

# The Rocky Mount Herald

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## Looking at Washington

(Hugo S. Sims, Washington Correspondent)

In view of the widespread discussion of the National Labor Relations Act, which is constantly assailed by industrialists who clamor for its modification, it might be well to review the Act itself, the work of the National Labor Relations Board and some of the history connected with both.

It should be clearly understood, in the beginning, that the National Labor Relations Act, signed by the President on July 5, 1935, gave legal recognition to certain specified rights of laborers and prohibited employers from doing certain acts, considered unfair to labor.

### For Employes Only

The Act affirmed the right of employes to full freedom in self-organizations, and in the designation of representatives of their own choosing for the purpose of collective bargaining. It forbids employers from dismissing employes because of union membership or engaging in union activities, from supporting company-unions financially, or aiding in their organization; from refusing to bargain with any labor organization chosen by the majority of employes through their free choice and from bargaining with any other group than the one chosen by the majority of employes as representatives of the workers.

In brief, the Act recognized the right of laborers to organize and bargain collectively and set up the National Labor Relations Board to protect laborers in the full exercise of their rights. This Board is charged with enforcement of the Act. It receives complaints, holds hearings and issues cease and desist orders. In the event that employers fail to comply with the orders, they are referred to the Federal Circuit Court of Appeals for review and enforcement, if upheld.

### To Protect Labor

The NLRB is an independent agency. Its prime purpose being to see that laborers are protected in the exercise of the rights given by the Act itself. This Act, it should be clearly understood, was enacted solely for the protection of laborers. Consequently, the Board investigates issues, facts, practices and activities of employers or employees in order, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining of other mutual aids or protection; and is charged with the duty of preventing any person from engaging in any unfair labor practice affecting commerce.

### Court Upholds Law

The Act was upheld by the United States Supreme Court on April 12, 1937, in five cases appealed from lower courts. In six additional cases, the Court failed to announce any opinion adverse to the Labor-Board or holding invalid any single revision of the law. In its opinion, the Court upheld the Act as a valid exercise of the commerce power of Congress, said that it did not violate the due process clause of the Constitution, and declared that the procedural provision adequately safeguarded against arbitrary action.

Subsequently, the Court held that the board could not be enjoined from holding hearings on complaints against employers, that in particular situations, when it finds domination or interference on the part of an employer in the organization of his employes, the Board has the power to order the employer to withdraw recognition from the so-called company union; that the statute applies to an employer producing raw materials within the state and shipping part of his product out the state, and, finally, that workers on a strike remain employes and that the employer, if he discriminates against them, violates the Act.

### Court Worries Board

Because the Board is a quasi-judicial agency, it has been involved in

the recent discussion of the relationship between the Court and such governmental agencies, Edwin S. Smith, one of the three members of the Board, recently criticized the tendency of some Circuit Courts to give little or no effect to the findings of facts made by the Board, although the Act expressly says, if such findings are supported by evidence, they shall be final.

Admitting that the interpretation of the Acts, the appropriateness of the Board's ruling, and its jurisdiction, were intended to be reviewed by the courts, Mr. Smith said Congress did not intend to delegate to the courts the task of weighing the evidence the Board had heard and of coming to an independent conclusion as to whether the Board has correctly appraised it.

He points out that 'Labor's experience with the courts has, generally speaking, not been a happy one.' There has been, he says, many attempts by Labor to correct, by legislation, the lack of comprehension shown the social problems of employer-employee by certain courts, which have been slow to 'adapt their points of view to the reorganization of the human rights of Labor in an evolving, dynamic and democratic society.'

### Handled 15,000 Cases

Chairman J. Warren Madden, in a recent address, made his first extended answer to those attacking the Board. Reviewing its work, he points out that some 1,000 cases have been solved, most of them since the Supreme Court decision.

In some thousands of cases, he says, the charges have been dismissed or withdrawn after the Board's agents had investigated the allegation and found them to be without merit.

In other thousands of cases, employers and employes have adjusted their difficulties on the basis of compliance with the law.

### Conducts Elections

In some 1,200 cases the Board's agents have conducted elections to permit employes to select their representatives for collective bargaining. In seventy-five per cent of these elections, he reports, established trade unions were selected, but in others the employes either selected a new and unaffiliated union or voted their desire to have no union.

In some hundreds of cases, he continued, preliminary investigation seemed to establish the merits of complaints and the Board, unable to obtain compliance without formal proceedings, held public hearings in the community where the controversy arose. These have exposed unfair practices, ranging from minor violations of the statute to the terrorization of entire communities in complete disregard of civil liberty.

### Has Some Opposition

In hundreds of other cases, the Board has issued formal decisions stating the facts and setting forth conclusions as to what should be done to bring the situation in compliance with law. Mr. Madden admits that great credit "must be given to those employers who have led the way to the acceptance" of the new law. At the same time, he says, the opposition, having failed to prevent passage of the law, has transferred itself to the courts in an effort to nullify the law.

This concludes, as briefly as possible, our explanation of the Act and the functions of the Board, together with a history of what has happened since the Act was passed. The Act itself was passed to protect certain rights of Labor and the Board, under statute, can only take cognizance of violations of the Act. Whether the basic Act should be modified, in order that the Board may take cognizance of complaints of employes, is a matter upon which there is considerable dispute.

## Meter Records Power of Kiss



The Armour Institute of Technology at Chicago has announced the development of a machine called a "Kiss-O-Meter" that consists of an ammeter connected through an amplifying system. The subjects grasp an electrode each and the ammeter records the intensity of their kiss, ranging from zero to 120. When the oscillation point reaches 90, or higher, a bell rings. The photograph shows Jane Bryan and Charles Modershon demonstrating the apparatus.

## Fraud Charges

There is now going forward in Guilford County an investigation of last Saturday's primary. According to press reports J. O. Atkinson, Jr., a candidate for Congress and County Chairman of the Democratic Party for many years only received 25 votes in the city of High Point where about 45,000 votes were alleged to be cast. Even though Mr. Atkinson had been chairman and head of the whole political organization of Guilford County he was recorded as not having received a single vote in a majority of the precincts of High Point, even Mr. Barker from the district city of Durham was credited with having received 68 votes. Just immediately as soon as you leave High Point the records show that Atkinson received 2-3 of the votes. This naturally caused grave and serious suspicion and an investigation was demanded which is now in progress, and the first day's investigation show that in one box 67 votes were changed. Of course this does not include other irregularities such as putting in additional votes and the number of dead people who were permitted to vote which is to be looked into. It is indeed a sad condition that with education every body going to an 8 or 9 months school and with our Australian Ballot and with all, it is a hard proposition to hold an election without fraud charges, which were not only charged but have been proven. Practically through the state there are charges made and the sad part of it is that so much of it is true. These charges come generally from strictly administration stalwarts.

In High Point and Greensboro they even have the governor to appoint their local recorders of city courts.

## ROCKY MOUNT TO BE LEFT ON SIDE ROAD

Several years back some real estate operators in the city of High Point conceived the idea of changing the main road from north to south and east to west from going through the city by building a road around High Point at a cost of many hundred thousand dollars. It after developed that the motive behind this was real estate rather than relief of traffic. The highway commission of that district was induced to consent to this change, and High Point instead of being on the main thoroughfare was left off on a side road. The business people immediately discovered that a very bad and selfish mistake had been made and they induced Dr. J. T. Burrus to again run for the Senate where he had the road re-routed through the city of High Point.

Rocky Mount is facing a situation if not parallel to the High Point case the effect of what will happen is parallel. We are informed that the Norfolk road from Raleigh to Norfolk is to be changed from the city of Rocky Mount to the Stoney Creek Pumping Station road and out by the County Club and from there to connect with the new Norfolk road two miles North of the city which would leave Rocky Mount completely off of this route. This is a very serious change very vital to the business houses of Rocky Mount. We would not know who is responsible for this change but generally in time past these things have been discussed in the newspaper and there has not been one word said about it not even a whisper. We were among those that believe with the late P. C. Vestal, that the north road from Scotland Neck to Rocky Mount should lead directly into the city but by reason of certain gentlemen being on the local board with property interests on the road, it was built where it is, two miles north of the city. Mr. Vestal stating at the time that the purpose of that movement was to leave Rocky Mount off of this road and some events that have transpired since (it appears) he was indeed a prophet. If this road is diverted and the traffic carried away from Rocky Mount it will be a great loss to our city and those responsible for this change will not be able to estimate the damage done. The welfare of the city should be first.

## BONE WINS JUDGESHIP CONTEST

Judge Walter J. Bone of Nashville was reelected resident superior court judge in one of the closest and hottest contests in this section.

Judge Bone, who has held the superior court bench a year since his appointment by Governor Hoey, defeated Itimous T. Valentine, his fellow-townsmen and manager of Dr. Ralph MacDonald's campaign for governor in 1936, in every county of the second judicial district except Nash. Bone received 14,412 votes in the district, to Valentine's 10,754.

In Nash County, where 7,927 votes were cast for the two candidates for superior court judge, Valentine led by a majority of 1,024 votes.

Bone takes four counties. Bone won in Edgecombe by a majority of 1,349 from a total of 5,709 votes, defeated Valentine two to one in Wilson county and led by comfortable margins in Martin and Washington counties, the remaining counties of the second judicial district.

Paralleling the state-wide trend, Nash voters gave Robert R. Reynolds and Stanley Winborne majorities over Frank Hancock and Paul Grady in the contests for United States senator and state utilities commissioner.

Prospects of a second primary for Nash county were foreseen as result of the close outcome of the election for judge of the Nash recorder's court, Judge L. L. Davenport of Nashville, the incumbent, led Robert Jones of Bailey by only 121 votes with J. W. Grissom of Rocky Mount running a close third. James W. Keel, Sr., of Rocky Mount was low man.

Although Jones could not be reached for a statement, it was expected that he would exercise his privilege of asking for a second primary. If so, the run-off election would be held early in July.

Returns from Mannings township, the last to report in Nash Saturday night, completely changed the picture in the race for recorder's court judge. Returns from the other 15 precincts in the county showed Grissom to be leading, with Davenport second and Jones third. The Manning vote pushed Davenport and Jones both ahead of Grissom, Jones receiving 351 votes and Davenport 299 in that precinct.

The Mannings vote contributed largely also to Valentine's majority in Nash, giving Valentine 723 votes to 92 for Bone in that precinct.

In Nash county the five members of the county board of commissioners were reelected in spite of the competition offered by two new candidates, Tom Williams and E. L. Williams.

J. Henry Vaughan of near Nashville received the largest number of votes among the commissioners, 4,800 votes. The other commissioners who were reelected are G. R. Strickland of Bailey, J. B. W.

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## Mrs. Roosevelt To Visit Halifax Co.

President Also May Accompany First Lady On Tour Of Resettlement Project

Halifax, June 6.—Mrs. Franklina D. Roosevelt, First Lady of the land, will visit North Carolina again this year for a day anyway sometime in December, it was revealed here today. Last year Mrs. Roosevelt spent the day, during the Strawberry Festival, in Wallace and visited the Penderlea Resettlement project.

This year Mrs. Roosevelt, and possibly the President himself, will visit the Roanoke resettlement project near here some day in September. The date will be set later.

This was announced at the opening of the resettlement project's own community store recently by L. I. MacLendon, supervisor of the project. Over 150 of the settlers attended the opening of the community store at a dance and a dinner.

The project here was started several years ago but the majority of the settlers came here in January of this year and it will be the first time that the First Lady of the na-

## Edgecombe Man Is Suicide After Questioning in Liquor Search

QUIERED IN LIQUOR SEARCH, EDGECOMBE MAN ENDS LIFE

## Conservation Payments Made

Nash County Farm Agent J. S. Sugg, announced that there was \$55,000.00 in checks received by the office this week which are now being delivered to the farmers in payment of compliance with the 1937 Agricultural Conservation Program. These checks are for approximately 300 farms and for approximately 900 people counting both landlords and tenants.

Mr. Sugg announced that notices are being mailed out to the producers as fast as their checks arrive and that it is useless for the farmers to call at the office for their check unless they have received a notice that the check has arrived. According to Mr. Sugg the work in the County Agent's office is greatly handicapped each year by people coming in seeking information about their check when they have not received a notice. In his announcement he urgently requests all farmers to cooperate with the office by waiting until their notice is received before applying for the check and then take the notice to the county agent's office in order that the clerks delivering the checks will not waste time looking up the producers name. The notices are written in such a manner that the clerk can find the check by using the numbers listed on the notice.

Additional checks are expected each day and notices will be sent out immediately upon their arrival.

## Mrs. Langley Dies In Nash County

Funeral Services For Well Known Woman Conducted Wednesday Afternoon

Mrs. Luck E. Langley, well known and highly respected resident of the Sandy Cross section of Nash county, died at her home five miles west of Rocky Mount around 11 o'clock.

Mrs. Langley, who was 72 years of age had been unusually active until a recent stroke, which was given as the cause of her death.

Funeral services were conducted from the Mill Branch church at three o'clock Wednesday afternoon by Elder A. B. Denson, Primitive Baptist minister, and Rev. Johnnie Williams, interment followed there.

Born on March 15, 1866, Mrs. Langley was the daughter of the late Mr. and Mrs. J. D. Robbins.

Survivors include two brothers and two sisters, all of whom live here and in this section. They are S. Robbins and J. W. Robbins, and Mrs. Dora Weaver and Mrs. Katie Weaver. Mrs. Langley's children include Roy H. Davis and Jasper W. Davis and Mrs. Minnie Bulluck and Nannie R. Davis, all of Nash County, and two grand-children, George W. Davis and W. Marvin Davis, sons of the late George I. Davis and both having lived with Mrs. Langley.

Pallbearers were named as follows: Active—John D. Robbins, Marvin Robbins, John D. Weaver, Webster Davis, John A. Bulluck, Cecil Battle, George Robbins; honorary—D. R. L. Knowles, Dr. L. W. Kornegay, George W. Pridden, J. H. Pridden, L. P. Morgan, L. G. Hooks, A. T. Griffin, J. H. Lanier, Henry Whitfield, Johnnie Joyner, Dock Verette, Dr. E. L. Perry and J. Luther Brake.

Maritime Board buys three liners to start new service about Sept. 1 to South America.

Tarboro, June 3.—Clayton Daniel Thigpen, Jr., about 40, member of a prominent Edgecombe family, shot himself fatally as State patrolmen and ABC enforcement officers started to question him this afternoon as he sat in his car on a farm near Old Sparta.

After shooting himself, in the chest with a .32 calibre pistol, officers said, Thigpen turned the gun on Patrolman R. L. Marshburn, but ABC Officer Seth Anderson grabbed the pistol and deflected Thigpen's aim. The bullet pierced Anderson's left hand and went into the ground.

Thigpen was placed in a patrol car and rushed to Edgecombe General Hospital in Tarboro, but died en route. With Marshburn and Anderson were Patrolman S. W. Rothrock and ABC Officer Smiley Newsome.

A coroner's jury called by Dr. W. W. Green, acting coroner and sworn by Sheriff W. E. Bardin at the scene of the shooting, tonight in Tarboro returned a verdict of suicide.

Thigpen, son of one of the most prominent farmers in the Conetoe section, shot himself on the J. W. Foster farm, about nine miles from Tarboro. The officers, waiting near the Tar River bridge on a tip that a bootlegger would come near there, saw Thigpen drive into the farmyard early this afternoon.

After about an hour, the officers said, they became suspicious, and approached Thigpen's car with a request that he show his driver's license. Thigpen became highly nervous, they declared, reached into a pocket as if to get the license, but took out a pistol and shot himself.

They found 15 gallons of illegal whiskey in the car, the officers reported.

John Massenburg, 68, Negro, who lives in a house by which Thigpen's car was parked, said Thigpen came there about 1 o'clock this afternoon and tried to sell him a pig. When Thigpen started to leave, Massenburg said, he found there was no gas in his car; when the officers approached, Thigpen had just put into the tank a couple of gallons of gas which Massenburg's son had obtained for him. The next thing he knew, Massenburg said, he heard two shots.

Members of the coroner's jury were W. A. Hearn, G. F. Webb, J. A. Edwards, Jim Lawrence, John Crisp and Ben Walters.

## Alleged Shortage Probed At Wilson

Sweeping Investigation Of School Budget Ordered By Board

Wilson, June 7.—Charges made before the Wilson county commissioners here yesterday that \$76,000 of last year's school budget of \$203,000 had been unaccounted for and that it was impossible to find where the money had gone, along with a number of other charges connected with the administration of schools in the county caused the commissioners to call for a sweeping investigation of school affairs in the county and order that a hearing on the situation be started at 9 o'clock at the court house here Wednesday morning.

The allegations and charges concerning the money and several other things were hurled at the school authorities at the commissioners' meeting here by several prominent Wilson

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## NOTICE

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