

THE UNIONIZATION OF SAN ANTONIO  
GARMENT WORKERS DURING THE GREAT DEPRESSION

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## **DEDICATION**

I would like to dedicate this thesis to the brave members of San Antonio's ILGWU during the Great Depression. Their willingness to fight against all odds in order to secure a better life for themselves and their families is truly inspirational. I also dedicate this work to my Grandma Dell and Nana Hurd. They taught me so many valuable life lessons and inspired me to enter the field of teaching.

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## TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS.....	iv
INTRODUCTION.....	1
CHAPTER	
I. THE ILGWU COMES TO SAN ANTONIO.....	6
II. CALL TO STRIKE.....	21
III. WINNING CLOSED-SHOP CONTRACTS.....	47
IV. CONCLUSION.....	81
BIBLIOGRAPHY.....	85

## INTRODUCTION

During the Great Depression, women garment workers in San Antonio, Texas, formed several locals of the International Ladies Garment Workers Union (ILGWU). They confronted various obstacles, many of which grew out of ethnic and gender biases exhibited by city officials and employers who opposed unions in San Antonio. Women of the ILGWU confronted these obstacles daily, especially during strikes in 1936, 1937, and 1938. Despite numerous obstacles, the overall determination of the women to strive for better wages and working conditions led to the establishment of several union contracts by the end of the 1930s.

The anti-union stance of manufacturers during the early years of the twentieth century had caused an exodus of industry from the Northeast to areas such as Texas. This exodus led to a boom of the garment industry in Texas during the 1930s. Manufacturers fled the unionized East in search of cheap labor, which they readily found in areas like San Antonio.<sup>1</sup>

By 1934, efforts to unionize the garment industry in San Antonio had begun. San Antonio was the most significant and successful of union drives in the four major

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<sup>1</sup> Taken from a type-script of the article later published in *Frontiers* 4, no. 2 (1979), Melissa Hield, "'Union-Minded': Women in the Texas ILGWU, 1933-50," Melissa Hield Papers, 1889-1991, Center for American History (CAH), University of Texas at Austin, 5.

garment centers in Texas, but organizing the women proved difficult.<sup>2</sup> The vast labor supply in San Antonio and ethnic discrimination from employers hindered organizing efforts. Since most of the women in the city's garment industry were Mexican or Mexican-American, employers constantly threatened deportation if they joined or were connected to the union. As Meyer Perlstein, Southwest Regional Director of the ILGWU observed, "Every pressure is brought upon the workers, every intimidation possible, is made to keep them back from the Union."<sup>3</sup>

The language barrier also provided obstacles to organizing. Translators were needed at recruitment meetings because most workers did not speak English. Despite these obstacles, two locals quickly formed. Once organized, members gained significant benefits. Through a series of victorious strikes in the late 1930s, members gained better wages and improved working conditions. These gains came at a price. Members faced ethnic and gender biases from the public, the police, and government officials. Despite these barriers, the union remained strong and boasted from 1,000 to 1,200 members by 1940.<sup>4</sup>

The impact of the ILGWU on women garment workers in San Antonio during the Depression is the focus of this study. Strikes in 1936, 1937, and 1938, illustrate the determination of members to secure closed-shop contracts and gain better wages and working conditions, despite the constant opposition to their efforts. On May 6, 1936,

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<sup>2</sup> Ibid., 66.

<sup>3</sup> Meyer Perlstein to David Dubinsky, 22 April 1936, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>4</sup> Hield, "Union-Minded," 10.

approximately 52 of the 75 Dorothy Frocks Company employees went on strike.<sup>5</sup>

Although the strike resulted in the company's relocating to Dallas, the knowledge and experience members gained as a result proved vital to the success of future strikes.

On May 25, 1937, nearly one year after the first ILGWU strike in San Antonio, Local 180 called the second strike in the union's history. Shortly after the Shirlee Frocks Company broke an agreement between the plant and the union regarding the reinstatement of three union employees who had been "discharged because of union activities," the strike began.<sup>6</sup> Approximately 20 employees called the strike and picketed the factory, carrying signs stating, "the workers of Shirlee Frocks are on Strike, for living wages, shorter hours, reinstatement of fired union members."<sup>7</sup> The strike of 1937 resulted in the first closed shop of the ILGWU and marked the first closed union shop of any trade in San Antonio, thus cementing the ILGWU's place in San Antonio as a union that could successfully strike and win union contracts.<sup>8</sup>

With confidence and a boost in morale, the union participated in yet another successful strike against the Texas Infant's Dress Company in the spring of 1938. On March 11, 1938, after the company refused to dissolve its company union, which was in clear violation of the Wagner Act, 22 of the 40 employees went on strike.<sup>9</sup> Strike participants sought to secure an ILGWU closed-shop contract along with higher wages.

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<sup>5</sup> Ibid., 5.

<sup>6</sup> *San Antonio Evening News*, May 26, 1937, 1.

<sup>7</sup> *San Antonio Evening News*, May 25, 1937, 12.

<sup>8</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>9</sup> *The San Antonio Light*, 18 March 1938, 10C.

Within three months, the union signed its second closed-shop contract. By 1940, the majority of garment workers in San Antonio were under union contract, which meant shorter work weeks, better wages, and an end to some of the abuses of the piece rate system.<sup>10</sup>

Although the ILGWU as a national organization has received extensive scholarly attention, only limited histories of the ILGWU in San Antonio exist. George Green, in an article, “The ILGWU in Texas, 1930-1970,” covers a 40-year period of the ILGWU in Texas, but he gives only a brief examination of San Antonio during the 1930s. Green focuses mainly on the strike of 1936, but does not examine the subsequent strikes or the overall impact of the ILGWU on garment workers in San Antonio.<sup>11</sup>

In *Women of the Depression: Caste and Culture in San Antonio, 1929-1939*, Julia Kirk Blackwelder examines the ILGWU as part of her overall analysis of women’s work experiences in Depression-era San Antonio. She covers several ILGWU strikes during the 1930s, but most of her coverage provides only a brief overview. Like Green, she focuses mainly on the strike of 1936; the strikes of 1937 and 1938 receive little attention.<sup>12</sup> In the article, “‘Union-Minded’: Women in the Texas ILGWU, 1933-50,” Melissa Hield also examines the first strike of San Antonio’s ILGWU in detail, but only

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<sup>10</sup> Hield, “Union-Minded,” 9-10.

<sup>11</sup> George Green, “ILGWU in Texas, 1930-1970,” *Journal of Mexican-American History* 2 (Spring 1971): 144-164.

<sup>12</sup> Julia Kirk Blackwelder, *Women of the Depression: Caste and Culture in San Antonio, 1929-1939* (College Station, Texas: Texas A&M Press, 1984).



briefly mentions the following two strikes that firmly established the ILGWU in San Antonio.<sup>13</sup>

Utilizing various San Antonio newspapers, as well as ILGWU, AFL, CIO, and court records, this study examines the struggles of ILGWU members to gain better wages, working conditions, and lives. This project will focus on San Antonio ILGWU locals in these struggles by rank and file members to overcome great obstacles in their bid to win union contracts. Women recognized their state of poverty and the benefits unionization would bring. Not only did ILGWU members gain union contracts as a result of the strikes, but the strikes also awakened a political consciousness and activism among the Mexican-American women.<sup>14</sup>

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<sup>13</sup> Melissa Hield, "'Union-Minded': Women in the Texas ILGWU, 1933-50," *Frontiers* 4, no. 2 (1979): 59-70.

<sup>14</sup> Richard Garcia, *Rise of the Mexican American Middle Class: San Antonio, 1929-1941* (College Station: Texas A&M University Press, 1991), 64.

## CHAPTER ONE

### THE ILGWU COMES TO SAN ANTONIO

Ethnicity played a key role in employment opportunities in San Antonio. The U.S. Census Bureau reported in 1930 that whereas women of Mexican decent held 40.2 percent of domestic and personal service jobs, they held only 2.3 percent of professional jobs. By comparison, 20.4 percent of white women were employed as professional workers.<sup>1</sup> White women were able to secure clerical and trade jobs in the city and protect them despite the Depression. Mexican-American women did not have this privilege and fought hard to ensure their employment through union contracts.<sup>2</sup> Because of the widespread unemployment of Mexican-American males, women of Mexican decent were more likely to be working as head of the family than other women in San Antonio. This placed even more pressure on Mexican-American women to secure employment and adequate wages.<sup>3</sup>

Anglo-dominated San Antonio had marked class divisions that often followed lines of ethnicity. By the 1930s, Mexicans had lost their status and suffered

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<sup>1</sup> Teresa Acosta and Ruthe Winegarten, *Las Tejanas: 300 Years of History* (Austin, Texas: University of Texas Press, 2003), 128.

<sup>2</sup> Blackwelder, *Women of the Depression*, 78.

<sup>3</sup> Garcia, *Rise of the Mexican American Middle Class: San Antonio*, 78, and Acosta and Winegarten, *300 Years of History*, 128.

discrimination—social, economic, and political. A Mexican educator of the time, reflecting on this discrimination, concluded, “As long as the community brands him [Mexican] as inferior by the treatment accorded him, the employer can continue to exploit him with a clear conscience,” which is exactly what garment manufacturers did.<sup>4</sup> Jobs, such as garment work, served to separate the Mexican community into a “laboring class and lower middle class.” Carlos Castaneda, who studied Mexican employment in the 1930s, concluded, “Mexican wages were ... a product of plain and simple exploitation ... economic discrimination [was] based on the assumption that the Mexican was inferior to the Anglo.”<sup>5</sup>

During the Depression, many of San Antonio’s residents faced financial hardships, but Mexican Americans suffered the most. They not only experienced poverty, but also serious illness and even death due to poor living conditions.<sup>6</sup> Many areas where Mexican Americans were employed in San Antonio were greatly affected by the Depression. The economic paralysis caused between 15,000 and 20,000 persons to be structurally unemployed in the city during the 1930s.<sup>7</sup> Traditional Mexican custom did not encourage women to work outside the home, but with the deep economic strain placed on families during the Depression, many women entered the workforce.

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<sup>4</sup> Frances Jerome Woods, “Mexican Ethnic Leadership in San Antonio, Texas” (Ph.D. diss., Catholic University of America, 1949), 36.

<sup>5</sup> Quoted in Garcia, *Rise of the Mexican American Middle Class*, 58.

<sup>6</sup> Blackwelder, *Women of the Depression*, 178.

<sup>7</sup> Garcia, *Rise of the Mexican American Middle Class*, 65.

The garment industry recruited Mexican-American women because of their experience; each generation acquired strong sewing skills from their elders. Many girls began sewing as young as age two, and these skills were important to garment making in San Antonio.<sup>8</sup> Home-based garment work flourished in San Antonio as a result of available labor. Many Mexican-American women who were married chose to pursue homework so they could stay home with children and maintain household chores. This often resulted in women working long hours for deplorable wages. This skilled, intricate work paid only \$1.10 to \$3.30 for a week of work that consisted of well over 40 hours.<sup>9</sup>

During the Depression, garment worker wages sank even lower than they were in the 1920s, “literally to pennies a day in some cases.”<sup>10</sup> Besides deplorable wages, health concerns regarding homework arose. Because of rampant disease on the West Side, many women living in disease-infested homes brought their work home, and thus many garments carried disease. In response, factories opened on the West side of town, which was occupied mostly by Mexican Americans, but homework still remained part of the garment industry in San Antonio. By the early 1930s, however, for the majority of Mexican-American women, the workplace shifted from the home to the factory. Conditions in the factory were unsanitary, and wages were extremely low.<sup>11</sup>

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<sup>8</sup> Blackwelder, *Women of the Depression*, 83.

<sup>9</sup> Acosta and Winegarten, *Las Tejanas: 300 Years of History*, 129.

<sup>10</sup> Julia Kirk Blackwelder, *Now Hiring: The Feminization of Work in the United States, 1900-1955* (College Station, Texas: Texas A&M Press, 1997), 102.

<sup>11</sup> *Ibid.*, 103.

The deplorable wages of San Antonio's garment workers mirrored other industries in the south, such as pecan shelling. The low wages of the south garnered national attention. John L. Lewis, leader of the Congress of Industrial Organizations, with which the ILGWU was affiliated, recognized the flight of manufacturers to the detriment of southern workers. Lewis formally published his concerns in a 1939 article, pointing out that the poverty of the Southern people was being exploited by large capital, mostly from great Northern industrial centers. Lewis regarded wages paid to southerners as sweat-shop wages that any decent man ought to be ashamed to pay. He also stressed that the profits made by these exploitive companies did not even stay in the South. Finally, Lewis recognized that these low-paying jobs made it harder for organized Northern workers to compete for employment.<sup>12</sup> Fearing the further loss of jobs in the Northeast to cheap, unorganized labor of the South, the national offices of the ILGWU set out to unionize Southern workers who desperately longed to improve their working conditions and wages.<sup>13</sup>

When ILGWU organizers came to San Antonio in 1934, two locals quickly formed. In March, a charter was issued to Local 123, whose members worked in children's wear, and in December, Local 180, comprised of dressmakers, received a charter.<sup>14</sup> Emily Jordan, a Texas State Federation of Labor organizer in San Antonio, led the first union drive. Although she began to unionize under the United Garment Workers,

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<sup>12</sup> John L. Lewis, "Labor Looks South," *The Virginia Quarterly Review* (Autumn 1939): 527.

<sup>13</sup> Rebecca Taylor, interview by Ruth Allen and students, 6 October 1936, Labor Movement in Texas Collection, Center for American History (CAH), University of Texas at Austin, 1.

<sup>14</sup> Rebecca Taylor, interview by Ruth Allen and students, 6 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

Jordan played a key role in the initial organization of Local 180 of the ILGWU by bringing forth the problems faced by San Antonio workers to the international.<sup>15</sup>

Organization began with support from many workers. The recent adoption of the National Recovery Administration's (NRA) codes in the garment industry benefited unionization. Factories were now required by law to pay set wages for various garment worker positions. However, manufacturers constantly found ways to avoid the NRA codes. During training, for example, an employee was paid a minimum of \$9 per week; after a nine-week training period, pay was supposed to increase to a minimum of \$12 per week. Owners simply fired employees before their training period ended, however, and then rehired them to train all over again, thus making it impossible for many workers to ever earn the NRA minimum of \$12 per week.<sup>16</sup>

In various letters to David Dubinsky, president of the ILGWU, Jordan reported on complaints she received weekly regarding working conditions and wages. One complaint came from a woman who worked for an infant dress manufacturer who claimed the plant had special permission from Washington, D.C., to pay the women a minimum of \$8.00 for a forty-hour week. However, the low piece rate on garments made it nearly impossible for workers to make the \$8.00 minimum. Thus frequent firings occurred. Jordan further confided in Dubinsky that the workers of San Antonio were realizing that

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<sup>15</sup> Emily Jordan to David Dubinsky, 12 February 1934, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>16</sup> *Talkin' Union*, dir. Glenn Scott and Maria Flores, prod. People's History of Texas, 58 min., 1979, videocassette.

employers viewed them as “cheap labor,” and that they knew unionizing was the only hope for better working conditions and wages.<sup>17</sup>

Within a month, Local 180 had nearly 35 members, but the anti-union stance of manufacturers scared many workers from unionizing for fear of losing their jobs. One example can be seen in the case of Mrs. Evelyn Swanson, who had moved to San Antonio after being a member of a Kansas City local of the ILGWU. Swanson, who was immediately tagged as a union member and denied employment at several factories, was fired from the Halff Ladies Dress Factory as soon as her involvement with the union was revealed. Unable to obtain work, Swanson left San Antonio.<sup>18</sup>

Employers went one step further and often threatened deportation if Mexican workers joined or were connected to the union. “Every pressure is brought upon the workers, every intimidation possible, is made to keep them back from the Union,” according to Meyer Perlstein, who cited the lengths manufacturers went to in order to scare workers away from the union.<sup>19</sup> In two sworn statements by Immigrant Inspector Carlos Melick in San Antonio, women complained about intimidation by employers. Helen Rivas, a 25 year old machine operator and Carmen Trejo, a 20 year old machine operator, both of whom were employed by Dorothy Frocks, reported that their manager, Mr. Sidney Gould, threatened “to have all us Mexicans kicked out of the United States

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<sup>17</sup> Emily Jordan to David Dubinsky, 12 February 1934, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>18</sup> Emily Jordan to David Dubinsky, 13 April 1934, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>19</sup> Meyer Perlstein to David Dubinsky, 22 April 1936, ILGWU Collection, Cornell University, Ithaca, NY.

and sent back to Mexico where we belong.”<sup>20</sup> Despite widespread fear of losing jobs because of union membership, by the end of 1934 a second local, number 123, had formed.

Emily Jordan’s organizing work for the United Garment Workers did not allow her time to continue organizing ILGWU members. In response, Meyer Perlstein, Southwest Regional director of the ILGWU, came to San Antonio to promote organization. Although Perlstein’s headquarters were in St. Louis, Missouri, his frequent involvement in Texas garment strikes made him a crucial force in Texas ILGWU affairs. As Vice President of the ILGWU, his background as a shirt maker and union organizer allowed him to connect with rank and file members.<sup>21</sup>

When Perlstein arrived in 1934, he compared the condition of Mexican Americans to immigrants who had come to the Northeast thirty years earlier at the turn of the century. He believed that Mexican Americans were treated worse than even European immigrants were. The living conditions on the West Side, where nearly two-thirds of all Mexican Americans in San Antonio resided, were similar to those in tenements on the lower east side of Manhattan at the turn of the century. As one economist noted about the West Side of San Antonio, “The only vital substances that ever thrived in the area... were the germs of tuberculosis and infant diarrhea... thousands of human beings, living in decrepit wooden shacks or in crowded corrals.”<sup>22</sup>

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<sup>20</sup> Carlos Melick, “Sworn Statement of Carmen Trejo,” 11 May 1936, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>21</sup> Green, “ILGWU in Texas,” 145.

<sup>22</sup> Garcia, *Rise of the Mexican American Middle Class*, 55.



Building on Jordan's efforts, Perlstein began a unionizing drive that resulted in the formation of Local 123, and the first garment strike in San Antonio. In a letter to David Dubinsky, Perlstein described in great detail the conditions of workers in San Antonio and his plan to unionize and better the lives of these workers. In early December, 1934, Perlstein attended one of the first meetings of Mexican-American needle workers. Nearly 150 workers were present, most of whom were not yet members of the ILGWU. Lack of adequate clothing left many workers huddled in their "shacks," unable to venture outside to the meeting. These conditions left Perlstein to conclude that the workers were in "pitiful" condition, averaging only \$3 to \$4 dollars a week with many weeks of unemployment due to the slack seasons that were common in the garment industry. He estimated that anywhere from 800 to 1000 workers might be organized into the union. His prediction came true, for by 1940, membership in the San Antonio locals reached from 1000 to 1200.<sup>23</sup>

Union drives in San Antonio were quite different from those previously conducted in the Northeast, in part because of the severity of poverty in the area, which made collection of initiation fees impossible. Perlstein asked Dubinsky to waive initiation fees and set weekly dues of 25 cents, even though he knew that even this modest sum would prove a strain to members. Dubinsky obliged his request because he understood the importance of organizing the South to increase wages and prevent further flight of Northern manufacturers.<sup>24</sup>

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<sup>23</sup> Quoted in Meyer Perlstein to David Dubinsky, 11 December 1934, ILGWU Collection, Cornell University, Ithaca, NY and Hield, "Union-Minded," 10.

<sup>24</sup> Meyer Perlstein to David Dubinsky, 11 December 1934, 2, ILGWU Collection, Cornell University, Ithaca, NY.

The language barrier also provided obstacles to organizing. All of the meetings Perlstein attended needed a translator, for most of the attendants did not speak English. Efforts were made to accommodate those who were not fluent in English, and he requested literature, including the ILGWU newspaper *Justice*, along with union song sheets in Spanish. Perlstein expressed excitement and a true sense of desire to help the workers in a letter to Dubinsky: “We will take them out of the gutter and make them acquire the essential confidence in themselves.”<sup>25</sup>

Two women, Rebecca Taylor and Merle Zappone, who emerged as local leaders of the ILGWU, would later play a key role in strike activities. Taylor organized new union members, but found that relating to Mexican-American members was difficult. Myrle Zappone, a garment worker in San Antonio for eight years, was the financial secretary and most successful organizer of the local. As historian Julia Kirk Blackwelder points out, Zappone was “the central figure in achieving union affiliation and loyalty among the city’s Mexican-American garment workers.”<sup>26</sup>

Taylor and Zappone helped Perlstein organize new union members, worked to gain union contracts with local factories, and later led strike efforts. Taylor, the union’s educational director, garnered respect among civil leaders and union sympathizers. She began serving the union as education director, and by 1938, she was the manager of the San Antonio Joint Board. Born in Tamaulipas, Mexico, to a distinguished family, she

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<sup>25</sup> *Ibid.*, 3.

<sup>26</sup> Blackwelder, *Women of the Depression*, 137.

graduated from Sullins College in Virginia and taught school in Texas for several years before joining the ILGWU.<sup>27</sup>

Because Taylor was reared in Mexico, she spoke Spanish, which aided her ability to relate to the majority of workers. However, her attitudes toward Mexican-American workers reflected the views of many Anglos in San Antonio. When asked what needed to be done to organize the garment workers of San Antonio, Taylor stated, “The job to be done in San Antonio is to arouse the Mexicans from their lethargy.”<sup>28</sup>

Taylor’s stereotype of Mexicans as lethargic reflects her ethnic bias toward Mexican-American members. This bias was reflected on a larger scale not only within the union, but during strike activities as well. Employers tapped into this bias as a means of control. Most of the 260 local members were Mexican-American; only a few members were white, but like Taylor, they served as heads of the organization. Ethnic divisions hampered union participation and played a role in the outcome of strikes. Factory owners encouraged ethnic bias and used it to their advantage, especially during strikes. By paying Mexican-American workers “far less” than their Anglo counterparts, factory owners encouraged ethnic divisions.<sup>29</sup> Most Anglo workers did not join the union because they regarded themselves as superior to Mexican Americans, both socially and economically. “Discrimination against Mexicana workers,” was a principal obstacle “to

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<sup>27</sup> Benjamin Stolberg, *Taylor's Progress* (New York: Doubleday, Doran and Company, Inc., 1944), 315.

<sup>28</sup> Rebecca Taylor, interview by Ruth Allen and students, 6 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

<sup>29</sup> Acosta and Winegarten. *Las Tejanas: 300 Years of History*, 129.

establishing a solid union base among garment workers.”<sup>30</sup> The inability of workers to unite across ethnic lines diminished their bargaining power during strikes.

As a result of Taylor’s bias, Mexican-American members disliked her and did not follow her leadership as strongly as they did Zappone’s, who was a Mexican American and also a former garment worker. During the strike of 1937, Taylor would finally connect with workers by completely supporting their efforts, but she likely began work in the ILGWU because of the high pay and good job opportunity it provided. She became connected with the labor movement through her work in the public schools. When she answered the call for someone to handle the ILGWU education program, she assumed that her work would consist strictly of teaching, rather than field organizing. Another reason the job appealed to Taylor was the pay, which was much higher than teacher’s pay in a school district. Also, the job of coordinating an extensive educational program, was more exciting than that of teaching in a small town.<sup>31</sup>

Taylor’s work as the educational director provided new opportunities to union members. She arranged classes in consumer buying, English, dancing, swimming, and dramatics.<sup>32</sup> Classes in reading and writing the English language were particularly helpful to the majority of union members who were illiterate. Through her work as educational director, Taylor taught members to understand their pay scale and how the factory system worked. As Zappone reported in an interview, most workers were illiterate, had no idea

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<sup>30</sup> Ibid., 134.

<sup>31</sup> Rebecca Taylor, interview by Ruth Allen and students, 6 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1, and Hield, “Union-Minded,” 16.

<sup>32</sup> Ruth Allen and students, “The International Ladies Garment Workers’ Union Comes to Texas,” 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 4.

what they earned, did not know what the value of a day's work was and did not know that one must arrive and leave work at designated times.<sup>33</sup> Taylor also implemented other innovative programs such as painting classes, summer camps, as well as plays, pageants, dances, and native Mexican dances. The ILGWU "provided more than just a day's work," it "served as the educational and social center of the member's lives."<sup>34</sup>

Zappone worked in garment factories in San Antonio for eight years before she went to see Emily Jordan about the union. Zappone became the first Mexican-American organizer for the ILGWU in San Antonio. Perlstein was impressed when he first met her and offered her a job as an organizer. Her pay began at \$15 a week in 1934, an incredible wage for a Mexican-American woman in San Antonio. Zappone's dedication to the union struggle came to the forefront during strike activity; she often went to jail to fight for the cause.<sup>35</sup>

Members related to Zappone because she was fluent in Spanish and had worked as a garment worker. Her closeness to the members made her the liaison between the members and the international. Members took problems and requests to Zappone, who took them to Taylor or Perlstein. Because of her special position, she became a key link in the management of the ILGWU in San Antonio.

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<sup>33</sup> Mrs. Zappone, interview by Ruth Allen and students, 5 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1

<sup>34</sup> Hield, "Union-Minded," 17.

<sup>35</sup> Mrs. Zappone, interview by Ruth Allen and students, 5 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 2.

Taylor and Zappone began their work organizing plants across San Antonio in 1935. The first plant to organize was the A.B. Franks plant. Nearly 100 percent of the plant organized; only three workers did not join the union. As soon as plant owners discovered that the plant was organized, they closed it down permanently. Refusing to accept defeat, however, union members then attempted to organize the Halff factory. Over 75 percent of the plant organized, and once again, as soon as plant officials found out, they cleverly switched from manufacturing dresses to shirts in order to avoid the jurisdiction of the ILGWU.<sup>36</sup> Perlstein reported the practice of factories closing or moving in order to avoid the union to Dubinsky in December of 1936. "Instead of fighting the union in towns where they are located, manufacturers will simply move their factories," Perlstein complained, "which would prove detrimental to the union struggle for closed-shop contracts."<sup>37</sup>

San Antonio strikes were part of a larger labor struggle in Texas, and local ILGWU members did not lack strike experience. Many were trained in strike tactics and strategy. Several participated in previous strikes in order to gain experience and knowledge. Nearly a year before San Antonio ILGWU members called their first strike, they accompanied Perlstein to a Dallas garment strike in February, 1935, to gain experience. Perlstein believed in educating members about strike tactics and employer negotiations. During the 1935 Dallas strike, he called several members from the San Antonio local to witness the event. Knowing that strike preparations were under way in

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<sup>36</sup> Ibid.

<sup>37</sup> Quoted in Meyer Perlstein to David Dubinsky, 9 December 1936, ILGWU Collection, Cornell University, Ithaca, NY.

San Antonio, Perlstein advised members to pay attention to the police, the cabs, the walking, the carrying of signs, and the overall atmosphere of the picket line.<sup>38</sup> San Antonio members were supposed to observe the strike for one day, but several, including Zappone, stayed longer. During the Dallas strike, she broke through the police line and went to jail. Zappone's determination to fight for workers strengthened during this strike. Her resolve would soon become apparent again in the San Antonio strikes of 1936 and 1937.

San Antonio's anti-union sentiment hindered the ILGWU's progress and ability to bargain during strikes. The Chamber of Commerce and city officials insisted that "relations between the unions and employees are good and strikes are the exception, not the rule. Agitators from the outside are frowned upon by Texas Laws."<sup>39</sup> Mayor C.K. Quin and Police Chief Owen Kilday constantly opposed strikes. The police sometimes tear-gassed and frequently arrested strikers throughout the 1930s.<sup>40</sup>

Racism and prejudice saturated the minds of most of San Antonio's non-Mexican population, as reflected in statements by city officials and the actions of these officials during strikes.<sup>41</sup> In 1939, for example, the former chief of police, Owen Kilday, stated, "Crime breeds where there is poverty. Your poverty-stricken class is your criminal class." Another public official insisted that, "if [Mexicans] earned more than \$1 dollar a day,

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<sup>38</sup> Charlotte Graham, interview by Glenn Scott, Summer 1976, Melissa Hield Papers, 1889-1991, CAH, University of Texas at Austin, 21.

<sup>39</sup> Quoted in Garcia, *Rise of the Mexican American Middle Class*, 64.

<sup>40</sup> Ibid., 63.

<sup>41</sup> Ibid., 205.

they'd just spend their money on tequila and on worthless trinkets in the dime store.”<sup>42</sup> The actions of police, public officials, and the courts during the strikes would reflect the ethnic and gender biases of most who held these positions.

A study of San Antonio in the 1930s and 1940s found that “unequal application of the law and abuse by law-enforcing authorities [toward Mexican-Americans]” was frequent, but hard to prove, due to the fear of reprisal.<sup>43</sup> Local newspapers made a point of indicating which lawbreakers were Mexican because it was their policy to indicate ethnicity if the lawbreaker “had color.”<sup>44</sup> Clearly, newspapers viewed Mexican Americans as inferior. Reporters never interviewed strikers (who were predominately Mexican Americans) and never gave them a voice in the newspapers. Ethnicity would also affect participation in the strikes. Mexican Americans in the factory “came out one-hundred percent,” but as Zappone indicated, “the few white workers in the plant felt that they were above such folks so they stayed and helped the owners to smuggle in labor.”<sup>45</sup>

After a year of unsuccessful organizing, the ILGWU confidently pressed for a closed-shop contract in 1936. In fact, the owner of Dorothy Frocks, a dress manufacturing plant, even promised the union a closed shop contract, but he soon took ill and died. When his wife refused to honor his promise, workers called the first strike of the ILGWU in San Antonio.<sup>46</sup>

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<sup>42</sup> Ibid. and Victor S. Clark, ed., *Mexican Labor in the United States* (New York: Arno Press, 1974), 49.

<sup>43</sup> Woods, “Mexican Ethnic Leadership in San Antonio, Texas,” 32.

<sup>44</sup> Ibid., 29.

<sup>45</sup> Mrs. Zappone, interview by Ruth Allen and students, 5 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

<sup>46</sup> Ibid.



## CHAPTER TWO

### CALL TO STRIKE

On May 6, 1936, approximately 52 of the 75 Dorothy Frocks Company employees went on strike. The union local, or “shop,” not the ILGWU international, called the strike. The ILGWU supported the strikers by providing each with seven dollars per week, two meals a day, and cab fare to and from picket lines during the strike.<sup>1</sup> Mothers received more money according to their obligations. This financial support allowed workers to participate in the strike even in the midst of the Great Depression. Ongoing workers’ grievances, coupled with the owner’s anti-union stance, left Dorothy Frocks Company workers with few options but to strike.<sup>2</sup> This pivotal first strike of ILGWU Local 123 in San Antonio demonstrates the extent to which ethnic and gender biases and the city’s anti-union stance affected the outcome of the strike.

Local manufacturers’ resistance to organized labor resulted in the failure to organize factories throughout 1934 and 1935. Determined to succeed, however, ILGWU members continued their attempts to organize factories in San Antonio. Victory appeared on the horizon when the owner of the Dorothy Frocks Company dress factory, Charles

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<sup>1</sup> J A. Liles, President of Houston ILGWU, written notes, June 13, 1936, Labor Movement in Texas Collection, Center for American History (CAH), University of Texas at Austin, 7.

<sup>2</sup> Hield “Union-Minded,” 5.

Schwartz, claimed that he would be “glad to deal with the union.”<sup>3</sup> In response, many workers of the plant joined the ILGWU’s Local 123. Optimism faded, however, when Schwartz suddenly took ill of cancer and died. Following his death, his wife closed the plant for three months.

Unlike her husband, Mrs. Schwartz refused to accommodate organized workers. Upon the plant’s reopening, she fired and blacklisted several union members. Out of respect for their former boss, workers at Dorothy Frocks waited for one year after his death to approach the factory with their grievances. The union simply desired a meeting with the new owner to discuss grievances, but neither she nor anyone else in charge granted such a meeting.<sup>4</sup> Worker grievances included poor wages, unsanitary conditions, long hours, and the factory’s failure to follow NRA codes. In 1935, factories across San Antonio responded to the ruling by the Supreme Court that the NRA was unconstitutional by cutting wages and discouraging workers.<sup>5</sup> Prior to the 1935 ruling, the Dorothy Frocks Company failed to pay the textile industry’s NRA code’s minimum of \$9 per week. Instead, they paid unlivable wages ranging from \$3 to \$5 dollars a week for forty-five to seventy hours of work.<sup>6</sup> The company also avoided the law that limited the number of work hours for women to nine per day and fifty-four per week by working the women all day in the factories and then giving them work to take home at nights. Workers often

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<sup>3</sup> Mrs. Zappone, interview by Ruth Allen and students, 5 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

<sup>4</sup> Ibid.

<sup>5</sup> Raul P. Sifuentes, interview by Ruth Allen and students, 6 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 3 and David Dubinsky, *A Life With Labor* (New York: Simon and Schuster, 1977), 262.

<sup>6</sup> Green, “ILGWU in Texas,” 145.

stayed up until midnight, “doing the dainty hand work,” on dresses in order to earn the highest possible wage of \$5 per week.<sup>7</sup>

Workers were also unhappy because of the wages docked by the company if damage occurred to dresses during the manufacturing process. An observer from a Houston local of the ILGWU reported a case in which a worker at Dorothy Frocks who made an evening dress that retailed for \$19.75 received only \$4.60 for the 4 days of work. This worker happened to be the fastest operator in the plant and therefore probably received the highest pay, but most workers made less. When a machine spilled oil on the light pastille shaded dress, the worker was docked from her already low wages of \$4.60. The company also deducted pay from workers for supplies, such as oil for the machines. Poor working conditions, including crowded work space, and on-the-job injuries were among other worker grievances. A common injury in which needles were sewn through fingers garnered little attention from plant officials, who even deducted pay for the hours missed to treat injuries.<sup>8</sup>

The San Antonio Evening News reported that the strike began peacefully on May 6, 1936, when forty-nine members set up “a peaceful picket line” at the plant, demanding a 35-hour week and higher wages. The peace did not last long. By the next day, reports of violence filled local newspapers. As police escorted several strikebreakers (“scabs”) into the plant, a fight broke out. Sidney Gould, company foreman, arrived at the plant with a car full of scabs who wished to be escorted into the plant. When the car pulled up to the

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<sup>7</sup> Texas State Federation of Labor, Proceedings, 1936, 18.

<sup>8</sup> *Talkin’ Union*, dir. Glenn Scott and Maria Flores, prod. People’s History of Texas, 58 min., 1979, videocassette.

plant, strikers swarmed the car and “attempted to tear the clothing from the girl workers.”<sup>9</sup> Gould and J.P. Doss, a shipping clerk, claimed that four male strikers attacked them as they escorted women workers into the plant.<sup>10</sup> In the tussle, one policeman was knocked down and two others were “roughly handled by women strikers,” resulting in the arrest of six men and one woman.<sup>11</sup> Local newspapers gave only an anti-union perspective on such incidents. Strikers lacked a voice in the newspapers, which did not interview them. Only during injunction proceedings did labor’s side of the story surface.

Strikers awaited the arrival of Meyer Perlstein from St. Louis to direct the strike before they presented their demands to the company. Forty to fifty strikers continued to picket outside the plant for the remainder of the day. As a result of the “riot,” eighteen policemen surrounded the plant the following day and escorted fifteen garment scabs into the plant.<sup>12</sup> Chief of Police, Owen K. Kilday, announced that a repetition of the disturbance on the previous day would not be tolerated for he “selected the biggest and strongest officers on the force, most weighing more than 200 pounds, for duty in the strike areas.”<sup>13</sup>

Merle Zappone, an organizer for the ILGWU who equipped the handful of picketers with placards and ribbons, claimed that a number of workers did not come to

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<sup>9</sup> *San Antonio Evening News*, 7 May 1936, 1-2; *La Prensa*, 7 May 1936, 1-2. Reports in *La Prensa* (San Antonio’s primary Spanish language newspaper) were similar to those found in the English language newspapers, however, the reports in *La Prensa* presented the strikers in a more respectful light and did not sensationalize striker-strikebreaker fights to degrade their purpose or present them negatively to the public.

<sup>10</sup> *San Antonio Express*, 8 May 1936, 6.

<sup>11</sup> *San Antonio Evening News*, 7 May 1936, 1-2.

<sup>12</sup> *Ibid.*; *San Antonio Evening News*, 8 May 1936, 1.

<sup>13</sup> Quoted in *The San Antonio Light*, 8 May 1936, 1 and *La Prensa*, 9 May 1936, 1.

work as a result of the previous day's activities. Chief Kilday's statement regarding the size of officers selected to deal with strikers showed his desire to make the pickets, who were mostly women, appear dangerous and disorderly to the public and thus hinder any public sympathy towards the strikers. Strike efforts yielded results, however, for after only two days of picketing several other workers did not report for work. The union believed that company officials would soon feel the pressure to negotiate.

On May 10, 1936, strike leaders met with Perlstein, who had just arrived from St. Louis. He called a mass meeting of all garment workers in the city to discuss staging a general strike. Perlstein met with Dorothy Frocks Company attorneys and formally stated the demands of the strikers. The demands called for the dressmaker to pay the previous NRA Code's wages—a minimum of \$18.90 per week for a thirty-five hour work week. Perlstein argued that garment workers in every other section of the country received code wages and hours, and that therefore San Antonio garment industries should adhere to these standards too.<sup>14</sup>

Peaceful picketing continued over the weekend, even though Gould had shut the plant down until May 11, 1936. Strikers appeared united as they picketed with banners demanding shorter working hours and a "living wage."<sup>15</sup> They met over the weekend at the Labor Temple and decided to support the beauty parlor operators, who were also on strike at the time. Local 123 hoped that this alliance would strengthen strike efforts. Perlstein gained permission from the international to grant beauty operators the same strike benefits as the garment workers received for as long as the strike lasted. The Local

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<sup>14</sup> *San Antonio Express*, 10 May 1936, 11.

<sup>15</sup> *The San Antonio Light*, 10 May 1936, 8.

decided to send several members with Perlstein to Houston, where they would demand before the State Federation of Labor's annual meeting that home labor in the garment industry be abolished because of exploitation and unsanitary conditions. A representative from the U.S. Department of Labor was scheduled to arrive in San Antonio in a few days to investigate home garment work, so the Local's demands were timely and appropriate.<sup>16</sup>

When the plant reopened on May 11, "rioting broke out again" when strikers allegedly broke through police lines and attacked strikebreakers.<sup>17</sup> The police began escorting scabs into the plant after several fights, but soon decided to simply turn taxicabs full of them away. Police vainly attempted to keep pickets from two approaching taxicabs as strikers attacked several scabs getting out of the taxi cabs. Clothing of several women was torn, including a striker's dress that was completely torn from her body. One woman was beaten and scratched, and her clothing was badly torn as she attempted to get out of the taxicab and enter the plant. Strikebreakers who arrived in taxicabs and those who were on foot were driven away by strikers who ran toward them threateningly.<sup>18</sup> The fact that large, strong policemen, specially appointed by the police chief, failed to restrain strikers suggests that police enjoyed watching striker-scab confrontations and the "cat fights" that resulted. Continual reports of clothing being torn off women during strike confrontations demonstrate that police did little to stop or prevent fights and also suggests newspapers' efforts to sexually titillate readers.

The San Antonio police, who were sent to maintain peace, provided one-sided

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<sup>16</sup> Ibid.; *San Antonio Express*, 10 May 1936, 11.

<sup>17</sup> *San Antonio Evening News*, 11 May 1936, 1.

<sup>18</sup> *The San Antonio Light*, 11 May 1936, 1.

protection to the strikebreakers, not the strikers. Local courts likewise supported the Dorothy Frocks Company. On May 11, 1936, after several incidents of alleged strike violence, Judge S.G. Tayloe, of the 45<sup>th</sup> District Court, granted an injunction filed by the company. The injunction restrained strikers from injuring or assaulting agents, employees, or officials of the company; from injuring company property; and from congregating at the plant in numbers that would interfere with business. In the petition for injunction, the company charged strikers with unlawful conspiracy to restrict business, insisting that their actions violated anti-trust laws. Strike leaders, including Zappone, Taylor, and Perlstein, were to appear in court to show cause why an injunction should not be granted.<sup>19</sup> The injunction led to another striker/police clash when police attempted to clear the sidewalk in front of the plant. After a brief clash, strikers were pushed off the sidewalks with no injuries occurring.<sup>20</sup> The injunction immediately hindered strike efforts as picketing workers were forced further from the plant.

Quiet picketing marked the days following the injunction with relatively few disturbances. More than twenty policemen were on site to maintain order by May 12. Rigid police lines kept strikers at bay as they escorted workers from taxicabs into the plant. An attempt to break through police lines and prevent a worker from entering occurred when police could not “cool the ardor of one of the women strikers,” who broke through the line.<sup>21</sup> The striker, Mamie Komzelman, was immediately arrested, booked on

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<sup>19</sup> Ibid.

<sup>20</sup> *San Antonio Evening News*, 11 May 1936, 1.

<sup>21</sup> *San Antonio Evening News*, 12 May 1936, 5.

a charge of disturbing the peace, and released on a \$25 bond.<sup>22</sup>

Two days after the injunction, strikers remained tranquil and continued picketing in squads of twelve. They strolled in groups of two or three in front of the sidewalks carrying banners and placards. As long as they kept moving, made no disturbance, and let employees enter the plant peaceably, no arrests could be made for violating the injunction. At ILGWU headquarters, strikers remained in good spirits, laughing and talking as they listened to the radio and played cards, awaiting their turn to picket.<sup>23</sup>

Testimony began in the injunction suit on May 14, 1936, in which new details of strike violence were released. The injunction filed by the company charged the union with interfering with their place of business through threats and injury to strikebreakers. They charged that pickets interfered with the free pursuit of plaintiff's business that resulted in damages exceeding \$2,000. The company further complained that the union insisted on a collective bargaining contract even though Dorothy Frocks Company had never been under a legal obligation to enter into a contract. Finally, the plaintiff asked that the court prohibit union members from picketing near the plant and injuring employees or company property.<sup>24</sup>

Judge Tayloe told the counsel for the plaintiffs (Dorothy Frocks Company) that he feared there was no legal remedy [for strikers picketing] because they lack proof that the organization [Local 123] was a corporation, partnership, or joint stock association.<sup>25</sup>

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<sup>22</sup> *San Antonio Express*, 13 May 1936, 9, *La Prensa*, 13 May 1936, 1.

<sup>23</sup> *San Antonio Express*, 13 May 1936, 9.

<sup>24</sup> International Ladies Garment Worker's Records, *ILGWU vs. Dorothy Frocks Company*, 1936, CAH, University of Texas at Austin.

<sup>25</sup> *Ibid.*



Merle Zappone provided supporting testimony showing that the local was a volunteer agency and that it was not incorporated. The defense argued that since the appellate courts found Texas anti-trust laws invalid in the Standard Oil Company Case, the injunction must be denied since it was based on an invalid law.

As testimony continued during the second week of May, new details regarding the earlier strike violence emerged. Frank Reyes, a striker, was called to the stand to discuss the alleged beating of Sidney Gould, production manager. In previous newspaper accounts, Gould had stated he was attacked while escorting workers into the plant. Reyes testified that it was Gould who caused the disturbance by taunting and physically touching the strikers. According to Reyes, Gould was “twirling a knife around on a chain,” and telling strikers, “I ought to cut you up and send you back to Mexico.”<sup>26</sup> This ethnic slur exemplifies the ethnic bias many Anglos held toward Mexican Americans. Plant officials, mostly white, used ethnic biases to their advantage and successfully portrayed themselves in the media as victims of Mexican Americans who were rowdy trouble makers. Gould continued to taunt Reyes and another striker, Manuel Cardenas. With the help of another employee, Gould grabbed Cardenas and began to beat him. Reyes stated that ten women joined in the fight to aid Cardenas.

A strikebreaker at the plant, Fred Fernandez, testified next. He reported that four men had abducted him on his way to work. The men allegedly forced him into a car and began beating him in the face and stepping on his neck. Fernandez showed Judge Tayloe a scratch that he allegedly received from the incident. Fernandez’s injuries forced him to remain in bed for two days. Chief of Police Kilday and Police Sergeant Ferd Fest also

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<sup>26</sup> *The San Antonio Light*, 14 May 1936, 1.

testified that strikers jeered at strikebreakers when they entered the building, and that a number of disturbances had taken place. Both Merle Zappone and Rebecca Taylor testified that union members did not congregate at the factory entrances, insisting that strikers had resorted only to peaceful picketing.<sup>27</sup> Sidney Gould testified that because of the strike, production of dresses had been cut from nearly one thousand per week to only one hundred and fifty.<sup>28</sup> His testimony that plant production was significantly hindered by the strike provided hope to members of Local 123 that the company would soon reach an agreement with them.

Morale appeared high among strikers as picketing continued. They anticipated that the injunction would be overturned. However, on May 16, 1936, Judge Tayloe granted a temporary injunction, ruling that the company had the right to conduct its business without interference and without fear of violence or harm to its officers and employees.<sup>29</sup> The injunction prohibited Local 123 officers and members from injuring the plaintiff or hampering operation of its business in any manner; from injuring its employees, officers, and agents; from threatening or attempting to inflict injuries upon them; and from assembling, congregating, or remaining at or near the place of business.

The injunction placed the following limitations on picketing:

Only three representatives without banners or placards can picket at or near the plant; one should be stationed on the outside near one of the three plant entrances; this one person shall act singly and separately and may peaceably and quietly engage in conversation with any of the employees without threatening or intimidated them; the names of the three

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<sup>27</sup> *Ibid.*, 1, 10.

<sup>28</sup> *San Antonio Express*, 15 May 1936, 9.

<sup>29</sup> *The San Antonio Light*, 17 May 1936, 12.

representatives must be furnished to the plant officials and no more than three representatives can be assigned for duty in any one day; and any representative can attempt to induce any employee to quit the company as long as the representative is not near the company.<sup>30</sup>

The defense contended that the union was not a legal entity, and presented numerous authorities who supported this assertion, but Judge Tayloe was not swayed. He found sufficient evidence to prove that without an injunction, “repetition of the troubles is almost certain to occur.”<sup>31</sup> Immediately, Local 123 responded by filing an appeal. Meanwhile, restriction on the number of pickets allowed near the plant continued to hinder the effectiveness of picketing.

Labor organizations throughout San Antonio immediately reacted to the ruling. The Latin American Federation went to all Mexican organizations in San Antonio to persuade them to sympathize with the strikers.<sup>32</sup> A mass meeting of San Antonio’s trade council produced a request for immediate legislative action to curtail powers of district judges in injunction matters. A resolution introduced at the meeting called for an active campaign by unions in races for the offices of district judges in upcoming elections. The council argued that although labor and the public had long campaigned for liberal and progressive legislators, no action had succeeded in putting “liberal minded men on our judicial benches.”<sup>33</sup> The council further stressed the need for laws granting labor the right to collective bargaining and to strike. In regards to the ILGWU strike, the council

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<sup>30</sup> *ILGWU vs. Dorothy Frocks Company*, 1936.

<sup>31</sup> *San Antonio Express*, 17 May 1936, 1.

<sup>32</sup> Raul P. Sifuentes interview, 6 October 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

<sup>33</sup> *San Antonio Express*, 19 May 1936, 9.

questioned the legal basis of Judge Tayloe's ruling to limit the number of pickets and force union officials to hand over lists of members to the employer. Injunctions and restraining orders, the council stressed, should only be granted by a jury according to council demands.<sup>34</sup>

By May 22, 1936, the Dorothy Frocks Company decided to outsource manufacturing to other dress factories in San Antonio, including Esser Manufacturing Company.<sup>35</sup> Determined to prevent the company from avoiding striker demands by outsourcing, ILGWU members waged a two-front strike. Shortly after picketing began at Esser Manufacturing Company, violence broke out. As Mrs. Mabel Phipps, an Esser seamstress, attempted to enter the factory, "Strike pickets tore her clothes off."<sup>36</sup> E.H. Babcock, Esser production manager, claimed he suffered scratched hands when he went to Mrs. Phipps's aid. Although newspapers reported that two strikers were arrested, none of the twenty pickets were interviewed or allowed to give their side of the confrontation. Even when violence occurred against strikers, newspaper reporters continued to interview only scabs. Less than a week after reports of Mrs. Phipps' clothes being torn off by strikers, a Dorothy Frocks Company employee attacked a union striker, Filigonia Perez. The attacker, Mrs. Dora Hays, claimed that she attacked Perez in retaliation. Hays alleged that Perez and five other strikers had attacked her, and another employee as they were on their way home from work. Reporters failed to determine the validity of Hays's claim,

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<sup>34</sup> *San Antonio Express*, 23 May 1936, 9.

<sup>35</sup> Blackwelder, *Women of the Depression*, 138.

<sup>36</sup> *San Antonio Light*, 22 May 1936, 5A.

and did not interview Perez, who received only “a few scratches” in the attack.<sup>37</sup>

ILGWU lawyers won an appeal hearing set for June 3, 1936, but were unable to persuade Associate Justice W.O. Murray to set aside the injunction until the hearing.<sup>38</sup> Union members anxiously awaited the hearing in hopes that repeal of the injunction would aid strike efforts. Meanwhile, reports of violence continued to fill local newspapers, which used language such as mob, riot, and violence, to describe the activities of strikers. Another report of a woman having her clothes torn off surfaced about a week after the first such incident. The woman, Mrs. Alfred Ackerman, along with two other employees, “was reached by the crowd and her hair was pulled and her clothing torn before she was rescued.”<sup>39</sup> Media reports weakened the strikers’ cause in the public’s eye, but strikers still received support from the Mexican-American community. A crowd of over 200 strike supporters gathered outside the plant on the day of the incident. Due to the large crowd, in fact, officers did not know whether the attackers were strikers or sympathizers. Again, the report by the San Antonio Evening News did not include interviews of strikers or their sympathizers.

City judges issued quick rulings against strikers. Two strikers, Anita de Hoyos and Filegona Perez, were each fined \$10 plus court costs for simple assault. They were charged with beating Mrs. Bonacci, a Dorothy Frocks Company employee. Perez exhibited a large bruise and head injury from an attack by Bonacci’s companion, Mrs. Dora Hayes, but no charges were filed against her attackers. Perez’s denial that she

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<sup>37</sup> *San Antonio Express*, 26 May 1936, 9.

<sup>38</sup> *San Antonio Express*, 28 May 1936, 9.

<sup>39</sup> *San Antonio Evening News*, 29 May 1936, 21.

attacked Bonacci or anyone did not persuade Justice of the Peace, Bat Corrigan, who quickly ruled against her. Hoyos also testified that she was not even present on the day of the alleged attack; she was on picket duty at the Esser Manufacturing Company, not the Dorothy Frocks Company. Again, however, this testimony failed to sway the judge. Maxwell Burket, attorney for Hoyos and Perez, reacted with anger to the ruling. He argued that the district attorney's refusal to take a complaint against a strike breaker (Hayes) for carrying a home-made black jack, which she assaulted Perez with was "damnable," and shouted that "we ought to have a new district attorney."<sup>40</sup> The assistant district attorney, Jay Levey responded by attempting to fight Burket. The Justice quickly ended the scuffle by threatening to fine both men for contempt if a fight broke out.

On June 8, 1936, further clashes occurred on the picket line as striker frustration mounted to an all-time high. Newspaper accounts reported that thirty to fifty strikers gathered outside the Dorothy Frocks plant carrying banners in violation of the injunction.<sup>41</sup> On this day, "police were tipped off... that trouble might develop," and five officers were put on duty in case any "clashes occurred."<sup>42</sup> The clashes came as predicted, but the reasons behind the violence remain vague. Headlines claimed that approximately thirty women attacked and disrobed five strikebreakers to prevent their entry into the plant. Several incidences of trouble flared, one in the morning and one as the plant closed. The first bout of violence broke out as strikebreakers entered the factory. Again, reports of women's clothing being "virtually torn" by strikers and of scratching

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<sup>40</sup> Quoted in *The San Antonio Light*, 6 June 1936, 1. See also *La Prensa*, 26 June 1936, 1.

<sup>41</sup> *La Prensa*, 9 1936, 1.

<sup>42</sup> *San Antonio Evening News*, 8 June 1936, 1.

and hair pulling filled the local newspapers.<sup>43</sup> Violence broke out when either pickets or strike sympathizers upset a tray of food being taken into the plant for strikebreakers.<sup>44</sup>

Police arrested approximately fourteen strikers and booked them on charges of disturbing the peace and assault. Officers claimed that strikers were so violent that several officers were roughly handled, and that one striker even tried to remove a gun from an officer's holster. Claims that strikers beat a woman and threw her from a car also surfaced.<sup>45</sup> No report explained exactly who tipped off the police, or why.

Further information regarding the violence on June 8, 1936, surfaced months later during the court injunction appeal hearings. Several strikebreakers and police testified that Mrs. W.H. Ernst, a strike sympathizer who participated in picketing and acted as an interpreter for union members, cut a strikebreaker, Beatrice Rosales, with a piece of glass and threatened to kill her if she came back to work.<sup>46</sup> There was conflicting testimony regarding this incident, however. One police officer testified that Mrs. Ernst threw a piece of glass and that he arrested her before she could throw another. Because of Ernst's refusal to testify and the inconsistencies in witness testimony, the question of who initiated the violence remains a mystery.

As a result of city officials' growing frustrations with strikers, police began to line the entrance to the plant in the weeks following June 11. One account claimed that police now outnumbered striking workers. The Dorothy Frocks Company, along with city

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<sup>43</sup> Ibid., and *The San Antonio Light*, 8 June 1936, 1.

<sup>44</sup> *The San Antonio Light*, 9 June 1936, 2A, claimed it was strikers who started the trouble, but the *San Antonio Evening News*, 8 June 1936, 1 blamed strike sympathizers.

<sup>45</sup> *San Antonio Express*, 9 June 1936, 20.

<sup>46</sup> *ILGWU vs Dorothy Frocks Company*, 1936.

officials, attempted to suppress strikers by granting scabs protection in the form of police escorts to and from work. Local newspapers helped them by discouraging any form of public support the strikers may have received. When the San Antonio Express, for example, reported that “one large policeman with a large gun swinging from his belt was considered a match for a girl on strike,” it created the image of strikers as wild, out-of-control women.<sup>47</sup> When the newspaper reported that policemen were needed to protect “15 workers from 15 poor working girls on strike,” it did not mention gender or the socioeconomic status of strikebreakers.<sup>48</sup> In contrast, the strikers are gendered, degraded to girls, not even women.

Newspaper reports denied the strikers a voice, but the injunction was the greatest obstacle. The injunction appeal which had begun on June 3, 1936, did not stand in court. The appellate court upheld the injunction ruling that “the trial court [Judge Tayloe’s] had not abused its discretion” in issuing it.<sup>49</sup> The strong legal arguments presented by ILGWU lawyers were of no avail.

Frustrations mounted on June 12, when several strikers acted out against the ruling. The following attack gained press attention mainly because it occurred only moments after the visiting President Franklin D. Roosevelt passed by during a parade. Mrs. Rios, a Dorothy Frocks Company non-striking employee in the wholesale department, took her daughter to see the parade. Rios claimed that shortly after the President passed by, four strikers attacked her on the street and “tore her dress partly

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<sup>47</sup> *San Antonio Express*, 11 June 1936, 9.

<sup>48</sup> *Ibid.*

<sup>49</sup> *San Antonio Evening News*, 11 June 1936, 5.



off.”<sup>50</sup> She protected herself with a pair of scissors she took out of her purse until the police came. Police arrested only one woman in the attack. Rios did not understand why she was targeted by strikers, for she worked in the wholesale department and did not take the place of any women on strike. During appeal hearings, Rios testified that Mrs. Zappone, Mrs. Ernst, Connie Mendez, Grace Perez, and one unidentified woman began the attack by calling her a scab. Ernst explained to Rios that scabs were low-down women and that Rios was one of them. Zappone attempted to explain to Rios that even though she worked in the wholesale department, she still worked for the same company. She told Rios that the strikers needed support from all the workers in order to gain improved wages and conditions.<sup>51</sup>

The fact that Rios saw herself completely disconnected from strikers demonstrates the job hierarchy at the plant. For some working-class women, respectability meant more than wages. Even though Rios received poor wages, possibly even lower than the striking factory workers, she did not want to associate herself with their cause, because she enjoyed a higher level of respectability and status as a sales clerk. The unwillingness of all workers in the company to support a united front hindered strike efforts.

Strikers decided to reorganize efforts by the middle of June, 1936. Many decided to fight back through the courts in order to give their side of the story. Two strikers, Helen Rivas and Margarite Reygadas, filed suit against the Dorothy Frocks Company in district court. Rivas asked for \$10,000 in actual and \$20,000 in exemplary damages “for

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<sup>50</sup> *San Antonio Express*, 12 June 1936, 8 and Green, “ILGWU in Texas,” 145.

<sup>51</sup> *ILGWU vs. Dorothy Frocks Company*, 1936.

injuries received when H.B. Lieberman, [agent for the company] allegedly threw her from the running board of an automobile.”<sup>52</sup> After Lieberman dragged her for a block, Rivas claimed he threw her forcibly to the pavement, from which she suffered bruises and cuts to her arms, legs, and back. Rivas also claimed she received a laceration to the head and concussion. Reygadas charged she was taken from picket duty and held against her will inside the plant by A.L. Passmore, a special officer for the company. She alleged Passmore struck, cursed, and abused her. Reygadas sought \$5,000 in actual and \$10,000 in exemplary damages.<sup>53</sup>

Besides taking their battles to court, strikers also adopted a more creative resistance strategy. When nearly fifteen strikers were jailed for disturbing the peace on June 16, they broke out in song as a form of resistance. Strikers gathered in front of the home of a strikebreaker and began singing. They continued to sing through their arrests and jail time. Police claimed that the strikers adopted the singing policy after several days of “physical clashes among the strikers, workers and police.”<sup>54</sup>

The passive resistance adopted by strikers ended on June 25, when a strike sympathizer allegedly stripped Rosa Friend, an office worker, of her clothing. As Friend entered the plant, a group of “milling girls” attacked her.<sup>55</sup> Once again the language used by reporters created images of strikers as violent “girls” and provided added sexual titillation for readers in continued references to clothes being stripped off other women.

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<sup>52</sup> *San Antonio Express*, 16 June 1936, 20.

<sup>53</sup> *Ibid.*; *La Prensa*, 13 June 1936, 8. No mention of the outcome of these cases appeared in local newspapers.

<sup>54</sup> *San Antonio Evening News*, 17 June 1936, 11

<sup>55</sup> *San Antonio Evening News*, 25 June 1936, 12

Police reacted to this incident by forming police lines to protect scabs entering and leaving the plant. Strikers and sympathizers reacted with anger to this protection, and more than thirty rushed police lines in an effort to stop strikebreakers from entering the plant.<sup>56</sup>

With little hope of reaching a strike settlement, the Mayor made a statement in hopes it would end the strike. On June 19, 1936, Mayor Quin and members of the city commission offered their services as mediators in the strike. They claimed to be ready and willing to aid in settling the strike, but saw the situation as hopeless: "Those things [strikes] are always hard to settle... strikes always are... seen hundreds of them."<sup>57</sup> Neither the Mayor nor the commission tried to settle the strike until the strikers finally persuaded them to get involved.

On June 30, Meyer Perlstein, deciding that the union needed to begin settlement negotiations, called upon Mayor Quin to follow up on his proposal to act as a mediator.<sup>58</sup> Quin obliged by calling a conference of city and labor officials. Merle Zappone, Rebecca Taylor, and H.M. Heffner represented labor. Mayor Quin was joined by a policeman, street commissioner, and the police chief. No representative from the Dorothy Frocks Company attended, so the strike was not settled. Labor promised that there would be no further disorders and "and it was on that promise that the patrol was reduced."<sup>59</sup> The meeting resulted in city officials gaining what they wanted, peace, but the union did not

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<sup>56</sup> *San Antonio Evening News*, 26 June 1936, 11.

<sup>57</sup> Quoted in *San Antonio Express*, 19 June 1936, 9.

<sup>58</sup> *San Antonio Express*, 30 June 1936, 16.

<sup>59</sup> *San Antonio Express*, 4 July 1936, 5.

win the settlement strikers hoped for. With the promise of peace, the number of police stationed outside the plant was reduced from eighteen to only three.

This promise of no further disorders by labor came in direct response to strikers' growing discontent. Headlines of strikers throwing eggs at workers as a means of intimidation left a sour image of them in the public's mind. Strikers were singing and hurling insults at strikebreakers inside the plant. Reports of women being struck directly with eggs and held by a human wall of strikers from leaving the plant did not fit into the new, less confrontational resistance the union claimed they adopted. After sixteen striker arrests, the union felt they needed to send a message of peace to the public.<sup>60</sup> On July 7, 1936, strikers stayed true to their promise when they remained peaceful even as one scab attacked a striker by hitting her over the head. The strikebreaker was arrested and booked on charges of simple assault. Police, fearing striker retaliation, prepared for a disorder, but "strikers were true to their word," and kept the peace. Only one newspaper covered this incident of strikebreaker violence.<sup>61</sup>

Meanwhile, on July 8, union attorneys filed a motion for dismissal of contempt proceedings brought against Local 123. The motion claimed that "the court had no jurisdiction to declare the union members in contempt for violation of an injunction enjoining them from picketing in numbers greater than three at the plant."<sup>62</sup> Twelve strike leaders and strikers appeared in court on contempt of court charges filed by the company for violating the injunction.

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<sup>60</sup> *The San Antonio Light*, 2 July 1936, 1A and *San Antonio Evening News*, 2 July 1936, 19.

<sup>61</sup> *San Antonio Express*, 7 July 1936, 5.

<sup>62</sup> *The San Antonio Light*, 8 July 1936, 7A.

Merle Zappone allegedly disobeyed the injunction when she committed assaults on factory employees and threatened H.B. Lieberman. The other defendants were charged with contempt for allegedly congregating at the plant on eight occasions.<sup>63</sup> As the contempt case went into its second week, nearly ten witnesses had been heard. The defense had more than twenty witnesses still to be heard in support of their allegation that “agents and employees of the company, not the strikers, precipitated the disturbances.”<sup>64</sup>

On August 12, nearly a month after contempt of court proceedings began, the Fourth Court of Appeals found fifteen strikers guilty of contempt of court. Justice W.O. Murray found that the former employees violated the terms of the injunction. Associate Justice Robert Lee Bobbitt wrote a dissenting opinion, but Chief Justice Edward W. Smith concurred with Murray. Bobbitt insisted that the facts had not been fully developed. He disagreed with the fines and punishments the court handed out, for “most of the respondents were unaware of the seriousness of a court order, and were the followers of leaders in whom they had confidence... some of them cannot speak or write the English language.”<sup>65</sup> Bobbitt’s sympathy toward strikers was rare among public officials; although he dissented, the strikers still received punishment.

Jail sentences ranged from one to ten days, with several strikers receiving fines ranging from \$100 to \$250. Striker testimony did not persuade the court to drop charges, but new information regarding the role of the company in strike violence surfaced. A drunken armed watchman employed by the company had contributed to the violence,

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<sup>63</sup> *The San Antonio Light*, 18 June 1936, 6A.

<sup>64</sup> *San Antonio Express*, 21 June 1936, 4A.

<sup>65</sup> *The San Antonio Light*, 12 August 1936, 1, 10.

according to Justice Bobbitt, who also observed that “it seems doubtful to me that the court, as a permanent proposition and aside from the undisputed emergency which forms the basis of the present temporary order, has the power under the constitution of Texas to prevent workers from expressing their candid opinion of their employers by the carrying of placards or otherwise.”<sup>66</sup> Attorneys for the union certainly agreed with Bobbitt, and although they could not reverse the ruling, they were able to reverse the court error of issuing a dual penalty of jail time and fines for violating an injunction. Leonard Brown and Maxwell Burket presented the court with state statutes that forbade a dual penalty for a contempt charge. Judge Murray acknowledged the court’s error and remitted the fines assessed earlier.<sup>67</sup>

Mrs. Charles Schwartz, owner of the Dorothy Frocks Company, closed the plant on August 13, 1936, for the duration of the strike. She claimed that “we will stay closed until the girls decide what they want to do, until they come back to work and the strike is over.”<sup>68</sup> Mrs. Schwartz claimed that an immediate search was underway to find a new plant location in the Southwest or California. She finally agreed to meet with strikers, but only if they came to see her the day she announced the plant closing. Since most strike leaders were serving jail sentences, a meeting with Schwartz seemed unlikely. This may have been why she stressed that workers must meet with her “today.”<sup>69</sup> Disappointment marked the mood of several strikers who did attempt to meet with her. She announced

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<sup>66</sup> *San Antonio Evening News*, 12 August 1936, 5.

<sup>67</sup> *San Antonio Express*, 13 August 1936, 13.

<sup>68</sup> *Ibid.*

<sup>69</sup> *San Antonio Evening News*, 13 August 1936, 1, 9.

that “whenever they [workers] were ready to come back on an agreement satisfactory to me, they could.”<sup>70</sup> Those who met with Schwarz demanded recognition of the union, however, which Schwartz refused to grant.

Meanwhile, strikers commented on Schwartz’s threat to move the plant pending an attractive offer in Los Angeles, California. One striker pointed out that if Schwartz moved the plant to California, she would have to pay workers much more than she did in San Antonio; due to California law, workers received a minimum wage of \$15 per week.<sup>71</sup> Schwartz still refused to recognize the union.

By August 14, the union turned its attention to those strikers serving jail terms, while awaiting a decision regarding the fate of the plant. Union members attempted to bring food to the jailed strikers, who were not allowed any from the outside. The president of the Texas State Federation of Labor, W.H. Arnold, also spoke out on behalf of jailed strikers. He argued that the treatment of jailed strikers was deplorable, complaining that “they’re locked up there like a bunch of dope fiends.”<sup>72</sup> He called for a committee to be appointed to confer with the sheriff’s department to ask for more consideration for the strikers.

This committee traveled to the jail to visit strikers and “ascertain their needs.”<sup>73</sup> With the aid of the committee, union members were successful in sending ice cream to strikers inside the jail. Union members continued to support jailed strikers as the

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<sup>70</sup> *San Antonio Express*, 14 August 1936, 4.

<sup>71</sup> *The San Antonio Light*, 14 August 1936, 10B.

<sup>72</sup> *San Antonio Express*, 14 August 1936, 4.

<sup>73</sup> *The San Antonio Light*, 14 August 1936, 10B.

committee fought to meet their demands. A local newspaper captured the spirit of union members, “Viva Zappone,” was the headline placed under a picture of nearly ten union members who paid her a visit in jail near the end of her sentence.<sup>74</sup> Meanwhile, ILGWU lawyers pressed the courts for an earlier hearing regarding the permanent injunction filed by the company.

Updates regarding the fate of the company and strikers virtually disappeared from newspaper coverage by mid-August. Mrs. Schwartz refused to meet any of the strikers’ demands and began preparations to move the plant to Dallas. Less than a week before the plant officially moved to Dallas on September 10, 1936, vandals paid a visit and destroyed nearly \$3,000 worth of materials, dresses, and machines. Police reports claim that sulphuric acid and acetic acid were poured on machines, bolts of cloth, and dresses. Although no outright claim was made charging union members with the damage, Grady Spangler, general plant manager, was quick to point out that he found the recent emergence of pickets outside the plant “significant.”<sup>75</sup>

Pickets on duty on the morning of the vandalism discovery claimed they knew nothing about it. Zappone stated that she questioned strikers about it, and “none of them knows anything about it, and I’m sure that they’re telling the truth.”<sup>76</sup> Zappone emphasized that picketing would continue as long as the company was in San Antonio or until the plant recognized the union. Although the San Antonio Chamber of Commerce, the San Antonio Manufacturing Association, and the ILGWU jointly offered a reward of

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<sup>74</sup> *San Antonio Express*, 19 August 1936, 4.

<sup>75</sup> *San Antonio Express*, 10 September 1936, 18.

<sup>76</sup> *San Antonio Evening News*, 9 September 1936, 6.



\$1,000 to anyone who identified the vandals, no identifications occurred. The vandalism sealed Mrs. Schwartz's decision to move to Dallas permanently. The closing of the plant weakened union morale, but nearly twenty-five of the strikers were able to secure jobs as garment workers in California, where they received much higher wages.<sup>77</sup>

In late September of 1936, the plant reopened in Dallas, where ILGWU pickets again met Schwartz. Dallas pickets continued San Antonio's fight for union recognition.<sup>78</sup> Schwartz decided to grant the Dallas local union recognition. Several factors likely influenced her decision. Schwartz possibly wanted to avoid another strike. The different ethnic composition of the Dallas plant, where only a few workers were Mexican-American as compared to the overwhelmingly Mexican-American work force in the San Antonio plant, may have also influenced her decision to grant Dallas a union contract.<sup>79</sup> On November 26, 1936, nearly seven months after the strike began, Schwartz signed her first union contract. She agreed to pay NRA code wages, observe code hours, and to operate a completely union shop.<sup>80</sup>

From the beginning of the strike, ethnic and gender prejudice and the anti-union posture of San Antonio officials hindered the union's success. The unwillingness of the company owner to even negotiate with the union set the tone for the strike. The quick granting of an injunction against strikers reflected the anti-unionism and ethnic bias of

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<sup>77</sup> *San Antonio Evening News*, 17 September 1936, 6.

<sup>78</sup> *San Antonio Express*, 22 September 1936, 18.

<sup>79</sup> John Ratiken, interview by Ruth Allen and students, 9 November 1936, Labor Movement in Texas Collection, CAH, University of Texas at Austin, 1.

<sup>80</sup> Allen, Ruth and students, "The International Ladies Garment Workers' Union Comes to Texas," 1936. Labor Movement in Texas Collection, CAH, University of Texas at Austin, 3.

court rulings throughout the strike. Police served city officials by protecting strikebreakers and arresting strikers. At the same time, the police constantly failed to break up fights between women. The Mayor's anti-unionism and desire to restore order also hindered the union's efforts to reach a settlement with the company. The injunction and constant arrests and jailing of strikers, including leaders like Zappone, made successful strike tactics, such as picketing, almost impossible. The inability of workers in the company to unite across ethnic lines also created divisions that impaired the union's bargaining power.

Although a victory did not come to the San Antonio local, the success in Dallas gave the international hope for future successes. Lessons learned during this strike would prove invaluable in the next two San Antonio strikes, in which the union would finally come out victorious. ILGWU members spent the remainder of the year redoubling their efforts to secure closed-shop contracts with the various garment manufacturers in San Antonio. Manufacturers continued to pay deplorable wages and fire and intimidate union members. With greater knowledge of successful strike tactics and greater determination, members decided to strike for a second time, nearly one year after the first strike was called. Tired of being intimidated and fired, the ILGWU learned effective ways to utilize the newly created National Labor Relations Board to their advantage. Because this was a national and impartial board, they finally had the bargaining power to overcome the strong anti-union philosophy of San Antonio and its manufacturers.

## CHAPTER THREE

### WINNING CLOSED-SHOP CONTRACTS

Nearly one year after the first ILGWU strike in San Antonio, Local 180 called the second strike in the union's history. This strike proved pivotal to the union's future successes in San Antonio. The strike of 1937 against the Shirlee Frocks Company not only resulted in the first closed shop of Local 180, but it also marked the first closed union shop of any trade in San Antonio.<sup>1</sup> A combination of skillful strike tactics, strong union leadership, and close cooperation with congressman Maury Maverick and the regional National Labor Relations Board led to the strike's success. Low wages, long hours, and the anti-union position of the company caused Local 180 to call the strike.

Shortly after Shirlee Frocks broke an agreement between the plant and the union regarding the reinstatement of three union employees who had been "discharged because of union activities," the strike began.<sup>2</sup> On, May 25, 1937, more than twenty employees called the strike and picketed the factory carrying signs stating, "The workers of Shirlee Frocks are on Strike, for living wages, shorter hours, reinstatement of fired union

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<sup>1</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>2</sup> *San Antonio Evening News*, 26 May 1937, 1

members.”<sup>3</sup> City officials and plant management responded quickly and in the same manner as the Dorothy Frocks Company had responded nearly a year earlier. Immediately, ten policemen were placed on duty at the plant to carefully watch the activities of strikers.

Familiar language implying the violent nature of workers on strike came from the mouths of Shirlee Frocks part owner, I. Tobias, and manager, J. Lerman, who announced that the plant would be closed indefinitely “so that workers who are willing to return to their jobs would not get hurt in trying to get through picket lines into the plant.”<sup>4</sup> Workers on strike continued to picket the plant throughout the first week while standing by their demands, which included a 40-hour work week, minimum wage of eight dollars a week, union recognition by Shirlee Frocks, a closed shop, and reinstatement of three discharged employees.<sup>5</sup>

Only approximately fifty people were employed at the plant, because it was the slack season. Over thirty of these employees went on strike, and twenty received strike benefits from the ILGWU.<sup>6</sup> Immediately plant and city officials used the ILGWU’s affiliation with the Committee for Industrial Organization (CIO) against them by playing to the anti-CIO sentiment of San Antonio. The CIO was created by a disgruntled group within the American Federation of Labor (AFL) to organize the unorganized in mass industries. The AFL opposed industrial unionism and held firm to its philosophy of craft

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<sup>3</sup> *San Antonio Evening News*, 25 May 1937, 12.

<sup>4</sup> *San Antonio Evening News*, 26 May 1937, 1; *San Antonio Express*, 26 May 1937, 22.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.* and Meyer Perlstein to David Dubinsky, Telegram, 26 May 1937, ILGWU Collection, Cornell University, Ithaca, NY.

unionism. The creation of the CIO heightened tensions between AFL leader William Green and CIO head, John L. Lewis. These tensions created a rift between the AFL and the CIO. As a result, the AFL suspended the ILGWU and ten other unions, in September, 1936.<sup>7</sup> Because of the CIO's more flexible approach to organizing across racial, gender, and ethnic lines regardless of one's political radicalism, among political leaders of San Antonio the main ideological currents were "anti-communist, anti-CIO, antiliberal, [and] antistrikes."<sup>8</sup>

The AFL gained popularity or at least acceptance with the leaders of San Antonio for the sole reason that it was anti-communist and had expelled the CIO. Local AFL representatives had wanted to dissolve the ILGWU because it had succeeded in recruiting far more members than the United Garment Workers (UGW), an AFL affiliate that was virtually non-existent in San Antonio. AFL local members wanted to rid the UGW of their competition and also eliminate any union connected to the CIO. They attempted to weaken ILGWU's strike activities by convincing San Antonio city administrators to suspend union strike tactics, including the prohibition of pickets, in hopes this would end the strike and drive the union out of town.<sup>9</sup> Once the strike began, Shirlee Frocks immediately approached the United Garment Workers, an AFL affiliate, in attempt to get around the ILGWU and reach a quick settlement.<sup>10</sup> Local 180 did not let this or any of the

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<sup>7</sup> David Dubinsky, *A Life With Labor* (New York: Simon and Schuster, 1977), 219-232.

<sup>8</sup> Richard Garcia, *Rise of the Mexican American Middle Class* (College Station: Texas A&M University Press, 1991), 212.

<sup>9</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>10</sup> Meyer Perlstein to David Dubinsky, Telegram, 26 May 1937, ILGWU Collection, Cornell University, Ithaca, NY.

efforts by the AFL and city officials discourage their fight for a closed shop. Despite various obstacles, Local 180 would come out of the strike victorious and sign the first closed-shop union contract in San Antonio's history.

Original strike organization occurred under the guidance of Merle Zappone. About a month prior to the strike, Zappone returned from ILGWU work in Memphis when her husband filed for a divorce. Perlstein allowed her to return to San Antonio while praising her as being "exceptionally good for strikes."<sup>11</sup> Zappone and thirty other workers on strike peacefully picketed Shirlee Frocks on the second morning after the strike was called. Picketing led to violent confrontations once non-striking workers attempted to enter the plant. Antonia Longoria, a worker on strike, was charged with simple assault of Marta Zapata, a worker not on strike who was trying to enter the plant.<sup>12</sup> This incident marked the only violent outbreak of the day, but police continued to patrol outside the plant for the remainder of the day.

By the third day of the strike, I. Tobias, President of Shirlee Frocks, Inc., decided to close the plant, citing his desire to protect "loyal workers" from "picket attacks."<sup>13</sup> Tobias also claimed that none of the pickets were or ever had been workers of the Shirlee Frocks Plant.<sup>14</sup> His accusation that pickets were not former or current Shirlee Frocks workers would become a main issue of the strike, and create great frustration for the

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<sup>11</sup> Meyer Perlstein to David Dubinsky, 19 April 1937, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>12</sup> *La Prensa*, 26 May 1937, 1-2.

<sup>13</sup> *San Antonio Express*, 27 May 1937, 22.

<sup>14</sup> *Ibid.*

union. Tobias announced that the plant would remain closed until the strike “blew over,” to which Zappone retorted, “Our strikes don’t just blow over.”<sup>15</sup> Zappone’s statement proved accurate; the strike continued for nearly three months before an agreement was finally reached.

As the strike waged on, a new variable arose which affected the outcome of the strike. W.B. Arnold, president of the Texas State Federation of Labor (TSFL), petitioned San Antonio Mayor C.K. Quin to co-operate with the AFL in order to keep the CIO out of San Antonio. Arnold claimed that because of the allegedly violent reputation of the CIO, San Antonio must use police power to curb its activities.<sup>16</sup> Although Mayor Quin did not publicize this request, his actions less than a week later would reveal that he had aligned himself with the AFL.

During the first week of June, 1937, striking workers continued to picket peacefully in front of the Shirlee Frocks plant without any incidents of violence. Meanwhile, plant officials approached Mayor Quin with a formal request to act as a “mediator between the union and company officials.”<sup>17</sup> In reply, Mayor Quin claimed he would be “glad to act,” if the strikers also requested him as a mediator.<sup>18</sup>

This offer to act as a mediator was never fulfilled. Immediately after Local 180 agreed to have the Mayor act as mediator, Shirlee Frocks Company officials withdrew their invitation. Company officials claimed that there was no longer anything to mediate

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<sup>15</sup> *San Antonio Light*, 26 May 1937, 6B.

<sup>16</sup> *San Antonio Light*, 30 May 1937, 1; *San Antonio Express*, 29 May 1937, 16.

<sup>17</sup> *San Antonio Express*, 5 June 1937, 16.

<sup>18</sup> *San Antonio Evening News*, 4 June 1937, 18.

because strikers wanted to return to work. Officials linked the desire of several workers at another plant, The Texas Infants Dress Company, to return to work as a sign that Shirlee Frocks workers on strike also wanted to return. As ILGWU attorney Maxwell Burket pointed out, Local 180 was still on strike and none of the Shirlee Frocks workers on strike had issued a statement expressing their desire to return to work. He called for the Mayor to fulfill his promise to act as mediator, but Mayor Quin never did.<sup>19</sup>

The temper of the strike was about to change as police began to restrict picketing and arrest many of the workers on strike. The Central Labor Union (CLU) of San Antonio, an AFL affiliate, approached city officials and administrators in an effort to destroy the ILGWU. Meyer Perlstein, in a letter to David Dubinsky explaining the CLU's effort to undermine the ILGWU's strike, reported that "Central Labor Union being determined to destroy us, at all costs... have succeeded in having the City Administration stop us [local 180] from picketing and every time one of our pickets showed up on the line an arrest was made, and we have now several hundred cases pending in court."<sup>20</sup>

Throughout the month of June, 1937, city officials cracked down on picketing outside Shirlee Frocks and eventually used a city ordinance against blocking the sidewalk as a way to legally arrest picketing workers on strike.<sup>21</sup> On June 7, squads of police escorted strikebreakers into the Shirlee Frocks plant, while forcing strikers to move their picket lines across the street. Immediately Merle Zappone pointed out that "no injunction had been issued restraining the garment workers from picketing and there is no city

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<sup>19</sup> *San Antonio Express*, 6 June 1937, 8A; *La Prensa*, 5 June 1937, 1-2.

<sup>20</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>21</sup> *Ibid.*



ordinance giving Chief Kilday authority to remove pickets.”<sup>22</sup> Even though her statement was accurate, police continued to push striking workers away from the plant’s entrance, allowing them to picket only on the opposite side of the street.

Frustrations of striking workers mounted as multiple incidents of violence broke out for the first time since the strike began. On June 8, four ILGWU members on the picket lines were charged with attacking scabs as they got off a bus outside the entrance of the plant, which had re-opened the previous day. Plant management announced that the entrance to the plant would no longer be blocked by strikers, since police had forced them to picket across the street.<sup>23</sup> Police filed sixteen different charges against four women, including simple assault, unlawful assembly, and riot. All four of them were released on bond.<sup>24</sup>

The confrontations caused Local 180 to redirect strike efforts to avoid further incidents of violence. For the remainder of June, 1937, workers on strike picketed the plant peacefully and followed police requests, such as keeping picket lines moving and remaining across the street from the plant. Chief of Police Owen Kilday, likely under orders by other city officials, began to target pickets who were strike sympathizers but not actually employees of the Shirlee Frocks plant. Although no law or ordinance existed in San Antonio stipulating that only employees or former employees could participate in picketing, Chief Kilday insisted that only former and current employees could participate

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<sup>22</sup> *San Antonio Express*, 7 June 1937, 3 A; *San Antonio Evening News*, 7 June 1937, 1.

<sup>23</sup> *The San Antonio Light*, 7 June 1937, 3A and 8 June 1937, 1.

<sup>24</sup> *San Antonio Evening News*, 9 June 1937, 7; *La Prensa*, 8 June 1937, 1-2; *San Antonio Express*, 10 June 1937, 20.

in the picket lines.<sup>25</sup>

By June 12, the first court rulings regarding workers who had been arrested came. Elvira Cantu, a striker, who had been charged with beating a woman near the Shirlee Frocks plant, was found guilty and fined ten dollars.<sup>26</sup> Helen Rivas, who had been charged with the attack of a woman exiting a bus near the plant, was also found guilty of simple assault and fined twenty-five dollars. Attorney Maxwell Burket announced that he would appeal the ruling.<sup>27</sup> Two other women, Antonia Longorio and Antonia Bueno, charged in the same incident involving Rivas, had entered a plea of guilty, thus receiving a fine of only five dollars each.<sup>28</sup> Zappone, who was involved in the alleged attack involving non-strikers exiting the bus, pled guilty to unlawful assembly and rioting and paid \$46.20 in fines and court costs. Zappone's guilty plea was entered by ILGWU attorney Burkett with the understanding that the same charges of unlawful assembly and rioting against Rivas, Longoria, and Bueno would be dismissed. The charges against Rivas, Longoria, and Bueno were then dismissed upon a motion by the district attorney.<sup>29</sup>

By the beginning of July, internal splits in the ILGWU local led to Zappone's replacement as leader of the strike. Members of Local 180 charged that she had given some striking members more strike benefits than others.<sup>30</sup> Perlstein also alleged that the

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<sup>25</sup> *San Antonio Light*, 9 June 1937, 2A; *La Prensa*, 9 June 1937, 8.

<sup>26</sup> *San Antonio Express*, 12 June 1937, 9.

<sup>27</sup> *La Prensa*, 15 June 1937, 2.

<sup>28</sup> *San Antonio Light*, 22 June 1937, 1B; *La Prensa*, 23 June 1937, 8.

<sup>29</sup> *San Antonio Light*, 24 June 1937; *La Prensa*, 24 June 1937, 8; *San Antonio Express*, 24 June 1937, 11.

<sup>30</sup> Meyer Perlstein to David Dubinsky, 7 July 1937, and Dubinsky file note 30 June 1937, ILGWU Collection, Cornell University, Ithaca, NY.

CIO group in Texas, which he deemed a “bunch of irresponsibles,” had used Zappone to exacerbate tensions with the AFL faction in Texas, which created “an impossible situation.”<sup>31</sup> It is unclear exactly what produced the rift over Zappone and deepened the difference between rival factions inside Local 180, but Zappone apparently contributed to the problem. Perlstein recognized that although she was very good for strikes, she was “bull-headed and has all the short-comings of an average girl that we take out of a shop.”<sup>32</sup> However, he believed that Zappone deserved a second chance, and that although she was not good at managing union affairs, such as distributing strike benefits to members evenhandedly, she did play a crucial leadership role in strikes and was particularly good at organizing picketing. Because of the controversies surrounding Zappone, however, Rebecca Taylor was transferred back from Kansas to San Antonio to serve as Educational Director and to replace Zappone as leader of the strike.<sup>33</sup>

The nature of the strike also changed during July, 1937, when Mayor Quin began to enforce that pickets could only be current or former employees of Shirlee Frocks, a position that had been taken by Police Chief Kilday. On July 2, Mayor Quin announced that peaceful picketing by employees of the Shirlee Frocks plant would be permitted, but that if any attempt at a sit-down strike was made, workers would be arrested, according to him, for this type of strike was illegal and would not be tolerated. This new restriction on who could participate on the picket line was a new set back for Local 180.

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<sup>31</sup> Meyer Perlstein to David Dubinsky, 7 July 1937, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>32</sup> Meyer Perlstein to David Dubinsky, 8 July 1937, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>33</sup> Meyer Perlstein to David Dubinsky, 7 July 1937, ILGWU Collection, Cornell University, Ithaca, NY.

Perlstein, who had flown to San Antonio at this time, redirected strike efforts and planned to resume picketing. He utilized newspaper coverage to explain why the union was pushing for a closed-shop and improved wages. He emphasized that unionization of the infants and children's garment factories would be a great economic benefit to San Antonio, the only important city in the St. Louis region in which manufactures were not unionized.<sup>34</sup>

Although Mayor Quin's new regulation on picketing would limit the effectiveness of a large picket line, Rebecca Taylor was determined to follow the Mayor's request and maintain a picket line of only Shirlee Frocks employees. Taylor organized a picket line of twenty employees and provided proof of their employment to the police and the Mayor. She also stressed that the strike was called for higher wages, charging that some skilled garment workers at Shirlee Frocks were making as little as \$2 to \$3 per week. The union was striving for a \$12 minimum. On July 6 and July 7, police and city officials, respectively, claimed that peaceful picketing by employees would be allowed, and that they recognized the right of workers by law to picket. Less than a week later, however, city officials and police prohibited picketing in any form, even if members of the picket line were employees and remained peaceful.<sup>35</sup>

On July 9, city officials and police mounted an all-out attack on the striking workers. As Perlstein alleged, this attack occurred because the Central Labor Union, an AFL affiliate that had been out to destroy Local 180, was successful in its efforts to get

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<sup>34</sup> *San Antonio Express*, 2 July 1937, 19; *La Prensa*, 2 1937, 1-2; *San Antonio Light*, 2 July 1937, 5A; *San Antonio Evening News*, 2 July 1937, 8.

<sup>35</sup> *San Antonio Evening News*, 6 July 1937, 1; *La Prensa*, 7 1937, 8; *San Antonio Express*, 7 July 1937, 5.

the City Administration to stop Local 180 from picketing. The Central Labor Union, out to demolish Local 180, hoped that prohibiting picketing would be one way to destroy the CIO local in San Antonio.<sup>36</sup>

City officials now refused to acknowledge that a strike existed, and or, in fact, to recognize that one had ever been called. As a result, twelve employees on strike who were participating in a picket line outside the plant were arrested and released on \$25 bonds. Police arrested and placed the women in jail three different times during the day on charges of obstructing the sidewalks.<sup>37</sup> Determined to fight for their rights to picket and their campaign for a closed-shop, members of Local 180 continued to picket the plant the following day. On July 10, another twenty-three workers were arrested and charged with obstruction of sidewalks on the picket lines. In response to the arrests, Rebecca Taylor pointed out that she had social security cards to show that those on strike were employees of the Shirlee Frocks plant. Meanwhile, attorney for Local 180, Maxwell Burket, sent telegrams to two Texas Senators and Representative Maury Maverick, of San Antonio, asking for an investigation into the arrests of employees who were peacefully picketing and charged with the “silly offense of obstructing sidewalks.” Burket charged that police and city officials had violated the Wagner Act.<sup>38</sup>

Maury Maverick responded with outrage towards the city officials’ actions. He sent a telegram to Perlstein and the union informing them that he had immediately wired

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<sup>36</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>37</sup> *San Antonio Express*, 9 July 1937, 17.

<sup>38</sup> *San Antonio Express*, 10 July 1937, 14; *La Prensa*, 10 July 1937, 8.

Edwin Elliott of the National Labor Relations Board in Fort Worth, asking for a full investigation of the incidents in San Antonio.<sup>39</sup> Maverick, who sided with the union, emphasized that anyone has the right to walk up and down the street “whether they previously worked for Shirlee Frocks or not, and arrests are strictly illegal.”<sup>40</sup> Maverick added, “I hope that San Antonio police officials will use their judgment and also understand that the Constitution is for all classes of people.”<sup>41</sup>

City officials and the police continued to assert that there was no strike and therefore, there would be no picketing. When Rebecca Taylor met with the Mayor and Police and Fire Commissioner Phil Wright to show proof that pickets were in fact employees of Shirlee Frocks, Wright refused to examine any of the evidence and simply took the attitude that there was no strike and would be no picketing. Taylor grew frustrated with the meeting and apparently left in tears. Wright held firm that he had “no compromise to offer anybody. We take position that there’s no strike, and there’ll be no picketing,” and if the union wants to protest their actions, “courts are open to them.”<sup>42</sup>

Burket, who had attempted to get a restraining order against the police, was finally successful in obtaining one. On July 15, he received a restraining order prohibiting Wright from arresting pickets. Judge S.B. Carr, of Floresville, granted the restraining order, which also limited the maximum number of pickets to three. Wright and Mayor

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<sup>39</sup> *La Prensa*, 13 July 1937, 8

<sup>40</sup> *San Antonio Evening News*, 12 July 1937, 2.

<sup>41</sup> *Ibid.*

<sup>42</sup> *San Antonio Evening News*, 12 July 1937, 2; *La Prensa*, 14 July 1937, 8; *San Antonio Evening News*, 13 July 1937, 2; *San Antonio Light*, 13 July 1937, 1B.

Quin still maintained that no strike was in progress. Quin issued a statement that “the presentation of social security cards does not prove a strike is in progress.”<sup>43</sup>

As the investigation into the violation of the Wagner Act began in Fort Worth, peaceful picketing by three employees of Shirley Frocks began. For the first time in nearly two weeks, these employees were allowed to peacefully picket without interference by police; no arrests were made.<sup>44</sup> Edwin Elliot, regional director of the National Labor Relations Board, announced that there may be no need for a hearing, that the dispute between Local 180 and Shirlee Frocks may be settled with negotiations. However, upon hearing Elliot’s statement, neither the attorney for Shirlee Frocks nor Local 180 acknowledged they knew of any negotiations in progress. Meanwhile, the trial to determine the fate of the temporary injunction had been postponed because Wright was of town on a family trip. Judge Carr also placed another restriction on picketing, stipulating that all banners carried by pickets must be peaceful in nature. Upon returning to San Antonio, Wright claimed he did not know about the hearing and refused to let up on the campaign against the pickets, insisting that no strike was in progress and that many of the pickets were not employees of the plant.<sup>45</sup>

With the granting of the temporary injunction, Local 180 and attorney Burket seemed optimistic that a permanent injunction against police would be granted. This optimism faded quickly, however, when on July 20, Judge S.B. Carr overturned his

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<sup>43</sup> *San Antonio Express*, 14 July 1937, 2; *San Antonio Light*, 15 July 1937, 1A, 4A; *San Antonio Evening News*, 15 July 1937, 9.

<sup>44</sup> *San Antonio Express*, 15 July 1937, 8; *San Antonio Light*, 16 July 1937, 1.

<sup>45</sup> *San Antonio Express*, 16 July 1937, 22; *La Prensa*, 16 July 1937, 8; *San Antonio Express*, 19 July 1937, 16.

granting of a temporary injunction and ruled in favor of Commissioner Wright. During the hearing, city attorney Cobb argued that it was illegal to place trash cans with advertising on the street, and emphasized that he considered people who walked up and down the street with signs to be guilty of the same violation. Other testimony included Chief Kilday's comments that there had never been a peaceful picket line in San Antonio, and Sergeant Christoph's testimony that picket lines caused a traffic hazard by causing curious citizens to stop and watch the picketing. Officer Haney and Shirlee Frocks bookkeeper, Elizabeth Armstrong, both testified that they had seen strikers and scabs arguing, but both acknowledged that they never saw any disorder. Although Burket pointed out the absence of a city ordinance in San Antonio preventing picketing, the court still sided with Wright. Taylor and Burket, who were indignant at the decision, responded that they had "plenty of bail bonds left to get the pickets out of jail when they get arrested."<sup>46</sup>

Immediately after this ruling, picketing ceased at the plant, but the strike was not called off. Taylor called a meeting of Local 180 to determine if picketing should be resumed while commissioner Wright, who was pleased with the ruling, repeated that there would be no picketing of any kind, peaceful or not.<sup>47</sup> Meanwhile, Edwin Elliot, regional director of the National Labor Relations Board, was on his way to San Antonio to investigate the arrests and strike at Shirlee Frocks.

At the meeting of Local 180, it was decided that picketing would continue

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<sup>46</sup> *San Antonio Light*, 20 July 1937, 1; *La Prensa*, 20 July 1937, 1-2; *San Antonio Express*, 20 July 1937, 9.

<sup>47</sup> *San Antonio Light*, 21 July 1937, 1B; *San Antonio Express*, 21 July 1937, 1.



indefinitely in hopes of gaining a closed-shop and better wages. On July 23, Local 180 began to picket Shirlee Frocks once again. Eight members of the union were arrested three separate times within a two-hour period. Police charged members of the union with obstructing the sidewalk and released them on bail of \$25 for each arrest. After members continued to reenter the picket lines after each arrest, Chief Kilday, frustrated, raised the bond from \$25 to \$200. Burket matched this new bond and continued to pay every bond, which frustrated Kilday even further.

Taylor's determination appeared renewed as she issued a statement to the press: "Regardless of what Phil Wright says, there is a strike at Shirlee Frocks," and "we will continue to picket the plant indefinitely, as long as Shirlee Frocks operates in that building-unless they sign up with us. These girls are striking employees and we feel we have a right to picket peacefully."<sup>48</sup> In response, police declared they would "combat pickets to the bitter end."<sup>49</sup>

The nine women arrested in the picketing incidents on July 23, 1937, were all charged on multiple accounts of blocking the sidewalk. All would face court trials. James Tofalla, another attorney for Local 180, was able to secure jury trials for these nine women in hopes that an acquittal would be reached from a jury trial.<sup>50</sup> Hopes for acquittal seemed to fade, however, when Joanne Ramsey, the first of the picket line participants to face trial, was found guilty of obstructing sidewalks and fined \$5. Jurors had been divided on the verdict on the first ballot; only after it was determined that nine people

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<sup>48</sup> Quoted in the *San Antonio Express*, 23 July 1937, 1.

<sup>49</sup> Quoted in the *San Antonio Light*, 23 July 1937, 1.

<sup>50</sup> *San Antonio Light*, 26 July 1937, 1.

could effectively block a sidewalk did the jury find Ramsey guilty. In response to the verdict, union attorneys announced they would compel police to arrest any citizen blocking the sidewalk, including people at ticket windows, in front of shop windows, and waiting for buses. The union announced that picketing at Shirlee Frocks would be temporarily discontinued and that an appeal would be filed in Ramsey's case.<sup>51</sup>

Two other trials also took place, one ending in acquittal and the other in a guilty verdict. Miss Agustina Galavis was acquitted by a jury, but Mrs. Anita D. Fierro was found guilty and fined \$30.<sup>52</sup> Union attorneys also decided to fight the validity of the 38-year-old sidewalk blocking ordinance of 1899 in court. The remaining trials of union members charged with blocking the sidewalk would be postponed until a ruling had been made on the validity of the ordinance.<sup>53</sup>

Before the validity of the ordinance could be determined, a surprising settlement occurred. Shirlee Frocks granted Local 180 a closed-shop contract. Perlstein expressed great surprise himself at the outcome: "The settlement of the Shirlee Frocks came as a real surprise. I was negotiating with this firm for the last couple of weeks, but did not have much confidence in the final outcome."<sup>54</sup> The closed-shop contract established a minimum weekly wage of \$8 and a 40-hour work week. This contract doubled the pay

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<sup>51</sup> *San Antonio Light*, 27 July 1937, 1; *La Prensa*, 27 July 1937, 1-2; *San Antonio Express*, 28 July 1937, 18.

<sup>52</sup> *San Antonio Light*, 28 July 1937, 1; *La Prensa*, 28 July 1937, 8.

<sup>53</sup> *San Antonio Express*, 29 July 1937, 3; *San Antonio Light*, 29 July 1937, 6B.

<sup>54</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

most workers currently received.<sup>55</sup> All striking workers were to be reinstated within thirty days. Under the contract, all employees of Shirlee Frocks had to join Local 180 within sixty days. General manager of Shirlee Frocks, Milton Lerman, and Meyer Perlstein signed the contract. The agreement came after a meeting of the two parties called by Edwin Elliot, of the NLRB. Elliot brought Lerman and Perlstein together in a secret conference in which both sides were able to reach an agreement.<sup>56</sup>

A new spirit of excitement and optimism prevailed in Local 180. In a telegram to Dubinsky, ILGWU president, Perlstein exclaimed, "With all odds against us, surrounded by enemies with very few friends we still succeeded."<sup>57</sup> Perlstein saw this as an important first step toward complete unionization of the garment industry in San Antonio. Against almost overwhelming odds, the union local came out victorious.<sup>58</sup>

Perlstein believed that the major reason for the settlement was the determination of Local 180 members and their efforts on the picket line. The desire for a closed-shop contract caused union members to continue to picket no matter how many times they were arrested. Perlstein praised their efforts by announcing that the "sudden arrest of the pickets and the turmoil it created have completely broken down the production in the shop, and the firm being convinced that we are reckless enough to continue this fight for some time to come, it [the firm] decided to come to terms, and see how constructive a

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<sup>55</sup> Blackwelder, *Women of the Depression*, 139.

<sup>56</sup> *San Antonio Express*, 4 August 1937, 5; *La Prensa* 4 August 1937, 1-2; *San Antonio Light*, 3 August 1937, 1; *San Antonio Evening News*, 3 August 1937, 1.

<sup>57</sup> Meyer Perlstein to David Dubinsky, Telegram, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>58</sup> Blackwelder, *Women of the Depression*, 139.

union can possibly be.”<sup>59</sup>

The outcome of this strike set the tone for future ILGWU activities in San Antonio. With a victory and the first closed-shop contract in any industry in San Antonio, the ILGWU set out to continue its fight to unionize all areas of the garment industry. Perlstein summed up the effect of the 1937 strike best in a letter to Dubinsky, “Although our gains in San Antonio were derived at a large financial cost, as well as investment of energy to exertion, still I consider it an extraordinary achievement, considering that it was accomplished in a peculiar time and the fact that it is the first real break for the organization of the Mexican element in this section.”<sup>60</sup>

ILGWU members continued their drive to secure closed-shop contracts in all of the garment factories for the remainder of the year. By 1938, both the ILGWU of San Antonio and the garment factories seemed well oiled in regards to dealing with strike activity. Some plants promoted company unions, even in violation of the Wagner Act, in order to avoid being unionized by the ILGWU. These company unions did not fool the ILGWU, which quickly took action against the plants in order to organize legitimate unions that would benefit the worker and not the plant owners. After the Texas Infants Dress Company refused to dissolve their company union, which was in clear violation of the Wagner Act, local ILGWU officials took action in the form of a strike. Strike participants sought to secure an ILGWU closed-shop contract with the Texas Infants Dress Company along with higher wages. The AFL seized yet another opportunity to try

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<sup>59</sup> Meyer Perlstein to David Dubinsky, 1 August 1937, 3, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>60</sup> Ibid., 3-4.

to destroy the ILGWU, introducing new tactics in hopes of defeating the strike and driving the union out of San Antonio.

This would be the first strike in San Antonio which was not under the direction of Meyer Perlstein. Mrs. Barney Eagan, a former garment worker and wife of the Texas State CIO representative, directed the strike. Given San Antonio's anti-union and anti-CIO stance, Mrs. Eagan faced severe hardships during the strike, but with the faithful ILGWU members, including Rebecca Taylor, the union signed its second closed-shop contract. In the end, the union did not gain the higher wages it sought, but the closed shop victory left the ILGWU in a position to keep organizing with success into the 1940s.

Several factors sparked the strike that began on March 11, 1938, which was called mainly to protest the existence of a company union, the Council of Garment Workers, at the Texas Infants Dress Company. The ILGWU had filed charges against the company with the National Labor Relations Board on January 6, 1938. ILGWU members charged that employees of Texas Infants Dress Company were forced to join the company union with dues automatically deducted from their pay. Also several members of the ILGWU were discharged from the company during the peak of Easter season.<sup>61</sup> The company union violated the Wagner Act, and company officials had been ordered by the National Labor Relations Board to dissolve the company union. Jay Nedler, manager of the plant, refused accept the NLRB's decision or to reinstate an employee who had been dismissed for participating in ILGWU activities.

Poor wages and long working hours were also cited as reasons for the strike. Workers on strike wanted to reduce a 54-hour work week to 40 hours and to eliminate the

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<sup>61</sup> *The San Antonio Light*, 27 March 1938, 4.

use of homework by the company. Clearly the management and company union worked closely together to present the conditions of the plant in the best of light. Edith Trigos, president of the Council of Garment Workers, claimed that employees were happy at the plant and that they made anywhere from ten to twenty-one dollars a week. ILGWU attorney, Maxwell Burkett, confirmed that skilled machine operators were making a minimum of six dollars a week, and he argued that they should earn at least twelve. Skilled operators obviously made more than many unskilled workers at the plant. The weekly pay estimate provided by Trigos proved to be grossly inaccurate as information regarding the actual pay of workers surfaced during later injunction suit testimony.<sup>62</sup>

As in the previous strike at Shirlee Frocks Company, management claimed that no strike existed, and that all seventy employees were at work, but ILGWU attorney Burkett verified that twenty-two of the forty employees were out on strike. The inconsistent number of employees reflects the plant's reliance on piece work that was given to workers who were not actual employees of the plant. The fight against homework remained a key struggle for San Antonio's ILGWU, which believed that a closed-shop contract might allow them to stop the practice, at least in this plant.<sup>63</sup>

Police were immediately present at the first sign of pickets but insisted they would take no action against strikers if they remained peaceful on the picket lines. Although current employee and president of the company union, Edith Trigos, claimed that wages were high and workers were happy, this clearly was not the case. The

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<sup>62</sup> *San Antonio Express*, 19 March 1938, 18, *The San Antonio Light*, 18 March 1938, 10C; *La Prensa*, 19 March 1938, 1.

<sup>63</sup> *The San Antonio Light*, 18 March 1938, 10C.

company even denied that a company union existed or that they had fired an employee, Maria Martinez, for participating in ILGWU activities even though the National Labor Relations Board had ordered the plant to break up the company union and reinstate Mrs. Martinez.

Barney Egan, Texas state director of the CIO, was quite vocal at the beginning of the strike, and threatened a general walkout of San Antonio garment workers unless the deplorable conditions of the industry changed. He also spoke out against homework, stating that it was being carried out in unsanitary conditions. His wife, Mrs. Egan, summed up best the general sentiment of the workers on strike when she told reporters, “We are going to sign them up or close them up.”<sup>64</sup>

By the time the strike entered its second week, only twenty of the eighty people employed at the plant reported to work. This suggests that employees on strike were effectively recruiting others to join in the strike or at least to quit reporting to work.<sup>65</sup> At this time, news of Barney Egan’s dismissal as CIO leader of Texas broke. Egan’s departure came in response to divisions within the CIO in Texas, especially in San Antonio, over the pecan sheller’s strike that occurred at the beginning of 1938. The ILGWU and Egan wished to avoid being connected with the more radical and alleged communist pecan sheller’s union, given the anti-radical and anti-CIO stance of San Antonio city officials and judges. Even though Egan would leave San Antonio, his wife stayed and continued to lead strike activity and picketing. Reports that two scabs were

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<sup>64</sup> Quoted in the *San Antonio Evening News*, 18 March 1938, 10.

<sup>65</sup> Meyer Perlstein to David Dubinsky, 21 March 1938, 2, ILGWU Collection, Cornell University, Ithaca, NY.

beaten on their way to work surfaced in newspapers nearly two weeks after the strike began. In response to these alleged beatings, the general of the Mexican Consul in San Antonio, Jose Pineda, formally asked the police to protect the scabs at the plant.

In response to Pineda's request, Rebecca Taylor filed a protest with the National Labor Relations Board, claiming that police protection was not needed because strikers had remained peaceful. The consul claimed they were asking for police protection because they felt it was their responsibility to protect Mexican citizens who were working at the plant. This claim seemed dubious to members of the ILGWU, considering that many of the strikers were also Mexican citizens. Both Taylor and Mrs. Egan believed that the consul was simply attempting to break up the strike. Meyer Perlstein reported to ILGWU president David Dubinsky that plant officials had somehow reached the Mexican Consul, either by themselves or through their company union. The Consul placed a number of private guards on the picket line who acted very nasty, according to Perlstein. He was unsure of who was paying the guards because the plant probably could not afford it. Perlstein concluded that the guards were being paid by the association of employers in San Antonio, meaning all the garment plants, or else the Consul was paying the guards.<sup>66</sup> Despite increased policemen at the plant, twenty-two workers remained on strike with approximately fifteen picketing the plant daily.<sup>67</sup>

Just a day after the Mexican Counsel asked for increased police protection of scabs, strike efforts received another setback when the company union filed a court petition to restrict workers from picketing the plant and distributing ILGWU literature.

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<sup>66</sup> Ibid.

<sup>67</sup> *San Antonio Express*, 24 March 1938, 20; *San Antonio Evening News*, 24 March 1938, 25.



The petition claimed that workers on strike were threatening non-strikers with knives and blocking the plant entrance. Members of the company union also claimed that strikers were passing out insulting literature and making insulting remarks toward the scabs still employed at the plant. It was also alleged that the company union's meeting place, the goodwill center, received threatening phone calls, and that the homes of scabs were being stoned at night, although no evidence confirmed these incidents.

The company union sought a permanent injunction restraining the union from meddling with members of the company union and from picketing in front of the plant and sidewalk. Upon hearing of the petition, ILGWU attorney Burket appeared at the courthouse, reaffirming that strikers were peacefully and lawfully engaged in picketing and that he was prepared to fight the injunction suit.<sup>68</sup> The fate of the injunction remained a mystery for the rest of March after the first judge to receive the petition, Harry Howard, requested it be transferred from his court. No reason was given for the request to transfer; it is likely that given the controversial nature of the petition, Howard did not want to rule on it. The next judge to receive the petition, Johnson, also refused to take the petition, claiming that he did not have room for it in his schedule. Strikers continued to walk the picket line in front of the plant for the next three weeks without interference from police or any claims of unlawful picketing or reports of violence in the newspapers.<sup>69</sup>

By the end of March, only twenty-five people were employed at the plant because of the strike. Most of these scabs were newcomers because all of the experienced workers

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<sup>68</sup> *San Antonio Express*, 26 March 1938, 2; *The San Antonio Light*, 25 March 1938, 15B, *La Prensa*, 26 March 1938, 1; *San Antonio Evening News*, 25 March 1938, 38.

<sup>69</sup> *San Antonio Express*, 27 March 1938, 5

were either on strike or were staying at home. ILGWU members were united as they continued to picket the plant and demand a closed-shop contract. The National Labor Board had also stepped in and ordered the dissolution of the Company Union, which Perlstein hoped would cause the plant to reach a settlement with the ILGWU, although he noted at the time that the firm was still being stubborn.<sup>70</sup>

By April 19, 1938, members of the company union took their petition to federal court after failing to secure a judge to hear their case locally. Federal District Judge R.J. McMillian initially accepted the petition in his court. The company union denied that a strike existed at the plant, while at the same time requesting that members of the ILGWU be prohibited from picketing. The company union charged that the ILGWU tried to induce scabs to refrain from working at the plant and also to join their union. Although clear wage and hour controversies existed among workers or former workers at the plant, the petitioners claimed that employees were happy with wages and working conditions. They also cited the same alleged instances of violence against two scabs on their way to work, the only incidents of violence reported in the two months since the strike began. The plant also spoke out in regard to the injunction, claiming that police failed to protect scabs, even though no new instances of violence had surfaced. Finally, the company union sought to prohibit the circulation of ILGWU literature to current employees.<sup>71</sup>

Clearly, the company union sought to end the strike by taking away the strikers' ability to picket and share ILGWU literature and ideas with the scabs. After initially

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<sup>70</sup> Meyer Perlstein to David Dubinsky, 31 March 1938, 1, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>71</sup> *San Antonio Express*, 20 April 1938, 16; *San Antonio Evening News*, 20 April 1938, 6; *The San Antonio Light*, 19 April 1938, 1.

reviewing the petition, Judge McMillian ruled that he was without jurisdiction and dismissed the petition. After the company union's petitions were rejected in local and federal district court, members of the ILGWU believed that they would be able to continue picketing, and that the plant would soon sign a closed-shop contract. Company officials did not accept the dismissal of the petition filed on behalf of their union; they redoubled their efforts and filed their own injunction suit. The plant sought to restrain the ILGWU from calling a strike and from intimidating and embarrassing scabs. In response, Maxwell Burket immediately motioned the court to dismiss the injunction on grounds that officials of the ILGWU had not been served with citations in the suit. Rebecca Taylor, who was not a local union official but was the educational director and organizer, was the only defendant served, and Burket argued that this was grounds for dismissing the suit.

Burkett asked Taylor to testify at the dismissal hearing. She explained that she was the ILGWU educational director, pointing out that the local union on strike had no officers because anyone elected would certainly be fired by their employer. When asked by the plant's attorney where the local held meetings, Taylor testified that they met at a number of places, mostly where the plant would not find out, and that no record of dues paid was kept out of fear that the employer would find out and fire members. Judge S.G. Tayloe, of the forty-fifth district court, did not grant a dismissal, however, and set a hearing for the injunction filed by the plant for the first week in May of 1938.<sup>72</sup> It is not surprising that Judge Tayloe accepted the suit, considering his extensive rulings against

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<sup>72</sup> *San Antonio Evening News*, 2 May 1938, 1; *The San Antonio Light*, 1 May 1938, 6; *The San Antonio Light*, 2 May 1938, 8B.

picketing and strike activities of the ILGWU during the Dorothy Frocks Company strike of 1936.

Meanwhile, ILGWU members received union pressure from above as ILGWU President David Dubinsky grew increasingly frustrated by the end of April. In a letter to Perlstein, Dubinsky explained that the strike was supposed to last only a few weeks, and argued that if it was not settled within the week, “I am of the opinion that it should be given up as everything else in that town should be terminated as far as we are concerned. In this way you [Perlstein] would save yourself trouble in addition to our expense.” Dubinsky’s frustration with San Antonio also grew out of the large number of garment workers (nearly one hundred) who were anxious to join the CIO. This clearly angered Dubinsky, who told Perlstein that it may be a good idea to give the CIO these “potential” members.<sup>73</sup> Dubinsky’s anger toward members who wanted to join the CIO came from his disappointment with CIO leader, John L. Lewis, who was unwilling to negotiate with the AFL at the time the strike in San Antonio occurred.<sup>74</sup> By the end of the year, Dubinsky’s frustration prompted the ILGWU to break from the CIO in November. The ILGWU remained an independent union for nearly two years.<sup>75</sup>

Testimony began in the injunction hearing on May 9, 1938. Within two days, nearly sixteen current employees of the plant testified, all claiming that they were not members of the union on strike. The majority claimed they were threatened by strikers,

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<sup>73</sup> David Dubinsky to Meyer Perlstein, 22 March 1938, 1, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>74</sup> Dubinsky, *A Life With Labor*, 237-238. For more on Dubinsky’s dispute with the CIO, see chapter nine of *A Life With Labor* and chapter ten of Stolberg, *Tailor’s Progress*.

<sup>75</sup> Stolberg, *Tailor’s Progress*, 276.

but none admitted to seeking police protection in response to the alleged threats. Two women, Miss Petyo and Miss Ledesma, testified that strikers threatened to beat or kill them if they did not join the union. Other scabs, like Esther Cantu and Nievae Carrillo, testified that strikers were tossing stones at their homes. Jay Nedler, plant official, testified that he did not even know a strike was in progress and believed pickets were therefore unnecessary. He also complained that picketing at his place of business was injurious and bothered his employees.<sup>76</sup>

After several days of testimony from current employees, ILGWU members and employees on strike finally got a chance to testify. Mrs. Barney Eagan, the first witness called, testified that she was serving as a strike leader without pay because she had been a former garment worker and sympathized with the workers because of the low wages they received. Rebecca Taylor also testified that picketing at the plant had remained peaceful; she denied that any incidents of violence had occurred. She also told the court that she had offered to pay Mr. Nedler for the two broken windows at the plant, even though she knew that union members were not responsible; she simply feared adverse public opinion.

After participating in two strikes, Taylor clearly understood the importance of presenting the union in the best light to the public. She also used this opportunity to testify to get across the unfair treatment against strikers by police. When attorney for the plant, Martin Arnold, cross-examined Taylor, she reminded the court that manufacturers in San Antonio had used “the police time after time to break up strikes...” that

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<sup>76</sup> *The San Antonio Light*, 10 May 1938, 1; *San Antonio Express*, 11 May 1938, 18; *La Prensa*, 11 May 1938, 1; *San Antonio Evening News*, 10 May 1938, 5.

“picketing is peaceful as far as pickets are concerned but not as far as manufactures are concerned.”<sup>77</sup> Taylor upset Arnold when he asked her if the union had requested workers to go on strike. She replied, “We legally have a right and privilege to ask them to go on strike.” Arnold angrily told her to “just answer my question and leave out the trimmings.”<sup>78</sup>

The defense case was strengthened further by the testimony of Miss Bertha Luna. Perhaps the most shocking testimony of the case occurred when Luna, a former plant employee, testified about the wages she received. Luna testified that she received as little as \$1.11 a week, even when taking home piece work to do at night to increase her wages. Often, Luna had worked a full day at the plant and then took home piece work that her mother, sister, and she would all do. Luna testified that her mother’s and sister’s pay was lumped in with hers, and that they received only one pay envelope. Maxwell Burket introduced six different pay envelopes of Miss Luna’s into evidence that showed pay ranging from \$1.11 to \$3.87 per week. Clearly, this testimony weakened the company union’s claim that employees made a minimum of \$10 per week and that all employees were happy with current wages.

The defense built its case that picketing had been peaceful with the testimony of Chief of Police Owen Kilday. Burket hinted at the often impartial treatment of strikers by policemen when he asked Chief Kilday if it was possible for police to enforce the law impartially at the plant. Kilday replied that it was possible. In this particular strike, police had been impartial even though they had clearly taken the side of plant officials and scabs

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<sup>77</sup> Quoted in *The San Antonio Light*, 13 May 1938, 3A; *La Prensa*, 14 May 1938, 8.

<sup>78</sup> Ibid.

in the previous two strikes. Kilday testified that no reports of violence, threats, or disturbances had been received. Sergeant Campa, Sergeant Christoph, and police officer Braun all testified that picketing remained peaceful, and that there was no reason to make any arrests. The testimony of police weakened the earlier testimony of current employees who alleged that violent incidents and threats had occurred on the picket line.<sup>79</sup> The fact that many of the current employees spoke only Spanish and required an interpreter, coupled with the fear of job dismissal and possible deportation, likely influenced the strikebreakers to testify on the plant's behalf that violence and threats had occurred.<sup>80</sup>

Although the defense clearly articulated their reasons for the strike and the peaceful nature of the picket line, Judge Tayloe ruled to restrict picketing. ILGWU members were not surprised, given Tayloe's history of ruling against pickets. Tayloe prevented anyone who was not a former employee of the plant from participating in the strike and limited the number of pickets at the plant to only three at one time. Rebecca Taylor, Mrs. Barney Egan, Amelia Peso, Stella Segovia, Rita Moreno, and Mrs. Frances Cone were all prohibited from participating in the strike, even though Judge Tayloe found that the evidence confirmed that strike had been peaceful.<sup>81</sup> ILGWU members followed Judge Tayloe's ruling and continued to picket peacefully outside the plant.

Several days after his initial ruling, Judge Tayloe lifted several restrictions he had placed on pickets. He ruled that the eight individuals whom he previously banned from participating in the strike, were now merely restricted from picketing and making threats

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<sup>79</sup> *The San Antonio Light*, 12 May 1938, 7A.

<sup>80</sup> *San Antonio Evening News*, 10 May 1938, 5.

<sup>81</sup> *San Antonio Evening News*, 14 May 1938, 1.

of violence or injury against the plant and its current employees. He also lifted the three-picket restriction and ruled that five pickets were allowed at the plant at one time because the plant had five entrances. The sudden easing of restrictions likely came from pressure by ILGWU attorneys who stressed that he may be in violation of the Wagner Act. Judge Tayloe contacted the company's attorneys and the ILGWU regarding his ruling change, emphasizing that because seventy percent of the plant's business was interstate, it fell under federal jurisdiction. Tayloe cited the liberal provisions of the Wagner Act and stressed that he did not want be in violation. He also formally recognized the existence of a strike at the plant, even though plant owner Jay Nedler continued to deny that a strike existed.<sup>82</sup>

The strike remained peaceful for the remainder of May, but by the beginning of June, reports of women being beaten in strike confrontations filled local newspapers. Two scabs, Mrs. Carrillo and Mrs. Alvarez, alleged that they were scratched, bruised, and even had their clothing torn by three women on the picket line.<sup>83</sup> Torn clothing was a common occurrence in strikes involving women during the 1930s, and in the first two strikes of the ILGWU in San Antonio. Local newspapers sensationalized the "cat fights," and often police did little to interfere when such fights occurred.<sup>84</sup> In response to the alleged attacks, police guard increased to ten officers surrounding the plant. Scabs also took protection into their own hands when they left work armed with clubs and bottles and jeered at strikers. Police were unable to locate the three women named as the

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<sup>82</sup> *San Antonio Evening News*, 19 May 1938, 7; *The San Antonio Light*, 19 May 1938, 10B.

<sup>83</sup> *La Prensa*, 3 June 1938, 1.

<sup>84</sup> For more on media sensationalizing fights among women during strikes see Leon Stein, *Out of the Sweatshop* (New York: Quadrangle Inc., 1977), 222-243.



attackers in this case. Rebecca Taylor told the press that she had no knowledge of the fight, and that she did not know any of the women named as the suspects. By the next day, picketing had returned to normal with no incidents of violence, although scabs now entered and exited the plant carrying clubs and jeering at ILGWU members on the picket line.<sup>85</sup>

Nearly a week after the alleged attacks on two scabs, the plant filed a motion to hold Rebecca Taylor and Amelia Pesos in contempt of court for violating the injunction handed down by Judge Tayloe. Although the newspapers did not specify just how Taylor and Pesos violated the injunction, the press reported that Taylor publicly branded the president of the plant as “a dirty rat.” Taylor fought against the motion by asking for a delay until the case of Gregory Gaytain, who was charged with unlawfully carrying a pistol, went to trial. Taylor alleged that the plant had armed employees and placed armed gunmen at the plant who intimidated strikers as well as innocent passersby.<sup>86</sup>

The next plan employed by the plant and local AFL members was truly more innovative. The AFL, which had been trying to get rid of the ILGWU for several years, sought to take advantage of the ILGWU’s affiliation with the CIO to end the strike. Local AFL representatives underestimated the power of the international, though, and did not succeed in ending the strike. A.F. Cadena, a local leader of the AFL in San Antonio, organized a new garment union at the Texas Infants Dress Company with the plant’s blessing. He signed up all fifty-two scabs, which meant that the plant was 100 percent

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<sup>85</sup> *San Antonio Evening News*, 3 June 1938, 1; *The San Antonio Light*, 3 June 1938, 2A; *La Prensa*, 3 June 1938, 1-2.

<sup>86</sup> *The San Antonio Light*, 11 June 1938, 3A.

organized by the AFL, which intended to end the strike. Rebecca Taylor and the ILGWU immediately contacted the international to take care of the situation. Taylor complained that the AFL had raided the CIO, and she produced a telegram from Fredrick Umhey, executive secretary of the international, that stated he had spoken to AFL president William Green, who declared that the AFL in San Antonio had no authority to enter into any agreement with firms in the garment industry. Green instructed the AFL to stay out of the conflict. Cadena maintained that he had the right to organize the garment workers and played on the recent dismissal of the ILGWU from the AFL, insisting that the ILGWU had a chance to come back to the AFL but did not do it. Newspapers also commented on the status of the ILGWU, claiming that the union had made efforts to return to the AFL.<sup>87</sup>

Cadena's statements rang empty within two days when William Green ordered him to revoke the AFL charter. Green also sent a telegram to Maxwell Burket saying that he had given Cadena instructions to dissolve the charter and to contact Burket regarding the integration of the women into the ILGWU. Not surprisingly, when Taylor attempted to contact Cadena regarding this arrangement, he could not be found and was said to be out of town in Corpus Christi.<sup>88</sup>

The strike seemed to reach a stalemate after the AFL charter was revoked. Perlstein reported to Dubinsky that he had sent the last of the strike benefit funds to San Antonio on June 11, 1938. Perlstein believed that the strike would continue until June 18,

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<sup>87</sup> *The San Antonio Light*, 16 June 1938, 1; *San Antonio Express*, 17 June 1938, 1; *La Prensa*, 17 June 1938, 2; *San Antonio Evening News*, 17 June 1938, 10.

<sup>88</sup> *San Antonio Express*, 19 June 1938, 1; *The San Antonio Light*, 19 June 1938, 2.

but after that time, no additional strike relief would be sent and the strike would likely be called off. The strike did continue for an additional week, however, because Perlstein learned that the National Labor Relations Board had stepped in. Perlstein had admitted to Dubinsky that if a settlement was not reached in the following week, the strike would have to be called off.<sup>89</sup>

On June 28, nearly three and one-half months after the strike began, Jay Nedler, owner of the Texas Infants Dress Company, signed a closed-shop contract. Employees of the plant would have sixty days to join the ILGWU. The contract also secured a 40-hour workweek and a minimum pay scale between \$8 and \$8.50 a week. A committee to establish a price scale on piece work was also part of the contract; even though piece work was not eliminated, this marked an important first step toward ending it by regulating prices.<sup>90</sup>

The local AFL was still formulating ways to interfere with the contract. Perlstein reported that a few minutes before the agreement was signed with the Texas Infants Plant, local AFL men were “staging something.” In response, Perlstein called William Green and held him to his promise to instruct his men from interfering. Perlstein claimed that when the firm heard the conversation he had with Green, it had an “impressive effect upon them, and they signed the agreement.”<sup>91</sup>

With the signing of a closed-shop contract, all suits filed during the strike,

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<sup>89</sup> Meyer Perlstein to David Dubinsky, 11 June 1938, 1, ILGWU Collection, Cornell University, Ithaca, NY.

<sup>90</sup> *The San Antonio Light*, 28 June 1938, 1; *La Prensa*, 29 June 1938, 1; *San Antonio Express*, 29 June 1938, 20; *San Antonio Evening News*, 28 June 1938, 7.

<sup>91</sup> Meyer Perlstein to David Dubinsky, 1 July 1938, 2, ILGWU Collection, Cornell University.

including those against Taylor for violating the injunction, were dismissed. Cadena had returned to San Antonio and filed a suit in court to allow his AFL union against Green's orders, but this suit was also dismissed on the morning the closed shop contract was signed.<sup>92</sup>

The victory strengthened ILGWU activities in San Antonio. With a second closed-shop contract, unionized garment workers increased their bargaining power with other garment plants in the city. Shortly after the strike victory, ILGWU members turned their attention to signing closed-shop contracts with the Juvenile Manufacturing Company and the Halff Manufacturing Company. This strike, the last major strike of the ILGWU in the 1930s proved to be effective in establishing the strength and longevity of the union. Despite numerous attempts by manufacturers and the AFL to destroy the union, the ILGWU emerged as a strong, independent union by 1939 and would continue to secure several more closed-shop contracts and increase its membership.

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<sup>92</sup> *The San Antonio Light*, 28 June 1938, 1; *La Prensa*, 29 June 1938, 1; *San Antonio Express*, 29 June 1938, 20; *San Antonio Evening News*, 28 June 1938, 7.

## CONCLUSION

San Antonio's ILGWU boasted over 1,000 members by 1940, thanks to the efforts by the rank and file and union leaders. With each strike, members learned effective ways to combat ethnic and gender bias, as well as the city's anti-union political climate. Strike tactics evolved with each strike, and members began to utilize New Deal legislation to their advantage. During the first strike at Dorothy Frocks in 1936, members lacked experience in dealing with the overwhelming opposition by city officials. They failed to utilize the National Labor Relations Board to protect their rights to picket. Members and leaders of the strike believed they could rely on the courts and picket lines to combat the opposition, but that strategy did not work. This strike demonstrates the fierce resistance that the ILGWU faced in establishing itself as a strong union to gain better wages and working conditions for its members. The strike at Dorothy Frocks "exemplified many instances in which female workers proved powerless or nearly powerless to influence wages or working conditions in San Antonio."<sup>1</sup> The fact that women of the ILGWU continued to fight for union contracts and better wages, despite their defeat, shows the deep commitment they had to the union and the benefits it would bring.

The ILGWU entered the next strike against Shirlee Frock in 1937 with experience and new determination. Strike leaders cleverly decided to utilize the NLRB, as well as

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<sup>1</sup> Blackwelder, *Now Hiring*, 102.

representative Maury Maverick, to overcome the various adversities they faced in securing a closed-shop contract. These outside political forces provided the union with additional power to fight the solid block of anti-union city officials, plant owners, and judges. With NLRB intervention and pressure from representative Maverick, plant officials feared national repercussions and decided to sign the first closed-shop contract in San Antonio. The Shirlee Frocks strike proved the most successful of the ILGWU's efforts during the 1930s. A closed-shop contract meant the end of home work at the plant, the doubling of wages, and a shorter work week. The strike paved the way for the union to make significant headway for the remainder of the 1930s in San Antonio.<sup>2</sup>

Although members secured a closed-shop contract with the Texas Infants Dress Company after the strike in 1938, wages barely increased. Despite the failure to gain better wages, the contract allowed members the bargaining power to secure another closed-shop contract with the Juvenile Manufacturing Company and a significant wage increase at this plant.<sup>3</sup> Wages increased to twenty cents per hour, which was still five cents below the minimum wage established by the production of goods for interstate commerce in 1938.<sup>4</sup> The ILGWU struggled to secure wage improvements that met even the lowest standards of the East. Exploitation of southern workers by Northern companies and the virtually endless supply of labor in San Antonio made the struggle to secure higher wages quite difficult.

The ILGWU of San Antonio made important improvements in the garment

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<sup>2</sup> Blackwelder, *Women of the Depression*, 139 and Hield, "Union-Minded," 10

<sup>3</sup> Blackwelder, *Women of the Depression*, 139.

<sup>4</sup> Hield, "Union-Minded," 10.

industry during the 1930s and paved the way for future labor activism among Mexican-American women.<sup>5</sup> Given the ethnicity of the majority of ILGWU members and the union's affiliation with the controversial CIO, the success of the union demonstrates the determination of union leaders and members to succeed. The efforts by San Antonio's ILGWU during the 1930s represent the most successful of all union drives affiliated with the CIO in Texas. During the 1940 ILGWU convention, Meyer Perlstein commented on San Antonio's fight to secure a better living for members and other ILGWU unions in Texas when he observed, "Conditions throughout Texas had improved drastically since 1934."<sup>6</sup>

Due to the persistent efforts by the ILGWU both locally and nationally, garment workers in San Antonio gained better wages, shorter work weeks, and an end to some of the abuses of home work and the piece rate system in the midst of the Great Depression. The support members received from the international greatly aided their ability to secure seven closed-shop contracts by the end of 1938.<sup>7</sup> During strikes, the international provided San Antonio's ILGWU with the best attorneys, bail money, and experienced organizers, such as Perlstein. The eagerness of local members to learn from the international and cooperate with them made San Antonio the scene of ILGWU's biggest success in Texas. The willingness of members to participate in strike and union activities, despite the fear of losing their jobs at a time of great economic distress, is a testament to how driven they were to fight for better lives. Members of San Antonio's ILGWU, truly

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<sup>5</sup> Acosta and Winegarten, *Las Tejanas*, 145.

<sup>6</sup> Ibid., 10, 7.

<sup>7</sup> *The San Antonio Light*, 21 August 1938, 21.

“union-minded,” clearly understood that by working within the ILGWU, they could secure the better wages and working conditions that they desperately needed.



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