

# Rowan County Herald

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## HORSE RACING BILL BADLY DEFEATED

## U. S. Court Upholds Social Security Act

### 1937 STRING OF NEW DEAL VICTORIES IS STILL INTACT

Robinson Says Reorganization Bill Is Unaffected

FOES CLAIM IT IS DEAD

President Follows Decision By Strong Message Calling For Minimum Wages

The Supreme Court upholds: Federal old age pensions, 7 to 2. Federal unemployment insurance laws, 6 to 4. State unemployment insurance laws, 5 to 4. Peaceful picketing under Wisconsin labor code. Meantime President Roosevelt urges Congress to: Establish minimum wage and maximum hour standards. Prevent the movement of child-labor made goods in interstate commerce. Ban inter-state shipments of products of concerns which use labor spies, or strike-breakers, or deny collective bargaining rights.

Washington. — The Supreme Court upheld the social security act Monday, giving its unsparring critic—the Roosevelt administration—an unbroken series of far-reaching victories for the 1937-38 term of the tribunal. The four justices who dissented to the Federal unemployment insurance and the State unemployment compensation decisions were Pan Devanter, McReynolds, Sutherland and Butler—these generally described by the Administration as “conservative.” Justice Cardozo delivered the majority opinion in these cases.

Only Justices McReynolds and Butler dissented to the old-age pension ruling.

In his opinion Justice Stone asserted that the Alabama law “on its face and as applied to appellees, is subject to no constitutional infirmity.”

Approximately 27,890,000 workers and 2,700,000 employers are taxed to provide the old-age benefits which start in 1942 when the recipient becomes 65.

Forty-five States and the District of Columbia have passed measures supplementing the Federal act to protect 18,688,000 persons against future unemployment.

Speaking for himself and six other justices in ruling on the old pension section of the Security law, Carozo said:

“The purge of nation-wide calamity that began in 1929 has taught us many lessons. Not the least is the solidarity of interests that may once have seemed to be divided.

“The problem is plainly national in area and dimensions. Moreover, laws of the separate States cannot deal with it effectively. Congress, at least, had a basis for that belief.

“States and local governments are often lacking in the resources that are necessary to finance an adequate program of security for the aged.

“This is brought out with a wealth of illustration in recent studies of the problem.

“Apart from the failure of resources, States and local governments are at times reluctant to increase so heavily the burden of taxation to be borne by

(Continued on Page 8)

### NEWS IN PICTURES

**Eleanor Powell, famed dancing star of M-G-M motion pictures keeps fit for her strenuous cinema routines by drinking milk regularly.**

**Diver recovers a bottle of milk from an 80-fathom shipwreck near Boston. Tests showed no trace of salt water in the milk.**

**Science double checks the milk supply. Testing for butter-fat—the element that gives richness.**

**Milkman to the rescue carrying the devastating floods. And delivery in a canoe requires steady nerves — an even keel.**

### Under The Dome

Although the end of the Congressional session is still weeks and perhaps months ahead, official Washington is beginning to think about Summer vacations. So far this Spring Washington's climate has been quite bearable, but the stifling Summer season is close at hand. In Summer nobody in Washington ever does anything which can be avoided.

Every year which passes emphasizes the mistake which was made by the Founding Fathers in locating the Nation's capital in this miasmic Swamp on the banks of the Potomac. It was one of the conditions imposed upon the newly-formed Republic in 1787 by the delegates to the Constitutional Convention held in Philadelphia just 150 years ago.

Virginia, Maryland, the Carolinas and Georgia feared domination by the northern states if they assented to the capital remaining in Philadelphia, where the Continental Congress had its headquarters.

Indeed, although Philadelphia was the largest city in America at that time, the feeling against it was so strong that for the first two years of our national existence New York was the seat of government, which moved back to Philadelphia only after the compromise of a completely new city on lands donated by Virginia and Maryland, had been arrived at.

**Location Unfortunate**

Nobody could foresee then what a gigantic institution the

### N. C. Would Get Highway Funds

Washington. — The Cartwright amendment to the relief bill, voted by the House and believed to have sufficient support in the Senate to insure its enactment, earmarks a total of \$3,620,702 for North Carolina highways and roads.

For Federal-aid highways, \$1,789,648 is set aside; for secondary roads, \$1,199,348; and for grade crossing eliminations, \$622,331.

“Not only the unemployed, for whom this legislation is primarily intended to help, but also all the people will benefit from the expenditure of this money on construction of more good State roads,” Representative Wilburn Cartwright of Oklahoma, sponsored of the amendment said. “Farmers, city dwellers, rural school bus drivers, our children who ride those busses, rural letter carriers, and the great army of American tourists, all will appreciate the service these added roads will afford them.”

It is doubtful if highway construction would have shared so liberally in the relief fund, it is pointed out, were it not for the fact that a large number of Democrats joined with the Republicans in a move to “handcuff Hopkins,” by earmarking as much of the new appropriation as possible, thereby limiting the amount of money at the disposal

### Cartwright Amendment to Relief Bill Earmarks \$3,620,702 For State Roads

(Continued on Page 8)

### HENDERSON DANCING SCHOOL WILL STAGE ANNUAL REVIEW AT STATE THEATRE JUNE 3rd

The Henderson Dancing School, Salisbury branch, under the direction of Miss Francis Henderson, of Charlotte, will stage its annual review, matinee and evening, at the State Theatre, June 3rd.

Approximately 125 girls, from Salisbury and surrounding towns, will participate in the review. Large crowds are expected to attend each performance.

### Tributes Paid To Dead Solons

Washington. — The House laid aside legislative tasks Wednesday to hold memorial exercises for members of Congress who died the past year.

Tributes to the six Senators and 15 representatives were paid in addresses by Representatives Tolan, Democrat of California, and Short, Republican of Missouri.

The Rev. James Shera Montgomery, House chaplain, opened the service with the Lord's Prayer.

Those memorialized: Senators Park Trammell and Duncan U. Rowan county court Tuesday Fletcher, both of Florida, Louis Murphy of Iowa, James Couzens of Michigan, Peter Norbeck of South Dakota, and Nathan L. Bachman of Tennessee; Representatives John T. Buckbee of Illinois, William D. Thomas of New York, Randolph Perkins of New Jersey, A. Piatt Adams, of the State highway former Speaker Joseph W. Byrns of Tennessee, Bernard M. Jacobson of Iowa, John J. McSwain of South Carolina, Warren J. Duffey of Ohio, Marion A. Zioncheck of Washington, William V. Gregory of Kentucky, Glover H. Cary of Kentucky, Andrew J. Montague of Virginia, James P. Buchanan of Texas, Henry E. Stubbs of California, and Benjamin K. Focht of Pennsylvania.

### IREDELL MAN, 75, TUNNELS 'HOME' IN SIDE OF HILL

Hickory.—A man who prefers a dirt dugout to a modern house may be a rarity, but Lee Moose, who lives on Third Creek across the line in Iredell county, seems perfectly satisfied with a domicile he has made by tunneling through a hill some 75 feet high.

At least, that was the impression received by M. H. Witherspoon of a local banking firm, who heard about the Iredell county man's strange home, and paid him a visit.

Moose, who is 75 years old, his second wife, much younger, and a daughter, 14, live in the one-room hill cave, which has a metal roof, Witherspoon reported. The metal roof has been added recently because the dirt top of the cave leaked.

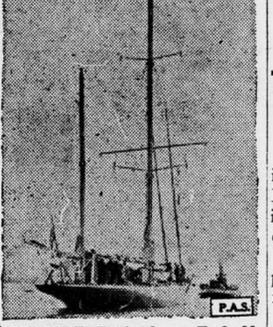
About 10 feet wide and 20 feet long, the dugout has a dirt floor and dirt walls, but is closed at each end with wood. A fireplace has been constructed and an iron bedstead, a cot and

a cooking stove comprise most of the furniture. Some clothes hanging on a pole also were noticed by the Hickory visitor. The old man has been living there for about eight years and declared that the place is warm enough to be comfortable in winter. Before he built his present “residence” in the hill, he lived in a similar one farther down Third creek for about 10 years, he stated.

Although many people might be embarrassed to receive callers in a dirt cave, Moose is said to give the visitors who come from far and near a cordial welcome. He has had visitors from as far away as Canada, he said, and appears glad to let them inspect his home.

Moose's idea of the ideal home is not his only peculiarity, as he carries a shotgun everywhere he goes. He has been married twice, divorcing his first wife because she wouldn't live in a dugout, it was said.

### Sopwith Challenger



GOSPORT, England. . . T. O. M. Sopwith's newest racer, Endeavor II, starts across the Atlantic in quest of the America's Cup. Secret sails and other new details are being carefully guarded.

### 'Death' Driver Waives Hearing

Roy Phifer Bound Over To Superior Court in Hit-and-Run Case.

Roy Phifer, 32, employe in the card room of the Mooreville cotton mills who confessed Monday to officers that he was the driver of a hit-and-run auto that killed Will Bost, Kannapolis barber, the night of May 2, 1931, on the main highway in North Kannapolis, waived preliminary hearing in the Rowan county court Tuesday morning. He was bound over to superior court on the charge of manslaughter, and Judge W. V. Harris fixed bond at \$650. Bost was remanded to jail in default of bail.

Bost was arrested in Mooreville Monday on a warrant sworn out by Corporal C. R. Adams, of the State highway patrol after he and Chief Ira T. Chapman of Kannapolis, had worked on the case for some time. The two officers arrested the defendant and, after questioning, Phifer admitted his car struck Bost while the latter was walking along the highway; that he and his companion, Louis Lumford drove away from the scene pledged secrecy regarding the matter. Bost died of a broken neck.

For	Against
West Ward 1	340 399
West Ward 2	239 358
North Ward	351 221
South Ward	269 275
East Ward	289 290
Spencer	175 60
East Spencer	175 60
Landis	132 111
China Grove	71 282
Franklin	124 132
Cleveland	68 84
Unity	20 176
Scotch Irish	5 98
Mt. Ulla	35 106
Sumner	108 54
Bradshaw	22 112
Granite Quarry	44 227
Kannapolis (E)	37 43
Kannapolis (W)	102 110
Yadkin	20 47
Trading Ford	17 69
Locke	34 64
Rockwell	32 157
Faith	9 225
Steele	20 104
Enochville	40 87
Bostian X Roads	18 90
Barnhardt's Mill	13 16
Gold Hill	3 103
Rowan Academy	21 40
Hatters Shop	17 82
Morgan No. 1	12 153
Morgan No. 2	2 136
TOTAL	2964 4571

### FORD INCREASES SURPLUS

Boston. — The Ford Motor company in 1936 increased its surplus account by \$19,689,000, bringing the total surplus to \$602, 666,000, according to the annual report filed at the Massachusetts State House today.

### GEORGIA MAN NOMINATED

Washington. — President Roosevelt nominated Marion H. Allen of Milledgeville, Ga., today to be collector of internal revenue for Georgia.

1,607 Majority Against Bill Recorded Here

Both City And County Give Majorities Against Measure; Spencer And East Spencer Give Tie Votes

Total Of 7535 Votes Were Cast

The bill to legalize horse racing and pari-mutual betting in Rowan county was overwhelmingly defeated at the polls Thursday.

The unofficial vote, as compiled by The Herald, was 2964 for the bill and 4571 against. A total of 7535 votes were cast. The majority against the measure was 1607.

Both city and county voted against the bill. In Salisbury 1488 voted for and 1543 against, a majority against the measure of 55, reversing its position of several years ago.

Spencer and East Spencer gave an identical vote of 175 for and 60 against.

The vote was authorized by a bill enacted by the recently adjourned State legislature, creating an “agricultural, breeders, and racing commission,” subject to approval at the polls.

The issue was voted on in this county in 1933, and was defeated by 125 votes. The next year proponents of legalized racing and betting sought a second referendum, but the matter was dropped after Judge W. F. Harding granted a temporary injunction forbidding the election.

Unofficial vote on Horse Racing Bill follows:

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Barnhardt's Mill	13 16
Gold Hill	3 103
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