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The Willys-Overland Strike, 1919

(Part II)*

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4. THE COMING OF VIOLENCE

On Monday, the fifth of May, the union men left their jobs at 3:30. The union said strikers numbered 7,500 men out of the 12,000 employed at the Overland. Vice President Clarence Earl of the company said only 6,000 had left. Earl issued a statement saying that the Overland could stay in production indefinitely with the work force that remained. He also said that all the men who had left at 3:30 had forfeited their jobs, but would be rehired if they applied and agreed to accept the 48-hour week.¹

Everybody hoped that the strike could be conducted without any acts of violence. The Central Labor Union, an organization of all unions in Toledo, urged all the strikers to be peaceful. Mayor Cornell Schreiber issued a statement to the people of Toledo. "In the several days in which the Overland dispute has been in progress, no person has been seriously injured and practically no property has been destroyed."² It was also stated that the police and administration were working to protect the people and property of Toledo.

Nevertheless, on May 8, violence broke out. It happened when the workers who had come to work on the first day of the strike had started to leave through the gates to go home. Name calling and the usual exchanges were made by both strikers and the workers going through the picket lines. For a half an hour general disorder prevailed with the handful of police assigned to guard the workers and the plant powerless to stop it. By the time reserve help arrived, the riot was over. During the riot, the plant was stoned, streetcars overturned, and several policemen were injured. The riot forced the Overland to close down because of the lack of a sufficient police force to protect its employees on the way to and from the plant.³ For a few days there was no further violence; as long as the plant stayed closed there was no occasion for it.

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Many clubs, associations, and organizations came out in full support of the Willys Overland position and paid for ads attesting to their belief. The Merchants and Manufacturers Association ran ads in the Toledo papers for a number of weeks stating the principles they stood for in relation to the strike:

1. We believe in absolute fairness to employee and employer alike.

2. We shall work for the improvement of industrial relations, the elimination of class prejudice, which generally results from misunderstanding, and uniform working conditions fair alike to employee and employer.

3. We shall investigate and when requested shall endeavor to impartially decide any question in dispute between members and their employers.

4. We shall always use our united influence in opposition to injustice; whether practiced by employers or employees.

5. We stand for the "open shop", which means absolute fairness to all classes of workers, whether union or non-union. We shall unalterably oppose the "closed shop", which shuts the doors of industry against the American working man who is not a member of a labor organization.

6. We believe it is un-American to interfere with the personal rights and constitutional liberties of the individual. Therefore, we shall oppose the use of force or intimidation by anyone endeavoring to persuade our workmen to either join or resign from a labor organization.

7. We believe both the employee and employer are privileged to terminate their relations, whenever either chooses to do so, unless, of course, there be contracts between them.

8. We believe the employer, being responsible for the work turned out by his organization, must have full discretion to determine the methods of work and the competence of his workmen.

9. We will not countenance limitations of the amount of work which may be accomplished in a given time, or the manner in which payments shall be made for this work—whether by hourly rate, piece work, premium system contract,

or otherwise. We shall always endeavor to see that every workman has an opportunity to earn wages proportionate to his ability and productive capacity.

10. We believe by fair dealings and broad-minded policies, this association hopes, with the cooperation of Toledo's thinking public, to bring about working conditions and wages which will make Toledo known as a good city in which to work, to live, and to raise children.⁴

These points stated by the Merchants and Manufacturers Association were exactly what the Willys Overland Company stood for in the strike, and some of them represented what the unions opposed.

Banks of Toledo ran ads supporting the Willys Overland position and reaffirmed the position of the Merchants and Manufacturers. The banks brought the question of the Pope Toledo strike in by saying, "Twelve years ago, Toledo stood foremost in the new automobile industry with its Pope Motor plant with a wonderfully bright future. The industry was destroyed; not by Toledo's honest and right-thinking working men, but by influences from outside. What did Toledo gain from the wrecking of the Pope plant? The company was ruined, working men were thrown out of employment, property diminished in value, homes were sold under foreclosure and merchants became insolvent. Toledo again stands pre-eminent as a manufacturing community, and again outside influences have interfered."⁵ After this appeared, the unions threatened to take all deposits out of the banks supporting the ad and threatened to urge their members to do the same.⁶

The Exchange, Kiwanis, and Rotary Clubs ran a full-page ad in the paper and again the idea of outside agitation was stated. "Outside agitators, who having no interest in the welfare of our city or of our citizens, are seeking to stir up trouble in the ranks of labor, harass and interfere with the production of our factories and by their revolutionary doctrine, ferment in the minds of many misguided foreigners a class hatred and a disregard for all law and authority."⁷

On all sides, charges of foreign influence on the strike would be made. Labor saw the men who were crossing the picket line as outsiders. Management saw the instigators of the dispute as foreigners or of foreign-born parents. At this time, the country was having a bomb scare and many blamed it on the foreign "Bolsheviks." Many saw the foreign element as a threat to American life.⁸

On May 10, management and the Joint Wage Committee came together for talks, but little progress was made. State mediators arrived, but the talks ended on May 18 with the door left open for further meetings. The union reported that Willys said that the company would close down until it won, not until an amicable adjustment or just agreement had been made.⁹ Throughout the strike, the Central Labor Union charged that the management at the Overland lacked much in the treatment of and in the negotiations to compromise.

The churches also favored the Overland position. Many ministers assailed the violence of the strike from their pulpits and urged the level-headed men and women of the community not to permit their minds to become unbalanced by raving aliens.¹⁰ This reflected the foreign hysteria that occurred at this time.

On May 13, the Liberty Loan Salesmen, an organization of civic-minded Toledoans who had been promoting war bond sales, were called upon by the mayor to help maintain the order that now prevailed. They pledged to rid Toledo of all Bolsheviks, I.W.W., and other malcontents. The mayor, however, did not use these men to protect the plant or the workers and the Overland remained shut down.

The striking workingmen, of course, needed help to carry on the strike. To find out how the public felt and also to raise funds for the strikers, the union staged a tag day. The drive raised \$8,353 and was called a success.¹¹ Throughout the strike, various unions contributed to this strike chest and showed their support to the demands made by the union.

On May 23, the Overland reopened its doors and announced it would gradually return to full-working capacity. It opened under its own wage and working conditions adjustment which included the 48-hour week. The reopening renewed the possibilities of violence. Pickets resumed their duties before the plant gates in order to influence workers not to break the strike and cross the picket lines. The situation was potentially explosive. Therefore, Earl, in behalf of the new workers and to keep the plant opened, asked for protection. Cornell Schreiber, mayor of Toledo, answered this call. On May 26, five hundred former soldiers were deputized by the mayor. They were given the assignment of preserving the peace and were not to take sides in the dispute.¹²

These soldier-police were, of course, untrained in police duties. There

was some fear that they would act independently of the chief of police, since the force was too large to be instructed in the usual methods of police procedure in preventing disorder. City Council immediately raised objections to this special force. Labor was especially apprehensive. John Quinlivan said it was a jarring note to find the soldier-policemen a half block from the plant. The *Toledo Union Leader* called the former soldiers shameless scum and said they disgraced the uniform of the United States Army and added that the mayor was spineless in using them.¹³

As men returned to work, the question of strike-breaking arose. On June 1 the Central Labor Union charged that Willys was employing strike-breakers. The company denied this and said that the new men wanted to work permanently and make their homes in Toledo. It charged many union members with leaving the city and taking jobs in Detroit and Cleveland.¹⁴

At last on June 2, serious violence threatened and broke. In the morning a crowd held up a streetcar and dragged some Willys Overland workers into the street. Many workers, fearing further violence, quit at noon.¹⁵

The next day, June 3, the greatest violence of all took place. At quitting time in the afternoon many pickets were on hand to greet the workers as they emerged from the company gates. In addition to the pickets were hundreds of curious onlookers. The crowd was estimated to be 3,000 strong. All were showing their displeasure at the strike-breaking workers. Many were beaten, stoned, and assaulted before the police-soldiers could restore the crowd to order. The former soldiers fired shots over the crowd and created a forceful display with their weapons.¹⁶

That night, an event took place that led to killing. A soldier-policeman was walking his girl through the Polish district and was flourishing his side arm. This was considered an attitude unbecoming a policeman. A large crowd gathered and hurled abuse at him. He ran into a firehouse on Lagrange Street. He called his headquarters for help. This presently arrived in the form of more soldier-police. They ordered the crowd to disperse and fired over their heads; then they fired into the crowd. Two men, who were not employees of the Overland, were killed and nineteen hurt. The soldiers said someone in the crowd fired first and that they were being hit with bricks and stones.¹⁷

It is evident that much of the blame for the violence was to be attributed to the arrogance and attitude of the soldier-police. The *Times* said that if it hadn't been for the soldier drawing his revolver, no trouble would have occurred.¹⁸ The Overland closed its plant once again on June 4 until better protection could be assured.

5. JUDGE KILLITS HALTS THE VIOLENCE AND ENDS THE STRIKE

On June 5, the dispute entered the Federal Court. The Dail-Overland Company of North Carolina, a distributor of the Willys Overland car, filed a petition to enjoin the local union from "conspiring and interfering with the employees of the Overland plant by action, assaults, and excessive picketing." It also requested that the Overland Company be ordered to resume manufacture of autos and shipments to the plaintiff.¹⁹ This brought the dispute before the United States District Court of the Northern Ohio District and of the Sixth U. S. Circuit Court of Appeals under the judgeship of John M. Killits.

Dail-Overland Company charged the officers of the unions had entered into an unlawful combination and conspiracy in restraint of interstate trade and commerce. The unions, by violence, intimidation, mobs, and riots, were said to have attempted to force the Overland into accepting their terms. The Dail-Overland Company asked for a temporary restraining order to prevent any further violence that could cause the Overland to remain closed.²⁰

The Clayton Antitrust Act of 1914 had specifically exempted organized labor from its provisions that forbade restraint of trade.²¹

On June 7, Judge Killits issued a temporary restraining order to last ten days. It limited the number of pickets to 150 and only 50 of the pickets would be used at one time. It further stated that all pickets had to be citizens of the United States.²² An editorial in the *Times* supported Judge Killits' quick action and quoted him, "The statements made in the affidavits accompanying the application justified granting a restraining order without a hearing."²³ The court order to definitely control picketing was unique in court history in that numbers were limited and also they had to meet qualifications of being American citizens.²⁴ This order was an attempt to halt the violence, not the picketing.

To enforce the order, 120 deputy marshals were authorized by Judge Killits. Percy Jones, the son of former Mayor Samuel M. (Golden Rule) Jones, was appointed by Judge Killits to be his special representative, and was in no sense a receiver. Jones was to guarantee protection to the employees and also take charge of the deputy marshals.²⁵ Fully assured of no further violence, the Overland reopened on June 13.

Following the restraining order, there was little violence. June 14 saw five arrested by the marshals for violation of the court's order by using abusive language to the workers entering the plant, but no other violence occurred.²⁶ The court ordered two members on the radical Soldiers and Sailors Council to leave town since they were said to be arousing the workers to violence.²⁷

On June 21, one issue of a labor paper, the *New Voice*, was confiscated. Judge Killits ruled that it seemed to aggravate the situation and also tended to impugn the motives and integrity of the court.²⁸ Five of the men on the staff were charged with contempt and one was sentenced to 11 months in the workhouse.²⁹ Judge Killits said, "There are strings to free speech in time of change. When this arises, the court may assume charge."³⁰

The court had curtailed freedom of speech by confiscating the *New Voice*, yet no protest was heard in any of the other papers. This could be due to two causes. First, the *News-Bee*, one-time defender of the underdog, had been cited in 1914 for contempt of court in a disorder involving the streetcar problem in Toledo.³¹ The *News-Bee* had vigorously criticized Judge Killits' injunction. This, the judge ruled, was an interference with court procedure. The *News-Bee* countered with claims of interference with the freedom of the press. Although the *News-Bee* was eventually to be upheld by the Supreme Court of the United States, this case had not reached this stage in 1919. Hence, the paper may have been reluctant to take any new action the court might object to. Second, the Red scare was influencing public opinion. Bombings, that were blamed on radicals, were taking place throughout the country and might have caused people to look upon the court's action as justified in that the *New Voice* was radical in outlook and was charged with inciting violence.

On June 18, the temporary restraining order was changed to a temporary injunction expiring at the pleasure of the court.³² Killits added

his definition of a strike and a lockout. "A strike exists where men quit their work because their employer refuses conditions demanded of him and a lockout exists where employees refuse to return to work unless the employer meets their demands. In either case, it is the employee who decides what ought to be done."³³

With public opinion thus directed against the strikers, the conflict gradually subsided and the Willys Overland plant resumed production. So marked was the return-to-work movement after the Killits' temporary injunction that the factory officials felt confident that further bargaining with the workers was unnecessary. Thus, on June 30, Vice President Earl announced that no future conferences between labor and management would be held. By July, the Willys Overland Company, through Percy Jones, was able to announce that 7,500 men were working and production had reached 200 cars a day.³⁴

In July, the question of abolishing picketing altogether came up. After an incident where two pickets were arrested for insulting workers going through the gates and thus violating the injunction, the court asked the union to show cause for further picketing.³⁵ Evidently they did so with the assurance that absolutely no further violence would take place. The picketing, therefore, was permitted to continue, but the strike was clearly a lost cause.

At this time, the Overland's 8,424 workers started production of a new model. Deliveries were said to begin by September 1, and the car would compete in the low-cost market. The price for the car would be around \$800. By fall, company prospects for a thriving business were excellent with production and employment increasing and the new model being introduced.

As picketing faltered and labor submitted to the Killits' injunction, the union was reduced to allegations charging that the quality of the cars the Overland was producing was low. The unions associated this low quality with the fact that the new workers at the Overland were unskilled. The union thought the key to winning the strike was in the skilled trades, and as long as they remained out, there could be no real work done. The Central Labor Union charged the Overland with hiring school children since they could not hire skilled men. The C.L.U. put the Willys automobile on the blacklist and charged that the quality of the car was way down.³⁶

The *Blade* reported that throughout September, employment continued to increase and production was reaching 400 cars a day at the plant.³⁷ The union at this time reported that production was decreasing and that the only cars being produced were of very low quality.³⁸

In October, Willys issued a statement saying that all should forget differences and build for the good of Toledo. He also predicted that the factories of Toledo should have record employment and output by spring.³⁹ By October 10, 10,000 were reported at work in the Overland and a labor shortage was noted, especially in the skilled trades. At this time, the union dropped its lockout benefits to members, since only a few remained out of work. As November came, employment increased to 12,000 and the Overland talked about spending \$10,000,000 on a grand expansion program.⁴⁰ The Union accused Earl of saying the strike was over, but maintained that only the workers could call off the lockout.⁴¹

During November, the Central Labor Union started giving a little and admitted that the Overland had 11,000 employees, but claimed they still needed skilled workers. They thought the Willys Overland officials were ruining the plant in selling such low quality automobiles.⁴²

As the Overland production improved, Judge Killits' control took a more definite form. In December, the court reopened the dispute by issuing a permanent injunction. The question whether the dispute still existed concerning conditions or terms of employment was answered in the negative by the court. Here is how Judge Killits reasoned. On May 5, 1919, the Overland had 12,842 employed; on December 20, 1919, they had 13,556. The production at the Overland was termed successful since more cars were being turned out daily than ever before. The term *employee* was clarified. Any person who had not been on the payroll for the last seven months could no longer be called an employee of the Willys Overland. Therefore, the court did not recognize the rights of individuals to prolong a labor controversy long after its substance had fled. The union could not demand that it be accorded special consideration, as a real and substantial industrial dispute, when the substance of the dispute no longer existed.⁴³

In December, Percy Jones was relieved of his court duties; since the plant was running at full blast, the special officer was considered unnecessary. Later that month, on December 29, Judge Killits ordered picketing ended. He held the labor controversy over and stated that,

"It is entirely clear that it can accomplish nothing else than the gratification of aggravated feelings which were engendered when passions were hot and ambitions rampant last May or the saving of face of those who led or encouraged the breach at that time; therefore, picketing is restrainable and will be prohibited."⁴⁴

The picketing continued, however, until January 16, 1920, when the pickets were arrested by city police for disobeying Judge Killits' order. That next day, all picketing stopped by the order of labor.⁴⁵

As picketing stopped, there was little that the strike managers could do. The union issued a statement ending the dispute and gave permission for all its members to return to work at the Overland plant.⁴⁶ However, most of the members were already working at the Overland or had found employment elsewhere. At this time, the Overland employed 14,000 men and had reached the highest production in its history. It was stated that the company was unable to meet the demand for its automobiles.⁴⁷

FOOTNOTES

1. *Toledo Blade*, May 6, 1919, p. 1.
2. *Toledo Blade*, May 9, 1919, p. 1.
3. *Toledo Times*, May 9, 1919, p. 1.
4. *Toledo Blade*, May 8, 1919, p. 22.
5. *Ibid*, p. 20.
6. *Toledo Union Leader*, May 9, 1919, p. 1.
7. *Toledo Blade*, May 9, 1919, p. 6.
8. Arthur Link, *American Epoch*. (New York: Alfred A. Knopf, 1955), p. 242.
9. *Toledo Blade*, May 10, 1919, p. 1.
10. *Toledo Times*, May 12, 1919, p. 1.
11. *Toledo News-Bee*, May 19, 1919, p. 1.
12. *Toledo Times*, May 26, 1919, p. 1.
13. *Toledo Union Leader*, June 6, 1919, p. 1.
14. *Toledo Blade*, June 1, 1919, p. 1.
15. *Toledo Blade*, June 3, 1919, p. 1.
16. *Toledo Times*, June 4, 1919, p. 1.
17. *Ibid*, p. 1.
18. *Ibid*, p. 1.
19. *Federal Reporter*, (St. Paul: West Publishing Co., Vol. 263, 1920), p. 171.
20. *Ibid*, p. 173.
21. Harvey Wish, *Contemporary America*. (New York and London: Harper & Brothers Publishers, 1945), p. 177.
22. *Federal Reporter*, (St. Paul: West Publishing Co., Vol. 263, 1920), p. 177.
23. *Toledo Times*, June 9, 1919, p. 1.
24. John Killits, *Toledo and Lucas County, Ohio. 1623-1923*. (Chicago & Toledo: S. S. Clarke Publishing Co., 1923), Vol. II, p. 446.
25. *Toledo News-Bee*, June 12, 1919, p. 1.
26. *Toledo Blade*, June 14, 1919, p. 1.
27. *Toledo Blade*, June 17, 1919, p. 1.

28. *Toledo Blade*, June 21, 1919, p. 1.
29. *Toledo News-Bee*, June 24, 1919, p. 1.
30. *Toledo Times*, June 16, 1919, p. 1.
31. Jean F. Kohl, "The Killits-Cochran Controversy" *Northwest Ohio Quarterly*, 1961, Vol. XXXIII, No. 3, p. 130.
32. *Federal Reporter*, (St. Paul: West Publishing Co., Vol. 263, 1920), p. 179.
33. *Federal Reporter*, (St. Paul: West Publishing Co., Vol. 263, 1920), p. 180.
34. *Toledo Blade*, July 11, 1919, p. 1.
35. *Toledo Blade*, July 30, 1919, p. 1.
36. *Toledo Union Leader*, July 11, 1919, p. 1.
37. *Toledo Blade*, September 27, 1919, p. 1.
38. *Toledo Union Leader*, September 19, 1919, p. 1.
39. *Toledo Blade*, October 2, 1919, p. 1.
40. *Toledo Blade*, December 2, 1919, p. 1.
41. *Toledo Union Leader*, October 17, 1919, p. 1.
42. *Toledo Union Leader*, November 7, 1919, p. 1.
43. *Federal Reporter*, (St. Paul: West Publishing Co., Vol. 263, 1920), p. 81.
44. *Ibid*, p. 82.
45. *Toledo Blade*, December 29, 1919, p. 1.
46. *Toledo Union Leader*, February 20, 1920, p. 1.
47. *Toledo Blade*, February 16, 1920, p. 1.