

Dagenhart Boys Got Coca-Cola for Their Part In the Famous Child Labor Suit

SEVEN years ago Congress enacted and President Wilson signed the first national child labor law.

A few months later Roland Dagenhart, of Charlotte, N. C., a worker in the cotton mills of that state, initiated suit in the federal court alleging that the "constitutional rights of his boys, Reuben and John, were being invaded."

The case finally found its way to the Supreme Court of the United States, and by a vote of 5 to 4, the law was declared unconstitutional. Of course, Dagenhart, the mill worker, had nothing to do with the suit aside from permitting his name to be used. The millionaire mill owners put up the money to hire lawyers like Morgan J. O'Brien, of New York and to meet all the other expenses of the suit.

As the result of the decision hundreds of thousands of American children have been compelled to continue at work in mills and mines and factories.

What became of the Dagenhart boys, whose "constitutional rights" were protected by the Supreme Court?

Lowell Mellett, of the Scripps-Howard Newspaper Service, journeyed down to North Carolina in order to answer that question.

He tells the story below. THE HERALD wishes every mother and father in the country might read it. It is a powerful argument not only against child labor, which stunts the bodies and souls of American youth, but against the usurpation of the Supreme Court, which enabled five old men to nullify the will of the American people.

By LOWELL MELLETT.

"HOW SHARPER THAN A SERPENT'S TOOTH IT IS TO HAVE A THANKLESS CHILD." —King Lear.

This is the story of an ungrateful child. The story of a lad for whom all the machinery of the American judiciary was turned to preserve his constitutional rights and who, after six years, has not yet brought himself to give thanks.

The boy is Reuben Dagenhart, of Charlotte, N. C.

Six years ago, Federal Judge James E. Boyd, of the Western North Carolina district, interposed the majesty of the law in Reuben's behalf. Some months later Chief Justice White and Justices Day, Van Devanter, McReynolds and Pitney did the same. They declared—and

they made it stick—that the Congress of the United States could not take away from young Reuben Dagenhart his "constitutional" right to work more hours every day, than a boy of 14 ought to work.

There may be another ungrateful boy in the picture—John Dagenhart. John, aged 12, had his constitutional rights defended by the same courts to the extent that he was allowed to go on working in a cotton mill at an age when no boy should work at all in a cotton mill. But two days' roving through the cotton mill towns around Charlotte last week failed to find John, and readers will have to be content with the story of Reuben. This leaves out, also, the story of Roland H. Dagenhart, father of the boys, whose constitutional right to put them to work in the mills and to receive their wages each Saturday was upheld by the same upright judges.

Perhaps Congress Didn't Know.

All that was found of Roland and the younger son after a search that followed their migration from Charlotte to Salisbury, from Salisbury to Kannapolis, from Kannapolis to Lowell and from Lowell to Gastonia, was the shabby little shack in the last-named town, the tiny "company" house, built on stilts, where father and son live.

Congress in 1916 passed an act that prevented the employment of a child under 14 in any factory and prevented the working of any child between the ages of 14 and 16 more than eight hours a day or after 7 o'clock at night or before 6 in the morning.

Congress didn't know the necessities of the cotton milling business. It didn't know the cost of keeping up the big and handsome Manufacturers' Club in Charlotte, for instance. Charlotte is a pure-minded town—no movies on Sunday, scarcely any soda fountains open; two years ago you couldn't even buy gasoline on the Sabbath.

Working in one of the mills were the Dagenharts. In addition to the father and sons there was a daughter, but she was 16, earning her dollar a day, and Congress had said nothing about girls of 16. So the suit, when the manufacturers had it arranged, read like this: "Roland H. Dagenhart, and Reuben Dagenhart, Minors, by Roland H. Dagenhart, Their Next Friend, vs. W. C. Hammer, U. S. District Attorney." It was to enjoin the District Attorney from enforcing the law made by Congress.

The federal court down there, Judge Boyd presiding, issued the injunction. Appeal was taken and the United States Supreme Court sustained Judge Boyd's view. True, Justice Holmes, McKenna, Brandeis

DRIFTING UPON THE ROCKS

The masses in Carolina are not saving as they should. Consequently, sickness, reduced earnings, death, are sure to catch many, and penniless widows, helpless children, dependants will result.

TOO MUCH MONEY

in autos, movies, beauty parlors and other luxuries. The shoes is already beginning to pinch.

THE SIMPLE THOUGHT

of leaving loved ones destitute is appalling, and often this is your fault, Mr. Breadwinner.

THE MUTUAL BUILDING & LOAN

for 42 years has presented the ideal for savings, and, if you haven't enough practical sense or vision to use it, you're entitled to scant sympathy.

OUR RUNNING SHARES AT MATURITY

will have earned you 6 1-4 per cent, taxes paid. Prepaid shares are sold at \$72.50. Matured shares are sold at \$100.00. All shares are non-taxable in your hands.

JNO. R. PHARR, President.

E. L. KEESLER, Secretary-Treasurer

SECURITY!

"SECURITY: "The state of being so strong or well made as to render loss or failure impossible." Funk & Wagnalls Dictionary.

A word that stands for protection, shelter, safety, certainty—a word that is truly descriptive of this reliable bank, which stands ready to help you with counsel, security and four per cent interest, compounded semi-annually, on amounts from \$1 to \$1,000. Future comfort and prosperity will live and grow in the savings account you start now and freshen up each week with another deposit.

Security Savings Bank

4 SOUTH TRYON STREET

HARVEST

Just now, the farmer is busy harvesting his corn crop. This "King of grains" will net the American farmer millions of dollars this year. Did you ever stop to think that if some one had not saved up last year's seed, there would be no this year's harvest. Save up your "spare" dollars in the same way.

PUT THEM IN THIS BANK

They will receive 4 per cent interest and 100 per cent safety, and your "harvest" will be sure to follow.

Merchants and Farmers National Bank

CHARLOTTE, N. C.

and Clark disagreed with the other five. They couldn't see where anybody's constitutional rights were being violated by keeping kids out of cotton mills until they were 14 years old and limiting the hours they might work until they were 16. But Judges White, Day, Pitney, McReynolds and Van Devanter thought the act unconstitutional. Their decision meant that the Dagenhart boys could work in that cotton mill as long and as hard as their little hearts desired.

And should not the Dagenhart boys be grateful for that?

Well, Reuben isn't. I found him at his home in Charlotte. He is about the size of an office boy—weighs 105 pounds, he told me. But he is a married man with a child. He is 20 years old.

"What benefit," I asked him, "did you get out of the suit which you won in the United States Supreme Court?"

"Worked a 12-Hour Shift. You mean the suit the Fidelity Manufacturing company won? (It was the Fidelity company for which the Dagenharts were working.) I don't see that I got any benefit. I guess I'd been a lot better off if they hadn't won it.

"Look at me! A hundred and five pounds, a grown man and no education. I may be mistaken, but I think the years I've put in the cotton mills have stunted my growth. They kept me from getting any schooling. I had to stop school after the third grade and now I need the education I didn't get."

"How was your growth stunted?" "I don't know—the dust and lint, maybe. But from 12 years old on, I was working 12 hours a day—from 6 in the morning till 7 at night, with 15 minutes for meals. And sometimes I worked nights besides. Lifting a hundred pounds and I only weighed 65 pounds myself."

He explained that he and his sister worked together, "on section," spinning. They each made about a dollar a day, though later he worked up to where he could make \$2. His father made \$15 a week and infant John, at the time the suit was brought, was making close to \$1 a day.

What Little Reuben Got.

"Just what did you and John get out of that suit, then?" was asked.

"Why, we got some automobile rides when them big lawyers from the North was down here. Oh, yes, and they bought both of us a coca-cola! That's all we got out of it."

"What did you tell the judge when you were in court?"

"Oh, John and me never was in court! Just paw was there. John and me was just little kids in short pants. I guess we wouldn't have looked like much in court. We were working in the mill while the case was going on. But paw went up to Washington."

Reuben hasn't been to school, but his mind has not been idle.

"It would have been a good thing for all the kids in this state if that law they passed had been kept. Of course, they do better now than they used to. You don't see so many babies working in the factories, but you see a lot of them that ought to be going to school."

Will Protect the Kid Sister.

"What about John? Is he satisfied with the way things turned out?"

"I don't know. Prob'ly not. He's not much bigger than me and he's got flat feet."

"How about your father?"

"Oh, he's satisfied, I guess. But I know one thing. I ain't going to let them put my kid sister in the mill, like he's thinking of doing! She's only 15 and she's crippled and I bet I stop that!"

NEW HAVEN RAILROAD IS CRIPPLED BY STRIKE

NEW HAVEN, Nov. 21.—In a court trial in this city Division Superintendent Foster of the New York, New Haven & Hartford railroad, unwillingly admitted that the shopmen's strike has disabled that road.

Questioned whether the rolling stock is "hopelessly crippled," the official said:

"Not hopelessly crippled. I would say to a considerable extent crippled."

"When the men went out the road had break-downs more frequently?" he was asked.

"I should say we did. I was aware of the severe criticism of the service."

The shop men point out that public officials have publicly condemned the management and that the number of deaths on this road has broken all records since the shop men ceased work.

Central Trades and Labor Council of New York City finances college for workers opened Nov. 1.

Immigration quotas of nine nations exhausted with arrival of more than 10,000 aliens at New York and other ports.

WHEN EYEGLASSES ARE NEEDED There is NO other permanent relief. Treatment is like giving a tired man a drink of whiskey; he feels better temporarily, only. Wear BECOMING glasses. Dr. J. C. Denison, 305 Realty Bldg.

Central Labor Union Wants Expression on Park Question

Thanking the committee that had been appointed to make known the Central Labor Union's desire that the Liddell property be used as a city park, the Central body Tuesday evening asked the committee to continue its work until there is an expression from Charlotte proper on the matter. The Central body is deeply interested in this matter, and is receiving encouraging letters from people all over the city, urging the body to continue to press the question.

The question of the manner of purchase of the Liddell property, as stated in a daily paper, was discussed at length. It was pointed out by delegates that there must be some mistake somewhere; that surely the city commissioners wouldn't purchase any piece of property with the city's money and bind the city to use that property for any specific purpose.

Confidence was expressed in the commissioners, as statements made by different delegates all conformed to the one idea that the city commissioners would do whatever the citizens of Charlotte wanted them to do. The very idea, it was pointed out, that the city couldn't use city property for any purpose the citizens might want it used, is preposterous in the extreme, it was said.

E. F. Snakenberg was given a vote

of thanks for the letter he published in a daily paper concerning this very thing.

Attention was called to the fact that the Billy Sunday tabernacle is being erected on the 10-hour day basis.

Other matters of a routine nature were attended to, and all locals reported progress.

WON'T LOWER RATES.

WASHINGTON, Nov. 21.—Railroad executives representing nearly all the nation's large railway systems, have notified the interstate commerce commission that they are unable to grant a voluntary reduction in freight rates on grain for export, which President Coolidge recently suggested.

The rail officials state that a reduction in grain rates would not benefit American farmers, principally because Canadian roads would immediately follow the policy of cutting rates to the seaboard, as they have in the past.

STRIKERS CAN PICKET.

NEW YORK, Nov. 21.—Supreme Court Justice Vernon M. Davis has refused to enjoin strikers from picketing.

Bowen and Owen Planning Banquet for Painters Union

Bowen and Owens, two of the

city's live wires in labor circles, were named as a committee by the Painters' Union Wednesday night to plan a banquet for that organization on the first Wednesday night in December. The Painters Local is growing rapidly, and its financial condition is superb. There are a few non-union painters in the city yet, and the local wants them in the organization. This banquet is for the purpose of bringing every painter in Charlotte, union and non-union, together at the table, to break break one with another, and discuss together the problems that affects every man in the city who makes his living at this trade.

J. W. Silvey, one of the most active and best loved union men in Charlotte, was appointed business agent for the local, and he will devote his time attending to the affairs of the painters, securing new members, supplying contractors with painters and getting the man and the job together on the shortest notice possible.

At the meeting Wednesday night T. F. McNally made a splendid address to the painters, telling the Charlotte boys how their organization had contributed to the advancement of the labor movement during the past quarter of a century. His address was greatly enjoyed by all present.

At the banquet on the first Wednesday night in December, Hon. J. Frank Flowers will be the principal speaker, and efforts are being made to have Rev. Tom P. Jimison here also.

NOTICE SERVED BY PUBLICATION.

H. L. Banks, Plaintiff, vs. Estella M. Banks, Defendant.

The defendant above named will take notice that an action entitled as above has been commenced in the Superior Court of Mecklenburg County for an absolute divorce. And the defendant will further take notice that he is required to appear before the Clerk of the Superior Court of said County on the 24th day of December 1923, at the Court House of said county in Charlotte, North Carolina, and answer or demur to the complaint in said action, or the plaintiff will apply to the court for the relief demanded in said complaint.

This the 14th day of November, 1923.

J. A. RUSSELL, Asst. Clerk Superior Court. G. A. Smith, Attorney for Plaintiff. N16-23-80-D7

People's

YOUR MONEY MEANS LITTLE AT THIS POPULAR NEW STORE

To Help Others We Consider the First Essential of Our Business

A Charge Account Is Yours for the Asking on Small Weekly or Monthly Payments

Only the Very Newest

And Smartest Fashions in

Clothes for Men and Women

Are Shown Here

Open a Charge Account At the People's on Terms of Unparalleled Convenience



Charge It

Incomparable Women's Coats

That Wear Themselves Into Your Affections

Overcoats? You Said It!

And the Kind That Are a Delight to Wear for Style and Comfort

You Will Like Our Men's Suits They All Do

DRESSES Of Grace and Originality

Women's Suits That You Will Be Proud to Wear



People's

THE STORE OF TRUST

37 S. Tryon St.

A. M. RUSH, Mgr.