MINUTES

of the

RECONVENED

Twenty-eighth Consecutive and Fifth Biennial Convention

of

THE UNITED MINE WORKERS
OF AMERICA

Indianapolis, Indiana, February 16, 1922

THIRD DAY—MORNING SESSION

Indianapolis, Indiana, February 16, 1922.

The convention was called to order at 9 o'clock a.m., Thursday, February 16th, by President Lewis.

Secretary Green announced that $269.60 had been collected for the disabled members who had applied for relief, and that the amount would be divided equally among those who had asked for assistance.

REPORT OF COMMITTEE ON CREDENTIALS

Secretary Morgan, of the committee, reported as follows:
CONTESTS

Indianapolis, Ind., February 16, 1922.

We, your Committee on Credentials, present the following report on contests:

Herbert Eckles, delegate from Local Union 197, District 12, whose seat was contested, appeared before the committee. Arthur Hughes, the contestant, failed to appear.

Your committee recommends that Herbert Eckles be seated with two votes.

The recommendation of the committee was adopted.

J. J. McGuinn and Thomas F. Scott, delegates from Local Union 1865, District 12, and James Baird, the contestant, appeared before the committee. After hearing the evidence in the case your committee recommends that J. J. McGuinn and Thomas F. Scott be seated with one vote each.

A motion was made and seconded to adopt the recommendation of the committee.

Delegate Baird asked the committee to explain why they made the recommendation to seat Delegates McGuinn and Scott.

Chairman Mossop: This local union posted notice to elect delegates to come to this convention. As a committee we believe that the local union is supreme in saying who shall be a delegate to this convention. That local union decided that they wished a change of delegates and chose the delegates that are here. Who is to be the judge, if a delegate comes to this convention, as to whether or not he carried out the will of his constituents? If he has not represented his constituents in a way that is satisfactory to them and they wish to make a change, haven't they the right to do so? There isn't any branch of the organization that can select a delegate for a local except the local itself. A local union has always been allowed to recall a delegate from the floor of this convention. If a local can do that when the convention is in session, why cannot a local do so when the convention is not in session?
We understand that the last convention said the same delegates
would be sent here, but we took it to mean that they were to be sent
if they were acceptable to the local unions. As a committee we have
decided on that line because we believe the local unions are supreme
and that this convention cannot by resolution take away their rights.
That is our ground for deciding this case as we have.

The motion to adopt the recommendation of the committee was
carried.

J. G. Hutson, Jr., delegate from Local Union 3216, District 12,
and W. T. Roper, the contestant, appeared before the committee. After
hearing the evidence in the case, your committee recommends that J. G.
Hutson, Jr., be seated with one vote.

The recommendation of the committee was adopted.

Patrick Driscoll, delegate from Local Union 4561, District 5, whose
seat was contested, and Harry K. Ullom, the contestant, appeared before
the committee. After hearing the evidence in the case we recommend
that Delegate Patrick Driscoll be seated with two votes.

The recommendation of the committee was adopted.

J. H. O'Rourke, delegate from Local Union 1771, District 27, whose
seat was contested, and Wm. Hutchison. The contestant appeared
before the committee. After hearing the evidence in his case we recom-
mand that Delegate J. H. O'Rourke be seated with four votes.

A motion was made and seconded to adopt the recommendation
of the committee.

Delegate Hutchison opposed the recommendation of the commit-
tee, stating that no charge had been filed against him, and further
that Delegate O'Rourke had not attended half the regular meetings
of the local union during the six months prior to the election of the
delegate.

Chairman Mossop announced that evidence presented to the com-
mittee showed that Delegate O'Rourke had attended one-half the meet-
ings of the local during the six months prior to the election.
The motion to adopt the report of the committee was carried.

John Bartlett, delegate from Local Union 1021, District 23, whose seat was contested, and James A. Williams, the contestant, appeared before the committee. After hearing the evidence in the case your committee recommends that James A. Williams be seated with two votes.

The recommendation of the committee was adopted.

Herbert Goodwin and Robert McQuiston, of Local Union No. 1484, District No. 12, contesting the seat of Jack Glasgow, appeared before the committee. After hearing the evidence in the case your committee recommends that Delegate Jack Glasgow be seated with four (4) votes.

A motion was made and seconded to adopt the recommendation of the committee.

Delegate Brown (Max), District 12, opposed the recommendation of the committee and called attention to the fact that in the Cleveland convention a similar case had been decided against his local by the same Credentials Committee, which decided that the local had not complied with the constitution in not electing a delegate the required number of days before the convention. He stated that the election in the case of Local 1484 had been held on February 12th and the convention had convened on February 14th.

The question was discussed by Delegate Glasgow and Delegate Goodwin.

Delegate Brown moved as an amendment to the motion to adopt the committee’s recommendation that the delegates from Local 1484 who attended the September convention be seated. Seconded.

The question was discussed by Delegate Goodwin, Delegate Brown and Chairman Mossop.

The motion to amend was laid upon the table.

The motion to adopt the recommendation of the committee was carried.
John E. Foster, delegate from Local Union No. 28, District No. 11, whose seat was contested, and John Mezenis, the contestant, appeared before the committee. After hearing the evidence in the case your committee recommends that delegate John E. Foster be seated with two votes.

The recommendation of the committee was adopted.

Delegate Joseph H. Charles of Local Union No. 1032, District No. 25, whose seat was contested. Ray F. Boisch, the contestant, failing to appear your committee recommends that Delegate Joseph H. Charles be seated with two (2) votes.

The recommendation of the committee was adopted.

J. W. Gee, delegate from Local Union No. 2245, District No. 11, whose seat was contested appeared before the committee. E. V. Hankins, the contestant, failed to appear. Your committee recommends that J. W. Gee be seated with two (2) votes.

The recommendation of the committee was adopted.

Delegate J. H. Mahamery of Local Union No. 3308, District No. 20, whose seat was contested, and Fred Pickwell, the contestant, failing to appear, your committee recommends that Delegate J. H. Mahamery be seated with three (3) votes.

The recommendation of the committee was adopted.

Jack Brown, Local Union No. 789, District No. 12, protested against the action of the local union in holding an election at which the number of delegates was reduced to three (3), namely, J. E. Hodgson, M. Morris, and Lon Fox. This local union was represented at the September convention by ten (10) delegates. Your committee is of the opinion that the local union had the right to reduce its representation if they so desired, and recommend that the protest be not sustained.

(Signed)

John J. Mossop,
Albert Neutzling,
T. G. Morgan,
Credentials Committee.
A motion was made and seconded to adopt the recommendation of the committee.

Delegate Brown (Jack) opposed the recommendation of the committee, stating that he had been elected to attend the September convention by the largest vote given any delegate by his local union, and the record of the convention showed that the same delegation was to be returned.

Delegate Hodgson explained briefly the manner in which the second election was held by the local. He stated that the local held the second election and selected a smaller number of delegates in order to save the expense of a large delegation.

The motion to adopt the recommendation of the committee was carried.

President Lewis: This concludes the final report of the committee. The report will now go to the printer.

Delegate Haywood, District No. 12: I would like to ask what has been done in the way of presenting the names of the delegates and the local unions they represent—which is customary to do—from the provisional district of Kansas?

President Lewis: The Credentials Committee will answer the question.

Chairman Mossop: We have now completed our report of the contests. According to the action of the convention yesterday it will now go to the printer and each delegate will get a report. In that report you will find the name of every delegate from Kansas and other districts.

Delegate Haywood: Is it not proper that when any new delegate comes from a local to a reconvened convention to have the name of that delegate read to the convention, and the number of the local union read in connection with the name?

Chairman Mossop: No sir, not of late years it has not been customary. The custom is to have it printed and give out copies, which we are going to do.
Delegate Haywood: I have been in a number of conventions—

President Lewis: Do you want to ask a question or make a speech?

Delegate Haywood: I want some information.

President Lewis: Ask your question.

Delegate Haywood: The committee informs me that all the delegates have been seated.

President Lewis: By the action of the convention, yes, and in that there is no departure from past procedure. The convention adopted a motion the first day of the convention seating all delegates from bona fide locals whose seats were not contested. In that list, including yourself, were delegates from District 14.

Delegate Haywood: That means they are seated?

President Lewis: They are seated. The convention will understand that the final report of the Committee on Credentials has been adopted by this convention and will promptly go to the printer in compliance with the action of the convention.

Delegate Fishwick, District 12: I arise to discuss your ruling, Mr. Chairman.

President Lewis: You are not privileged to discuss it.

Delegate Fishwick: I arise to discuss the question of what the Committee on Credentials reported when they made the report to this convention.

President Lewis: You are not privileged to discuss it. You may ask questions of information if you desire.

Delegate Fishwick: If I am not privileged to ask questions before the matter is closed—

President Lewis: The matter is already closed. You may ask a question.

Delegate Fishwick: Is it not a fact that when the committee
made its report to this convention they said that was a report of the delegates who were present at the last convention and against whose seating there was no contest?

President Lewis: The committee read the report to this convention.

Delegate Fishwick: Mr. Chairman, I am asking the committee now.

President Lewis: And I am telling you that the recommendations of the committee were presented in writing and they are a matter of record.

Delegate Fishwick: I am asking the committee if my recollection is correct as to the report they made in writing.

Chairman Mossop: What is your question?

Delegate Fishwick: In making your report to this convention, was not your report couched in this language: That this report was a report of all the delegates that were seated in the last convention against whose seating no contest had been filed with your committee?

Chairman Mossop: No sir. Our report was a report recommending the seating of all delegates we had received credentials for, and did not mention the last convention.

Delegate Fishwick: I ask that the record be read to see whether or not we are telling the truth as we understand it, or whether they are telling the truth as they understand it.

President Lewis: The record of which you speak will appear in the first day's proceedings, which will be distributed to the delegates as soon as they are available.

Delegate Fishwick: I only want to clear up a misapprehension in my own mind; I do not want to cast any reflection upon the committee, but I want to know whether my understanding of the report they made is correct.

President Lewis: You have already been told by the committee and by the chair that you are in error.

Delegate Fishwick: That does not make me in error because you tell me so.
President Lewis: The chair is quite convinced that in this instance it will.

Delegate Fishwick: I am just as convinced that I am not in error. I want the records of this convention to say that I am wrong, and then I will accept the verdict, not before.

President Lewis: Has the committee a copy of that record? The printed proceedings are not available for distribution yet and the committee hasn't the written record with them.

Delegate Fishwick: I have never known the time yet in any of our conventions when a question of the accuracy of a report was being considered when we could not get them from the stenographic report. I ask that that be done now. If I am wrong I will take my seat and I will say I am wrong and the committee is right, but until the records say that I am wrong I will not accept anyone else's statement that I am wrong.

A Delegate: I arise to a point of order. The subject-matter under discussion is not in order.

President Lewis: The point is well taken. For the further information of Delegate Fishwick I will say that the report of the committee was not taken in shorthand by the official reporter of the convention. The exact copy of the report of the committee was filed with the official reporter and in turn sent to the printer and is not now in the possession of either the reporter or the committee. It will appear in the minutes of the convention. If Delegate Fishwick can tell the Chair of any way in which the record can be read he may do so.

Delegate Haywood, District 12: I can tell the Chair how the record can be read.

President Lewis: You are not in order. The records in due time will be distributed, as soon as they are available from the printer.

Delegate Fishwick: As no record has been kept by the official stenographer of the report of the committee, I will accept the report of the committee because I have to.
President Lewis: Among those to whom invitations to address the
September convention were given was Hon. J. Foster Baine, Director
of the Bureau of Mines, Department of the Interior. Director Baine
was unavoidably absent in the west at the time the convention was in
session and was unable to attend. He has arranged his affairs so as
to attend this convention and favor the delegates with an address
dealing with the mine safety work of the United States Bureau of
Mines. He will arrive in Indianapolis at 11:12 o'clock this morning.
He will address the convention at some convenient time, not neces-
sarily today. The Chair desires to appoint a committee to receive
Director Baine at the station and escort him to his hotel, and names
on that committee President Pascoe, of District No. 30; Vice-President
Ames, District No. 23, and International Board Member Mates, of
District 9.

At 10:30 a. m. the rules were suspended and the convention was
adjourned to 9 o'clock a. m., Friday, February 17th.