

**VOLUME 2, NO. 30** 

## ROCKY MOUNT, NORTH CAROLINA, FRIDAY, JULY 26, 1930

#### **Auto Victims Peanut Cases** Laid To Rest In Court Now

## Processors Seek To Have AAA Tax Invalidated By Judge Johnson J. Hayes

Greensboro, July 1.-Of the 28 cases contesting the validity of the government's right to levy process-ing taxes as part of the new deal basis of benefit payments to farm ers under AAA crop control pro-grams, which are to come up Mon-day before Federal Judge Johnson J Hayes here, interest centers largely around the effort of Eden-ton peanut processors to have made permanent temporary injunctions al-lowed by Judge Hayes last Thurs-day.

The Albemarle Peanut Company and the Edenton Peanut Company are the complainants in the action brought to restrain Internal Reve-nue Collector C. H. Robertson, of this city, from collecting the tax in question. in question.

The Albemarle company seeks injunction against the collecting of \$14,438.94 for March and April tax-es and the Edenton company would enjoin collection of \$3,300 for May and June.

and June. A companion action to compel the return by the government of the same taxes paid since the passage of the AAA act last year is, also, expected to come up before Judge Hayes. The main point at issue, however, will be to have the en-tire tax question thrown open so it may be carried into a higher court where the constitutionality of the entire AAA levy may be finally passed upon.

the entire AAA levy may be finally passed upon. In the papers already filed with Judge Hayes and upon which the temporary stay was based last week W. D. Pruden, as counsel for the Edenton complainants, sets forth that the power to control agricul-tural production, no matter what the constitution, not matter what the constitution, not that the dele-gation of such power to the Secre-tary of Agriculture was unlawful Recent comment in support of this contention by Federal Judge Luther B. Way, of the Virginia district, is further cited, Judge Way holding in a similar action brought by Suffolk, Va., pennut processors that the pro-cessing tax violated the process clause of the Constitution, and that a test case as to the validity of all processing taxes put inte effect by the AAA was most desirable. Against this brief AAA attorneys have argued that the peanut process ing tax was an excise tax of the same sort as that on liquor or eig arettes and that the payment or col-lection cannot be restricted by le-gal action. Textile and tobacco in-terests have already acted to re-strain the AAA program which is ed upon. the papers already filed with

terests have already acted to re-strain the AAA program which is the foundation upon which rests all of the government's effort to re-store agricultural prosperity and es-tablish reasonable prices for farm moducts

# Drive For Tob.

Well-Known Local Woman Is Dead After Six Months Illness—Rites Today Final Rites Held In Farmville Yes-terday For C. C. Harris And His Wife

Mrs. W. D. Smith

Final Rites Held In Farmville Yes-terday For C. C. Harris And His Wife Farmville, July 23.—Funeral ser-vices for C. C. Harris, 30, engineer with the city power service, and his wife, Mrs. Lena Bundy Harris, 22, who were killed in an automobile accident near Crisp last Saturday night, were held here yesterday af-ternoon from the home of Mrs. Har-ris' father. Burial took place in Farmville. Framville. Framville. Framville. Alford, four, who was killed in the same accident, were held in Tarboro yesterday afternoon. Burial took place in Tarboro. Mr. and Mrs. Harris and the Al-ford child were killed in an auto-mobile week about one mile from Crisp late last Saturday night when the truck which was driven by Ray-mond Harris came in from a side receiving treatment at Tarboro hos-pitals are: Miss Polly Bundy, 17, sister of Mrs. Harris, who was re-ported as having a fractured skuli an deuts about the face; Mrs. P. W. Alford, whose condition is said to be "extremely critical," with a fractured arm and leg; C. C. Harris' two year ald son, James Craig, whose injuries are not considered likely to prove fatal; and P. W. Alford, Sr-not serious, presumably. Raymond Harris, who is a resident of Sparta, was held in the Tarboro pial in defantk of \$5,000 bond. Edge-tion the fature of \$5,000 bond. Edge-sial in defantk of \$5,000 bond. Edge-sial in de

not serious, presumably. Raymond Harris, who is a resident of Sparta, was held in the Tarboro jail in default of \$5,000 bond. Edge-combe Sheriff W. E. Bardin, of Tar-

Windsor, July 23 .- The funeral of

William Francis Quigley, 43, chief timekeeper of the Atlantic Coast Line Railroad company, of Savan-nah, Ga., and formerly of Bocky Mount, was killed at his residence early this morning by the accidental discharge of a rifle, according to Associated Press reports from Sa-vannah.

vannah. Mr. Quigley, who had been sta-tioned here until two years ago as chief timekeeper, died from a .22 rifle bullet which entered his left

ive For Tob. Sales Is Started Sales to Started



Lunch Counter on Rails Is Latest

The lunch counter, characteristic of America's bustling hit-and-run habits, has at last invaded the railroad train. With the streamlined coach of the B. & O., it shares innovation honors on the run between St. Louis and Chicago, and is popular with the patrons of the train named The Abraham, Lincoln,

## Did The Welfare Approve The Hanging Up Of Prisoners

The jury acquitted prison officials of the state prison system who were accused of inhuman treatment of two convicts as a result of which two convicts lost their feet.

There is no question that these prisoners received most inhuman treatment, in fact, the verdict of the jury as we understand it does not undertake to justify the treatment but acquitted these officials upon the ground that they were carrying out orders and modes of punishment prescribed from the head prison authorities in Raleigh. The following is the statement of Captain Little one of the prisoners being tried:

H. C. Little, former Mecklenburg camp boss witnessing for himself in answer to a direct question said that he re-garded the punishment prescribed for prisoners fro mheadquarters the "most inhhman thing" of which he had knowledge. Asked why he continued to use the methods prescribed for punishment if he felt that way about it, Little answered that he was obeying orders given by "fine, educated people" that he thought had more sense than he.

Now Captain Little made that statement in the court house and we have not seen anywhere, where this statement was denied, so evidently the prison authorities did prescribe the hanging up of prisoners by their heands, in this instance for 9 days on bread and water as a diet and drugged from time to time with salts. The so called human act of abandoning the lash and substituting this new form of punishment is worse than jumping from the fryinb pan into the fire. These rules were said to be prescribed by the head authorities of the prison system and as we understand the rule these rules have to be concurred to by the commissioner of welfare and its board. Up to this time we have had no statement from the commissioner of welfare, Mrs. Bost. She has been silent in all the written languages We cannot conceive of Mrs. Bost concurring in this mode of punishment and we would like to hape the views of the welfare department on this matter as we have not heard from them up to the present writing. The prison is a very difficult kind of problem and only the highest class people and of the highest character should be employed and it is the duty of the head of the highway and prison system to see that this class of people are put in charge. Mr. Roach has recently resigned as head of the prison and Oscar Pitts former member of the legislature has been put in charge. It now develops upon the highway board the duty to select men of the character and capacity to fill these positions and when they fail to do so, are they not themselves guil-

### **TEACHERS SALARIES**

## PARAGRAPHS ON NATIONAL **PROBLEMS AT WASHINGTON**

Senate Passes

In spite of the fact that he had been one of the critics of some of its features, Senator Bailey join-ed Senator Reynolds to mak e it unanimous for the State when the AAA bill, as amended passed the senate by the huge majority of 49 votes, the count being 64-15. Pro-ponents of the bill state that it continues all the features of the present act, overcomes those fea-tures held unconstitutional. The Kerr-Smith Tobaceo Control Mea-sure, the Bankhead Cotton Control Bill, and the new Potato Control Bill, sponsored by Congressman Weaver and Senator Bailey, were all added as riders to the measure.

## **Liquor Stores Opened In Pitt**

Greenville, July 23.—Liquor con-trol stores will be opened at Green-ville and Farmville Thursday, and at Ayden and Fountain Friday, it

The total value of the initial pur-chase was given last week as be-tween \$25,000 and \$30,000. The Greenville store will be lo-cated in the Higgs building on the upper end of Dickinson Avenue, and the Ayden store will be in the old National Bank Building in the heart of the business district. The control board, headed by C O'H. Horne, was pressing its plans for the openings with much vigor, and stated everything had been doni to open the store as early as pos-sible.

### LIQUOR STORE AT NASHVILLE IS OPEN

ond Store To Open Here On Monday; Nash County Has Three Others

Rocky Mount's second liquor stor Kocky Mount's second liquor store the Nash county store located at 134 Howard street, was formally op-ened on Monday. The Nashville store was opened Saturday quietly, with a thriving business reported. When the store here is opened that will make four in Nash County, others being at Middlesex and Spring Hope.

others being at Middlesex and Spring Hope. Judge S. F. Austin, chairman of the Nash county control board an-nounced that there was a possi-bility of at least one other store be-ing opened in Nash county but the location had not been selected yet. The first store to be onened in

CONGRESSMEN TIRED PRESIDENT'S ATTITUDE UP TO PROGRESSIVES LEGAL ENTANGLEMENTS AAA Measure AAA Measure Large Majority Shown As Measure Goes Through. Both N. C. Sena-tors Voted For Bill

By Hugo Sims, Special Washington Correspondent

Undoubtedly many Congressmen are anxious to get away from Wash-ington, where the heat bothers them, and are willing, if necessary, to have a special session of Congress in the fall to take care of the tar program. The House showed strong sentiment to this end last week, even if the vote was overwhelming-ly against adjournment. The matter rests with the Progressives in the Senate, who have an excepted Senate, who have an agreement with Senator Harrison providing for an opportunity to vote on the new tax levies before the session ends. ends.

It is said that the President is not against the plan, even if the tax program is put off until next January but he wants a definite understanding to this effect. In fact, reports are clear that the Chief Eventive is a bit anyious to get fact, reports are clear that the Chief Executive is a bit anxious to get rid of the idea that he is a task-master holding Congressmen on the job. He also dislikes very much the "must" list appellation that is currently used in the press. Some say he is ready to accept whatever the two houses do on the holding company bill, the Social Security proposals, the TVA and AAA amendments.

rville and Farmville Throuse. It had been planned to have all openings at the same time, but in view of the fact that buildings at Greenville and Farmville will be completed a day ahead of the other two towns the board decided to adopt the plan announced today. It was also announced that the first consignment of whiskey, estimated at three carloads, is expected later The total value of the initial pur-chase was given last week as be-tween \$25,000 and \$30,000. The Greenville store will be in-cated in the Higgs building on the heart of the business district. The control board, headed by C O'H. Horne, was pressing its plan-for the openings with much vigor, and stated everything had been don-to open the store as early as pos-

Legal entanglements are encoun-tered by the administration in many areas since the Courts have shown an increasing tendency to strictly construe the powers of the Federal government. Federal Hous-ing projects have been tied up in some areas, the processing taxes are steadily being enjoined and competent opinion holds that the AAA and TVA amendments are un-constitutional. The President, in asking the House to pass the Guffy coal bill, regardless of doubts as to its constitutionality, charted the course of the administration. It will pass laws and let the courts throw them out if it is necessary.

Much criticism has been direct-Much criticism has been direct-ed toward this attitude, some go-ing so far as to say that it is a vialotion of the oath of office, in-volving the pledge to uphold the constitution. The argument is that Incation had not been selected yet. The first store to be opened in Halifax county was opened in Lit-tleton Friday. Other stores in the county are expected to open Mon-day. In Martin county two stores are open, one at Williamston and one at Robersonville. Sales were report-ed light from each of the Martin stores. **Italians Plan** In Martin County and County is the president should veto its constitution. The argument is that Congressmen should veto against any measure that is doubtful and constitution. The argument is that output and the Court in the position of thwarting the popular by the President Taft, in 1913, in vetoing the Webb-Kenyon act, function. When Mr. Taft vetoed the measure in vigorous language Congress passed it over his veto, and the Supreme Court sustained it.

TO REST IN WINDSOR

Windsor, July 23.—The funeral of Mrs. Maggie Rhodes Smith, wife of W. R. Smith of Merry Hill, was conducted from the home on Sun-day afternoon at four o'clock. Mrs. Spith, who was in her seventy-third year, died on Saturday morn-ing, following a long illness. The funeral was conducted by Rev. T. W. Lee, pastor of the White Oak Methodist church of which Mrs. Smith was a member, assist-ed by Rev. Mr. Hollowell, pastor of the Merry Hill Baptist church, and Rev. E. C. Kolb, pastor of the Windsor Baptist church. The active pallbearers were Ru-dolph Smith and Randolph Dhite of Windsor; Cyril and Paul Smith of Merry Hill; Billy Thompson of Woodville, and Billy McLean of Washington. These young men are drs. Smith's grandsons and grand-sons-in-law.

MRS SMITH IS LAID

Mrs. Smith's grandsons and grand-sons-in-law. Mrs. Smith was laid to rest in the family cemetery amid a large con-course of sorrowing relatives and friends. Her grave was heaped with flowers, significant of the pure and lovely life she had lived.

**Dist.** Director

Windsor, N. C., July 2.-E. S. As-kew of Windsor was recently chos-en as director of district 1 of the works progress administration in North Carolina with Elizabeth City

barbecue supper served in a local warehouse, Rocky Mount launched a drive tonight in behalf of its to-bacco market.
State Representative W. E. Ferner and F. P. Sprull, and J. C. Braswell and M. F. Jones, bankers; A. L. Tyler, local merchani; I. D. Thorp, attorney, and president of the chamator attorney, and president of the chamator in State Represented for the chamator in State Representative W. E. Ferner and F. P. Sprull, and J. C. Braswell and M. F. Jones, bankers; A. L. Tyler, local merchani; L. D. Thorp, attorney, and president of the chamator in State Represented for the chamator in State Representative W. E. Fernera and F. P. Sprull, and J. C. Braswell and M. F. Jones, bankers; A. L. Tyler, local merchani; L. D. Thorp, attorney, and president of the chamator in State Represented to the chamator in State Represented to the state WPA in Elizabeth City has not its as a native of Washington, D. C. Thureral arrangements were incomplete this afternoon pending the arrival in Savannah of Miss Julis sister. Besides Miss Quigley, his sister. Besides Miss Quigley, his sister. ty of gross derediction?

attorney, and president of the cham-ber of commerce; George Burton, president of the Tobacco Board of Trade; M. R. Robbis, insurance man, and others took the stand to offer words of encouragement for the success of the local tobacco-mists, the merchants, and local citi-zens in boosting the market, were headlights of the program. Mr. Sprull presided over the meeting and called upon the various speak-ers.

## Welfare Body **Opens Cannery**

Wilson, July 23.—A community cannery, to be operated by the Wil-son Welfare Association, under the direction of Mrs. Jeanette Grainger, began operation here Tuesday morn-ing on South Lodge street. The cannery will be used to put up fruits and vegetables to be used in relief this coming winter. The work will be carried on under Mrs. Grainger's, supervision, and will be work will be carried on under Mrs. Grainger's supervision, and will be carried out on a share basis be-tween the welfare society and the producer. Canning of tomatoes was started Tuesday after 70 bushels of the vegetables had been brought for canning purposes. The welfare association, according to Mrs Grainger will wound the the vegetables had been brought for canning purposes. The welfare association, according to Mrs. Grainger, will provide the the help while the farmers of the section will provide the vegetables.

Well, here's hoping we don't have to read all the Dionne quints say when they begin to talk.—Philadel-phia Evening Bulletin. Babushkin, is expected to flyer, Babushkin, is expected to flyer, across the top of the world to Alaska. He is with a Soviet expe-dition to the Polar regions.

Buried In S. C. Bennettsville, S. C., July 23.—Fu-neral services will be held here to-morrow morning for Baxter F. (Cy-clone Mack) McLendon, nationally known evangelist who died suddent-ly at his home here last night. Death was due to a heart attack

tery.

**Cyclone Mack** 

physicians said. Only recently he had returned from Oklahoma City where he conducted a revival. Survivors include his widow, four sons and two daughters. He will be buried in McColl ceme-

Moscow .- The noted Arctic flyer

dition to the Polar regions.

ford.

Bertie, Northampton, Martin, Wash-ington, Tyrell, Dare, Chowan, and Perquimans.

**Tarboro Post** 

Tarboro, July 23.—J. Watson Smoot, business man of this city, has been elected commander of the Eason Tiney Post of the American Legion to succeed Scott Winstead of Pinetops. The other officers are, first vice commander, S. S. Nash; second vice commander, Fred Phil-lips; third vice commander, Dan Anderson; adjutant, Harry H. Hicks; finance officer, Harry H. Hicks; service officer, Lyn Bond; ser-guardianship officer, Lyn Bond; ser-geant at arms, Ned Ellis; chaplain, Rev. N. E. Gresham; historian, R. B. Peters, Jr.; athletic officer, Geo-rge Earnhardt, child welfare officer R. B. Peters, Jr., Americanism offi-cer, Miss Mattie Shackleford; grav-es registration officer, Miss Shackle-ford; employment officer, A. O. Ma-dra, membership officer, A. O. Ma-dra, membership officer, M. H. Hicks, sos of American Legion, Miss Shackle-ford.

CRASH CAR; SAVE MAN

Deadwood, S. Dak.-Major Gener-al Roy D. Keehn was saved from burning to death after an automobile accident by rescuers who crash-ed in the top of his burning mach-ing and pulled him out.

Nine poultrymen of Alamance County have had over 3200 birds vaccinated for fowl pox this sum-

receive a 20 per cent raise and we are indeed sorry that there does not appear to be sufficient funds. Both chairmen of the appropriating committees senate and house when the shortage appeared made voluntary appearances before

the committee and stated that they thought they had suf-Elects Officers the committee and stated that they thought only have been ficient money but we do not see how they could have been

mislead because Dr. McDonald presented figures during the session which showed that it would require more money tha nthey had appropriated to this. Now if any error has occurred, and apporpriating committee should assume its responsibility and not leave it on other shoulders. It strikes us however that the suggestion of Dr. R. W. McDonald that the money appropriated for the so called emergency

fund could be used to take care of the deficiency and all of the teachers and superintendents would receipe their 20 per cent raise as the public understood they would receipe

and then we would know that this money which has been appropriated for an emergency would be used for a good purpose for in times past this fund has been used in many instances not for the purpose for which it was created but to take care of pet individual whims and politicians who may have received governmental favor.

#### AAA ACT FINALLY PASSES SENATE

The Agriculture Adjustment Act has finally passed the senate after a long bitter fight. There were certain senators and congressmen who undertook to destroy the effect of the act which is so vital to the economical security of the farmer. It is known by everyone with the least thought that the prosperity of the farmer is absolutely dependent upon the farmer receiving a reasonable price for his products as the farmer is the originator of all wealth. There were senators who refused to vote for the act also the Bankhead

Cotton Control Act and Kerr-Smith Tobacco Bill on the ground that it took away the individual life of the farmer. Some of these same senators, among whom were Sena-(Please turn to page four)

There seems to be some confusion over the proposed salary schedule of public school teachers and superintendents. The public did understand that the teachers were to

An Early War

Troop Concentrations Appear ' Look To Quick Invasion Of Ethiopia T

With King Haile Selassie appar-ently reconciled to the inevitable, having exhausted every possibility of avoiding war, it now appears that Italy is preparing for an ear-ly drive into the territory of the little Negro kingdom. Although the forces of the king are prepared to offer the most desperate kind of re-sistance, their lack of arms, training. sistance, their lack of arms, training, and equipment, as well as the pitiful disparity in numbers lead military experts to predict that the African kingdom will be quickly subdued.

### BLUE ATTRACTS MOTHS

Half Moon Bay, Calif .- "Midnight blue" lighting attracts the destruc-tive plume moths better than any other light, according to Prof. W. B. Herms, who has been actively en-gaged in eradicating the pest from artichoke fields.

It is becoming more and more evident that the American Liberty League, ostensibly organized as a non-partisan affair, is leading the attack on the present administra-tion, and taking the place of a well-rounded opposition, which is almost absent from the political arena. The league has an abundance of money, being backed by many wealthy sponsors, keeps a smart re-search bureau, sends out speakers and demands radio time for the ex-position of its views. In short, the league will soon be generally recleague will soon be generally rec-ognized as one of the President's most dangerous antagonists.

Adversaries of the President in-Adversaries of the President inesist that failure will result from his efforts and that when the col-lapse comes the condition of the nation will be worse than ever. They declare that his relief expen-ditures and farm policy are but sops to the mass, which must be halted if the nation is not to be-come bankrupt. Moreover, they im-sist that many people are convinc-ed, more than ever, that it will be necessary to go back to the old methods to secure normal business Over 1700 acres have been signed up by Buncombe County farmers for soil erosion control work, an-nounces the county farm agent. Hecessary to go back to the old methods to secure normal business conditions. They point to Democrate who are displeased with the New Deal and cite them as evidence that (Please turn to