...

Dr. Ann Trotter- I want to ask two questions. First of all, Worth then was implying that he could have brought people in to destroy trucks and...

James Manire- Well you know Worth really brought that out during the mediations, a whole lot of stuff came out in mediations that was fantastic and I will tell you about some of it a little bit later. Such as the expression is they will come in town and they will knock off Mrs. King as Worth said, these are things I am not sure you want to report but they happened.

Dr. Ann Trotter- The second question is let's push this thing on (muffled), since that is obviously going to be a big thing at the trial. There is no reason to suspect communist influence in any of this?

James Manire- Well there might be from some points of view but from the standpoint of the people of whom I was a part who were dealing with this strike situation, that facet never entered our mind. We were dealing with a problem in front of us, whether it was motivated by communist or otherwise was really not relevant at the time because we were trying to resolve this. You understand Lobe's position was he could not really get into it while there was a court injunction, while they were engaged in an illegal strike and once that was resolved he felt free to resolve everything else, the union of course insisted on refusing to break the, terminate the strike.

David Yellin- Something you said I am not quite clear once the injunction which was February 24<sup>th</sup> and this injunction was a continuation of a previous injunction.

James Manire- That's right.

David Yellin- Was put into effect. Then you said Lobe would not negotiate with the union.

James Manire- Lobe wanted to negotiate, wanted to continue doing it, he was advised that would be, might be in violation of the injunction. See for these men like Worth to try to continue to negotiate with Lobe while they were enjoined, not to encourage a strike or not to have anything to do with the strike might put Lobe himself in contempt of court.

David Yellin- Why was this never brought out in defense...

James Manire- It was brought out.

David Yellin- Was it?

James Manire- It was brought out.

Dr. Ann Trotter- But not very well.

James Manire- The worst thing, I had a couple of traumatic reactions to this whole thing but one of the was this. Had I lived say a hundred miles from Memphis and followed this as an average citizen, I would have been highly in sympathy with the sanitation workers. I would have felt that the, this isn't through poor news coverage this is from not being right there and knowing things as they develop. But I would have been sympathetic and I would have thought these bunch of duds in Memphis city...

David Yellin- Why do you say that sir?

James Manire- Because the thing has such apparent appeal. A bunch of poor down trodden negros aren't getting enough money and believe me money was not an issue until later. They are being told, they are being given the old plantation treatment as it later comes out and by golly why doesn't the city of Memphis go ahead and do something nice for these poor people who are being mistreated. I would have had that reaction, that is my normal liberal reaction to many things. I would have felt that the assassination of Martin Luther King was an unnecessary and unfortunate thing because the city's administration wasn't as flexible as it should have been. All this I know not to be true, I tell you I am bias, I have to be bias even though I try not to be and I don't honestly think I am biased, but who am I to say I am not biased is my point.

David Yellin- That is a biased view to begin with.

James Manire- Right in other words how can anyone not be biased about anything of which he is involved? But I do know that was not the case, that virtually all this was imposed rather than brought on by the city.

David Yellin- The point you mentioned I think illuminates at least for me and what I have been able to know, the fact that mayor Lobe was advised and he was acting on legal grounds, that after the injunction not to negotiate.

James Manire- He wanted to talk, he called me and said can I talk to Worth, he called me at home at night. I'd say, no, and he would say, Gianatti is out of town and Gianatti says I can't talk to him, there must be some way if he says I don't see why I shouldn't be able to talk to Worth, he says I think I ought to be able to. Well in the first place you are getting good advice from Gianatti, you know Lobe took Worth down to the big brotherhood of christians and jews meeting and so forth. Lobe is big on that sort of hoporah.

David Yellin- That was before the injunction however.

James Manire- Oh yeah that was before the injunction. He would have loved to have taken him anytime. The injunction manacled Lobe perhaps more than it did the union.

David Yellin- So he had himself into it.

James Manire- He didn't want an injunction, he didn't want to go into court and the sentiment was such that it would appear at one point after he was getting editorials in the paper about what is the city waiting on the law is clear, it would appear he might be derelicted in his dirty if he didn't authorize the legal department to go into court.

David Yellin- Two points, is there anyway we can get the injunction the first injunction hearings, or pleadings. Do you have copies of these?

James Manire- The pleadings of course are public records down at the Chancery court, I don't have them in my file no, but they are available to you and I will help you get them. But they are all available.

David Yellin- And we would have to pay for them if we would have to get copies?

James Manire- Well I don't know why you would have to pay for them, well if you had to get copies you might have to pay for them.

David Yellin- Or we could get the pleadings and copy them ourselves. See we have a strange thing, we have a library who will get them copied for us...

James Manire- Winetrodd has a bit I will help you get them from Winetrodd. Or something like that, we will try and work that out.

David Yellin- Well what I was going to say, the reason Mr. Lobe was not negotiating makes it clear now why there were all these, I don't know what to call them, not secret meetings but meetings.

James Manire- Surreptitious meetings.

David Yellin- Yes.

James Manire- I was sitting in my office about 4:00 one afternoon, this was the afternoon that Worth and Blanchard and Kaywood called me and would I come over. This was while the injunction were in effect and there were limitations in effect I thought and certainly do think on communicating on the subject of the strike, but certainly Blanchard and Kaywood were involved in the strike. So I go over there and talked with them and they say they thought they had it settled if we could work out the dues, the credit union. I read a letter that Worth had written and one that Lobe had written and vice versa, Lobe wrote a letter to the man. I said yes, I don't see much problem in this thing if that is all it takes. Because Lobe with these men out on strike it is still an illegal situation and he can't deal with it. But they say he come in here, so I go into Birch's office and their sits Worth. I chatted around there for awhile, Worth at that point was willing to leave town more or less and willing to terminate everything if they could get the credit union arrangement. Of course the credit union arrangement saying it is one thing, working it out is another. I understand that Worth was concerned about Lobe's good faith in a credit union arrangement. Lobe was not willing to go along with a dues check off if it amounted to a payroll dues check off under any name. So there was a little, Birch called Lobe over the phone and they called each other a couple of names after awhile. In my opinion it wasn't close to being settled, they were far from settling it. Blanchard kept saying we have got this thing settled, we are on the verge of settling we almost...I am not as much of an emotionalist, I don't suppose is Blanchard at the point in the game anyway and I couldn't see it. Kaywood kept saying, we about got it settled. These men in my opinion weren't really close to settling it.

David Yellin- Well when you came in and you saw whatever instrument it was, the letter from whom to whom, you thought they were on the way to settling it.

James Manire- I felt it could be settled.

David Yellin- But not right then.

James Manire- It could be settled. But I didn't think with these men's attitudes that it could be settled, I didn't think it was close to being settled.

David Yellin- What was their attitude?

James Manire- They said we have about got it settled, they said this thing is over. All Lobe has to do is to agree to a payroll check off and all Worth has to do is to agree to a payroll, not a payroll but a credit union. I could see these men weren't going to agree on this because they weren't talking about the same thing. The way that thing would have been worked out would be with some precision and Kaywood and Blanchard, Burch is quite a realist, I think he probably had the same attitude that I did a bout it. Birch was trying to be constructive and help in this thing. Though I think his personal sentiments with the mayor, Birch throughout this I think was trying to be constructive. Anyway, but Kaywood and what's his name, Blanchard were emotionally involved in this thing and they were just saying words about this

thing is almost settled. I could see it was far from being settled though I could see there was an avenue open to some that is perhaps the best way.

David Yellin- Would it be possible, even only for me to, and this may be too difficult at this point to define where the difference was in the credit union aspect of it, between the two of them?

James Manire- Well as between the two of them, I don't think the difference was ever defined because they did nothing but talk about the credit union. The credit union requires of course an application by a man for a loan for credit...You know all of this don't you?

David Yellin- Yes sir.

James Manire- So there is no point in my going into it. These details were never gotten into. In order to work this out with full authority they would have to spend a half a day or more working out the details, and I could see nobody, I could see 3 or 4 points where they were going to clash in the course of the specifics.

David Yellin- Was there ever a point where it was volunteer thing for the workers, the union didn't want it to be volunteer they all had to do it?

James Manire- Later we learned during the mediation that the union didn't want to follow the credit union system and they are not following it now. They wanted cards that the men signed all over the place to be the applications for loans to the credit union authorizing payroll from their actual payrolls. These cards are normally not used, these cards said pay to the union. But they didn't want to go through the union again and actually have these men sign second cards which in fact were authorization cards under the credit union rules. This would have required them to get an affirmative from each man again and the atmosphere may not have been as good for them to get them later as it did. So what they were doing with ordinary union organization cards and among other things called for payroll deductions and using them in lieu of the assignment forms which the man would normally file which is a credit union form which says I authorize the union to take my money.

Dr. Ann Trotter- Was this legal?

James Manire- Well we agreed to it, but I think the credit union, I told the union in the mediations that I wouldn't do that and that they should consult their own lawyer and they did consult their own lawyer and we worked it out with him during the course of the mediation.

David Yellin- Does the credit union have a charge for this service?

James Manire- They charge these men interest.

David Yellin- I see.

James Manire- These men have to borrow the money to do this, to pay their dues under the credit union arrangement, unless there is something occurring that I am not aware of because these are federally supervised things.

David Yellin- If the men however pay faithfully each 2 weeks that they get their checks the interest charge becomes fairly small?

James Manire- I would say so.

David Yellin- It is only if they let it go that it kind of..

James Manire- That's right. I haven't really focused on what's going on in the credit union. Whether they buy it a year in advance 6 months advance or how they are doing it I don't know.

Dr. Ann Trotter- How successful is it?

James Manire- I don't know. I hear that men are not, that many of them are concerned about the money that they could otherwise be taking home.

David Yellin- Now if I could, I think what becomes significant here to me, other than these points are the personalities?

James Manire- There aint not doubt about that there were a lot of abrasive personalities in this thing.

David Yellin- I think if this is to be a story of this to be told is all negotiation pots came (muffled) the constitutional convention, they revolve around personalities. So if we could, could we kind of concentrate on them for awhile. Let's go back and talk about Mr. Champa who was the first one other than T.O. Jones.

James Manire- At some point we will want to talk about meetings I had with Mr. Gianatti with King's lawyers and private meetings and statements that were made there with King when we went to federal court. I would suggest that you go to some relatively objective person in the federal court, maybe Judge Brown's secretary, somebody who heard these proceedings and let them tell you about the hearing and the cross examinations, they are very interesting.

David Yellin- I think we are going to get the full testimony, we have got the pleadings on that.

James Manire- Well you want the transcript too. I wish you would get my cross examination of the reverend Andrew Young.

David Yellin- That is the reason we are getting it, we heard...are you involved on that? Want to go halfies on it?

James Manire- I don't want, I have heard it one time..

David Yellin- No, we are going to have to raise the money.

James Manire- But get that part.

David Yellin- Yeah it is \$270 bucks.

James Manire- Well that is the whole transcript. A lot of it was boiler plate.

David Yellin- Well that is what we would like to get and also I would like to get that of the first injunction if we could. Because I think if we are going to record this for the archives and have the, we must get everything.

James Manire- I would think the union is getting that, because they are appealing the fine. It will be necessary to them, they are appealing the contempt...

David Yellin- Ask union.

James Manire- Contempt appeals and this should be a public record, it should be a bill of exceptions on file down there. You might want to look at it first because it is the question and answering and so forth and I understand their appeal.

David Yellin- But it costs much less for a copy than it does for an original.

James Manire- Some of these court reporters will give you these things sometime, just go ahead and type it up when they find out what you are doing. Depending on who the court reporter is they might give it to you.

Dr. Ann Trotter- It is Patsy Webball.

David Yellin- Well we got a couple of letters about it, well this is fine. Suppose you, whatever you want to do, do you want to go to the federal thing now because that is so important to us.

James Manire- I think you can get all you want about Champa from Anne who probably watched it on television. I didn't watch it on TV.

David Yellin- I am interested to know what happened before they went on TV and so would history.

James Manire- I don't thin you are going to find it too much more different, of course Champa is a rough and tumble type of negotiator who is stock in trade is a morasse of non-sequetors you might say. I mean he is not interested most of the time and I think this is a matter of technique, almost doctrine that you don't talk about the merits of the issue on either side, you talk about what do you mean of that what in back in 19 so and so you beat your mother. It is very difficult in fact I would say impossible to have a rational understanding with Champa on any matter and I don't think his function as a union representative is to that. I think his function is to irritate and kind of raise hell and then they bring in some guy like Lucie who has some brains who is rational to try to get down to brass tacks. They found I think that we were much more ready to talk about the thing and get it resolved than we thought we were going to be, so we had to listen to a lot of this anyway in mediation.

David Yellin- What about Mr. Worth? What was his function, did he replace Champa?

James Manire- I think Worth spent more time down here than he might have because of the fact that Champa had alienated so many people that and the public generally in Memphis that he was trying to keep a better relationship with Memphis. I think Worth made many a pious observation in the papers during the time he was here which Champa was really incapable of making.

David Yellin- And then you do mention Mr. Lucie.

James Manire- Lucie I got to know only during the mediation settlement.

Dr. Ann Trotter- Can we talk a little bit about the mediation.

James Manire- Let me tell you a little bit about the federal court thing. We filed the injunction suit after the first violence broke out and Martin Luther King left the scene of the march you know. For good reason, thereafter we thought another injunction suit the union make use of injunctions by talking about what medieval instruments they are and you file another injunction suit and you are being more medieval and being more right wing or whatever. The union refers to everyone else as the establishment. I was definitely elevated and honored as I was referred to as a member of the establishment over and over by the union people and that is the only time in my life that has ever happened. I have sought to be a member on many occasion but in any event we decided to go into federal court because we figured whatever they found in the state court they would endeavor to remove the federal court. We questioned the jurisdiction of the federal court but we went on in. We asked for an injunction against the march and this is right after ole King had called for the children to stay out and march and all these things, I am sure you have all this. We got the temporary restraining order and the judge was recognized that there could be a jurisdictional problem. We then met in the judge's office after the thing, chambers they call it and Birch was there representing King and King's lawyer Eskridge was there, 2 or 3 local lawyers representing negro groups showed up. By this time the whole thing was an all out racial deal. Worth you might say was luxuriating in it but we talked in there that afternoon. All of sitting around brown's office, tried to work something out.

David Yellin- With the judge?

James Manire- With the judge and wanted....it was quite although our position was to enjoy it our alternate prayer for relief in the petition for injunction was to set up guidelines and that was clear to the judge that was what we wanted. Mr. Gianatti said the one thing we must avoid under these circumstances is any injury to Dr. King.

David Yellin- He did say this?

James Manire- Oh definitely that was the reason not the only reason but one of the reasons we were in court. I was there with him, I presented it and sat down and let Frank talk. Yes I mean it was evident that violence of any kind might develop and King was putting the heat on to such a degree that you almost felt that something was going to happen to him, anybody would have that reaction and we felt that the worst thing that could happen in Memphis would be to have Dr. King shot or have him injured in any way. We were glad he had not been injured in the riot a week earlier on what was it 29<sup>th</sup> of march?

David Yellin- 28<sup>th</sup>.

James Manire- 28<sup>th</sup>. So we went on into court with that thing and the court the next day had a full hearing that night we had a meeting late that afternoon 7ish after the temporary restraining order was granted we met with Dr. Young, Lawson, Birch Holloman, Gianatti, me I believe, over there in Gianatti's office. Young told us that they weren't going to obey any injunction. They the negros preferred not to break or disregard a federal injunction that state court injunctions were meaningless to them but they felt that the federal courts were courts they preferred not to have to infringe upon in terms of breaking injunctions or violating their orders. He pretty well made it clear that they didn't care what the order was unless they approved of the order than they were going to violate the injunction, that was definite. Birch and I talked quite a bit during that period over the phone 2 or 3 times and the next day we had the full hearing and that was when I cross examined Young and the hearing was to a large extent I would say winded because it was quite evident that if Brown did anything he was going to try to say the marchers will be 4 in line or 8 abreast or they will be so many marshals. Everybody felt better about this we felt that this was going to be a good thing and we did not appreciate or we were not happy over the fact that Young and Lawson and others said they weren't going to abide the injunction. We felt if they too wanted to join in this protective approach to it through the federal courts that it would be better. Regardless we felt it was a good thing that this injunction, this supervisory injunctive ordered was being entered. That was night King was killed.

David Yellin- Just to clarify when Lawson Young and Dr. King him self said they weren't going to obey the injunction, they didn't mean, or did you think they, would they have meant that if there were guidelines you wouldn't obey the guidelines?

James Manire- What they meant, what they made clear to us, unless it was an injunction in terms of what was satisfactory to them....

David Yellin- They were willing to accept...

James Manire- That's right, for example if they didn't like the guidelines they didn't intend to follow that part of the injunction if the injunction was one that they approved of, they would not violate it. They wanted to let us know, they said we are used to going to jail we have violated a lot of injunctions all over the country. They pointed to Selma and other places and wanted us to know we could go to court as

much as we wanted and that didn't concern them. That they did have a little concern with the fact it was a federal court I assume that grows out of the fact that the federal courts were enjoining white citizen council groups. That was there approach to it and as I say that night I was driving home and that's the night I heard King was shot.

David Yellin- You were on your way home?

James Manire- About 7:00. Roughly.

David Yellin- Can you recall what you did then?

James Manire- I had gone to get my car I was good and tired and I had gone to get my car and I was driving out near Marshall and Union, and Madison. I noticed the lights all were turning red and I heard sirens. I made a couple wiggling turns to avoid lights so I could get away from the area where the traffic was being stopped and there wasn't any traffic on the streets out there. I heard on the radio the shooting of Dr. King. I thought to myself this is fantastic, after we had been down there saying we don't want this to happen. Of course when I got home later I found out he was dead on the television, from the television.

David Yellin- Yes, did you listen to television that night?

James Manire- Yes. I listened to it, I had people over for dinner that night and we all listened to it very somberly.

David Yellin- Did you call the mayor or...

James Manire- I was going to be down at the mayor's office but there wasn't anyway to get down there. There were some, so I wasn't at the mayor's office that night I was down there the next morning. He stayed down there all night. The next morning I came down with a group of negro women in there say 8, 10, or 12 giving him a real lashing.

David Yellin- Were these the women because nobody was at the airport?

James Manire- These were, it seemed to me highly intelligent nice looking bunch of negro women, who said they were down there because they felt sorry for Lobe because he simply didn't understand the negro point of view and he was so out of it they wanted to discuss it with him. They went into things like the Insley Plantation which is the name of the land down there, that's the land where they have that big power plant, they call that Insley Plantation. Well the term plantation offended him. Lobe had several years ago when he was mayor felt a lot of the low cost housing should be moved to out lying property and he said property sections of the penal farm area. The coincidence there, they immediately converted and put all the negros in the penal farm. They brought up those kinds of things that morning. Rabbi Wax and his group had already been there. of course these are available on TV and so forth. Lobe was pretty cool, I sat there and watched him and said this guy is going to

blow at any time because no human can put up with it. Ramsey Clark came into town with an associate who was a negro. He never communicated with Lobe at all. He did communicate I understand with Holloman, but he didn't communicate with Lobe. Whether Lobe went to see him at a later time I honestly don't know. From that point on I was constantly in touch with him and I tried to communicate with some of the...of course there was no settling it then, everything became the price we were going to pay for Martin Luther King's life and at that point is when the things like wages, grievance procedure, all came in as a big issue. Then the big issue in the mediation as Worth pointed out, I am not just negotiating for the union I am representing what I call a shadow constituency. He said these negros, or as he called them nigger preachers, would...

David Yellin- He did call them that?

James Manire- These things really shouldn't really be in because these were exchanges between men trying not resolve something and the utmost profanity, the utmost degradation of the negros on the part of the union people took place in this discussion.

David Yellin- Weren't there any negros there?

James Manire- There was Lucie. That's right, and Jones. This didn't happen while Lucie or Jones was in there.

David Yellin- Let's make a switch to Worth and the arbitration. What...or do you want to take a little rest?

James Manire- Worth at the arbitration. This was arbitration this was so-called mediation.

Dr. Ann Trotter- Why did the city reject the proposal they set up in arbitration commission?

James Manire- Oh well the city has to do that I would say because if you have an arbitration you are bound by the results of it, and you are dealing with administrative obligations of the elected officials and you are delegating to non-elected officers certain power. Those kind of things are arguable, I think they are. But the big problem all the way and the thing that people kept losing sight of, was the fact that these men were and continue to be out on a strike in violation of the state law, an unlawful strike. Therefore, they weren't meeting the city halfway. If people want to talk about why doesn't someone do something lawful and proper. Of course this gave them a tremendous...this was there only source of power until the negros began to...negro preachers began to threaten with the violence and all. But obviously as long as they were out on strike from the practical effect of the strike was to put the city speak to the power. Now the city had licked the strike in practical terms, garbage was being picked up. But the fact was the city really couldn't negotiate with people who in the act of negotiating violating a state court injunction. So arbitration or anything else would have been....Frank Gianatti was

concerned about being called in by the Chancery as being violation of the Chancery court order and he was rightly concerned as a lawyer and professional viewpoint. If he or any of us participated in anything that had to do with the strike while the court had taken jurisdiction over it.

David Yellin- Can you go to the Chancellor and get an exception or whatever it is called?

James Manire- We did.

David Yellin- Oh you did.

James Manire- There was a point at which I believe if you will recall union was going to sit down with Myron Hallie and someone else. Hallie pointed out well not we got this injunction down there. Then there was a whole lot of response from the union and the negroes that this was throwing smoke. So we went to court and got an exception in order to negotiate with them, in order to mediate with them.

David Yellin- This was when the negotiations...when Frank Miles was brought in.

James Manire- That's right. That was then, those broke off. That was a stalemate. I was not in those.

David Yellin- Oh the first ones.

James Manire- I was then asked to go in the next ones which lasted 11 days and nights and which resulted in determination.

David Yellin- That was after the death of Martin Luther King.

James Manire- All of these things are.

David Yellin- But the ones that started on the 25<sup>th</sup> which was after the first snow storm and before the 28<sup>th</sup> the mini riot and it was during that period that 3 times they broke off. You were not involved.

James Manire- I wasn't in those. Those had little chance of success in light of the fact that Lobe's position was, you are in violation of the law I can't work anything out with you until you go back to work and we will work it out.

David Yellin- Why couldn't he then go get an exception from the Chancellor did they feel they ought not to?

James Manire- They didn't have an injunction did they?

David Yellin- Yes sir.

James Manire- Did they.

David Yellin- In other words, this is not to trick anybody.

James Manire- Perhaps they could have. Perhaps they could have gone and gotten an exception, I don't think anyone thought of it or expected it they were negotiating anyways in spite of the. If I accept as what you say as being what occurred and I assume that it did. I would assume that would be doing it even though they were concerned about violating the court order.

David Yellin- Well the reason it finally broke off was because the city always said this, we really aren't talking to you about the strike we are just kind of seeing if you are able to get.

James Manire- There is no question that practically all that talking was talking on...

David Yellin- But then after Martin Luther King was killed then they went in and got an exception.

James Manire- Then there was a real, that's true, and there was a real push to settle it and they push was inn response of course to the white house. Linda Johnson called us on the phone on the hall pay telephone outside the meeting in that office there.

David Yellin- You have got to tell us that.

James Manire- Well you know that was our phone see we didn't have a phone in the room we were in one of these little, Claridge Hotel. Jim Reynolds the undersecretary of labor was in touch with the white house.

David Yellin- Oh so he left that number?

James Manire- Reynolds said this is the most important table in the country at the time and all this kind of talk. He was in touch with Johnson and he and Johnson would talk during the course of this thing on this little pay telephone out in the hall. Johnson was very anxious to see it settled.

Dr. Ann Trotter- Did he call collect.

James Manire- He couldn't on a pay phone I guess.

David Yellin- Now would it have been of course somebody said there were negotiations going on right after the death of Martin Luther King but even the union wouldn't come in with Meadows because they were waiting for the federal people to come.

James Manire- Now there were a lot of people meeting in hotel rooms. I know Ned Cook med with a lot of shark exchange which didn't get down on the ground at all. Cook would tell me about how he had just left a meeting with Lawson and a couple of other people, well known figures in this thing. They would all turn into pertuprative expressions. All this necessarily had to come from the negro preachers who were the aroused ones, quite obviously Cook couldn't afford even if he wanted to, to come in and say you all are a bunch of so and so's. He was on the receiving end and we were on the receiving end of everything and as I said what hurt me along in

there was had I been a 100 miles from Memphis watching this I would have reacted completely oppositely from what I did.

David Yellin- Well then why did the city act, let's say you are going to answer yourself? (Tape Break)

David Yellin- You did say there are two or three reasons and one of them is, right.

James Manire- Yeah. I continued to be impressed and certainly at that time was impressed with the fact that this strike was a form of blackmail against the city in that it was in violation of the law and after it was taken to Chancery court it was in violation of a state institution which is the Chancery court, Therefore, the mayor given the responsibility of acting lawfully, my reaction to that was it is simply not proper to expect an elected official to carry out negotiations with people who are holding something over his head which is unlawful.

David Yellin- This was his advice to him from the legal?

James Manire- Oh I always felt that way, I have never varied from that and still feel that way. I think it is a sad and unfortunate thing that the racial phase of it came in and I recognize that the racial development was something that was realistic and you couldn't stand on what Champa would call legalisms, but on the other hand, they were riding it for all it is worth. We were endeavoring to do the best we could about it I think but that remained. They were blackmailing the city and I think the citizenry that expressed themselves to me, felt that way about it. These union people are down here, blackmailing the city. That's what the city people didn't like. I don't think the average person would have worried about a pure unionization but the second and some what less precise reason. Through my encountering different union representatives, Worth, Champa and the others it was quite obvious to me that they were not interested in these men, they were interested in the dues check off. It is not for me to say that they were not interested in the men however, so I will temper that remark by saying. Grant that they were interested in them as men. They were not interested in them as negro men. They promoted a racial issue, obviously the fact that Martin Luther King was assassinated here gave Worth the greatest boost in his career he ever had and will have. Worth nor any other union representative, nor any union has not got the obligation to carry forward a civil rights issue. Unions don't promote, they promote working conditions and they promote this and that but they don't promote, they are not instruments of civil rights movements. It was apparent from the remarks of Worth and others that of course became most enamored of the negro position and felt that we weren't up to date here in Memphis, but that was because it suited his purpose. I felt that the union was exploiting the negroes, I don't think that was a novel point of view in this thing. But I don't think that is the point of view were I a hundred miles away. I would lose sight of things, what Worth said, what Champa said, the fact that it was an unlawful strike the fact that this activity was in violation of...(Tape End)