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Social Justice in the Cigar Factory: The Finck Cigar Strikes, 1933-1935

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Abstract

San Antonio in the 1930s was a city with big class divisions, high rates of unemployment, substandard wages, inadequate housing, woeful health care for many, and rampant worker exploitation. The effects of the Great Depression had been horrific for San Antonio. Working conditions in the city were disastrous for the working class and the poor. Opportunities for wage earners were extremely limited and the conditions in many factories and businesses were unsanitary and dangerous to public health. The effects of exploitation could be seen clearly in the condition of the women who worked in the Finck Cigar Company. Pitiful wages and intolerable working conditions prompted a strike at the Finck Company beginning in 1933, with the “troubles” extending into late-1935. What took place in these years was a battle for social justice between labor and capital. It was a battle covered extensively by San Antonio’s two major newspapers, the *San Antonio Express* and the *San Antonio Light*. This paper recounts the story of that battle as it was reported.

I. The Origins of the Finck Cigar Company

The founder of the Finck Cigar Company, Henry William Finck, was born in 1860 on a site that today is about one-half mile from where the San Antonio Spurs play basketball. The family moved to New Orleans when Henry William was young. He started making cigars in New Orleans at the age of 32. In 1893 Henry William Finck moved back to San Antonio, borrowed \$1,000 and started the Finck Cigar Company. He lived in a rented house just south of Fort Sam Houston with his wife and five children, where the family lived upstairs and Finck made cigars downstairs. He could make about 300 cigars a day and would ride a bicycle to downtown San Antonio where he sold them.¹

¹ Mary Locke Croft, “Interview with Henry William Finck, Sr,” accessed on July 18, 2018, http://www.finckcigarcompany.com/about/interview_with_henry_william_finck_ii/

Over the following years William Henry Finck's entrepreneurial spirit thrived and his enterprise grew larger. By the start of the 1930s the Finck Cigar Company employed more than 500 workers, nearly all Mexican or Mexican-American women.² The Finck Cigar Company was located at 602 Buena Vista Street, at a site adjacent to where today is located the downtown campus of the University of Texas at San Antonio. In January, 1933 Henry William Finck died after an illness of six months, and his son, Ed Finck, took over the management of the company. By the summer of 1933 major labor complaints arose and a series of work stoppages and strikes began that would besiege the company for more than two years.

Virtually all of the striking workers were women, most frequently referred to in press accounts as "Mexican girls." Their activities occasionally resulted in arrest, overly aggressive police reaction, and street brawls. It was a confrontation that pitted labor against ownership. For the most part, organized labor (the American Federation of Labor, for example) played little role in the ensuing battle. Despite the fact that a majority of the Mexican women were Catholic, the Church did little to support the strikers, too. The San Antonio mayor became involved in negotiations, but his role proved to be largely ineffective in the end. The National Labor Board got involved. Even state government got involved in the later stages of the dispute, but it did little to resolve the basic sources of contention.

The strikes, which began in 1933, came to an end by late-1935. No labor troubles at the Finck Company were reported in the San Antonio newspapers in 1936. By 1940 the Finck Cigar Company had introduced machines into the cigar making process and by 1960 most of the cigar making operations were mechanized.

² *Ibid.*

The strikes at the Finck Company in the 1930s have not received much attention by social scientists or historians. Zaragosa Vargas gives some attention to the Finck strikes in *Labor Rights are Civil Rights* and he correctly refers to Ed Finck as the strikers' "underhanded employer," but his account is limited.³ Likewise, Julia Kirk Blackwelder covers the Finck strikes in a brief account, but she covers the strikes only through March, 1935, when, in fact, the strikes continued on to December of that year.⁴ Strikes by the pecan shellers later in the 1930s and the leadership of Emma Tenayuca in those strikes has far overshadowed interest in the cigar strikes. However, the Finck Cigar strikes are significant in San Antonio's history as evidence of how worker mistreatment and exploitation can produce a backlash that brings issues of basic social justice to the forefront of public attention.

II. The Strikes

The first report of labor unrest at The Fick Cigar Company came in summer, 1933, eight months after William Henry Finck died and his son, Ed Finck, had taken the reigns of the company. On August 4, 1933 the *San Antonio Light* reported:

GIRLS AT CIGAR FACTORY GO ON STRIKE

Approximately 400 girls, mostly Mexican, went on strike Friday morning at the Finck Cigar company, 602 Buena Vista street, in efforts to obtain a better wage agreement and improved working conditions. All are engaged in rolling cigars...

When the factory doors opened at 6 a. m. the workers refused to enter. Chattering excitedly they congregated across the street.

The admitted leader of the strike, Mrs. W. H. Ernst, one of the workers, said she had demanded an audience, with Ed Finck, the company's president, so that she might present the workers' demands. Finck refused to see her, however, she said...

³ Zaragosa Vargas, *Labor Rights Are Civil Rights: Mexican-American Workers in Twentieth-Century America* (Princeton: Princeton UP, 2005), 80-81.

⁴ Julia Kirk Blackwelder, *Women of the Depression: Caste and Culture in San Antonio, 1929-1939* (College Station, Texas: Texas A&M UP, 1984), 132-135.

Mrs. Ernst, who said she feared she would lose her job as the result of her leadership in the walkout, outlined the girls' grievances.

All are employed upon a piece work system, she said. They are paid 42 ½ cents per 100 cigars, rolled. However, it was claimed, the factory recently began penalizing the girls three good cigars for each unsatisfactory cigar rolled.

Previously the penalty for inefficiency had been two perfect cigars for a single bad one, Mrs. Ernst said...

Furthermore, Mrs. Ernst said, the girls wanted "more human treatment." She said they were not allowed to change their clothes at the factory, being compelled to come and go in their work clothes.

Mrs. Ernst said no objection had been raised to the fact that there are only four water spigots in the factory....⁵

In this first report we learn that Mrs. W.H. Ernst is the strike leader. She will remain in that role for the duration of the conflict. Importantly, the strike was over wages and working conditions. These two issues will remain the core elements of unrest at the Finck Company for more than two years. Just two days after the initial report of strike activity, the *San Antonio Express* reported on August 6:

CIGAR ROLLERS' STRIKE CONTINUES

Workers Will Not Return to Posts Until Troubles Are Corrected.

More than 300 girl cigar rollers and other employees of the Finck Cigar Company will remain on strike until conditions in the plant to which they object are corrected, Mrs. W. H. Ernst, spokeswoman for the strikers announced Saturday...

She said it was up to the employer to make the next move as he continued to refuse to confer with the workers Saturday. Unsatisfactory working conditions were blamed for the strike which began Friday. Raising the penalty on piece work rates from 2 cigars to 3 for each bad one rolled was cited as the principal cause for the strike. The girls earned from \$2 to \$7 per week.

The workers objected to a rule which prohibits them from changing their clothes when they go to lunch and prohibited them from leaving for more than four minutes at a time. Another cause for the dispute is that the girls are allowed 10 minutes to wash the implements they use in rolling these cigars, there being only three faucets and more than 250 girls.⁶

⁵ "Girls at Cigar Factory Go on Strike." *San Antonio Light*, August, 4, 1933, 1.

⁶ "Cigar Rollers' Strike Continues." *San Antonio Express*, August 6, 1933, A5.

The troubles continued at the Finck Company, and on August 16 the *San Antonio Light* reported that non-striking workers had entered and then exited the plant:

GIRLS HOOTED FROM FACTORY

A small group of new girls who started to go to work at the Finck Cigar company, 602 Buena Vista street, was frustrated Wednesday morning when a crowd of striking girls estimated at between 50 and 100 stood outside the factory and Jeered. It was reported that about a half-dozen girls appeared at the factory and after entering amid the heckling of the crowd, emerged shortly afterward without having gone to work...

Mrs. W. H. Ernst, leader of the striking girls, who was on hand outside the factory at 6 a. m. Wednesday, declared that the girls congregating there came chiefly to get instructions.⁷

Just three days later the *Express* reported that bomb threats had been phoned in to the Finck Company by an unknown person, prompting police surveillance of the plant:

GUARD CIGAR PLANT FROM BOMBERS

Finck Family Warned of Plans to Blow Up Factory.

Three radio patrol cars, were dispatched to the Finck Cigar factory 602 Buena Vista street, to establish a guard at midnight Friday after members of the Finck family had received five anonymous telephone threats that the cigar factory would be bombed.

The threats were telephoned to the owners of the cigar factory in quick succession late Friday night, police were advised. Each time a mysterious caller warned that either the factory on Buena Vista street or the warehouse at 407 North Pecos street would be blown to pieces.

Three police radio patrol cars were ordered to the vicinity, with all others standing by to proceed there if anything happened...

A thorough search of the vicinity failed to reveal the presence of bombers however.

This led police to express the belief that persons sympathizing with the girl strikers, who walked out of the cigar factory about two weeks ago, had made idle threats to excite the owners of the plant or to try to force an agreement with the workers through intimidation...

Approximately three hundred girl cigar rollers are on strike. They daily picket the factory to prevent others from taking their jobs.⁸

⁷ "Girls Hooted from Factory." *San Antonio Light*, August 16, 1933, 3-A.

⁸ "Guard Cigar Plant from Bombers." *San Antonio Express*, August 19, 1933, 1.

Only two days after the reported bomb threats, the *San Antonio Light* reported that an accord between the company and the striking workers appeared imminent. The report also noted that the women had formed a union, although it did not provide any specific information about the union:

ACCORD NEAR IN STRIKE OF CIGAR GIRLS

Settlement of differences between 300 striking cigar girls and officials of the Finck Cigar company, 602 Buena Vista street appeared likely Monday. The two groups, representatives of which conferred at different times with Mayor C. K. Quin about their troubles, were scheduled to meet at 3 p. m. Monday. A list of grievances, drafted by attorneys for the strikers, will be discussed at the conference, it was learned.

Ed Finck, president, and Joe Finck, an official of the factory, appeared before Mayor Quin Monday morning to ask continued police vigilance in keeping passageways and streets near the plant cleared. It was learned they expressed some apprehension that strike sympathizers not employed at the factory, may cause some disturbance at the conference...

Mrs. W. H. Ernst, spokeswoman for the striking girls, who have maintained a picket line for nearly two weeks to prevent strikebreakers going to work in their places, asked Mayor Quin for permission to continue the picketing without interference from the police. She was told the picketing could go on, on the condition no violence or blocking of traffic near the factory took place.

Grievances outlined by the girls included dissatisfaction at having to forfeit three cigars for every bad one rolled, sanitary conditions, lack of adequate rest periods and for lack of respectful treatment by supervisors...

The strikers are asking recognition of their recently organized union.⁹

The next day, the *Light* reported that picketing had ceased at the plant, as a code in compliance with the National Recovery Act had apparently been signed by company officials, resulting in a brief suspension of strike activity:

CIGAR FACTORY PICKETING ENDS

Striking employees of the Finck Cigar company, 602 Buena Vista street, had discontinued picketing Tuesday morning on announcement of officials of the factory that they had signed a certificate of compliance with an NRA code.

Notification of the fact was posted by officials in factory windows at 10:30 p. m. Monday after strikers had waited before the building all day in effort to secure a conference with factory heads.

⁹ "Accord Near in Strike of Cigar Girls." *San Antonio Light*. August 20, 1933, 1.

None of the strikers had been given re-employment Tuesday morning.

Provisions of the code signed by the company, which secured special dispensation to allow them to maintain rollers' salaries below scale of the national industry code, establish a salary of \$14 a week for office and clerical help, 22 ½ cents per hour for rollers and 17 ½ cents for shippers and apprentices. Maximum work hours were set at 40 hours.

Mrs. W. H. Ernst, leader of the striking women, said Tuesday morning that she had not known of the company's membership in the NRA. Factory officials have not yet discussed employment of the strikers with her, she said.¹⁰

The strike soon proved to be far from over. On August 23 the *Light* reported that Ed Finck might shut down the plant entirely if the strike were to continue:

SHUTDOWN OF CIGAR PLANT THREATENS

Finck Says Factory May Be Closed if Strike Continues

Efforts at mediation between Finck Cigar company officials and striking cigar workers apparently having failed, Ed Finck, president, announced at noon Wednesday the factory might close entirely, thus throwing about seven hundred employees out of work.

This development followed close on the heels of a near-riot between strikers and strike-breakers, early Wednesday in which several women were scratched and their clothes torn. Police reinforcements, under Chief of Police Owen W. Kilday, rushed to the scene of the fight and restored order temporarily.

A few minutes later the rear glass of a car carrying two factory officials and a strike-breaker was broken when the officials attempted to enter the factory grounds. Leonard Mangold, superintendent at the factory, and Howard Zimmerman, employee, who were in the car, had their clothes torn in the melee...

Finck in indicating the factory might close entirely, said he would not permit factory operation while the present state of chaos existed. He added the concern was not making a profit.

Finck, making his first statement in connection with the strike which started three weeks ago, minimized, reports that about 400 girls were in the strike. Not more than 100 were involved, he said, and the rest were ready to return to work if the smaller group would permit.

For a time Wednesday morning it appeared a settlement of the two groups' differences would be effected. It was learned Mayor C. K. Quin was to act as arbiter, but the plan fell through...

The strike Tuesday night was reportedly at an end with the adoption of a special NRA code by the factors which raised wages to a minimum of \$9 a week for rollers and bunchmakers and to \$7.50 a week for strippers. Heretofore all wages were paid on a piece-work basis, the strikers reporting some girls making only \$2 a week...

Finck said the penalty for making a bad cigar had been raised from one to two good cigars because apprentices affected by this ruling had served their time and had thus been raised to a status requiring greater efficiency. The penalty was listed as a grievance by the striking girls.

¹⁰ "Cigar Factory Picketing Ends." *San Antonio Light*. August 21, 1933, 1.

Finck charged the whole strike was the result of agitators, one of whom came here from Philadelphia to foment the trouble. Earlier in the morning while the strikers blocked Mangold's car from entering the factory grounds, a striker grabbed the pistol of Capt. W. A. Harvey from its holster. Kilday, standing near, jerked the gun from the girl's hand. It was reported that three policemen's guns were taken from them. They were quickly recovered...

Mrs. W. H. Ernst, spokeswoman for the strikers, who established a picket-line several weeks ago as a protest against what they term unfair working conditions, said Wednesday she had refused to accept on behalf of the girls the proposal to return to work under conditions laid down by Finck officials. She said many of the strikers had been refused reemployment.¹¹

Just as it appeared there was no end to the strike and the plant might close, a breakthrough agreement was reached, aided in part by Mayor Quin. On August 25, 1933, the *Light* reported:

DIFFERENCES SETTLED + GO BACK TO WORK CIGAR FACTORY WALKOUT IS BROUGHT TO CLOSE

Successful mediation by Mayor C. K. Quin and city commissioners brought the three-week strike of workers at the Finck cigar factory to a close Friday morning. Three hundred and fifty girl workers, of a total of about 600, were being registered at the plant preparatory to returning to their benches.

The strike, which in the past two weeks has been marked by outbreaks of violence resulting from a picket line established to prevent other girl employees from going to work, was terminated after strike representatives conferred with Quin and the commissioners...

Finck officials agreed, after Quin had communicated the strikers' position to them, to re-employ all the girls who went out on strike. Mrs. W. H. Ernst, the strikers' spokeswoman, whom officials had refused to take back originally, was to return to her job for a few days. She said she would then seek other employment.

The girls, who before the strike said they had been paid as low as \$3 a week for their work, on a piece work scale, will return in their jobs under the provisions of the NBA special cigar Industry code recently adopted. This code provides a minimum of \$9 a week for rollers and bunchmakers, and \$7.50 a week for strippers, and a maximum working period of 40 hours a week...

A penalty of two cigars for each bad one rolled will be maintained, but will not affect the wages guaranteed under the code.

Though Finck officials said sanitary conditions at the plant, to which the girls objected, had been corrected. Ed Finck, president, said lavatories at the plant would remain unchanged. The girls had objected to the number of spigots.

The strike reached a climax Wednesday and Thursday of this week when strikers, to prevent employees and girls they thought to be strikebreakers from entering the plant, blocked passageways and engaged in intermittent fighting in which clothes were torn and eyes blacked. A pistol was jerked from a policeman's holster...

¹¹ "Shutdown of Cigar Plant Threatens." *San Antonio Light*, August 23, 1933, 1.

A police guard, of from 2 to 15, has been maintained at the factory this week.

Finck said the entire group of 600 would be re-employed as soon as they could be registered. He said it would take all day Friday to sign up the 350...

Failure of other attempts [at mediation] Wednesday led Finck to announce the factory might have to close entirely unless the chaotic conditions were brought to an end...

Ed Finck commended Mrs. Ernest for her ability to organize the strikers.¹²

Less than a week after the announcement that an agreement had been reached, troubles were again reported at the plant by the *San Antonio Light*. The mayor, however, made it fairly clear that he would not become further involved in the dispute:

CIGAR PLANT GIRLS AGAIN COMPLAIN, AIR GRIEVANCES

Dissatisfaction over the same grievances that sent them on a strike which terminated last week after 21 days of idleness, flared again at the Finck Cigar factory Thursday.

Mrs. H. W. Ernst, spokesman for the striking group, appeared at the city hall Thursday morning with three girl employees of the factory, complaining of conditions to Mayor C. K. Quin.

Shortage of brooms for use in cleaning the shop, causing the girls to work overtime while waiting on the brooms, was claimed by the committee. They also stated they were still being asked to roll two good cigars for one bad one.

Mayor Quin told the body no complaint should be registered on the latter charge for they are now working by the week and not by piece work.

Mayor Quin referred the committee to the NRA grievance committee, stating he would have nothing further to do with the matter. Practically all of the striking girls are back at work.¹³

At this point only one other newspaper account for 1933 references trouble at the Finck Cigar Company. In early-September, Mrs. Ernst and one other worker are arrested by the police after a brief confrontation with Ed Finck. After the September 6 report in the *Light* there will be no more accounts for the remainder of the year:

CIGAR FACTORY ROW FLARES; 2 ARRESTED

¹² "Differences Settled + Go Back to Work." *San Antonio Light*, August 25, 1933, 1.

¹³ "Cigar Plant Girls Again Complain, Air Grievances." *San Antonio Light*, August 31, 1933, 8-B.

Those arrested were Mrs. W. H. Ernst, 244 Oriental street, leader of the recent strike at the cigar factory, now engaged in Bexar county relief work, and Miss Margarita Martinez, 27, of 315 Grenet street, who said she was discharged Tuesday after a wage argument with employers.

The two women met Ed Finck, president, on the sidewalk Wednesday morning, police said, and subsequently they were arrested and booked for “disturbing the peace, to-wit, making threats.”

From her jail cell, Mrs. Ernst said that Finck had shoved her off the walk and taken a small stick from the hand of the other woman...

Mrs. Ernst and the other woman were released under \$25 bonds a short while after their incarceration.

Chief of Police Owen W. Kilday, who conducted an investigation, announced that 20 girls not employed at the factory at present appeared Wednesday morning and tried to persuade the others to walk out...

The dissenters dispersed quickly, however, when the patrol wagon was parked at the scene.

Mrs. Ernst claimed that between 50 and 75 girls had been discharged this week because they claimed they did not get enough pay for the time put in.¹⁴

The first report of 1934 about the Finck situation came in February when Ed Finck was called to testify at the Regional Labor Board meeting at the Federal Building. According to the *San Antonio Express* in late-February:

LABOR BODY HEARS FOUR CASES

Cigar Company Head Spends Afternoon Defending Self Against Workers' Charges

Decisions as to whether the Finck Cigar Company... discharged employees because of union affiliations will be announced Tuesday morning by the Regional Labor Board sitting in the Federal Building here

... Ed Finck, manager of the cigar company, was on the stand all the afternoon.

The strike at the Finck Cigar Company plant, 602 Buena Vista Street, in October, 1933, figured in the hearing in the afternoon, during which several girl employees testified stating they had been discharged because they belonged to the union. One witness testified that effects of the women employees were searched by an employee of the company seeking names of union members.

... Maria Luisa Gonzales, financial secretary of the union, said she was re-employed after the strike, but the daily quota was raised from 300 to 400 cigars and she could not make the quota because about 100 cigars a day were rejected.

Evangelina Garcia said she was also discharged because she could not make the quota and was paid \$3.50, which she took to N. H. King, chairman of San Antonio NRA compliance board, and that King told her “everything was all right.”

¹⁴ “Cigar Factory Row Flares; 2 Arrested.” *San Antonio Light*, September 6, 1933, 1.

Modesta Herrera, who had been employed at the factory seventeen years, said she was discharged after she was heard talking to several other girls in regard to visiting Mrs. W. H. Ernst, president of the union, who had been arrested as a result of a clash with police during the strike.

Mrs. Ernst said she was never placed at work after the strike and Finck explained this was not done because she was not an American citizen and he wished to give Americans the preference. Mrs. Ernst said she was born in Mexico but had resided here nearly all her life and her husband, whom she married in 1921, is an American citizen...

Finck declined to answer when asked if he was In favor of union labor and declined to state whether he would consult with a committee of workers in regard to conditions at the plant...¹⁵

The very next day the Express reported that Finck was going to appeal the Regional Labor

Board's decision, providing what appeared to be something of a victory for the striking workers:

FINCK TO APPEAL BOARD'S DECISION

National Labor Group Gets Protest Against Order to Hire 100

The Finck Cigar Company has appealed to the National Labor Board in Washington from a ruling of the Regional Labor Board reinstating 100 workers discharged or not re-employed since the strike at the plant here last October, it was announced Tuesday...

In ordering reinstatement of the employees, the board also provided for adoption of a, four-point program by the company, one of which Included collective bargaining with a committee of employees to be selected to confer with one of the company officials. Ed Finck, president of the company, as a witness, Monday had declined to answer, when he was asked if he was opposed to union labor. He also declined to say whether he would treat (sic meet) with a committee selected by the employees, but said he preferred Individual contact to any other kind of control...

It was required that the company reinstate "within a reasonable time all workers who by past records with the company have established they are capable of complying with the requirements as to productive ability."

Workers who "in their long years of employment have proved loyal and faithful employees and who are not qualified to meet the quota requirement" of producing 400 cigars a day are also to be re-employed. Rollers who are not competent to meet the quota are to be employed up to the full NRA standard of IT per cent of the total. Finck testified that the company now employs about 5 or 10 per cent who fall below the quota...

"The board desires to express that it feels these particular workers, by the company's quota requirements are subject to gross discrimination and are therefore doubly in need of protection. In reinstatement, time of service shall .be considered..."

The board disapproved the "two for one" system in force at the factory and suggested that the committee make efforts to adjust the matter to the mutual satisfaction of workers and employer. The system requires roller to produce two good cigars for every one which upon Inspection is declared "bad." The roller is not paid for the two good cigars to replace the bad one.¹⁶

¹⁵ "Labor Body Hears Four Cases." *San Antonio Express*, February 27, 1934, 6.

¹⁶ "Finck To Appeal Board's Decision." *San Antonio Express*, February 28, 1934, 16.

By the middle of April, the conflict had moved to Washington, D. C. and the National Labor Board and the rehiring of Mrs. Ernst was still a looming issue. It was also apparent, as the following account makes clear, that enforcement of the Board's decisions about rehiring striking workers was still a problematic concern.

U.S. BOARD HEARS CIGAR FIRM ROW

Finck Controversy Taken on Appeal from New Orleans Decision

The National Labor Board today heard the dispute between the Finck Cigar Company, San Antonio, employing 300 factory workers, and the United Cigar Workers of America, involving charges by the union of refusal to bargain with worker committees, rehire union workers, and permit workers a "voice in determining what constitutes defective workmanship when a wage penalty is exacted."

The case came before the National Labor Board on appeal by the employer from a decision rendered by the New Orleans Regional Labor Board, Feb 27.

Early in August a strike occurred in the plant over wages and working- conditions. A committee headed by Mrs. H. W. Ernst, president of the local union, presented a "bill of particulars" to Edward Finck, president of the company, which was turned down, according to Finck. About the third week of the strike the mayor of San Antonio intervened, and a settlement was made on the basis of reinstatement of the strikers individually as business permitted. Mrs. Ernst was not reinstated.

Finck told the board that since the strike the factory had been reorganized and that operations were now near the pre-strike dollar volume. He said the workers were satisfied with conditions. He said no new employees had been taken on since the strike. Finck said that he was "at the service of the National Labor Board," in any effort to settle the controversy, but asked that the matter be referred to the recently-formed San Antonio Regional Labor Board as being more cognizant of local problems....¹⁷

In May the Finck Cigar Company had been found in violation of the National Industrial Recovery Act and ordered that Mrs. Ernst and her top aides were to be given back their jobs "at once." The Board delivered a three point "finding" that on paper amounted to a victory for the workers. It further ordered that "management" (i.e., Ed Finck) should enter into collective

¹⁷ "U.S. Board Hears Cigar Firm Row." *San Antonio Express*, April 4, 1934, 4.

bargaining with the workers on matters of wages and working conditions. Indeed, at this point it appeared as though the Finck Cigar Company had lost, as the *Light* reported:

CIGAR FIRM LOSES LABOR DISPUTE

Finck Company Ordered to Reinstate Workers Ousted Last August

Reinstatement of workers at the Finck Cigar Company, San Antonio, who were discharged last August, was ordered today by the National Labor Board.

The board found, after hearing the case last month, that four employees of the company had been discharged without due cause, am in violation of section 7 (a) of the National Industrial Recovery Act

The national board's decision sustaining that of the New Orleans regional labor board, follows:

"1. The Finck Cigar Company shall reinstate Mrs. W. H. Ernst, Modesta Herrera, Adela Hernandez and Mrs. E. J. Padilla to their former positions, or equally good positions, at once.

"2. The board recommends that the Finck Cigar Company place the names of all the employees who were on its payroll Aug. 4, 1933 who are not now employed by the company, and who manifest a desire to be re-employed, upon preferential list, which shall be posted in a conspicuous place. These workers should be re-employed by the Company as rapidly as possible, in the order of seniority, before any new employees are hired.

"The board recommends that the company divide the present work as much as possible, in order to expedite such re-employment. This re-employment should include those employees with long-service records who have been unable to meet the company's production quota requirements, up to seventeen percent of the total employees of the company in accordance with the President's re-employment agreement, as modified for the cigar manufacturing industry.

"3. After the reinstatement of the employees has been completed the employees shall, within a reasonable time, elect and present to the management an industrial relations committee of their own choosing. The management shall bargain collectively with this committee on wages, hours and working conditions, including the "two for one roll-over ratio." Should a substantial number of the employees request it, the election of the employees' committee shall be held under the supervision of the San Antonio Regional 'Labor Board.¹⁸

Compliance with the Labor Board's decisions, however, proved to be an issue throughout the summer of 1934. In short, the Finck Cigar Company was refusing to comply with the orders of rehiring workers and addressing working conditions. By September the National Labor Board had had enough and it ordered the removal of the "Blue Eagle" from the Finck factory. The Blue

¹⁸ "Cigar Firm Loses Labor Dispute." *San Antonio Express*, May 15, 1934, 2.

Eagle was a symbol used by American companies to show their compliance with the National Industrial Recovery Act. Consumers were urged to buy from companies that posted a Blue Eagle, and the symbol became an emblem of a company's basic patriotism in the midst of the Great Depression the Finck company became only the second company in Texas to have to surrender its Blue Eagle to the local postmaster. The four employees referred to in the press account below were Mrs. Ernst and her three top assistants. The announcement of the Finck Company losing its Blue Eagle was made by the *San Antonio Express* on September 19, 1934

FINCK CIGAR CO. LOSES BLUE EAGLE

Discharge of Three Employees Reported to Be Basis for Washington Action

Hugh S. Johnson, acting on the recommendation of the National Labor Board, ordered on Tuesday the blue eagle removed from the Finck Cigar Company plant, 602 Buena Vista Street.

According to a press dispatch, the cause for the labor board's action was the discharge of three employees and failure to reinstate a fourth in violation of collective bargaining guarantees.

The action by the administrator of the NRA climaxed a series of difficulties between the Finck company and employees which started about a year ago with a strike at the plant. The difficulties were adjusted after, several conferences, the Finck company signed the NRA agreement and eventually took back most of the striking workers except the four mentioned in the press dispatch....

The attempt to restore the strikers was taken before the New Orleans regional labor board, which held hearings here before the present San Antonio board was established. The board ordered reinstatement of the workers, but the Finck company appealed the case to the national board in Washington. After a hearing there, the national board upheld the findings of the regional board and again ordered the four workers reinstated. Officials of the NRA here said that Johnson's action followed the company's refusal to comply with the labor board findings.

The Finck company is the first company in San Antonio and the second In Texas to lose the NRA emblem by action of a regional or national labor board... The company may not use the blue eagle insignia on any of its cigar boxes nor on the cigar wrappers or advertising.¹⁹

The following day Ed Finck made it clear that he had no intention to reinstate Mrs. Ernst and her three assistants. He further insinuated that Communist connections to the striking workers were

¹⁹ "Finck Cigar C. Loses Blue Eagle." *San Antonio Express*, September 19, 1934, 6.

evident, although he offered no proof or evidence to substantiate the claim: The *Express* led its September 20 account with a reference to the “Reds”:

CIGAR COMPANY TO WAR ON “REDS”

Finck Says He’ll Close Plant Rather Than Hire Agitators

The Finck Cigar Company plant will not be turned over to the Reds as long as he can help it, Ed Finck, president, said Wednesday after surrendering his Blue Eagle to Dan J. Quill, acting postmaster, in compliance with an order from Hugh S. Johnson, director of the NRA.

Finck said he would not consider turning his plant over to the four women strike leaders who organized and conducted the walkout at the plant in August, 1933. He would close up the plant first, he said...

The reinstatement of the four women, who had not been reemployed when the strike was settled, was ordered by the Regional Labor Board here last winter. Finck appealed to the National Labor Board and the order of the regional board was affirmed. Surrender of the Blue Eagle was ordered when Finck refused to reinstate the women...²⁰

The closing months of 1934 and the beginning of 1935 brought no news of strike activity in the San Antonio press. However, there were a series of news accounts of strike activity, some of it violent and often resulting in mass arrests beginning in March and continuing into April, 1935.

The following account from the *Express* on March 24 is a typical one from these months:

STRIKERS BATTLE ENDS IN PRISON

58 Arrested At Cigar Works Later Released

A hair-pulling payday melee at the Finck Cigar Company factory, 602 Buena Vista Street, brought the arrest of 58 persons Saturday and jammed the county jail to capacity...

All had been held for investigation for immigration authorities, and a quick check by the Federals revealed none “wet” enough to hold, officers said. Some will be investigated further, however, it was said...

Police and deputy sheriffs were called to the scene and a clash followed. Shirts were torn, noses cracked, and hair pulled before officers succeeded in quelling the disturbance and leading the crowd, including 25 women, into police cars. No one was seriously hurt, it was said.²¹

Confrontations between strikers, non-strikers and police marked the following weeks as it became apparent that working conditions in the factory had not improved and wages remained a

²⁰ “Cigar Company to War on “Reds.” *San Antonio Express*, September 20, 1934, A1.

²¹ “Strikers’ Battle Ends in Prison.” *San Antonio Express*, March 24, 1935, A3.

contentious issue. In late-April the *San Antonio Light* reported the following incident, which seemed indicative of how the police had become involved in breaking up strike activity:

POLICE BREAK STRIKE MARCH

An Independent march of 50 men through the Finck cigar factory strike area was the only untoward incident reported in the district Monday as the strike entered its sixth week. Police, headed by Chief Owen W. Kilday, quickly broke up the parade and arrested the leader.

The march leader, who told police his name was George Murphy, said he was a representative of the unemployed council. His men quickly dispersed after their leader's arrest. Banners they carried expressed sympathy for the strikers.

Workers and strikers, however were held within-their respective lines by the large force of police on duty, and the disturbances which had marked the last four working days at the plant were halted.

Police Monday kept the strike area well cleared and most of the workers were brought through the strikers' picket lines in cars.

Mrs. W. H. Ernst, president of the cigar workers union, reported 150 women still were out on strike and said that they intended to carry on their fight for improved conditions by peaceful picketing.²²

April 23 brought a report from the *San Antonio Light* that Mayor Quin was now set to enter back into efforts to find a settlement to the dispute. He had become involved in such efforts back in 1933, but little had come from his involvement. Whether his new efforts would prove more beneficial remained to be seen:

MAYOR TO JOIN IN STRIKE TALKS

Will Appoint Members of Conciliation Group

Efforts to settle by arbitration the strike of Finck Cigar Company cigar rollers were started Monday when Mayor C. K. Quinn meeting with representatives of the workers and organized labor agreed to name a disinterested party to meet with company and union representatives to discuss a plan to end the strike which has been carried on several weeks...

The action was taken at a meeting attended by John R. Steelman, U. S. Commissioner of Conciliation who was sent here from Washington in an attempt to end the strike; W. B. Arnold, president of the Texas State Federation of Labor; Joe Armstead, international representative of the Cigar Makers' Union; H. Haffner, president of the San Antonio. Trades Council; William L.

²² "Police Break Strike March." *San Antonio Light*, April 22, 1935, 2A.

Hoefgen, editor of labor paper, and Mrs. W. H. Ernst, representing the Cigar Makers' Union of San Antonio.²³

The summer months saw a number of continuing confrontations between strikers and police. It had become obvious by the summer of 1935 that Police Chief Kilday and the police force viewed their primary responsibility to be one of breaking the strike and disrupting legal picketing and other strike activity. The following report of August eighth is a typical account of the deterioration of social order at the Finck Company:

POLICE QUELL CIGAR PLANT RIOTING

Three police squads were called to the Finck Cigar factory on Buena Vista street Thursday noon when striking pickets and strike breakers hurled stones and tore at each others [*sic*] clothing.

Pickets threw stones at the workers when they issued from a plant at the hour.

Several women were cut on the head and bodies by the flying stones and dresses were torn from the women as the opposing groups mixed it in the center of the street.

Ed Finck, owner of the plant, finally supervised removal of the workers from the street back into the plant building...²⁴

Police quickly got the situation under control and women were allowed to leave the plant in small groups for lunch.

Confrontations like the one above continued throughout August. Mudslinging, brick throwing, fist fights, ripped clothing, and brawls between strikers and police had become frequent events by the early fall of 1935. Despite efforts by the police to contain the confrontations, the strike continued at the cigar factory. Physical confrontations were punctuated by brief respites, but the basic worker frustration over wages and working conditions remained unchecked. The workers appeared poised to continue the strike indefinitely, just as Ed Finck seemed equally entrenched in not giving in to workers' demands. He had not complied earlier with the National Labor Board's orders and he showed no evidence of any chance in his position. He had already

²³ "Mayor to Join in Strike Talks." *San Antonio Express*, April 23, 1935, 20.

²⁴ "Police Quell Cigar Plant Rioting." *San Antonio Light*, August 8, 1935, 1.

surrendered his Blue Eagle and there seemed little pressure, legal or otherwise, that could force a change in his position toward the striking workers.

In November Governor James Allred responded to a request from the San Antonio Trades Council to become involved in seeking a dispute resolution at the Finck plant. Gov. Allred's response was to order an investigation by the Texas Industrial Commission, to be headed by Everett Looney of Austin, and make a report. The November 3, 1935 *San Antonio Light* carried the following account of the governor's actions:

S.A. CIGAR STRIKE TO BE PROBED

Governor Acts upon Request of S.A. Trades Council on Finck Co. Walkout

Allred Orders Board to Hold Hearings, Make Report on Difficulty

An Investigation of a strike at the Finck Cigar factory here by the; Texas industrial commission was ordered Saturday by Gov. James V. Allred at Austin,

The commission was directed to proceed to San Antonio to hold hearings and take testimony on the strike which started in 1933 and make a complete report to the governor...

[Allred] said:

"The San Antonio Trades council passed a resolution calling to the attention of this office the 'conditions' surrounding the strike of certain former employees of the Finck Cigar factory and requested that this matter be referred to the Texas industrial commission, for their investigation and report..."

"I am, of the opinion that this is a proper case for-the commission to give its thought and attention to in an impartial investigation."²⁵

The five-member Commission heard testimony in early-December. Mrs. Ernst was a principal witness in describing the conditions at the Finck factory, alleging threats by Bexar County Sheriff Albert West, mistreatment by one of his deputies, and general harassment by factory ownership in an account on December 2 in the *Light*:

FINCK WORKERS CHARGE COERCION DEPORTATION THREAT BY SHERIFF ALLEGED

²⁵ "S.A. Cigar Strike to Be Probed." *San Antonio Light*, November 3, 1935, 1.

WITNESS BEFORE STATE PROBE DECLARES DEPUTY BEAT HER

Many women cigar rollers at the Finck Cigar factory are staying on their jobs because they are afraid of Sheriff Albert W. West Jr., Mrs. W. H. Ernst, militant strike leader, testified before the Texas industrial commission at an investigation into the strike which started in 1933, at city hall Monday.

Mrs. Ernst declared:

“The girls are working there now because they are afraid of Sheriff West, He came to the factory in March and told us he would deport any of them that went on strike. He said, ‘After all you are only Mexicans, and ought to be proud of conditions at the factory...’”

Mrs. Ernst said the strikers had been constantly mistreated by the sheriff’s office and that Tom Cook, former deputy sheriff, had beaten her with a blackjack.

Mrs. Ernst further declared the girls were fined 1 cent if-they were late in getting to work.

Mrs. Ernst said the company compelled them to roll two good cigars for every one badly rolled and on the day the strike was called threatened to take three cigars for every one poorly rolled.

Mrs. Ernst said: “Nothing was wrong with most of these cigars supposed to be bad and they were sold as good ones. It would take only one girl to repair all of the cigars supposed to be bad. We could roll a maximum of 500 cigars a day but when we got through the company would take out about 200. We got 42½ cents for each 100 cigars we rolled...”

“When we got through rolling 500 cigars they wouldn’t let us go home and they wouldn’t let us roll any more cigars. We just had to sit there.”²⁶

The final press accounts of the hearings appeared in both San Antonio newspapers on December 3, 1935. Both newspapers report that Ed Finck refused to attend the hearings and thus did not provide any testimony. The *Express* noted Finck’s absence and one commissioner’s response that if he chose not to attend the hearing, the commission should imply adjourn. The *Express* also noted Mrs. Ernst’s long summary of unresolved complaints by the workers:

FINCK IGNORES STRIKE HEARING

Industrial Commission Adjourns When Cigar Plant Owner Fails to Appear.

Failure of Ed Finck, owner and operator of the Finck Cigar Company, to appear at a Texas Industrial Commission investigation of the two-year-old strike at the cigar plant, led the commission to adjourn Monday afternoon...

Finck was subpoenaed but failed to appear. The board discussed the advisability of sending for him but decided against the plan. “I do not think we should go to extremes to get him here

²⁶ “Finck Workers Charge Coercion.” *San Antonio Light*, December 2, 1935, 1.

because he has been notified of the opportunity to present his side of the case, “Miller said. “If he see fit to stay away, the hearing should be closed and the record delivered to the Governor based on the facts disclosed. The employer has only himself to blame if he is severely criticized in the report.”

Mrs. W. H. Ernst, one of the leaders of the 375 workers who walked out of the plant in August, 1933, was the first witness to testify. Conditions which resulted in the workers, mostly women, striking included a penalty of two and later three good cigars for which rollers received no pay when they rolled one imperfect one, another ruling that women workers had to wear their uniforms, which they considered unsuitable to street work, home at night; another which prohibited rollers from going home even if they finished their daily quota of cigars before quitting time, interest charges of 8 per cent per month on loans made workers by the plant, a requirement that all the workers wash their tools within 10 minutes time, and installation of fans which caused water from sweating pipes to be blown upon workers.²⁷

The *Light's* report on the same day, December 3, 1935, included a little more detail on specific comments, including Ed Finck's reply to a reporter's query about his absence from the hearing. This final account also provides an interesting summation to the newspapers' reporting on the Finck strikes by quoting Commissioner Jacob's observation that probably no specific action would be done to the Finck Company.

LABOR PROBERS PLAN REPORT TO TELL GOVERNOR OF STRIKE FINDINGS

After Hearing Workers' Side of Trouble

The Texas industrial commission Tuesday had adjourned awaiting call of Chairman Everett Looney, Austin, after devoting Monday to taking testimony as to the cause and course of the strikes that have beset the Finck Cigar company since August 4, 1933.

Ed Finck, manager of the company accused of employee abuses, termed “the baddest boss in town” by Striker Mary Louise Gonzalez, failed to appear in his own defense. Members of the commission had subpoenaed Finck, but decided not to hold him in contempt, although they could do so and place the cigarman in jail...

Finck, telephoned, would make no statement saying:

“I don't want to commit myself, old man...”

Action of the commission, now the hearings are over, is to digest the testimony, make a report to the governor and to the legislature...

“Probably no specific action for the Finck trouble will be taken,” Dr. Jacobs said.

²⁷ “Finck Ignores Strike Hearing.” *San Antonio Express*, December 3, 1935, 6.

“We could have Finck jailed for disregarding our subpoena, but if he doesn’t want to answer the subpoena and present his side, all right,” Dr. Jacobs said....²⁸

And the “all right” ended the investigation by the Texas Industrial Commission. No labor troubles were reported in the press at the Finck Cigar Company the following year. The Finck Cigar Company continued to produce cigars, although by 1940 a large part of the operation was done by machines and the need for women workers was greatly reduced. But, what was the ultimate significance of the Finck Strikes?

III. Conclusion

The conflict between management and workers at the Finck Cigar Company was a classic example of the struggle for social justice. Underpaid, exploited workers, subjected to a variety of intimidations and mistreatment by company ownership, finally, in the summer of 1933, responded by demanding fair pay, an end to harassment, and an improvement in overall working conditions. That this struggle was carried out almost exclusively by lower-socio-economic Mexican and Mexican-American women is testimony to their strong collective solidarity and their sense of fairness in the face of gross social injustice.

The strikes represented a struggle for social justice, yet it was a struggle that in its external features appears to have failed. There is little to no evidence that working conditions substantially improved or that wages went up significantly. By these standards this particular struggle for social justice was a resounding defeat. However, these workers did create a spirit of worker solidarity that would be later embraced by garment workers and pecan shellers in San

²⁸ “Labor Probers Plan Report, To Tell Governor of Strike Findings.” *San Antonio Light*, December 3, 1935, 4-A.

Antonio. The ultimate accomplishment of the striking women at the Finck Cigar Company was a simple refusal for more than two years to be treated like second-class citizens.

Despite police mistreatment, broken bones and jail, the fight for social justice exhibited by these women and their demand to be accorded a basic human dignity was a spiritual victory for these “Mexican girls.” Even though they won little of their demands, they proudly demonstrated their determination to confront capital and demand that their dignity be respected. In this final sense, a sort of social justice was achieved.

Appendix: Newspaper Accounts

- “Cigar Rollers’ Strike Continues.” *San Antonio Express*, August 6, 1933, A5.
- “Guard Cigar Plant from Bombers.” *San Antonio Express*, August 19, 1933, 1.
- “Labor Body Hears Four Cases.” *San Antonio Express*, February 27, 1934, 6.
- “Finck To Appeal Board’s Decision.” *San Antonio Express*, February 28, 1934, 16.
- “U.S. Board Hears Cigar Firm Row.” *San Antonio Express*, April 4, 1934, 4
- “Cigar Firm Loses Labor Dispute.” *San Antonio Express*, May 15, 1934, 2.
- “Finck Cigar C. Loses Blue Eagle.” *San Antonio Express*, September 19, 1934, 6.
- “Cigar Company to War on “Reds.” *San Antonio Express*, September 20, 1934,
- “Strikers’ Battle Ends in Prison.” *San Antonio Express*, March 24, 1935, A3
- “Mayor to Join in Strike Talks.” *San Antonio Express*, April 23, 1935, 20
- “Finck Ignores Strike Hearing.” *San Antonio Express*, December 3, 1935, 6.
- “Girls at Cigar Factory Go on Strike.” *San Antonio Light*, August, 4, 1933, 1.
- “Girls Hooted from Factory.” *San Antonio Light*, August 16, 1933, 3-A

- “Accord Near in Strike of Cigar Girls.” *San Antonio Light*. August 20, 1933, 1.
- “Cigar Factory Picketing Ends.” *San Antonio Light*. August 21, 1933, 1
- “Shutdown of Cigar Plant Threatens.” *San Antonio Light*, August 23, 1933, 1
- “Differences Settled + Go Back to Work.” *San Antonio Light*, August 25, 1933, 1
- “Cigar Plant Girls Again Complain, Air Grievances.” *San Antonio Light*, August 31, 1933, 8-B
- “Cigar Factory Row Flares; 2 Arrested.” *San Antonio Light*, September 6, 1933,1
- “Police Break Strike March.” *San Antonio Light*, April 22, 1935, 2A
- “Police Quell Cigar Plant Rioting.” *San Antonio Light*, August 8, 1935, 1.
- “S.A. Cigar Strike to Be Probed.” *San Antonio Light*, November 3, 1935, 1.
- “Finck Workers Charge Coercion.” *San Antonio Light*, December 2, 1935, 1.