

The Rocky Mount Herald

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Supreme Court Rules AAA Wholly Unconstitutional

Justices Brandeis, Cardozo, and Stone Issue Vigorous Dissenting Opinion As Justice Roberts Reads Majority Opinion Concurring In By Six Justices

DESTRUCTION SEEMS COMPLETE

By a decision so sweeping that administration measures, prepared for such an eventuality seem useless, the entire AAA structure seems to have been destroyed by a smashing decision of the Supreme Court which ruled by a vote of 6 to 3 that the entire Adjustment Administration Act is unconstitutional, and inferred in its opinion that the supporting acts, the Bankhead Bill, Kerr-Smith Bill, and the Potato Control Bill, as well as all other kindred laws are void and of no effect.

The government has already stopped the collection of the processing taxes, issued under this act, and no further checks for payments to farmers, or for administrative purposes, will be written, it is understood, until there is a clearing of the confusion attendant on the decision.

There appears to be no definite decision as to the validity of outstanding contracts, and it is uncertain whether payments will be made eventually or not.

Organized farm leaders are offering many substitutes, ranging from constitutional amendments to concerted action by all the states, but there seems to be an intention to wait until President Roosevelt arrives at a decision before any action is taken.

DR. CARLTON'S WEEKLY HEALTH TALK

"There is danger in judging one's physical capacities by those of others," said Dr. Carlton in the radio health talk Monday night. "Man should know himself and not do things which he knows are not good for him on the theory that his neighbors do these things and suffer no harm."

"Man is individualistic and must discover for himself how many hours of sleep he needs each night, how much recreation, how much exercise and fresh air he requires. If a man feels entirely refreshed on less than eight hours sleep nightly, to insist upon more would be foolish. If a two mile walk maintains robust health, four miles are unnecessary."

"Man must be consistent. He grinds his wheat into fine flour and discards the bran—then he buys the bran back in a fancy box as a cure for constipation."

"Man once lived in the open but civilization provided him with a tight house to keep out the fresh air—so now he buys expensive machinery to pump fresh air into the house, and this in spite of the fact that authorities insist that natural ventilation from windows and cracks is the best."

"Sun shuts out God's sunshining light. Takes Alpine lamp and ultraviolet ray treatments to get a sun-bath."

"CA gives his auto expert care attention and will allow only certain brand of motor oil to be used—but he pours into his own system every sort of medicine, home brew and 'White Mule' and takes this medical advice from a neighbor, a quack or a black-face at a medicine show."

The speaker asserted that man should have a knowledge of the reasons for sound health habits; he should know something about his food, the amount and proportion of the various food elements needed; he should have an acquaintance with normal mental action; he should have a general understanding of sex; he should know what is meant by contagion and resistance and of the principals of artificial immunization against certain infectious diseases; he should know enough of the causes and prevention of the degenerative diseases to guard himself through middle life without a breakdown; he should know about such things as polluted water and milk and dust and fumes and disease carrying insects; he should appreciate the necessity for frequent medical and dental examinations; he must know enough to choose his medical and dental advisers wisely realizing that medicine is grounded on science and not on mystery or tradition.

The speaker declared that one very important way in which to secure much of the knowledge mentioned is through the reading of authentic health literature. "The people of this city do not read enough health literature," he declared. "Some do occasionally read a pamphlet on some communicable disease or glance at a health poster or read the headlines of a newspaper health article—and that's about the limit."

ACCIDENTS KILL 35,500

Hartford, Conn.—While the total number of deaths resulting from automobile accidents in the United States during 1935 is about the same as that of last year, the rate of death per accident has increased nearly seven per cent. There were 928,000 accidents reported, with a total of 35,500 fatalities. Sixteen thousand pedestrians were among the victims and 9,000 persons losing their lives in collisions between cars.

W. C. Ferrell On ABC Board

Succ eds Late Judge Austin; Quarterly Sales Of Liquor Exceed \$105,000

Nashville, Jan. 6.—The board of Nash county commissioners met here today and appointed W. C. Ferrell, local druggist and town alderman, as a member of the Nash county A. B. C. board to fill the vacancy occasioned by the death of Judge S. F. Austin. The A. B. C. board will meet here Thursday afternoon to induct Ferrell into office and name a new chairman.

W. W. Ricks and Millard F. Morgan, together with the newly appointed member, compose the board. The board reported legal liquor sales to the commissioners as \$105,312.59 in total sales for the second quarter, with \$26,029.08, or 24.71 per cent of gross sales, representing net profit. The A. B. C. board this week turned over a check for \$1,298.06 to the State as sales tax on December business.

Hancock Not To Oppose Bailey

Fountain Only Remaining Campaigning Candidate For Post

Washington, Jan. 7.—Representative Frank W. Hancock of Oxford, N. C., will not oppose Senator Josiah W. Bailey in the North Carolina democratic primaries next June.

Hancock, in a formal statement late yesterday, announced he would be a candidate to succeed himself as representative from the Fifth North Carolina congressional district.

The 41 year old representative said he appreciated the interest in the possibility of his running for the senate, but added district friends had urged him to remain at his present post.

"To me, their call outweighs other considerations," the statement added.

Decision of Hancock not to oppose Bailey left the race so far to only one comparing candidate—former Lieutenant Governor Richard T. Fountain. Joseph R. Bly of Washington and Charlotte recently announced his candidacy.

Hancock is faced with opposition from Allison James of Winston-Salem, and Allen Gwynn, of Reidsville, in his primary fight for nomination.

Benefit From Duke Endowment

The Duke Endowment thru President Few, of Duke University, mailed Christmas greetings in the most beneficent manner possible (with check enclosed) to 264 superannuated ministers of the Methodist Episcopal church, South, or widows of ministers connected with the two North Carolina conferences.

This year \$20,000 has been given by the trust established by the late James B. Duke to 46 preachers and 68 widows in the North Carolina conference, and 68 preachers and 82 widows in the Western North Carolina conference. Each conference received \$10,000.

The endowment checks varied up to nearly \$200, and are in proportion to the amount allowed by the conference.

In addition to the Duke checks, superannuated and widows of preachers received \$56,984 from the two conferences during the year.

Many years before James B. Duke established the endowment he gave a large sum each year to be distributed by Trinity college to aged preachers and their widows at Christmas time. His custom was made permanent in the endowment and Duke University has continued to distribute the gifts.

FIRST CHURCH OF CHRIST, SCIENTIST

"God" was the subject of the Lesson-Sermon in all churches and Societies of Christ, Scientist, on Sunday, January 5, 1936.

The Golden Text was from Psalms 86: 8, 10. "Among the gods there is none like unto thee, O Lord; . . . For thou art great, and dost wonderous things: thou art God alone."

Among the citations which comprised the Lesson-Sermon was the following from the Bible: "Tremble, thou earth, at the presence of the Lord, at the presence of the God of Jacob; Which turned the rock into a standing water, the flint into a fountain of waters." (Psalms 114: 7, 8).

The Lesson-Sermon also included the following passage from the Christian Science textbook, "Science and Health with Key to the Scriptures" by Mary Baker Eddy: "The history of Christianity furnishes sublime proofs of the supporting influence and protecting power bestowed on man by his heavenly Father, omnipotent Mind, who gives man faith and understanding whereby to defend himself, not only from temptation, but from bodily suffering." (Page 387).

Congressman Is an Expert on Violins



Representative Kent F. Keller of Illinois, chairman of the house library committee, is an outstanding authority on violins. He has studied them in the United States and in Europe and knows several hundred famous ones. He is shown here putting the finishing touches on three instruments forwarded him by the widow of one of the best American makers of violins, Will Hoblit of Jacksonville, Ill., who died before he completed them. Grace Cooper, clerk of the library committee, is shown working with the representative on his hobby.

Woeful News To Rocky Mount

The news that the Supreme Court had declared the Agricultural Adjustment Act unconstitutional was woeful news to the citizenship of Rocky Mount. While there are among us those who profess to be against the new deal yet it is our opinion that they are few in number.

The great mass of the citizens of Rocky Mount is for the new deal. These citizens are grateful to the President of the United States and to the Congress of the United States for their efforts in behalf of the welfare of the farmers and laborers of this country.

The new deal legislation has done more for Rocky Mount or certainly as much as any town in the United States.

Our farmers were without hope and most of our city dwellers were hungry and all of us thinly clad, but through the leadership of the President of the United States, prosperity was restored to our community and we sincerely hope that a way may be found so that these benefits may be retained in the interest of the farmer and the laboring man for when all is well with the farmer and the laboring man, generally speaking, all is well with everybody.

Percy Flowers Receives Stay

Judge I. M. Meekins in Federal Court Monday granted Percy Flowers, under sentence of three years in the Atlanta penitentiary, a stay until May 11, in order that he might get his farming operations arranged.

Jimmy and Dick Flowers, brothers of Percy, went to Atlanta Monday to begin services of like sentences for the same offense, as saulting a federal officer.

Thomas C. Wolfe In "Who's Who"

It is a source of gratification to many North Carolinians that Thomas C. Wolfe, 35, is included among the 12 outstanding young men selected by Durward Howes, editor of "America's Young Men," a national "Who's Who" of men 45 years of age or under, for 1935.

Mr. Wolfe, a native of Western North Carolina, is a graduate of the University of North Carolina, and is the author of "Of Time and the River."

POWER COMPANY HAS REDUCED INDEBTEDNESS

The Duke Power Co., recently paid off a \$40,000,000 bond issue to make effective a simplification of the corporation's capital structure and to reduce its fixed charges. The \$40,000,000 issue of 4 1/2 per cent first and refunding mortgage gold bonds, issued in 1927 and maturing in 1967, will be paid off and a \$30,000,000 issue of 3 1/2 per cent bonds will be sold, thus in effect reducing the company's fixed indebtedness by \$10,000,000.

GAS KILLS FAMILY

New York.—Mr. and Mrs. Chas. McLaughlin and their two-year-old son, were found dead of asphyxiation while seated at a table piled high with Christmas gifts and tinsel decorations. An open gas jet beneath a pot of coffee which had boiled over showed how the trio had met death.

The infant son of Mr. and Mrs. George Hicks, born Saturday in a hospital at Phoenix, Ariz., has a perfect set of lower teeth. Otherwise the child is normal.

Sinclair Company Opens Station

The Sinclair Oil Company has just announced the opening of its newest Service Station operated under the name of "The Brown Derby."

The proprietors of this station are D. E. Mason and W. E. Thompson, well known local insurance men of Rocky Mount.

Their station is located on Route 40, just north of the airport at the intersection of the Richmond highway with the Norfolk highway. They have a splendid location and a new well equipped building and it is expected that this will be one of the most popular stations in this section.

Besides the handling of gasoline and oil, they make a specialty of drinks, sandwiches and regular dining room service which will be open 24 hours of the day to the public.

CEDARS OF LEBANON NOW NEAR EXTINCTION

St. Louis, Jan. 6.—Cedars of Lebanon, those famous, mighty trees that Solomon bought from King Hiram of Tyre to be the roof timbers of his magnificent temple, are now almost a lost tribe. Once they dominated the whole of the Lebanon Mountain mass, but now there are only five rather small groves of them, Dr. Robert M. Warner of Iowa State College informed a botanical audience here, at the meeting of the American Association for the Advancement of Science.

The surviving groups are found at about 6,000 feet altitude on the western slope of Lebanon. They range from north to south over about 50 miles. The oldest grove is a compact clump of trees covering about 15 acres, but the others are younger and more nearly open stands.

"BIG BABY" LOST IN CHARLOTTE STORE

Panic prevailed at a Charlotte department store Friday, when a frantic woman began sobbing, over and over:

"My boy, my baby boy! Where is my boy? He's lost—my baby!" Nervous clerks darted to various parts of the store to find the missing baby. Customers looked on sympathetically.

Suddenly the mother cried: "There he is! My boy!" All eyes turned to see a youth of about 13 summers, strolling nonchalantly up an aisle.

PARAGRAPHS ON NATIONAL PROBLEMS AT WASHINGTON

Bonus Measure Approved

House Ways And Means Committee Approves Without Dissenting Vote The Joint Veterans Organization Bill. Action Expected Wednesday On Thursday In House

With only one witness appearing, and without a single dissenting vote the powerful Ways and Means Committee of the United States House of Representatives passed the Adjusted Service bill supported by the American Legion, Veterans of Foreign Wars, and Disabled American Veterans.

Chairman Doughton said it had been decided to use all available parliamentary procedure to speed the bill through the lower house, where its overwhelming passage is a foregone conclusion and get it quickly to the senate. Action is expected in the House on Wednesday or Thursday.

Competent opinion in Washington as well as in the state seems to be that the bill will pass quickly in the senate and by a large majority. There is a division of opinion as to whether it will meet a presidential veto, and whether it will be able to pass this hurdle if one is forth coming.

Name Proposed For Development

The business development and growth has been so marked where Cokey Road crosses the Norfolk Railroad and in that immediate vicinity, that it has been suggested that this section of the city should have a name.

The Rocky Mount Herald in response of this suggestion from some of its citizens suggested that "Little Norfolk" would be a very appropriate name, since this has always been known as the Norfolk Railroad crossing.

At this point is located The Pure Oil Plant owned by Jesse Daughtridge, The Planter's Cotton, Oil and Fertilizer Co., The Rose Milling Company, The Southern Mattress Co., The Winstead Repair Shop, The Citizens Supply and Coal Co., The Well's Service Station and Stores, The Gus Lancaster and Chester Bullock Mule Co., The W. H. Grocery Co., and other business enterprises not herein mentioned.

This point serves a large section of Edgecombe county and we feel that the name of "Little Norfolk" is quite appropriate, since this has always been known as the Norfolk Railroad crossing.

Former Citizen Gets Bank Post

E. A. Williams, who was formerly connected here with the North Carolina Bank and Trust company before that organization was closed, has recently been appointed assistant cashier of the Bank of Wayne in Goldsboro.

Williams left the city about eight years ago to accept a position with the Goldsboro bank after the bank here with which he had been connected was closed.

CIVIL SERVICE EXAMINATIONS

The United States Civil Service Commission has announced open competitive examinations as follows:

Junior graduate nurse, 1,620 a year.
Assistant to technician (forestry), \$1,620 a year.
Assistant geophysicist, \$2,600 a year.

Accountant and auditor, assistant accountant and auditor, senior accountant and auditing assistant, \$2,000 to \$3,200 a year, Bureau of Motor Carriers, Interstate Commerce Commission.

Certain specified education and experience are required in connection with these examinations.

Full information may be obtained from the Secretary of the United States Civil Service Board of Examiners at the post office or customhouse in any city which has a post office of the first or second class, or from the United States Civil Service Commission, Washington, D. C.

NOTICE

Those desiring to subscribe to The Rocky Mount Herald may do so by sending \$1.00 with name and address to The Rocky Mount Herald, Rocky Mount, N. C.

Name _____
Town _____, State _____, Route No. _____

CONGRESS CONVENES DEMOCRATS IN CONTROL THE SESSION'S LENGTH ELECTION FIREWORKS ROOSEVELT'S CAMPAIGN HIS OPPONENTS ACTIVE AL SMITH'S POSITION REPUBLICANS INTERESTED FARLEY'S "NET SURPLUS" TREASURY BOOKKEEPING NRA ENDS EXISTENCE

By Hugo Sims, Special Washington Correspondent

The Seventy-fourth Congress is now assembled for its final session, with the Democratic party in overwhelming control of the government. In the Senate this party has 69 of the 96 seats, and in the House, 318 out of 435. Nowhere does it face any difficulty in accomplishing its will except before Federal courts, where the majority of judges have been appointed in past years by Republican presidents. While our judiciary has been remarkably free of political, as well as corrupt, influences, it is but human nature for a man to carry on the bench the ideas and ideals which he had when appointed. Surveys have shown very conclusively that the legality of New Deal legislation depends to a large degree upon the former political views of the judges who pass upon them.

The Congress came together with the President and the New Deal suffering some loss of prestige which has encouraged criticism of his policies within the party and stimulated his political foes to greater activity than ever. Despite much talk of an early adjournment and a real desire on the part of legislators to finish their legislative duties in order to get into their election campaigns, there is no way of estimating the length of the present session.

One of the grave decisions that Congress must make relates to the formulation of a permanent neutrality policy to replace the temporary course now being followed. The problem depends in part upon the war situation abroad. The possibility that some of the six major New Deal measures will be thrown overboard by the Supreme Court and that action may be taken in an effort to meet the objections of the Court also threatens to lengthen the session. Swift action is expected on the bonus but no one can tell.

Overshadowing other considerations is the looming election next Fall, with the halls of Congress affording the best sounding-board for propaganda in the country. There will be many speeches to support the Administration and others attacking its policies. All of them will have copious replies. The process will take time. Altogether, the session will be strongly political. In the background will be a number of associations and lobbyists attempting to create public sentiment or, at least, the appearance of public sentiment one way or the other.

President Roosevelt will undoubtedly make an intensive campaign for re-election, probably traveling as much as he did in 1932 when he went into nearly every state and journeyed about 13,000 miles. His supporters believe that he is stronger than the Administration and the greatest asset of the party, which will have a much smaller campaign fund than the opponents of the New Deal. The Democratic party deficit is around \$300,000, entirely a legacy from the unsuccessful 1928 campaign of Al Smith. The Republicans are in much better shape with more than \$100,000 in the party treasury.

Mr. Roosevelt will make full use of the radio and his appeals are counted upon to have an effect upon the great mass of voters, including the lower half of the population in point of wealth. The farmers who have benefited under the AAA and others who have received aid from various governmental agencies. While his supporters are privately aware that he has lost some ground, they believe his popularity is sufficient to insure his re-election. The Literary Digest poll, showing a strong trend against the New Deal, is taken merely to show the probable loss of Conservative Democrats, which the President's strategists have discounted for some time.

Claiming not less than 208 first choice votes out of a total of 997 delegates to the Republican national convention.

(Please turn to page eight)