Negotiated Peace

As January, 1937, drew to a close, the prospects for union success in the GM strike seemed to be lessening. Although the UAW continued to hold vital plants that prevented GM from resuming full-scale production, the company's reinstitution of its injunction suit in the Genesee County Circuit Court posed a major threat to the continuation of the sit-down in the Flint Fisher Body plants, and the successful implementation of the back-to-work movement in other GM plants made it appear that the strike everywhere was on the wane. The violence employed against strikers and organizers in Anderson and Saginaw had gone unpunished, and there were rumors aplenty that the company or its agents would now resort to "direct action" in Flint as well. Morale, the strike leaders sensed, was beginning to sag, and the strike as a whole seemed to be "bogging down." The strike leadership in Flint realized, to quote Paul Gallico, "If we stand still, we're through," that the moment had come for "some dramatic action" that would revive the flagging spirit of the strikers and that would demonstrate to the company that the union was still on the offensive and had not yet committed all its reserves to the battle.¹

It was almost inevitable that in seeking to enlarge the strike the union leadership in Flint should have focused its attention on the Chevrolet No. 4 plant. The sole producer of engines for Chevrolet cars, this plant was one of the two or three most important units in the entire GM complex. It was located at the base of the hill on Chevrolet Avenue, just south of the Flint River and across the street from Fisher Body No. 2 and Chevrolet No. 5. Working conditions in the plant were far from ideal, and there was much grumbling among the approximately thirty-eight hundred workers who manned the two shifts in the factory.²

From the point of view of strategists planning a sit-down strike, Chevrolet No. 4 had the advantage of access to the street and of having only two principal entrances to defend, but it had the more than counterbalancing disadvantage of being located just one hundred feet or so from the Chevrolet personnel building, the headquarters for the Chevrolet plant police and "a virtual arsenal."³ This factor, plus the limited union membership in the plant, had probably discouraged the union from attempting to seize Chevrolet No. 4 at an earlier stage of the strike and made a frontal assault on the plant

*See the sketch on p. 2.

266
appear foolhardy. If, however, the Chevrolet plant police could be drawn off to another plant by a diversionary strike, the nucleus of unionists in Chevrolet No. 4, reinforced by unionists from the outside, might be able to capture the factory before the Chevrolet management realized that it had concentrated its defensive forces at the wrong point. That the strike leadership should have devised an essentially military strategy of this sort to capture the vital Chevrolet No. 4 plant is entirely understandable since the strike from the start had resembled a military conflict in which leaders like Travis and Roy Reuther, to use Murray Kempton’s phrasing, had played the part of “battalion commander[s].”

Participants in the strike and those who have written about it have generally given either Bob Travis or Roy Reuther the principal credit for having devised the strategy that resulted in the UAW’s seizure of Chevrolet No. 4. Travis himself has declared that Mortimer, Kraus, and he worked out the details of the maneuver; but he has said that his own thinking had been influenced by Kermit Johnson, who was to be designated the chairman of the strike committee in Chevrolet No. 4 and who had advised Travis that if the UAW planned to capture the plant it should try to create a diversion somewhere else. Travis insists that Reuther took no part in the planning of the strategy, but he is certainly in error on this point.

Reuther’s own recollection, and it seems correct, is that it was “a kind of joint thing in which four or five people sort of refined and developed the idea.” Travis and Reuther would appear to have been the principal originators of the stratagem, but they then perfected the plan in conversations with Powers Hapgood, Johnson, and five or six others. Germer and Brophy of the CIO and some of the UAW high command with whom the plan was discussed thought that it would not work, but its proponents believed that the union was “losing the strike” and that the “big gamble” was therefore necessary. It was, at all events, the local Flint leadership rather than the UAW international officers or CIO officials who were primarily responsible for initiating and implementing the “gamble” that in the end played such a large part in determining the outcome of the strike.

The plan to seize Chevrolet No. 4 called for the unionists in Chevrolet No. 9, one of several sources of bearings for Chevrolet cars, to initiate what appeared to be a sit-down on February 1 at about 3:20 P.M. (near the time when the shifts changed and when there would consequently be a maximum number of unionists in the plant) in the expectation that the company police, who would presumably be concentrated in the personnel building immediately east of Chevrolet No. 9, would be enticed into the plant. While the anticipated
Sit-Down

268

battle was being waged for control of the No. 9 plant, unionists in Chevrolet No. 4, reinforced by comrades coming from Chevrolet No. 6, about three hundred yards northwest of No. 4, and by other unionists from the outside would seek to gain control of the No. 4 plant.8

The strike leadership planned to implement its daring strategy behind a smokescreen of charges that the Chevrolet management in Flint was discriminating against unionists who had returned to work beginning on January 27.9 There was a large meeting of Chevrolet workers at the Pengelly Building on January 30 to protest the alleged discrimination, and it was decided that although "the time had come for action" a last effort should be made to settle the matter amicably. At a meeting of shop stewards held after the general meeting, a committee of fifteen was designated to negotiate with the Chevrolet management, and arrangements were subsequently made for a conference with Arnold Lenz on February 1. On Sunday evening, January 31, there was a large and enthusiastic mass meeting at the Pengelly. About 150 Chevrolet stewards and volunteer organizers were asked to remain behind after the meeting, and Travis, who delighted in the mysterious and the dramatic, had them pass one by one through a darkened room, where Kraus, Roy Reuther, and he gave about thirty of the men, including some who were believed to be "stool pigeons," written notices to appear in Fisher Body No. 1 at midnight.

When the designated group gathered in the Fisher plant, Travis informed them that plans called for a sit-down in Chevrolet No. 9 the next day. This news was received with something less than enthusiasm since the plant was not vital to GM's operations, but Travis assured the men that the seizure of No. 9 was essential to the success of the strike. Following the meeting he called aside two of the union leaders in Chevrolet No. 9 and instructed them to begin a strike at 3:20 and to try to hold the plant until about 4:10 P.M.; and he informed Ed Cronk, the corpulent UAW leader in Chevrolet No. 6, that he was to lead the unionists in that establishment to the No. 9 plant just after 3:30 P.M.10

When Travis called Lenz on the morning of February 1 to arrange the time for the meeting that had been scheduled for that day, the Chevrolet plant manager, without offering an explanation, advised the Flint strike leader that he could not meet with the union group until the next day. This convinced Travis that the company, as the strike leadership had hoped, had been informed by its spies that the union planned to take the No. 9 plant. The word, to be sure, was out in Flint that there was likely to be a sit-down in the Chevrolet
plant that afternoon, and the Chevrolet plant police and law-
enforcement officials in Flint were ready for action.\textsuperscript{11}

The UAW had scheduled a meeting at the Pengelly for 2:30 P.M.
on February 1 ostensibly to organize a march on the Genesee County
Courthouse, where the hearings on GM's injunction suit were to be
held that afternoon. Shortly after 3:00 P.M. two union sound cars left
union headquarters, one manned by Merlin Bishop and John Mon-
arch, a Socialist party organizer, proceeding to Bluff Street, overlooking
Chevrolet No. 6, the other, manned by Roy Reuther and Powers
Hapgood, moving to Kearsley Street, alongside Chevrolet No. 9. At
about 3:20 P.M. Travis, who was speaking to unionists in the Pengel-
ly, informed them that there was trouble in the No. 9 plant and that
they should proceed to the scene at once. About three to four hun-
dred strike sympathizers and about fifty members of the Emergency
Brigade, armed with clubs, quickly left by auto for Chervolet No. 9,
arriving there just about the time fighting began in the plant. State
police troopers, reporters, and newsreel crews were already on hand.

At about 3:20 P.M., ten minutes before the end of the day shift,
night-shift unionists who had entered the No. 9 plant began to call
for a strike. Day-shift unionists started to close down the machines
and to join in the strike, but they came into conflict with loyal
employees and plant guards inside the building. About two hundred
Chevrolet plant police, mobilized for the occasion in the personnel
building, quickly filed into Chevrolet No. 9 and joined the loyal
workers in an effort to eject the strikers. Using clubs and tear gas, the
company forces drove the unionists toward the rear of the plant, and
there was "just a hand-to-hand battle there for a good little bit."
Outside, the Emergency Brigade and some of the men, receiving their
orders from the sound car, rushed up to the plant and began smashing
the windows so that air could get into the factory. Some of the
unionists wanted to rush the gates to join the fighting inside, but
Hapgood and Reuther, knowing that this would have led to "a
slaughter," discouraged such action. The disturbance outside was
quickly quelled by city police and sheriff's deputies, while on the
inside the fighting stopped shortly after 4:00 P.M., and the unionists,
getting the worst of it, soon emerged from the plant, nearly all of
them assuming that they had been defeated and unaware that they
had performed their assigned role to perfection.\textsuperscript{12}

The battle of Chevrolet No. 9 having come to an end, the sound
car and most of the union crowd outside the plant departed for the
principal battlefield, Chevrolet No. 4. At 3:35 P.M. the horn was
sounded on the overhead crane at Chevrolet No. 6, whereupon Ed
Cronk took out a small American flag from his pocket, picked up a piece of lead pipe, and called for the workers to follow him. About thirty-five men, armed with hammers and pieces of sheet metal and pipe, followed Cronk from the plant. When they emerged, ready to go to Chevrolet No. 9, they were directed by Bishop and Monarch to proceed to the No. 4 plant. Cronk burst into the No. 4 plant, “his hairy chest bare to his belly” and leading “the most ferocious band” of men Kermit Johnson had ever seen but not the army of three hundred he had expected. Johnson realized that Cronk’s small force, the No. 4 unionists who had remained over from the day shift and had hid in the toilets, and the activists on the afternoon shift were too few in number to capture the plant, and so Cronk and he returned to the No. 6 plant and gathered another hundred or so men.

The new force surged into No. 4 and aided by perhaps two hundred unionists on the inside sought to take over the plant. The unionists marched up and down the aisles, pleading for support and “threatening” workers who would not join the strike. The strikers turned off the machines only to have supervisory personnel turn them on again. Many workers left the plant while the battle raged, some of them climbing over the fence since the strikers were guarding the gates. Some company police tried to enter the plant but were driven off by strikers armed with pistons, connecting rods, rocker arm rods, and fire hoses. As the strikers gained the upper hand, the small number of plant police inside the factory barricaded themselves on the second floor. The supervisory personnel were rounded up by the strikers, instructed to leave the plant, and told, in the words so familiar to the frequently laid-off auto workers, “We’ll let you know when to come back.” The strikers won complete control of the plant shortly after 5:30 P.M. and during the next few hours, aided by hundreds of outsiders from Detroit and Toledo—Walter Reuther led a contingent from the West Side local—barricaded the entrances with a variety of heavy objects moved into place by cranes and electric trucks.¹³

Outside the plant, city police sought to enter one of the gates shortly after 4:00 P.M., but a few Emergency Brigade members stood in front of the building with locked arms and ignored police orders to disperse. One of them defiantly told the police, “Nobody can get in except our men.” Other Brigade members soon came marching down Chevrolet Avenue, a flag bearer at the head of the procession. On instructions from Genora Johnson, who was issuing commands from a sound car, they formed a revolving picket line in front of the plant. They picketed to the rhythm of such songs as “We Shall Not be Moved” while the police looked on rather sheepishly.¹⁴
At a cost of a score of injured on both sides and no fatalities, the UAW had brilliantly executed its imaginative strike strategy. The union had regained the initiative, and the turning point of the strike had been reached. "We have the key plant of the G.M. and the eyes of the world are looking at us," one of the proud Chevrolet No. 4 strikers wrote his wife. "We shure [sic] done a thing that G.M. said never could be done. . . ." 

The UAW's capture of the Chevrolet No. 4 plant compelled Governor Murphy once again to consider how the armed force of the state of Michigan should be deployed to preserve the public order in Flint. He had arranged a conference in Detroit for February 1 with Colonel Lewis, Pepper, Olander, Bersey, and Kemp, probably to consider the role of the state should GM be successful in its injunction suit. The Flint strikers put their plan into operation while the conference was on, and in his temporary headquarters in the Book-Cadillac Hotel, Murphy received an almost blow-by-blow account of the unfolding developments. Both Wolcott and Bradshaw had asked the governor for assistance by 3:50 P.M., but Murphy delayed taking any action pending the receipt of further information from Flint. The National Guard in the city was alerted in the next few minutes to move to the area of the Chevrolet complex "to disperse the mob," and Lewis, supported by Bersey, thought the Guard "ought to go down there [Chevrolet No. 9] and scatter the crowd in a quiet manner"; but the governor, not yet persuaded that local authorities were incapable of dealing with the situation, forestalled the move.

The responsible officials on the scene in Flint reacted differently to the ebb and flow of the battle in the two Chevrolet plants during the next two-and-a-half hours, and the governor, who interpreted the union's action as a "counter action" to the injunction hearing, hesitated to act on the basis of their conflicting appraisals of the situation. Sheriff Wolcott reported at 4:30 P.M. that if the troops were not sent to his aid, he would have "to gather men and see what he could do," and shortly before 6:00 P.M. the turmoil outside Chevrolet No. 4 and his belief that the strikers would pay no attention to the police convinced him that martial law should be declared; but Mayor Bradshaw had been reporting that matters were under control, and Colonel Colladay had suggested delay. The governor had asked Larry Fisher shortly after 4:30 P.M. if he thought it "necessary to put the militia in there," and Fisher too had advised that "we should wait a while longer."

Not until 6:40 P.M., by which time the strikers had gained control of Chevrolet No. 4, did both the mayor and the sheriff agree that local authorities could no longer cope with the situation. When
they advised Murphy of this fact, he issued an executive order directing Bersey "through the use of the military forces and the employment of such means as may be necessary or advisable to take immediate and effective steps to bring the situation under the control of the public authorities, suppress and prevent any breach of the peace, and ensure that the laws of the state are faithfully executed."^{18}

"The immediate and effective steps" taken by the Guard, on the instructions of the governor, were to establish a cordon guard around Importance #1 (Chevrolet and Fisher Body No. 2), to prevent anyone from entering this area, and to deny supplies of any kind, including food, to the occupants of the two plants. At 7:33 P.M. Colonel Lewis telephoned instructions to the Guard in Flint to establish the blockade, and by 11:45 P.M. the 126th Infantry was in complete control of all streets in the area and was "occupying all points of advantage with rifle patrols and machine guns." Soldiers with fixed bayonets stood in front of Chevrolet No. 4 and Fisher Body No. 2, and about twelve hundred Guardsmen in all surrounded the eight-acre area with "a bayonet ring of steel." Their orders were to "peaceably disperse" all people in the streets adjoining the cordoned zone, to block all approaches to the area, and to permit persons to leave the zone but not to enter it. They were not to evict the strikers in the two occupied plants, and they were to attempt to accomplish their mission "peaceably," but they were authorized to use "drastic means . . . wherever necessary to protect the members of this Command." An additional eleven hundred Guardsmen were sent to Flint to reinforce the troops already there, the total number of soldiers reaching 3454 by February 7, which was about two-thirds of the entire complement of the Guard.\(^{19}\)

On the morning of February 2 the Guard escorted outside its lines the thirty or so pickets who had remained overnight in front of Chevrolet No. 4, destroyed the picket shack that had been erected there, impounded the sound car in the area, arrested Bishop, who was manning the car, and five others who were protecting it on the charge of inciting to riot, and marched them to the county jail as "military prisoners." The sit-downers inside the No. 4 plant were now completely cut off from their confederates outside the plant. During the night they had feared an attempt by the Guardsmen to drive them from the plant, and when GM at about 1:30 A.M. turned off the lights in the plant and reduced the heat, some of the sit-downers erroneously thought an attack upon them was impending.\(^{20}\)

The major problem faced by the strikers inside Chevrolet No. 4 was not the lack of heat and light but rather the lack of food. The governor had decided to shut off the food supply to the plant because
he had been advised by the Guard that outsiders had assisted materially in the capture of the plant and that a sizable number of them had remained in the factory. If the state allowed food to pass through Guard lines to these men, Murphy felt that it would, in effect, be condoning a practice of which he strongly disapproved and which could not be justified even by the UAW’s right-to-a-job thesis. The hungry strikers were free, of course, to leave the plant, as Colonel Lewis pointed out, but reentry into the factory would then have been denied them.21

Lewis called the governor on the morning of February 2 to tell him that of the 850 men then in the plant, only 150 actually worked there, whereas four hundred worked in other Chevrolet units, and about three hundred were not even Chevrolet employees. This was not the sort of information that was likely to persuade Murphy to alter his decision, and so the food blockade continued. Roy Reuther sought to meet the problem by contracting with the owner of a small plane to drop food on the roof of the plant, but as the plane was being loaded at the airport, the pilot was informed that he would lose his license if he made the flight, evidence, Reuther thought, of GM’s pervasive influence in Flint.22

Sometime during the morning of February 2 John Brophy called the governor and “berated” him for his action. “‘What do you want to do,’ ” Brophy asked, “‘starve to death poor workers who are only seeking their lawful rights?’ ” When Murphy explained the reason for the food blockade, Brophy offered to enter the plant to check on the presence of outsiders, and Murphy agreed to lift the food blockade once all the non-employees were out of the factory. Lewis made the arrangements for the admission into the plant of an investigating team that included Brophy, Roy Reuther, Kraus, and Travis, but the Guard commander refused to join the group himself. A check of badges inside the plant revealed that only Walter Reuther and Powers Hapgood of the non-Flint Chevrolet employees still remained in the plant, the others having previously been asked to leave, and the two of them departed with the investigating committee.

A member of Lewis’ staff made an independent inspection of the plant later in the day, after which Lewis phoned the governor that he was “confident” that “practically all” the men inside the plant were “regular employees,” by which he presumably meant Flint Chevrolet employees but not necessarily No. 4 workers. The governor then lifted the food blockade, and food cars sped from union headquarters to the plant, receiving a military escort through National Guard lines. The arrested unionists and the union sound car were returned to “civilian life” the same day.26
When Brophy called Murphy that night, the governor told him that it was the union itself that had been responsible for the cordon of Importance #1 and that Fisher Body No. 2 had been included in the blockade because of its location in the area. Murphy asserted, erroneously to be sure, that GM was seeking his impeachment for not driving the workers from its property, but he unwisely assured Brophy, "The military will never be used against you. I'd leave my office first." Brophy must have been aware that almost any governor but Murphy would have reacted to the union offensive of February 1 by ordering the ejection of the strikers from the No. 4 plant and that, in deciding to order a cordon guard thrown around the Fisher Body No. 2-Chevrolet zone, Murphy had taken the least harmful action from the union's point of view that could have been expected of him in view of the riotous events of that day.

The Guard continued to maintain its blockade of Importance #1 until the end of the strike, but it made no attempt to eject the strikers or to deny them access to food. The militia, in effect, protected the sit-downers from any outside attack—the strikers referred to the Guardsmen as "pickets"—but at the same time deprived them of regular contact with their families and the union and the moral support of admiring pickets and sympathizers. There was always the possibility that Murphy would use the blockade as the means of starving the strikers out of the two plants, but the governor does not appear to have had this purpose in mind when he ordered the establishment of the cordon guard even though he briefly denied food to the sit-downers. His objective, it would seem, was simply to prevent further disorder in the area and to forestall any clash of arms between the strikers and their opponents. It may be, also, that he was warning the UAW that he would not tolerate any further extension of the strike in Flint, at least by the means employed by the strike leadership in seizing Chevrolet No. 4.

February 1, 1937, was a day of great tension in Flint not only because of the expansion of the strike but because it was the day that Judge Paul V. Gadola held hearings to determine if he should grant the GM petition for an injunction against the strikers. Although Michigan courts could issue temporary injunctions ex parte on the basis of statements in a bill of complaint, Gadola had decided to hold a hearing in this case, allegedly as "a matter of courtesy" but also, almost certainly, because of the significance of the suit. Just before the hearing Murphy, in response to an inquiry from Maurice Sugar, had advised the UAW attorney in a display of optimism that was unwarranted by the facts that he was hopeful of a strike settlement within a few days. Sugar, who like the other union attorneys desired
somehow to stave off the issuance of the injunction because of the adverse effect that it might have on the strike, had thereupon asked for permission to advise Gadola that the governor wanted a “short delay.” Murphy had refused to go this far, but he did authorize Sugar to inform the judge that the governor thought a settlement was imminent. When Sugar conveyed this information to Gadola and possibly implied that Murphy desired an adjournment, the judge, no friend of organized labor and a staunch Republican, responded sulphurically, “The hell with the Governor.”28

During the course of the hearing that afternoon the UAW attorneys continued their efforts to delay the court proceedings. After the fighting broke out in the Chevrolet complex, Pressman, at 4:20 P.M., called Murphy to enlist his aid in securing a postponement, and the governor told him “to get it.” Gadola, however, was unmoved by this information. About forty minutes later Pressman interrupted to say that an adjournment was necessary because he had just received word, inaccurate to be sure, that seven men had been killed in the Chevrolet fighting, but Gadola refused to order a delay. One hour later, however, the judge adjourned the hearing until the next day to permit the UAW attorneys to file briefs setting forth their legal arguments.29

The GM attorneys at the injunction hearing stressed the illegality of the sit-down, but Gadola on several occasions animadverted that the issue was not the legality or illegality of the strike but the “right to hold property.” UAW counsel skirted the question of legality, arguing rather that GM was not entitled to an injunction since, as an alleged violator of the NLRA, it had not come into court with clean hands. “Do you claim,” Gadola asked, “that one wrong justifies another?” Pressman replied that he was not saying this but simply that the appellant had to be “free from any blame for illegality.” “The issue,” he asserted, “is whether the company can make use of a court of equity to deny [defy?] National and State laws and Government officials.”30

In a lengthy opinion issued the next day Gadola granted GM the preliminary mandatory injunction that it had requested. The sole question involved, he argued, was the right of strikers to occupy the premises involved in the litigation, namely Fisher Body Nos. 1 and 2. This matter, he contended, had been “clearly settled” in a 1914 Michigan case (Lane v. Au Sable) in which the state’s highest court had ruled that a striker could not legally remain in possession of a company-provided residence once he severed his employment relationship by going on strike. It was proper to grant equitable relief in such a case of trespass “not merely because the injury is essentially destruc-
tive, but because, being continuous or repeated, the full compensation for the entire wrong cannot be obtained in one action at law for damages.” As for the right of the defendants to engage in picketing, Gadola cited several Michigan cases to support the conclusion that all picketing was illegal in the state.

Having established the legal basis for granting the injunction, Gadola ordered the UAW national and local officers, the sit-downers, “all other persons to whom knowledge of said injunction shall come, and ... their counselors, attorneys and agents” to evacuate Fisher Body Nos. 1 and 2, to refrain from picketing or loitering near the plant, not to interfere with nonstrikers by “threats, personal violence, intimidation or any other unlawful means” designed to prevent them from working or from enjoying free access to the premises, and to refrain from aiding anyone in the commission of the prohibited acts or from “unlawfully conspiring, confederating or combining directly or indirectly” for these purposes.

Whereas the Black injunction had set no time limit, had made no provision for its enforcement, and imposed no specific penalty for disobedience, the Gadola injunction specified that the occupation of the plants was to cease by 3:00 P.M. on February 3, that the sheriff was to read the injunction to the occupants of the two plants and was to cause the factories to be evacuated, and that a penalty of $15 million was to be levied upon the “lands, goods and chattels” of the defendants if they failed to comply with the terms of the injunction. Gadola also informed UAW counsel that the court would amend the injunction to cover the Chevrolet No. 4 plant if GM requested this and the strikers continued to occupy the building.31

The Gadola injunction is subject to criticism at many points. In relying on Lane v. Au Sable, Gadola assumed that a striker was no longer to be considered an employee and was therefore automatically trespassing when he remained on company property, but this assumption was at variance with the rulings of the NLRB and predecessor government labor boards and federal court decisions.32 Gadola would have been on stronger ground had he separated the issue of trespass in the strike from the question of whether a striker automatically severed his employment relationship.

Both GM and Gadola would have been less vulnerable to attack had the injunction been confined to the evacuation of the occupied plants rather than encompassing picketing and other strike activities. In Cleveland, where GM on February 1 filed a petition in Common Pleas Court for an injunction against the city’s Fisher Body strikers, the company did not ask that all picketing be restrained, even though picketing was by then the principal strike activity, but only that there
be no more than two pickets at each plant entrance and that their activities be confined to “observation and peaceful persuasion.”\textsuperscript{38}

Gadola was quite right in arguing that Michigan court decisions were antagonistic to picketing per se, but he should have considered the question of whether the Dunckel-Baldwin Act of 1935 had altered this situation.\textsuperscript{34} As it was, the terms of his injunction, like Black’s injunction, went far beyond the legal issues raised by the sit-down strike and caused civil libertarians who did not necessarily oppose the restraint imposed on the sit-down itself to criticize the remainder of the writ. The Citizens Committee for Civil Rights in the Automobile Industry thus professed itself to be “shocked” by the sweeping terms of the injunction and denounced the writ as the “most drastic labor injunction in recent history and wholly unwarranted by considerations of law or facts.”\textsuperscript{35} Frank Murphy, a dedicated civil libertarian, had to bear in mind that in enforcing the Gadola injunction he would not only be compelling the strikers to abandon the illegal sit-down but would also be imposing crippling and questionable restraints on the conduct of an outside strike as well.

In fixing in advance the penalty that would apply if the injunction were violated, Gadola was departing from the accepted practice in such cases. Nathan Greene, an authority on injunctions, contended that Gadola’s purpose was to “terrorize” the defendants, but, as Greene and others pointed out, the Flint judge had made the penalty so enormous in terms of the financial resources of the union and the strikers that it was unenforceable and became, actually, “a laughing matter.” A smaller figure would have worried the union, Pressman recalled, but not $15 million. “If the judge can get fifteen million bucks from us,” a Fisher No. 1 sit-downer reportedly remarked, “he’s welcome to it.”\textsuperscript{36}

It has been alleged that there was “no adequate discussion” in Gadola’s opinion of two principles of equity that on the basis of precedent conceivably could have served as grounds for the denial of the injunction, namely, that “equity will not decree a vain thing” and “the clean hands maxim.”\textsuperscript{37} Gadola did not consider in his opinion the enormous difficulty of enforcing the injunction against so many strikers lodged in factories that favored the defense but simply left the matter to the sheriff. Gadola, however, unaware of Murphy’s contrary opinion on the subject, did state publicly when the writ was issued that either the sheriff or he, without petitioning the governor, could order the National Guard to assist in enforcing the writ, and he was later to claim that Colonel Lewis had led him to believe that he would aid in enforcing the injunction if that proved necessary. As for the clean-hands doctrine, Gadola said nothing more on this point.
than he had in the hearing that preceded the issuance of the injunction. The principle, as a matter of fact, had been only infrequently applied in labor cases before 1937, and, although the Norris-La Guardia Act had incorporated the doctrine in statutory form, there was no applicable Michigan law on the subject. It is quite unlikely, moreover, that Gadola thought GM guilty of any law violation. 38

Sheriff Wolcott read the injunction to the sit-downers in the two Fisher Body plants in the early evening of February 2 and posted a copy of the writ in both plants. He was greeted with some derision by the sit-downers, but Russell Porter thought that the men looked "rather glum and disconcerted." 39 That night the Flint strike leadership met with members of the board of strategy who happened to be in the city to decide what course to follow with regard to the injunction. There is conflicting evidence concerning the advice given the leadership by the three UAW and CIO attorneys, 40 but the decision, in any event, was not made in terms of what the law required but rather in terms of the course of action that was most likely to contribute to victory. Martin, who had publicly stated, "We will not fight the government," probably advised compliance, but the strike leadership decided to hold firm and to look to Murphy to forestall the enforcement of the injunction. Telegrams to Murphy were prepared, ostensibly drafted by the strikers in the two plants, indicating the intention of the sit-downers to ignore the injunction. The wire of the No. 1 strikers asked the governor whether GM was "to be permitted in spite of its unfair, illegal, and murderous tactics to force the workers out of the plants through the use of military force." The strikers declared themselves to be "completely unarmed" and warned that the use of force against them would result in a "bloody massacre" of workers for which Murphy would be personally responsible.

The wire from the No. 2 strikers recalled Murphy's assurances that he would not use force to drive the sit-downers from the plants. The police, the sheriff, and the county judges, it was alleged, were subservient to GM, and it would now be determined whether the governor of Michigan was also beholden to the corporation. "Governor," the wire of the No. 2 strikers concluded, "we have decided to stay in the plant. We have no illusions about the sacrifices which this decision will entail. We fully expect that if a violent effort is made to oust us many of us will be killed and we take this means of making it known to our wives, to our children, to the people of the state of Michigan and of the country that if this result follows from the attempt to eject us you are the one who must be held responsible for our deaths." 41

It is most unlikely that the dramatic wires from "those who are
about to die,” to quote John Brophy's diary entry of February 2,\(^{42}\) were drafted by the sit-downers themselves or that they were even consulted in the preparation of the wires. The messages were probably composed by men like Pressman, Sugar, and Kraus, who were aware of Murphy's abhorrence of bloodshed and who thought that the bravado tone of the wires was precisely what was required to dissuade the governor from using force to implement the injunction.\(^{43}\) A member of Murphy's staff, almost certainly Ed Kemp, prepared a press release for the governor declaring that it was the duty of the state's chief executive to enforce the law and that the effort to deter him from performing his duty by “threats or intimidation or suggestion of unhappy personal consequences” was “hostile to the public interest and a threat to the public authority.” If the men who were in illegal occupation of GM's plants decided to remain in those plants despite the injunction, the responsibility for the “unfortunate consequences” that might ensue rested upon them and their leaders, not on the governor. Murphy, uncertain as yet regarding the course that he would pursue, decided that the press release should not be issued.\(^{44}\)

Wednesday, February 3, 1937, was, in the opinion of one Detroit newsmen, “the wildest day in Flint's history,” and it unquestionably was the day when the Flint strike came the closest to erupting into something akin to civil war. After the injunction was issued, Mortimer and Travis got in touch with automobile locals “all over the United States practically” to urge them to dispatch as many men as possible to Flint by 3:00 P.M. the next day when the twenty-four hour time limit set by the injunction would elapse, and “shock troops” were soon on their way to the city.\(^{45}\)

The temperature was near zero in Flint as February 3 dawned. In the early morning the roads leading to the city were filled with vehicles carrying UAW members and sympathizers to the scene of the strike. Walter Reuther brought in several hundred men from his West Side local, and the Toledo UAW dispatched every available man. Some of the outsiders went into Fisher Body No. 1 to augment the force of sit-downers in preparation for a possible attack, but most of the out-of-towners congregated outside the plant. The outsiders included a substantial number of women since the strike leaders had designated February 3 as Woman's Day, and Auxiliary members had come to Flint from Detroit, Saginaw, Bay City, Pontiac, and elsewhere to join in the scheduled parade. Six or seven hundred women marched through the business district of Flint, some of them wearing the red berets of the Emergency Brigade, others the green tams of the Women's Auxiliary. They sang as they marched and shouted impreca- tions at the Flint Alliance and Sheriff Wolcott.\(^{46}\)
Sit-Down

280

The women proceeded from their parade to Fisher Body No. 1, where an enormous crowd of three thousand pickets and seven thousand spectators gathered as the 3:00 P.M. zero hour approached. In "one of the most amazing labor demonstrations ever seen in America," singing pickets, six abreast, circled the plant for an hour while the sit-downers leaned out of the factory windows to join in the singing and cheering. The pickets carried "clubs, pieces of pipe, claw hammers, iron bars, sod cutters, spades," clothes trees, and body parts. The most common weapon was a thirty-inch long, one-and-one-half inch square wooden brace thrown to the pickets from inside the plant. As the pickets marched, sound cars "bombarded all ears" and exhorted the unionists to keep up their courage. A La Follette Committee investigator thought the crowd "fairly good humored but determined," but two state police observers described the throng's mood as "ugly."

The strikers and strike sympathizers spilled over onto Saginaw Street, the city's major artery on which the plant fronted. There was not a policeman in sight, and such traffic as could get through the crowd was directed by the strikers themselves. Chief of Police Wills drove up to the plant at one point but was chased out of the area—"running for his life," one observer thought—by thirty to forty strikers. Had he stopped his car and fired, Wills said, "The war would have been on," and he may have been correct. One citizen reported that he had been stopped by strikers as he attempted to drive past the plant, was ordered to take some men to union headquarters, and was clubbed when he refused. There were reports of drinking and of additional beatings, but it was the kind of day that is likely to produce the wildest of rumors.

When word came at about 3:00 P.M. that neither the sheriff nor the National Guard would seek to eject the strikers—Wolcott and Gadola explained that no action could be taken against the sit-downers until GM sought a writ of attachment against them for failure to comply with the injunction—about one thousand of the demonstrators broke away from the crowd in front of Fisher No. 1 and staged an auto parade through downtown Flint, honking their horns, shouting as they drove, and ignoring traffic regulations.

To worried middle-class citizens of Flint the wild confusion of February 3 signalized the complete breakdown of law and order in the city and the arrival of mob rule. A Flint clergyman who had observed the demonstration at the No. 1 plant was to write shortly thereafter, "I have witnessed [d] the abdication of the law and the rule of the pugugly [sic] by the law of the jungle; the law of club and fang." But the day had nothing of that quality for the strikers and
their friends. Brophy thought it was "a gala day," and one female strike sympathizer summarized what must have been the feeling of exultation experienced by many of the participants: "To see and hear TEN THOUSAND union men and women on guard and picket duty—to be a part and feel the spirit of many thousands, all battling together for a better life, is an exciting, overwhelming feeling that probably comes to each person but once. In plain words, I was just thrilled, through and through!"\(^{50}\)

No public official in Flint reacted with more alarm to the events of February 3 than City Manager John Barringer. He asked the National Guard during the course of the afternoon to break up the demonstration in front of the Fisher plant but was turned down by Lewis, possibly on instructions of the governor, who wanted nothing to interfere with the negotiations to end the strike then underway in Detroit. Efforts were made by Wolcott and Bradshaw to have state police disperse the crowd or at least direct traffic in front of the plant, but their calls for help were also turned aside. It was under these circumstances that Barringer, in the late afternoon or early evening of February 3, after meeting with Bradshaw and Wills and informally with some of the city's commissioners, ordered all the city's police to duty and decided to organize a five-hundred man "'army of our own'" in the form of a special police reserve. Barringer's original intention, "without question" according to the head of the state police detail assigned to the strike, was not simply to augment the forces of law and order in a city that he believed to be succumbing to anarchy but to use his vigilantes to eject the sit-downers from Fisher No. 1. "...we are going down there shooting," he declared. "The strikers have taken over this town and we are going to take it back."\(^{51}\)

The enrollment of the special police began some time after 7:30 P.M. on February 3 in the City Hall and at three other locations in the city. Somewhat subdued by this time—Wolcott had warned that vigilantes sent to evict the strikers would be killed—Barringer told the City Hall registrants that they were not being organized to drive the sit-downers out of Fisher No. 1 (the National Guard, of course, blocked access to the other two occupied plants) but rather as a special police reserve that would come to the aid of the regular police force in an emergency.

The UAW was to charge that members of the Flint Alliance, foremen, "disreputable underworld characters," and Pinkerton types had been assembled by Barringer, and it saw as more than a coincidence the presence of a Pinkerton official in the city while the force was being enrolled; but the union presented no real evidence to support its allegations, and most of the men who joined the police
reserve appear to have been Legionnaires and veterans aroused by what they regarded as the crumbling of law and order in Flint. George Boysen disassociated himself from the mobilization, declaring the action to be “very foolish and very unfortunate,” but Paul Loisel of the Flint Alliance “bustled about” while the force was being enrolled and threatened to shoot any photographer who took pictures of the registrants. Two La Follette Committee investigators sought to learn from Barringer that night the purpose of his action and the identity of his troops, but the city manager, as he himself put it, told them “in effect, to go to hell.”

When word spread in Flint that the municipal government was mobilizing a force of vigilantes that might eject the strikers, there was “near panic” in the city and considerable apprehension that the dreaded confrontation of striker and nonstriker was at hand. Strikers and strike sympathizers streamed back to Fisher Body No. 1 by the hundreds and once again took “complete possession” of the area. It was later to be alleged that the UAW had even stationed men armed with rifles in a room above the restaurant across the street from the plant. In the end though, the forces of reason were to prevail over the forces of violence and unreason, and Flint was to be spared the kind of clash that might have left scars in the community for years to come. Mayor Bradshaw, less emotional than the city manager, advised Barringer to enlist the assistance of the National Guard in drawing up peace terms, and Colonel Lewis, who was appealing for the demobilization of the reserve, was more than willing to lend his good offices to the cause of peace. Murphy quietly urged restraint upon Barringer, but more important was the intercession of GM. Mike Gorman of the Flint Journal informed Knudsen of what was going on in Flint, and then, presumably at Knudsen’s request, a company official asked Barringer to demobilize, saying, “The last thing we want is rioting in the streets.”

About midnight Roy Reuther and Travis, representing the UAW, and Bradshaw and Barringer, representing the city, gathered in Lewis’ office in the Genesee County Courthouse, and a treaty of peace was quickly arranged. The city, for its part, agreed to “demobilize” the reserve police force and promised to notify all concerned before it would again be called into service so that the necessity for its mobilization could be removed. The UAW agreed to keep its men from congregating in such numbers as to create a traffic hazard or as would be “detrimental” to the enforcement of law and order, and it promised to notify city officials in advance whenever it wished to hold a parade or an outdoor meeting. Since men and women were appearing in the street carrying “sundry pieces of wood and missiles,” it was
agreed that "such practices" should cease. Roy Reuther brought the news of the treaty to the throng in front of Fisher Body No. 1, and those present began to leave. The police called to special duty were sent home, and the demobilization of the reserve began. The "wild night of terror," as the state police described it, had come to an end.55

The enrollment of a citizen police reserve had not, however, come to an end. Interpreting the truce as requiring the demobilization but not the disbandment of the reserve, Bradshaw and Barringer authorized the city police to proceed with the enrollment. Chief of Police Wills, shaken and angered by his own experience of the previous day, did nothing to calm the situation when he warned John L. Lewis to "call off his union men" unless he wished to see a repetition of the Herrin massacre.56 "The good citizens of Flint," Wills declared, "are getting pretty nearly out of hand." About seven hundred of "the good citizens" signed application blanks for the police reserve and became subject to call should the police require their services.

The UAW, capitalizing on the opportunity to portray itself as the intended victim of aggression and the defender of law and order, accused the city administration of "vicious and illegal efforts to deliberately perpetrate violence" and declared that the responsibility would be Bradshaw's and Barringer's if bloodshed resulted. At the same time Travis requested the city to deputize union members equal in number to the vigilantes Barringer had enrolled.57 The strike leadership realized, however, that the treaty of the previous night had mitigated the threat of a vigilante effort to drive the sit-downers from Fisher No. 1. On the night of February 4, in the falling snow, several hundred men and women of the UAW, minus their clubs of the day before, danced on the lawn in front of the plant to music played by the strikers' orchestra from inside the factory. Coffee and sandwiches were served to the crowd, and the dancing continued into the night. A Detroit News reporter thought that the scene in front of the plant resembled a street carnival, and it was, to say the least, in bizarre contrast to the demonstration of the preceding day.58

The mobilization of the police reserve had its repercussions not just on the sit-down strike but on Flint's city government as well. Commissioner Joseph Shears, a member of the works council in the Chevrolet plant and not regarded as a union supporter, responded to Barringer's action by securing a special meeting of the city commission on February 6 to investigate the mobilization of the reserve. Shears explained that he had been disturbed by Barringer's alleged violation of the truce agreement and that he did not intend to "allow innocent citizens to be mowed down by a group of prejudiced and irresponsible people." It is more likely that Shears' attack on Bar-
ringer was another maneuver in the long struggle in Flint between the Civic League, the “good-government,” pro city-manager forces of which Barringer was a leader, and the so-called “Green Slate” group, which had been led by former mayor and machine politician William H. McKeighan and which had opposed the introduction of the city-manager plan in Flint.

The “whereases” of a resolution calling for an investigation of the mobilization of the special police that Shears and another commissioner introduced at a packed meeting of the commission on February 6 characterized the formation of the reserve as “highly provocative of trouble and disorder” and made reference to the “wild and irresponsible utterance” of public officials. In response to questions, Bradshaw and Barringer explained that the special police had been mobilized at a time when the city police force had only ninety “effectives,” that the deputies had volunteered for service and would not be paid, that they did not know if Flint Alliance members had been included, that the reserve was open to UAW members who could take the oath and obey orders, and that no attempt had been made to ascertain if enrollees were prejudiced against the union. Bradshaw conceded that some “unwise statements” had been made and reported that he had imposed a ban on statements by city officials. The resolution was tabled, and it was agreed that Barringer should submit a report on the reserve at the February 8 meeting of the commission.59

That Barringer’s position in the city government was weakening was indicated at the February 8 meeting when the commission authorized Mayor Bradshaw to take command of the police department and such other departments and “subordinates” of the city government as might prove necessary to maintain law and order. This decision not only reflected greater confidence on the part of the city fathers in the mayor than in the city manager, who as director of public safety was normally in control of the city’s police force, but it may also have indicated a certain dissatisfaction with the police force itself, which had been humiliated at the Battle of the Running Bulls and had done nothing in the face of the tumultuous events of February 1 and 3 to repair its diminished prestige. Bradshaw two days later resigned his Buick position so that he would be “freer” to deal with any emergency that might arise. As for the special police force, it received an assignment only once during the strike, on February 9, when thirty to forty of the civilians were assigned to guard the city’s water works, which Barringer convinced himself Communists intended to sabotage so as to “cripple” Flint. The UAW, expecting the worst, feared that the force had been assembled to strike at Fisher
Negotiated Peace

285

Body No. 1, and so the unionists made appropriate defensive deployments, but no clash of arms occurred.60

Events in Flint beginning with the seizure of Chevrolet No. 4 formed the backdrop for the negotiations to settle the strike that were resumed in Detroit on February 3. In the early morning of February 2, Travis and Pressman telephoned Lewis from Flint and asked him to come to the strike front in Michigan. The CIO leader, who had perhaps been asked by Roosevelt the previous day to involve himself more directly in the strike, no doubt sensed that the UAW's bold maneuver of February 1 had improved the chances for a settlement favorable to the union and, realizing the advantages that would flow to the CIO if its leader were one of the principal authors of that settlement, agreed at last to go to Detroit. As he boarded the train that morning in Washington, he remarked enigmatically to reporters, "Let there be no moaning at the bar when I put out to sea."61

Shortly before Lewis left Washington Frances Perkins called Murphy to request him to arrange a conference between Knudsen and the United Mine Workers president for the next day. Murphy spoke with Knudsen and Larry Fisher that evening and learned that GM would agree to confer with Lewis only if this were specifically requested by the President. Only then, apparently, did GM believe that it could justify the abandonment of its oft-stated principle of no negotiation without evacuation. Murphy very much opposed Presidential intervention in this form since he believed that the intent was to "embarrass" Roosevelt. He so informed the secretary of labor and advised her that he was prepared to surround the occupied plants with troops if she could persuade Sidney Hillman to secure the evacuation of the sit-downers. "Then," he said, "we will begin negotiations with Mr. Lewis and be able to terminate this matter without embarrassment." After conferring with the President, however, Perkins advised the governor that Roosevelt, who was obviously anxious not to become directly involved in the negotiations, wanted Murphy to say to GM that it was the President's wish that the company confer with union representatives. "The President wants you to do it," the secretary of labor declared. "He doesn't want a conference in Washington and isn't going to have one."62

Murphy conveyed this information to Knudsen by phone and then sent him an official letter asking that, "In view of the condition of serious unrest and public disorder" in Flint and threatened elsewhere, he meet with Lewis, and the governor the next day. "This request," the letter stated, "is made in accordance with the wish of the President of the United States." In his reply to Murphy, Knudsen, rejecting the governor's advice that he make no reference to the
matter in his letter, stated specifically and for the record that the corporation was acceding to a conference because “[t]he wish of the President of the United States leaves no alternative except compliance.”

The next morning negotiations between UAW and GM were initiated in cramped quarters in the Recorder’s Court building in Detroit. Lewis and his aides, initially Martin and Pressman, were assigned the office of the governor’s brother George, a Recorder’s Court judge, while the GM team of Knudsen, Brown, and Smith occupied one of the jury rooms. Court bailiffs and state police troopers served as ushers and guards. On some occasions during the next few days the two sides met together, but most of the time Murphy, assisted by Conciliator James F. Dewey, carried proposals back and forth between the negotiators. “The governor,” Martin declared, “is jumping around like a jack rabbit.” On February 6 Wyndham Mortimer replaced Martin in the negotiations. The strain of the day-and-night talks had begun to tell on Martin, who seemed to be losing control of himself, and so Lewis decided that it would be best to remove the UAW president from the bargaining table. The UAW announced that Martin was leaving the negotiations to explain the strike to GM workers across the land. Ed Hall accompanied Martin on the tour to keep an eye on him.

The negotiations began the same day that the Gadola injunction deadline became effective. Murphy was acutely conscious of the difficult position in which he was being placed and of his obligation as the chief executive of Michigan to ensure the enforcement of the court order. He had thus told Brophy the previous night that he did not wish to side with either party to the dispute but that it was his duty to support the judicial powers of the state. A few hours later he had said to Frances Perkins that once the injunction deadline was reached, “I have got to say that I will be obedient to the law or not.” It was evident though that the President wanted the conference to get under way and that both Murphy and Roosevelt desired to see the strike settled by negotiation.

Since the peace talks began auspiciously, Murphy had Adjutant General Bersey call Colonel Lewis shortly after noon on February 3 to tell him that “things are going along fine here,” that the “whole thing” might be settled that afternoon, and that it would be inadvisable under the circumstances for the sheriff to “stir up things.” Murphy, it turned out however, was far too optimistic about what had transpired that day. At his insistence and over the objection of Smith, Knudsen and Lewis had met alone in the morning and had virtually agreed on a settlement. Lewis had emphasized that the crucial issue
Negotiated Peace

287

was representation and that if the UAW were granted the exclusive bargaining rights that it sought, it would pull its men from the occupied plants and then negotiations could begin on its other demands. This had seemed agreeable to the undoctinaire Knudsen, anxious as ever to get his machines humming again; but, as might have been anticipated, it was altogether unacceptable to Smith—Brown had not yet arrived—who, according to Mortimer, “upset everything.”

On February 4 and 5 the UAW and GM set forth their positions on the essential points in dispute and in so doing defined the issues about which the remaining peace talks would center. Retreating from its demand that it be recognized as the exclusive bargaining agency for all GM workers, the union now asked that it be accorded this privilege only in the twenty plants that it claimed to be on strike. The union’s other demands were to be considered in a “continuing collective bargaining conference,” but pending these negotiations, operations would resume in all plants, and the workers would return to their usual jobs without discrimination by either side against any worker because of his affiliation with or activities in any group.

GM, as was to be expected, stated that it would recognize the union in the struck plants as the bargaining agency for its members only rather than as the exclusive bargaining agency and, contrary to the union’s demand, that it would not employ strikers (“former employees,” GM called them) who had committed acts of violence or sabotage. GM, however, did attempt to assure the UAW that the corporation would not seek to undermine the union’s position in GM plants. It would not interfere with the right of its employees to join the union, nor would it discriminate against, restrain, or coerce employees because of their union membership. Of greater importance, the company promised not “to sponsor, aid or abet” the formation of a rival organization in its plants and to let its employees choose freely the organization to which they wished to belong. Furthermore, Sloan had already agreed that during the life of its contract with the UAW GM would make no more favorable agreement with any other organization and also that GM was willing to give any guarantee required by the state of Michigan or the federal government of its good faith in observing the terms of such an agreement. The degree of recognition GM was willing to concede the union accorded with the terms the CIO had accepted in the glass settlements of January, but the UAW contended that the glass companies in the preceding few years had not, in fact, dealt with other groups whereas GM had, and so it was mistrustful of the auto company’s promises in this regard.
Although the GM proposals granted the UAW recognition and would have left it in a reasonably secure position at least in the struck plants, they fell short of exclusive representation. GM, which had neither the legal right nor the desire to request an election under the NLRA, agreed on February 5 to the conduct of a poll among employees in the struck plants under the auspices of the governor of Michigan not less than sixty days after work was resumed, but it is apparent that the purpose of the election would have been to determine the proportion of the company's employees the UAW would be permitted to represent rather than to grant it exclusive representation rights should it win a majority.69

President Roosevelt, who contrary to what Frances Perkins has written, continued to involve himself in the strike talks from behind the scenes, called Murphy during the evening of February 4 to suggest that he tell the two parties for the President that the public welfare demanded that they come to terms. The next day, the day he sent Congress his plan to reorganize the Supreme Court, the President, possibly after word had been relayed to him from Detroit regarding the minimum terms the union negotiators believed they could accept, phoned once again and expressed his belief that the deadlock could be broken if GM would agree to bargain on national issues with the UAW alone. Roosevelt, perhaps misled by information reaching him into underestimating the importance that the UAW attached to exclusive representation, thought that the two sides were "awfully close" and that there was "a real chance to bridge the gap" between them, and he offered to say this to both Knudsen and Lewis.70

After speaking with both sides, Murphy discovered that the President's proposal would not break the stalemate,71 and he concluded that the hope for a settlement lay in a formula that would accord the union the degree of recognition and the status in the struck plants that GM had already indicated it was willing to concede but that deferred a decision on the question of exclusive representation for six months, at which time it would be resolved by collective bargaining, the examination of union membership cards, or a board appointed by the President. Since Roosevelt had indicated his willingness to speak to Lewis and Knudsen, Murphy asked Perkins that afternoon to request the President to express to the two men his approval of this peace formula. Roosevelt could tell Lewis, the governor advised, that the proposed plan would effectively give the UAW exclusive representation and that he would therefore be yielding nothing in accepting it.72 Murphy was probably assuming that the UAW would win a majority during the six-month period and that GM would then feel compelled to accord it exclusive representation rights. He was no
doubt also assuming that the fate of the NLRA would in the meantime have been resolved by the United States Supreme Court.

On the basis of her conversation with Murphy, the secretary of labor prepared a memorandum for the President to use in speaking to Knudsen and Lewis, and, as Murphy had suggested, she advised Roosevelt to inform the CIO leader that the plan would, in effect, give him the exclusive representation that he was seeking for the UAW. The Perkins memorandum, however, provided for a truce period of only four months and did not specify how the issue of representation was to be resolved at the end of this period. The next day, February 6, Roosevelt spoke to Knudsen and Lewis on the phone, presumably following the memorandum that the secretary of labor had prepared for him. It is likely that Lewis on this occasion made it plain to the President that he would insist on a grant of exclusive representation at once rather than on a vague assurance that the union would gain this status at some future date.\textsuperscript{73}

On the same day, but we do not know whether it was before or after the President spoke to Knudsen, GM handed Murphy a confidential letter setting forth its latest alternative to the union's demand for exclusive representation. The UAW, GM asserted, insisted that it must have exclusive representation because GM would otherwise proceed to bargain with other groups in an effort to undermine the union's position. The company had already said that it had no intention of doing this, and, as evidence of its good faith, it would now agree with the governor for a period of ninety days after the basic agreement went into effect not to bargain with any other organization in the struck plants regarding matters of general corporation policy without first submitting the facts to Murphy and gaining his sanction for the procedure.

The new GM plan, a variant of the idea proposed to Murphy by the President on February 5, would have left the UAW, for all practical purposes, as the sole bargaining agency in the struck plants for three months but would have permitted GM to avoid any statement to that effect in the proposed agreement and did not commit it to adopt any particular plan of representation once the truce period had expired. Lewis, however, was unwilling to accept the new GM proposal since it did not grant the UAW exclusive bargaining rights in so many words. He indicated that he would accept a ninety-day agreement only if it specifically granted exclusive representation to the UAW. Murphy supported Lewis in this demand, but GM would not agree to it. The conference was once again thrown into deadlock and seemed on the verge of collapse.\textsuperscript{74}

Opposition to granting the UAW exclusive bargaining rights was
also expressed on February 6 by the AFL. Erroneously believing that the President was exercising a “powerful influence” on the negotiations in support of the UAW’s demand for exclusive representation, the presidents of the Building Trades and Metal Trades Departments and of several of the affiliated craft unions requested William Green on the morning of February 6 to arrange a conference with Roosevelt for himself and the presidents of the two departments so as to explain to the President what was “their only interest in any adjustment.” Green told them that he had already seen Roosevelt twice on this subject and that the Chief Executive had assured him that “he was absolutely in agreement” with the AFL on this point, that his only desire was to have the strike settled, and that he was not interfering in the negotiations, which was less than the whole truth.

The craft union leaders insisted, however, that another effort be made to impress upon the President the AFL point of view concerning representation, but Green was able to arrange only a phone conversation with Roosevelt, who gave assurances that his position remained unchanged. At Frey’s insistence, the AFL leaders then decided to send a wire to Murphy on the subject of representation and to dispatch a copy of the telegram to the President. Green also put in a call to Murphy and “in a rather long and very clear and definite conversation” urged the governor not to “yield to force and wrong.” The wire that arrived soon thereafter stated that the grant of exclusive representation to the UAW would be “unjust and unwarranted” and would constitute a “direct injury” to the trade-union movement represented by the AFL.75

Murphy, who told Green that the Federation’s views had “not gone unconsidered,” decided to show the AFL wire to Lewis in order, no doubt, to impress upon him the obstacles that stood in the path of a GM grant of exclusive representation to the UAW. Lewis then put on one of the prima-donna performances for which he was becoming famous. He got up from the conference table, Pressman trailing behind him, and walked toward his hat and coat. When Murphy asked him where he was going, Lewis replied that if the AFL were the party that should properly be at the conference, he and his associates would leave, and the governor could send for the Federation’s representatives and then GM and the AFL could settle the strike. Lewis also suggested that Murphy might invite Haile Selassie to the conference and GM could negotiate with him since he spoke for as many workers in the GM plants as Green did. This relieved some of the tension in a tense day of negotiations, but the intervention of the AFL undoubtedly reinforced GM’s determination not to yield on the issue of exclusive representation.76
The negotiations deadlock remained unbroken on February 7 despite the usual round-the-clock conferences. Sometime during the next day Murphy suggested to Perkins that the President might ask Lewis to accept the GM proposal of February 6, and it is possible that the President did so. That evening, however, the governor had a "grand talk" with Lewis, and the CIO chieftain, who Murphy claimed characterized the governor as "the most persuasive man" he had ever met, agreed to accept the GM proposal of February 6 if the truce period were extended to six months, even though the proposal did not specifically concede the principle of exclusive representation. Murphy undoubtedly had pointed out to the union leader that he had already gained much in the dispute because of the "sympathetic government" in both Washington and Lansing and that since GM would simply not grant exclusive representation in so many words, he should content himself with the concession of the substance of the UAW's principal demand in the strike. Lewis' acceptance of the six-month plan convinced Murphy that the United Mine Workers president was the biggest man among the negotiators.

Regarding the new peace formula as "the best way out yet," Murphy told Assistant Secretary of Labor McGrady that "we ought to crowd it through." The governor explained that the proposal took the "heat" off Washington and placed the responsibility on him as the court of last resort, and he therefore felt justified, no doubt, in asking for administration support in persuading GM to accept the plan. Since the GM negotiators in Detroit were apparently unwilling to make the concession on their own, Murphy requested Perkins that night to speak to Sloan or, better still, to have the President do so. It is possible that Murphy said at the time that if Roosevelt did not want to involve himself personally, the President's secretary, Marvin McIntyre, should "insist on it at the request of the president" since Knudsen had stated, "if the president told them they would do it."

McIntyre called Knudsen shortly after Murphy had spoken to the secretary of labor, but the GM official was either unwilling or unable to agree to the longer truce period. When McIntyre called Murphy just after the Roosevelt aide's conversation with Knudsen, the Governor said: "The Boss has to get in touch with Sloane [sic] or the Duponts—tell them this is okay. This strike," Murphy warned, "has got to go through tonight or we are done." The "Boss" did not himself pursue the course of action Murphy had recommended, but the administration did come to the governor's assistance within the next thirty-six hours.

The prolonged negotiations of February 8 terminated after midnight without a settlement having been reached and with the confer-
ence near a breakup. Reporters who had caught glimpses of the proceedings saw the conferes put on their hats and coats and start for the door on more than one occasion. Seeking to explain their positions, GM and Lewis that day issued their first public statements since the negotiations had been renewed on February 3, and the GM statement made it appear as though the conference were temporarily at an end. Murphy, looking haggard and weary, had not given up hope however. “If we all keep our heads,” he declared, “it won’t result in a fatality.”

The strike talks resumed on February 9 despite the pessimism expressed on the previous day, but when they failed to result in any progress whatsoever, a discouraged Murphy decided that the time had come for him to take a step that he had been contemplating for several days: he would have to clarify to Lewis the obligations of the governor of Michigan with regard to the enforcement of the law. Murphy, as we have seen, had at no time been indifferent to the issues of legality and law enforcement raised by the strike, but it was only when the sit-down strikers decided to ignore the Gadola injunction that the responsibility to act was clearly thrust upon the governor. He had told Frances Perkins on February 2, it will be recalled, that he would have to indicate whether he would be obedient to the law when the injunction deadline expired the next day, but he had discouraged any forcible action against the strikers on February 3 because he had anticipated a quick settlement of the dispute and because the strikers, in any event, had not yet been legally cited as being in contempt of court.

Murphy had hoped that GM might be satisfied with the “moral effect” of the injunction and had sought, successfully he believed, to persuade the company through Smith to delay seeking a writ of attachment, but company lawyers went into Gadola’s court on the morning of February 5 and, on the basis of an affidavit sworn to by the plant manager of Fisher Body Nos. 1 and 2 that the injunction had been violated, secured a writ commanding the sheriff “to attach the bodies” of all the sit-downers in the No. 1 and 2 plants, their “confederates” who were picketing, and UAW local and international officers for failure to comply with the February 2 injunction.

Murphy learned shortly before noon on February 5 that the writ had been issued, and soon thereafter he received a wire from Wolcott asking whether the governor would authorize the use of the National Guard to execute the writ or whether it would be necessary for the sheriff to swear in deputies to enforce the order. Murphy, believing that Wolcott’s wire had probably been dictated at GM’s suggestion by Prosecutor Joseph—Murphy later said that Joseph “looked with awe
upon Judge Gadola's intellectual grandeur"—thought it quite "improper" for GM, about whose behavior he had been suspicious at several points in the strike, to have sought the writ while the strike conference was in session. He told Perkins that afternoon that GM had made a "serious mistake" and that it seemed as though the company were trying to "embarrass" him and put him "in a bad position."

It was Murphy's purpose, however, to be "obedient to the court," and he decided that same day to prepare a law-and-order letter to Lewis and Martin; but he was not inclined to accept either of the alternatives posed to him by Wolcott as the means of enforcing the writ. He was not prepared as yet to use the Guard for this purpose, and he certainly had no intention of permitting the sheriff to move on the plant with a motley array of deputies. Instead, the governor authorized the Guard, if it deemed the action necessary, to place a cordon guard around Fisher Body No. 1 to make it impossible for the sheriff or "a mob of deputies" to attack the plant. In the end, however, this proved to be unnecessary since Murphy sent word to Wolcott through Colonel Lewis to delay the enforcement of the writ for the time being, and Wolcott, a loyal Democrat who had no desire to oppose Murphy and who wished to avoid bloodshed and the possible imposition of martial law in Flint, agreed to take no action on the writ unless advised to do so by the governor.

Murphy counseled delay in the enforcement of the court order in good measure because he believed that peace terms would be agreed upon in a few days, that his principal objective should be to obtain a settlement, and that the enforcement of the writ would destroy the chances for a peaceful conclusion of the strike. "I am not a representative for ... GM or for the labor group but for the people," Murphy told Perkins, "and the public interest requires peace." The mere issuance of the writ, as a matter of fact, nearly broke up the conference on February 5 as Lewis remonstrated that GM was seeking the arrest of one of the union conferees, President Martin.

Murphy was also influenced in his decision to delay the enforcement of the writ of attachment by his overwhelming desire, apparent throughout the strike, to avoid the shedding of blood, which he feared would result from an effort to implement the court order. Strictly speaking, the writ of attachment did not order the ejection of the sit-downers but rather their arrest and transportation to Gadola's court to answer the contempt charge, but since Murphy assumed that the strikers would resist arrest, he was convinced that the enforcement of the order would lead to violence and bloodshed. "You can't put those men out by force without killing them," he told Congressman
Andrew Transue, whose district included Flint, on February 8. "I am not going to do it," he reportedly said to a friend. "I'm not going down in history as 'Bloody Murphy!' If I sent those soldiers right in on the men there'd be no telling how many would be killed. It would be inconsistent with everything I have ever stood for in my whole political life." Like the American Civil Liberties Union, Murphy regarded the sit-down strike as illegal, but he did not believe that the enforcement of the law against the tactic justified the taking of human life.⁸⁷

Murphy may also have had some reservations about the ability of the National Guard to subdue the sit-downers in the face of the expected resistance. The plants were large and well defended, and the militia was made up of youngsters without previous experience in riot duty and with little stomach for an assignment that might have involved the shooting of fellow citizens. Even a GM official who was extremely bitter about Murphy's refusal to use the Guard to evacuate the occupied Flint plants thought the Guardsmen "too young and untrained" for the job. Walter Eisenberg later studied fourteen successful efforts during the period February-May, 1937, to eject sit-downers from the plants they occupied and found that in each instance not more than one hundred strikers, and usually far fewer than that, had been involved and that the occupied buildings or areas had been small in size or were closely grouped.⁸⁸ These conditions did not obtain in Flint, certainly not with regard to Fisher No. 1.

Although some writers pictured the National Guard as spoiling for a fight with the strikers,⁸⁹ the military staff in Flint, impressed with the difficulty of apprehending and taking to court the several thousand persons inside and outside the plants against whom the court order was directed, was "quite unanimous" in advising Murphy to delay the use of the military in enforcing the writ. "I have never believed," Judge Advocate General Samuel D. Pepper later wrote, "that the State should be a party to unnecessary violence in such matters." It was his understanding that a sheriff in making arrests in a civil process or a contempt proceeding could not take a human life and that even resistance to a sheriff in such circumstances was only a misdemeanor and did not justify the killing of the resisters. Those who thought that the writ could have been executed without bloodshed, Pepper thought, showed "little perception or knowledge of the situation," and he was consequently reluctant to have the military used to support the sheriff in making the arrests.⁹⁰

Disinclined to undertake a direct assault on the plants, the Guard devised an alternative strategy to secure the evacuation of the sit-downers should that prove necessary. On February 1, the day of the
hearing on the Gadola injunction, Colonel Lewis, Pepper, and Bersey had conferred with Murphy in Detroit, and “Certain studies were directed to be immediately made and decisions arrived at.” Although the records do not tell us more than this about the conference, it can be presumed that it was decided at that time that, in view of the injunction proceedings, the Guard should devise some plan for the possible eviction of the sit-in strikers.

Responsibility for formulating the plan was assigned to the assistant chief of staff, Lieutenant Colonel John H. Steck. Steck considered three possible lines of action for the Guard to follow: the first involved the forcible eviction of the strikers from both Importance #1 (Chevrolet No. 4 and Fisher Body No. 2) and Importance #2 (Fisher Body No. 1); the second called for containing Importance #1 and ejecting the occupants of Importance #2; and the third provided for containing Importance #1 and isolating Importance #2 by a cordon guard and then, if desired, securing the ouster of the strikers by denying them the necessities of life. Steck recommended the third option as “the best tactical solution” because, although it would take time, it could be accomplished without casualties whereas a direct assault on either or both of the plants would not only be difficult to accomplish but would result in casualties that should not be countenanced. Steck considered the possibility of using gas to dislodge the strikers, but he learned from Adjutant General Bersey that only four hundred gas masks were available, which Steck thought was “just enough to get us into trouble,” and he doubted that “there was ‘gas’ enough in the state to gas one end of the Fisher #1.”91 Apparently agreeing with Steck’s reasoning, Colonel Lewis endorsed his subordinate’s recommendations.92

Although the evidence is conflicting on the point,93 the likelihood is that Murphy and the National Guard leadership were correct in their estimate that the sit-downers would have resisted a forcible effort to eject them. Roy Reuther, Travis, Mortimer, Joe Devitt, and others, although recognizing the probable futility of resistance, have all agreed on this point. There may be some doubt about how the sit-downers in Chevrolet No. 4 would have reacted considering the state of their morale,94 but certainly the strikers in Fisher No. 1, the plant that would have been the most difficult to assault, were preparing to defend themselves and to carry their resistance, if necessary, to the roof of the plant. The day the writ of attachment was issued they took over the basement of the North Unit, which gave them the wiring and plumbing blueprints of the factory. They plugged up the ventilators in the plant to protect against the introduction of nauseating gas and placed a picket shanty over the manhole just
outside the plant, giving them control of the only point at which the supply of city water for the strikers could have been shut off. According to one reporter, the strikers stored gas in the shanty so that they could ignite a wall of flame if the company or the police tried to seize the plant. He did not expect a fight, Bud Simons wrote his wife, but “if it comes I will be here to do my duty as a warrior of the working class. If anything happens it will be for the best cause on earth.”

Had the National Guard surrounded Fisher Body No. 1 as it already had Chevrolet No. 4 and Fisher No. 2 and then cut off food to all three plants, the strikers would have been forced to evacuate in relatively short order. There were no significant reserves of food in Chevrolet No. 4 and Fisher No. 2, and the food stored in the No. 1 plant could have sustained the strikers there for only a week or so. Also, if one is to judge from what occurred in the Chevrolet No. 4 plant, the isolation of the No. 1 plant, even if food had not immediately been cut off, would have brought a sharp reduction in striker morale and made the strikers more likely to surrender the plant quickly once food was denied them. The evacuation of the plants would not in itself, of course, have ended the strike, but the advantage in the dispute would certainly have passed to GM.

It is perfectly apparent that Murphy had initially assumed that the enforcement of the writ of attachment meant the ejection of the sit-in strikers by force and the strong probability of bloodshed. He had, to be sure, denied food briefly to the occupants of Chevrolet No. 4, but only because outsiders had helped to seize the plant. It may be that Murphy, who clearly wished to avoid being cast in the role of a strikebreaker, had privately and publicly equated enforcement of the writ with bloodshed because he could then justify to himself and others his reluctance to order the Guard to evict the strikers. It would undoubtedly have been more difficult to explain a refusal to adopt the strategy of a food blockade since it was a course of action less likely to lead to violence, but even doctrinaire supporters of law and order were not advocating this method of procedure, and there is nothing in the record to suggest that Murphy even considered the possibility before February 8. That he had not done so probably indicates where his sympathies lay in the strike, but Murphy would have indignantly rejected any such explanation of his behavior.

As many Americans saw it, public officials had the responsibility of enforcing the law immediately and regardless of the cost; otherwise the government would be one of men rather than of law. This, however, was not Murphy’s view. The “faithful execution” of the law required of him, he later told a Senate subcommittee, included
"wise administration of the law," not only its "literal instantaneous application at any cost." He was faced as he saw it with "a difficult, practical question" and not simply with a problem of law enforcement, and he was therefore justified, he contended, in exercising some discretion with regard to the manner in which he responded to the court order. For six days, to be sure, the writ of attachment remained in abeyance, and Murphy, in effect, ranged the power of the state on the side of the strikers, but in the meantime the strike was settled without the loss of a single life.

Murphy's delay in enforcing the writ of attachment was not without precedent, and even Gadola conceded at the time that the sheriff possessed "the authority to wait indefinitely before serving it." Commenting in 1938 on the delay, Wolcott agreed that there was "no hurry about it especially when such great issues were at stake." Sheriffs in Michigan and elsewhere, after all, regularly delayed the execution of writs of attachment issued after property had been foreclosed or requiring them to take action to satisfy judgments against merchants. "If the Governor is to be accused of obstructing justice," a member of the Michigan Parole Board wrote Murphy's brother George, "then every sheriff and public officer might be accused of the same thing." As an administrator Murphy could be quite evasive when it came to making hard decisions, and no doubt he found it difficult to face up to the decision regarding the enforcement of the court order, but there is nevertheless some truth to his observation that the easiest thing for him to have done would have been to let events take their course and permit the sheriff to enforce the injunction. "Some people ought to get it in their heads," he declared on February 8 with regard to the course that he was pursuing, "that this isn't the weak thing to do; it is the strong thing..."

Although he had decided on February 5 to prepare a law-and-order letter addressed to the principal union negotiators, Murphy continued to hope that an early settlement of the strike would make this action unnecessary. As the deadlock continued, however, the governor concluded that he could not delay much longer. Dewey advised him to discuss the matter with the President before making any statement, and Murphy did this on February 7. He told Roosevelt that he hoped to keep the conference going but that he had to make it clear that it was his responsibility as governor to "uphold the existing laws of the state." The President, who was obviously anxious for Murphy to continue his efforts to settle the strike, agreed with the Governor. "'You are absolutely right,'" Roosevelt said, "'you are justified in doing that—go right ahead with it.'"
The next day, February 8, National Guard officials submitted to Murphy their proposed plan of action should he decide to secure the enforcement of the court order. The military believed that the execution of its mission required a formal declaration of martial law, but Murphy vetoed the proposal. Had the governor given his approval, the Special Duty Company of the Guard, whose formation had been authorized on February 5, would have rounded up the leadership of the UAW and the Flint Alliance and would have urged the apprehension of “agitators,” Communists, and union organizers in the city, the impounding of union records, the seizure of the union’s sound cars, a ban on union meetings, the blocking of the highways leading to Flint, and the taking over of the Pengelly Building. One can well understand why Murphy, although he had considered the possibility on occasion, shied away from a declaration of martial law.¹⁰¹

When he spoke to Transue on the evening of February 8, Murphy, after being informed that there was no support whatsoever in Congress for “this sit-down business,” told the Congressman, “alright [sic], Andy, I’ll do something on it tonight.”¹⁰² The letter to Lewis and Martin was completed that evening, but Murphy decided not to use it when Lewis agreed to accept the GM proposal of February 6 if it were extended to six months. Since the deadlock, however, remained unbroken the next day, Murphy concluded that he could wait no longer.

During the afternoon of February 9 Beasley called Murphy and advised him that the “[i]nvestment [of Importance#2] can be made without unduly weakening our position,” that it might strengthen the position of the Guard “in the event of orders to be enforced,” and that it might have a “moral effect” on union people considered to be “somewhat hostile.”¹⁰³ That night Murphy took Lewis aside (Martin was no longer in Detroit) and, with Dewey the only other person present, read him the letter that had been prepared the previous day.¹⁰⁴ The governor informed Lewis that he wished to make clear to him in writing, as he had “already done verbally on several occasions,” his position as chief executive of Michigan. It was still his hope that the strike could be settled by negotiation, but since the parties had thus far been unable to reach an agreement, “the time has come for all concerned to comply fully with the decision and order of the Court and take necessary steps to restore possession of the occupied plants to their rightful owners.” It was his duty “to demand and require” obedience to the laws and court orders, and he would be true to that obligation. Murphy did not state how he intended to enforce the law but simply that, although he would “exhaust every
means” to obtain peaceful compliance, he would have to be faithful to his oath of office.105

The nature and significance of the Murphy letter to Lewis have been misrepresented by both the Murphy and the Lewis camps. Murphy himself later referred to “that order” as “the turning point” in the strike. He had told Lewis, he said, that if a settlement were not immediately reached he would read the letter to the conferees the next morning and also make it public, with the result that terms were agreed upon a little more than twenty-four hours later. Carl Muller, a Detroit newspaperman close to Murphy, claimed that Murphy on this occasion “grabbed Lewis by the coat collar, and in no uncertain terms told him the men would get out of the plants ‘or else.’” George Murphy stated in an interview that Lewis told brother Frank after the letter had been read, “Governor—you win.” Lewis took to his bed the next day, allegedly suffering from the grippe, but some of those who attached great significance to the letter claimed Lewis “was not sick. He was knocked out by Murphy’s ultimatum.”106

The fact of the matter, though, is that Lewis did not alter his position in the slightest as the result of the February 9 confrontation with Murphy. The CIO leader had insisted on a six-month truce before the letter was read to him, and he continued to insist on a six-month truce after the letter had been presented. It was GM, not Lewis, that yielded the next day. As for Lewis’ illness, it is safe to presume that it was genuine; as a former coal miner he was particularly prone to respiratory ailments,107 a not uncommon form of illness in any event during a damp February in Detroit.

The Lewis version of what occurred on the evening of February 9 is more dramatic than the Murphy version. As Lewis told the story at the UAW convention in 1940 and, with greater embellishments, to Saul Alinsky, presumably in the same year, after the letter had been read to him by the governor, the CIO leader expressed wonder that Murphy should advise obedience to the law when he had supported the Irish rebellion against England, his father had been imprisoned for Fenian activity, and his grandfather had allegedly been hanged by the British as a revolutionary. As for the warning in the letter, Lewis told the UAW delegates that he had said to Murphy, “I do not doubt your ability to call out your soldiers and shoot the members of our union out of those plants, but let me say that when you issue that order I shall leave this conference and I shall enter one of those plants with my own people. (Applause.) . . . And the militia will have the pleasure of shooting me out of the plants with you [them].’ The order was not executed.” As Alinsky tells the story, Lewis made
an even more impassioned reply to Murphy than is presented in the UAW convention version, and then the governor, “white and shaking, seized the order from Lewis’s hand and tore out of the room.”

The Lewis-Alinsky account of what Lewis said at the February 9 confrontation with Murphy may be sheer retrospective fiction, but it correct insofar as it indicates that Lewis did not yield to an alleged Murphy ultimatum delivered that night. The Lewis version, however, like most other treatments of the episode, is based on the presumption that Murphy was delivering a veiled threat to the United Mine Workers president to use troops to eject the strikers forcibly from the Flint plants, but Murphy was careful to avoid saying anything of this sort. It is almost certain, as a matter of fact, that he had no intention whatsoever of directing the Guard to eject the strikers by force of arms. The probability is that, following the advice of his military staff, he intended merely to place a cordon guard around Importance #2 and then, if the negotiations broke down and if the isolation of the strikers failed to discourage them, to deny the necessities of life to them and thus to compel their surrender. The only other means of securing the evacuation of the sit-downers that Murphy seemed to be considering was to capitalize on his immense prestige with the strikers by making a personal visit to the plants to ask the men to leave because the law required that they do so. There is, at all events, no basis in fact for the assumption that Lewis’ rhetoric and threats caused Murphy to abandon plans that he would otherwise have implemented to shoot the strikers out of the plants.

Allegedly because he did not want to “jeopardize” the consummation of the settlement that he believed imminent by “disturbing” either party represented at the negotiations, Murphy did not make his letter to Lewis known to Knudsen, Brown, and Smith the next day; the contents of the document, as it turned out, were not revealed until January 19, 1939, when Murphy submitted a copy of the letter to a subcommittee of the Senate Committee on the Judiciary that was considering his nomination to be attorney general of the United States. Murphy claimed that he had remained silent about the matter for so long because he had not wished to lessen his “usefulness” as a mediator of labor disputes while serving as governor. Walter Lippmann, who contended that Murphy was right not to have used force when a settlement was so near but wrong to have concealed the letter since as governor he should have left no doubt where he stood on the issue of law and order, thought that Murphy had chosen to remain quiet partly because he regarded it as “politically expedient” to appear as an “unyielding partisan of labor.”

There is some truth in both what Murphy and Lippmann said
about the matter, but it may be that Murphy had remained silent about the letter for so long because it had not been a major factor in determining the outcome of the strike but was rather a document for the record, a document that at some later time could be cited as evidence of Murphy's belief in the sanctity of the law. Had Murphy just after the strike used the letter to support a claim that he had caused Lewis to capitulate, he knew that he would be running the risk of instant and unanswerable repudiation.

The successful conclusion of the Detroit strike talks on February 10–11 was endangered by the irascible Flint Chevrolet plant manager, Arnold Lenz, who came within an ace of committing a rash act that might have prolonged the dispute. The Flint Chevrolet management, ever since the seizure of Chevrolet No. 4, had been playing games with the plant's utility services to the increasing annoyance and discomfort of the strikers. The sit-downers, who had previously threatened to build bonfires in the plant unless the heat were turned up, retaliated on February 9 by opening the windows and the skylight of the plant and, having found the control valve, shutting off the heat. Since this action threatened to freeze the pipes in the plant, Lenz, humiliated by the loss of the factory, decided that he had an excuse to drive the strikers from the building. Speaking the next day to a National Guard lieutenant, Lenz and Chris Addison, a Chevrolet personnel official, complained that the National Guard, the sheriff, and the Flint police had prevented GM from recapturing its property but that Chevrolet was "in a position to do something about it now and were [sic] going to do something."

Lenz assembled a force of 330 plant police during the afternoon of February 10 with the intent of ejecting the No. 4 sit-downers. There were fears in Flint that some "untoward incident" might precipitate an explosion, and Lenz's contemplated foray into Chevrolet No. 4 was just the sort of action that might have confirmed these fears had not the National Guard and Knudsen saved the situation. Continuing to play the role of peacemaker in Flint, the Guard quietly warned the UAW of what was impending, and Travis and Roy Reuther thereupon went into the plant with a military escort and persuaded the sit-downers to close the windows and skylight and restore the heat. As a precautionary tactic, the Guard moved troops into the rear of the plant, presumably to resist any effort by Lenz to dislodge the strikers. Before acting, however, Lenz sought permission from Detroit, and Knudsen, opposed to violence in the strike and not wishing to place GM in the position of being the cause for the disruption of the negotiations, instructed his plant manager to demobilize. The last crisis in the strike had been successfully surmounted.
The negotiations that finally brought the strike to an end after more than fifty hours of discussion since February 3 began at 10:45 A.M. on February 10 and continued until 2:35 A.M. on February 11. Since Lewis was confined to his bed in the Statler Hotel, the strike talks were moved from the Recorder's Court to the hotel. Murphy now carried messages from the presidential suite, where the GM negotiators were placed, to Lewis' room four flights below just as he had maneuvered between a Recorder's Court jury room and brother George's office in the preceding days.\(^{118}\)

The concluding talks centered about three matters, the reemployment of strikers guilty of violence, the number of plants to be covered by the agreement, and, of greatest importance, the length of the truce period. GM sought almost to the end to retain the right to exclude strikers who had committed acts of sabotage and violence,\(^{118}\) but the union insisted on the nondiscriminatory reemployment of all strikers regardless of their behavior in the strike, and the UAW's view prevailed.

GM contended that Kansas City Chevrolet, Oakland Fisher Body and Chevrolet, and Guide Lamp had been shut down because of a shortage of materials rather than because of strikes and should therefore be excluded from the agreement.\(^ {117}\) The UAW was not inclined to go to the barricades to include the first three of these plants in the agreement, and it is possible that Lewis and Pressman were willing to yield on Guide Lamp as well, even though the GM case with regard to the plant was very weak. When Lewis, however, put the matter of Guide Lamp to Travis, the Flint strike leader argued for the inclusion of the plant. "We've got 'em by the 'balls,'" Travis told Lewis, "squeeze a little."\(^ {118}\) In the end, Guide Lamp was included among the seventeen plants to which the agreement applied.

The crucial issue in the final strike talks was the length of the period during which the UAW would enjoy a privileged position in the struck plants. Murphy on February 8, it will be recalled, had asked for the assistance of the White House in securing GM's consent to a truce period of six months, and that assistance was provided. Not only had McIntyre spoken to Knudsen shortly after Murphy had made his request, but on February 9 Secretary of Commerce Daniel Roper had "a very nice conversation" with Donaldson Brown; and that same day or the next morning, at Roper's request and in response to Perkins' desire that the aid of an "outstanding" business leader who knew Brown should also be enlisted, S. Clay Williams, the chairman of the board of the R. J. Reynolds Tobacco Company and the one-time head of the National Industrial Recovery Board, talked with Sloan and Brown. Brown, curiously, explained to Roper that
GM was less interested in the length of the "experiment" than in "the phraseology relating to a definition of the words 'exclusive bargaining agents' in such an experiment." He was seemingly unaware that Lewis by this time had decided that the substance of the GM concession was more important than its form and no longer was insisting on the grant of exclusive bargaining rights in so many words. Roper, on the basis of what he had been told and the similar information given Williams, concluded that the matter was "on the way to a successful consummation."

It was probably more than the inclusion of satisfactory "phraseology" in the final agreement, however, that caused GM to retreat on the question of the length of the truce period. The corporation's automotive production was approaching zero—GM produced only 151 cars in the United States during the first ten days of February—and it must have appeared to the GM negotiators, who were unaware of Murphy's letter to Lewis, that despite Gadola's writ of attachment the sit-downers were simply not going to be dislodged from the corporation's plants in the near future and that its automotive production, at a time when the outlook for profits was encouraging, would not be resumed until an agreement with the UAW was reached. GM was also, undoubtedly, responding to the pressure being exerted from the White House through McIntyre, Roper, Williams, and, in a sense, Murphy. When Knudsen later reported that "the Government . . . practically ordered" the settlement of the strike, it may well have been the President to whom he was referring. Stephen DuBrul had reminded his superiors in the corporation at the very beginning of the strike that "there has been an election," and GM, apparently, had not completely forgotten.

The precise language of the settlement was finally agreed to by Lewis and Smith in Lewis' hotel room, with the United Mine Workers president in bed and Murphy and Dewey sitting on the bed. "Now I can sleep for awhile," Lewis remarked. "'Well, Mr. Lewis,' " the CIO head reported Smith as having said, "'you beat us, but I'm not going to forget it. I just want to tell you that one of these days we'll come back and give you the kind of a whipping that you and your people will never forget.'" A weary Murphy then announced to reporters that the strike had been settled. His manner was "restrained," but the sparkle in his eyes showed that he appreciated "the fullness of the occasion."

The signing ceremony itself was held just before noon on February 11 in the Recorder's Court, where Murphy was cheered when he arrived and Judge George Murphy adjourned the case that he was hearing. The governor declared that he hoped the peace would be "a
lasting one” and would lead to “a mutual atmosphere of good faith” between employer and employee, improved working conditions, and a “better understanding.” The agreement was then taken to Lewis’ hotel room, where the CIO head signed with a pen that had been given Murphy by the president of the Philippines, Manuel Quezon. The other two signers for the UAW were Mortimer and Pressman, which means that two of the signatures on the historic document were those of CIO representatives and not of UAW members or officers. Homer Martin was in Chicago when the agreement was concluded and vainly tried to return to Detroit for the signing ceremony. “‘They can’t do that!’” he reportedly said about the conclusion of the agreement in his absence, but they did.121

GM by the terms of the February 11 agreement recognized the UAW as the collective-bargaining agency for employees of the corporation who were members of the union. It recognized and promised not to interfere with the right of its employees to be union members and agreed that there would be no “discrimination, interference, restraint, or coercion” by GM or its “agents” against company employees because of their union membership. The company agreed to begin bargaining with the UAW on February 16 regarding the union demands of January 4, 1937. The union promised to terminate its strike and to evacuate the plants occupied by the strikers, and the corporation in turn agreed to resume production as quickly as possible. All idle employees were to return to their “usual work” when called, and the corporation was not to discriminate against any of them because of their “former affiliation with, or activities in,” the UAW or the strike.

The UAW committed itself not to strike or interfere with production pending the negotiation of an agreement, and during the life of that agreement all efforts to achieve the settlement of a grievance or enforce a demand were to be exhausted before there would be a strike or an interference with production. The UAW, accepting a principle laid down in the President’s automobile labor settlement of March 25, 1934, but not included in the NLRA, promised not to coerce employees nor to solicit for membership on company premises, but this did not preclude “individual discussion.” After its plants had been evacuated and the strike had ended, GM agreed that it would consent to the dismissal of the injunction proceedings in Flint and Cleveland and, subject to court approval, to continue all contempt proceedings that it had instituted.122

Even more important to the UAW than the terms of the agreement was a supplementary letter that Knudsen sent to Murphy in which GM, on condition that the union refrain from “coercion and
intimidation” inside or outside the plants to increase its membership, promised not to “inspire” activities on the part of other groups that might weaken the UAW. For six months after the resumption of work, GM would not “bargain with or enter into agreements with any other union or representative of employees of plants on strike” regarding matters of “general corporate policy” specified in the UAW’s January 4 letter unless Murphy sanctioned such action as “justified by law, equity or justice.”123 This meant that, although GM in the general agreement recognized the UAW as the bargaining agency for its members only, in the seventeen plants designated as having been on strike the corporation, in effect, recognized the union as the sole bargaining agency unless Murphy permitted it to bargain with other groups. Presumably, the governor would not sanction such bargaining if he believed that GM had stimulated the organization of the rival group or was using it to undermine the position of the UAW. The UAW, obviously, felt secure in leaving this decision to Murphy.

Shortly before the agreement was concluded, GM announced a five-cent hourly pay increase for its workers effective February 15 in accord, the company declared, with its policy of always maintaining the “highest justifiable wage scale.” Since the wage increase was announced on the same day as the agreement ending the strike was signed, UAW members were inclined to accept it as “one of the terms” of the agreement and as another indication of union victory, although GM may actually have been responding to a 10 percent wage increase announced by Chrysler the preceding day.124 If GM had hoped to persuade its employees that it was a compassionate employer that rewarded its employees because of its benevolence rather than because of union pressure, its sense of timing left a good deal to be desired.

On February 19, as a by-product of the general agreement, Knudsen, responding to a demand made by union negotiators toward the close of the strike talks, sent Martin a letter specifying that GM did not object to the wearing of union insignia by its employees on company property.125 Knudsen’s concession strengthened the non-discrimination clause of the February 11 agreement and was of particular importance to the UAW since the strike movement had ostensibly begun in Atlanta over this very question.

The sit-down strike had idled 136,000 GM workers across the land at a cost in wages of just under $30 million. GM, as the result of the strike, was estimated to have lost the production of more than 280,000 cars, valued at $175 million. GM’s share of new passenger car registrations fell from 43.12 percent in 1936 (44.49 percent in the first quarter) to 34.37 percent in the first quarter of 1937, a decline
attributable entirely to the strike, but then rose to 41.08 percent for the second quarter of 1937, after the strike had come to an end. The decline in GM’s production during the strike had a reverberating effect on the company’s numerous suppliers, its dealers, and the firms that hauled its cars, but the total losses that they sustained are extremely difficult to calculate.126

The language of the strike settlement permitted GM to contend that the February 11 agreement was entirely consistent with the principles to which the corporation had proclaimed itself committed from the outset of the strike. There had been no surrender on the vital question of exclusive representation, GM explained, since the corporation could continue to discuss local issues at the plant level with any group and could even discuss “general policy issues” if Murphy concluded that the group was “truly representative” of a body of GM workers and that the corporation was acting in consonance with the terms of the agreement.127 Several of the journals commenting on the settlement shared GM’s view that nothing had really changed, but like GM they failed to appreciate how much the position of the UAW had been strengthened as the result of the strike, how important the “psychological impact” of the settlement would be.128

The UAW claimed that it had won a historic victory. “The settlement,” Martin declared, “is the greatest advance of any single event in the history of the labor movement.” “The greatest strike in American history,” the United Automobile Worker exulted, “has been victoriously concluded.” The agreement, the UAW said, meant that workers no longer had to fear discrimination if they joined the union, and it was the UAW position that fear of discrimination had been the major deterrent to its success in the automobile industry. “Even if we got not one damn thing out of it other than that,” a St. Louis Fisher Body worker later asserted, “we at least had a right to open our mouths without fear.” “The position of the UAW is no longer underground,” John L. Lewis declared.

As the UAW interpreted the agreement, it had gained recognition throughout the GM domain and exclusive representation for all practical purposes in seventeen plants. Recognition “was the most wonderful thing that we could think of that could possibly happen to people,” one unionist later observed. What the UAW, like other unions at the time, understood by the term “recognition” had always been rather nebulous, but the union believed, and it had reason to, that it had been accorded a status of legitimacy in GM plants that it had never before enjoyed. It was confident that it would be able to consolidate its position in the seventeen plants during the six-month
period because it had no rivals to contend with and because Murphy could be depended upon not to permit GM to weaken the union's position; and what was gained in these plants, the UAW believed, would be extended to other GM plants as well. Finally, the UAW interpreted the outcome of the strike as having "conclusively established" the superiority of the industrial over the craft-union form of organization and as paving the way for similar successes in other mass-production industries.\textsuperscript{129}

Since the terms of the agreement did not specifically grant the UAW its major demand, the privilege of exclusive representation, the initial reaction to the settlement of some of the sit-downers was negative. When Bud Simons was awakened in the early morning of February 11 and apprised of the terms, he remarked unhappily, "That won't do for the men to hear. That ain't what we're striking for. They'll never get them guys out of here with those terms." When the agreement was explained to the strikers, however, most of them would appear to have agreed with Red Mundale, who commented, "It's been a tough grind, but I believe the benefits we will receive will be worth the hardships we endured."\textsuperscript{130}

The AFL, more interested in prosecuting its conflict with the CIO than in realistically assessing the agreement, interpreted the February 11 terms as a UAW and CIO "surrender in a very large way" since the strikers had not gained exclusive representation. The "'militant minority,'" Frey thought, had been unable to impose its will on "an unwilling majority," and the CIO had failed in its effort to drive the AFL from the auto industry. Privately, though, the AFL leadership was not quite so certain that the UAW had "surrendered." Green, Frey, and Williams wrote to Knudsen on February 12 requesting a conference, in view of the February 11 agreement, to clarify the status of GM employees represented by the unions affiliated with the Metal Trades and Building Trades Departments. Knudsen referred the letter to Murphy, who advised the GM executive that a conference for the purpose indicated was perfectly proper according to the terms of the settlement but that there was to be no collective bargaining regarding matters of general corporate policy without the governor's prior approval.\textsuperscript{131} The AFL and GM as well must have wondered after the receipt of Murphy's letter whether the February 11 agreement had really returned employer-employee relations in the corporation to pre-strike conditions.

Much of the comment following the strike centered on the role of Governor Murphy during the crisis. Union and management negotiators lauded his efforts as mediator, and even Alfred P. Sloan, Jr., who, unlike Knudsen, came to dislike Murphy intensely, asserted that
GM, its employees, and the general public were indebted to the governor for his "untiring and conscientious efforts, as well as the fairness with which he has handled a most difficult situation. Only his efforts have made it possible to resume work at this time." The political community from President Roosevelt on down was full of praise for Murphy. The President congratulated the governor for "a high public service nobly performed," and Josephus Daniels wrote Murphy that he had "succeeded in what most people thought was an impossible achievement." Arthur Krock of the New York Times thought that Washington opinion was perfectly summed up in a wire that he had received from an unidentified disinterested party stating that "No praise [is] too great for Frank Murphy."

Murphy was hailed as "the master diplomat of industrial conflict" and was showered with compliments for his tenacity, his self-control, his tact, his "quiet firmness," and his "balanced handling" of an extremely difficult situation. Above all, he was acclaimed, even by many of those who deplored the sit-down, for having so discharged his responsibilities that not a single life had been lost in the strike. Even the Flint Journal thought it "remarkable" that there had not been "more serious consequences to life and property." "It is Governor Murphy's peculiar glory," the columnist Jay Franklin wrote, "that he sent in the troops and handled them so well that no man lost his life after their arrival, and that one of the bitterest industrial strikes on record passed off without the usual dreary lists of killed and wounded in the conventional struggle between scabs, strikers and their respective imported plug-uglies."

There was, on the other hand, some criticism of Murphy for having failed to enforce the law and to drive the sit-downers from the occupied plants. The governor was informed by some of his correspondents that he had "made a joke of the laws of our state," that he had allowed the "seeds of Communism" to be "nurtured, fertilized and cultivated," and that he was "a Yellow Bellied Cur Dog." It was recognized for the most part, however, that although a price had probably been paid in terms of law and order, the results gained justified the expenditure. Walter Lippmann thought that both Murphy and GM were "wiser" than those who had insisted upon the vindication of property rights. "The essential fact," he wrote, "has been that certain rights of property were impaired and could not be repaired until the human right to be represented had been established."

Arthur Krock cited the views of an "eminent" conservative Democrat who said that he would have defended the rights of property had he been in Murphy's place but that then conditions would have
been “permanently worse and the country would not have come out as well as it has through the Governor’s tactics.” Murphy’s “compromise” with law enforcement, the conservative Democrat concluded, was “in the spirit of wise statesmanship at the present time.” The author of these remarks was none other than Vice-President John Nance Garner, commonly thought of as an archenemy of the sit-down.\textsuperscript{135} At a time when the President was calling for the reorganization of the Supreme Court itself, a delay of a few days in enforcing a court order did not, perhaps, seem like such a horrendous crime after all.

Ed Kemp was correct in his later observation that “in terms of public esteem and prestige,” the GM sit-down was “the high point in Frank Murphy’s entire career.” Spencer Fullerton wrote in the Cleveland Plain Dealer that “few persons in American political life face quite as rosy a future at the moment” as Murphy, and Time thought it apparent that “the first vehicle to roll off General Motors’ revived assembly lines will be a bandwagon labeled ‘Frank Murphy for President in 1940.’”\textsuperscript{136} Quite contrary to the popular impression of a later time, Murphy gained enormously in stature as the result of his performance in the GM strike, and had not the strike been followed by a rash of sit-downs across the land and especially in Michigan, it is unlikely that he would have been subjected to the serious criticism that was soon to be directed at him and that would plague him for the remainder of his days.

The strike agreement, although permitting GM to save face on the principle of exclusive representation, must be regarded as a victory for the UAW. GM had been compelled to sign its first agreement with a union, and it had for the first time agreed to recognize an international union as a party to the collective-bargaining process.\textsuperscript{137} It had accepted the UAW contention that all the demands set forth in the January 4 letter should be discussed at a general conference, that strikers were employees, and that even strikers guilty of acts of violence should be returned to their jobs without discrimination. Although the company had insisted that the sit-down was illegal, it had agreed nevertheless to secure the dismissal of injunctions directed against the strikers. Above all, though, the strike had been for organizational purposes, and in this sense too it had been successful. In seventeen plants, including the strategically significant Cleveland Fisher Body, Flint Fisher Body No. 1, and Chevrolet No. 4 plants, the UAW was, in effect, given six months to become the majority union, free from any concern that the company might foster a rival organization; and the concession GM made in these plants, its recognition of the UAW as the bargaining agency for its members in all GM plants, the promise that the corporation made not to discriminate against
union members, and the prestige that the union gained from the settlement and from its apparent defeat of "the most powerful industrial aggregation" in the United States placed the UAW in a favorable position to spread its organization throughout the GM domain.\textsuperscript{138}

The strike settlement was a victory not only for the UAW but for the CIO and for unionism in the mass-production industries. "The workers," an organizer in the steel industry reported during the strike, "regard the General Motors sit-down as a test of the C.I.O. . . . They hesitate to stick out their necks. 'Wait till you win the auto strike. Then we'll join.'" Like the steel workers, astute observers had recognized from the outset that the auto strike was the "testing ground" for the CIO and that the future of mass-production unionism lay in the hands of the sit-down strikers. Victory over GM, it was predicted, would lead to the conquest of Ford and Chrysler and of steel, rubber, and the other mass-production industries as well. "Future of C.I.O. Hangs On Auto Strike Result," was the New York \textit{Times} headline for a January 24 story on the strike by its able labor reporter, Louis Stark. When victory had been achieved, the secretary of the Communist party in Michigan correctly observed, "The auto workers have cleared the way to planting the flag of unionism over the great factories of this country."\textsuperscript{139}

For the victory that had been achieved in the GM strike, the UAW could give credit to its own leadership and tactics, the CIO, and the state and federal governments.\textsuperscript{140} A small group of UAW leaders at the national, local, and plant levels, some of them quite radical in their ideological orientation, had outmaneuvered GM from the beginning of the strike to its end. They hit the corporation at its most vulnerable points and by using the sit-down tactic were able to keep strategic plants closed with a relatively small number of workers and to prevent GM from applying the overwhelming force that it could have mustered to defeat an outside strike.

In Flint, the center of the strike from the outset, the leadership of men like Travis and Roy Reuther was nothing short of brilliant. It was they and a handful of others who were responsible for the daring strategy that resulted in the seizure of Chevrolet No. 4, the use of the sound car, the mobilization of women in the Auxiliary and the Emergency Brigade, the utilization of outsiders as a strategic reserve, and the staging of mass demonstrations at crucial moments—all of which contributed to the union victory. What happened on the outside, however, would have been unavailing had not a determined core of unionists been able to organize themselves into a community inside Fisher Body Nos. 1 and 2 and later Chevrolet No. 4 and been willing to remain at their posts until GM came to terms despite a police attack, interrupted utility service, and a court injunction. The
strikers in Flint were aided and supported by their international union, and the strike effort as a whole benefited, as we have seen, from the CIO's settlement of the glass strike, the organizers and funds supplied by the new committee, and the talents of John L. Lewis.

The favorable political climate in Washington and Lansing was an indispensable element of union success. The La Follette Committee weakened GM's moral position and appeared to lend credence to union charges that the corporation was engaging in unfair labor practices and was infringing on the civil liberties of its employees. The President and the secretary of labor refused to condemn the sit-down and supported Murphy's efforts to secure a negotiated settlement while delaying the enforcement of a court order. The key decisions insofar as public authorities involved themselves in the strike were, however, made in Michigan by Governor Murphy rather than by Washington officials. It was Murphy who sent the National Guard into Flint not to break the strike but to preserve the public peace and, in effect, to protect the strikers from possible attack; it was Murphy who delayed the enforcement of a court order that could have broken the strike; it was Murphy who insisted that the strike be settled around the conference table and who kept the strike talks going day and night; and it was Murphy who threw his own support to, and gained Washington backing for, the six-month truce plan that was the key to the consummation of the February 11 agreement. Had Michigan's governor been someone like M. Clifford Townsend rather than Frank Murphy, the strike would almost certainly have had a different outcome, and the coming to power of the UAW and the CIO would, at the very least, have been delayed. Murphy's contribution to the outcome of the dispute is a striking example of the truism that history is not the product of inexorable forces alone and that if man is not entirely the master of his fate he nevertheless helps to shape his own destiny.

The union's celebration of its victory in Flint during the late afternoon and evening of February 11 was described by a reporter as "unique in the annals of labor demonstrations." Shortly after 3:00 P.M. Travis, Mortimer, and other union officials entered the vast No. 1 plant and met with the strike committee and then with the strike community as a whole. The strike agreement was read to the men and was discussed for about an hour. There was some grumbling about the terms, but the agreement was in the end unanimously approved. Roy Reuther told the men that they were not leaving the factory because of "a sheriff holding a paper," and Martin declaimed, "The world pays you tribute."

As the moment for departure neared, a dozen or so strikers appeared on the roof of the plant and lowered a sign reading,
“Victory Is Ours.” Several hundred automobiles, decked with bunting, pulled up at the plant, and thousands of spectators streamed into the area. The strikers marched out to deafening cheers at 5:42 P.M. About four hundred men left the plant, some of them, anxious to share the glory of the occasion, having entered the factory that day. Most of the strikers carried American flags, nearly all of them carried bundles. A parade line of more than eight hundred persons then formed that included the sit-downers and the ladies of the Women’s Auxiliary and the Emergency Brigade. A flag bearer, two drummers, and a drum major headed up the parade, and they were followed by bearers carrying a first-aid stretcher on which an effigy of Boysen had been placed. They paraded down Saginaw Street and Third Avenue toward the area of Chevrolet No. 4 and Fisher Body No. 2 “with a beautiful disregard of red or green lights or traffic.”

After the ceremonies at the No. 1 plant, Travis proceeded to Chevrolet No. 4 and to the “dim and ghostly” interior of Fisher Body No. 2, where again he received unanimous approval of the strike agreement. The National Guard relaxed its blockade of the area and allowed the crowd to descend to the valley in which the plants were located. Between two and three hundred sit-down strikers from Chevrolet No. 4 and then about 125 from the No. 2 plant emerged to the accompaniment of honking horns, shouts of joy, and the singing of the inevitable “Solidarity.” The parade from Fisher Body No. 1 arrived at the crest of the hill north of the plants, and a half-hour meeting followed addressed by Travis, Mundale, Kermit Johnson, Krzycki, and Brophy, the latter telling the throng that they were celebrating “the coming of industrial democracy to the men in these great plants.” Paraders from Chevrolet No. 4 and Fisher Body No. 2 then merged forces with the No. 1 group, and they marched through the downtown district toward the Pengelly Building. They halted on Saginaw Street at the Flint River and slid the effigy of Boysen into the murky waters below, with the quondam Baptist minister Homer Martin proclaiming the last rites.

The crowd that gathered at the Pengelly Building overtaxed the capacity of its two-thousand seat auditorium. The overflow thousands remained outside the building and were addressed by union leaders and organizers who had already spoken to the audience inside. The celebration continued into the night, reminding observers of Mardi Gras, Armistice Day, or community reaction to victory in the World Series. “These people,” Rose Pesotta said, “sang and joked and laughed and cried, deliriously joyful. . . . victory . . . meant a freedom they had never known before. No longer would they be afraid to join unions.”

142