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Why Organized Labor Hates Injunctions

By GEORGE MEANY
Secretary-treasurer of the American Federation of Labor

The following excerpts from an article appearing in the current issue of the American Federationist sum up labor's stand against the iniquitous procedure of government by injunction:

There are many features embodied in the Taft-Hartley Act which are obnoxious and which have caused millions of fair-minded citizens, apart from the members of organized labor, to decide that this statute must be eliminated as quickly as possible.

Of all the distasteful provisions of the Taft-Hartley Act, there is one which stands forth as particularly vicious. This is the provision under which government by injunction, one of the foremost evils recorded in American history of the late 19th and early 20th Centuries, has been brought back to life.

Why is it that labor hates the injunction process? Is labor's attitude toward injunctions the result of some inexplicable emotion? Or is there a good reason—or many good reasons—for labor's resentment of the injunction? Why does labor feel the way it does?

In order to understand why American labor will never accept the employment of judicial injunctions in labor-management controversies, it is necessary to dip back into history.

The most fundamental principle of our American governmental process is that the laws are written solely by the legislative representatives of the people—in other words, by men and women sitting in Congress and the state legislatures who have been elected by the people. As a corollary of this principle, there is the rule that the law-making prerogative must never be usurped—not even to an infinitesimal degree—by the courts.

It is also important to recall that the Constitution under which we live guarantees to each one of us certain rights—rights which are most precious and which are not to be set aside or nullified either by Congress or by a judge or by any other person or institution. These rights are freedom of speech, freedom of assemblage, freedom of the press and freedom of religion.

Nowhere does the Constitution speak of any right to issue injunctions to throttle the aforementioned freedoms and to crush the lawful associations which wage-earners form to protect themselves against the arbitrary, brutal acts of greedy and ruthless employers. There is no such right under the Constitution—but in the latter part of the 19th Century and for the first 3 decades of the present century a flood of antilabor injunctions, compelling workers to desist from the exercise of freedom of speech, freedom of assemblage and freedom of the press, poured from the courts of the nation.

Equal justice under law is a concept which may be regarded as the very cornerstone of our democracy. But in the half century of the antilabor injunction's heyday this principle was constantly flouted by the courts themselves. Instead of equal justice under law, the judges' writs of injunction represented unequal justice under an absence of law.

It takes little imagination to appreciate the jubilation of the mighty antiunion barons when they discovered that their dirty work was gladly performed for them by lawless judges. The Fricks and the Pullmans, whose aim was to block any betterment of the workers' conditions but to smash and destroy the workers' unions, slashed wages, fired union members, did everything imaginable to provoke their employees to strike action and then they sent their lawyers into court.

The corporation's attorney would pull out of his pocket a sweeping injunction against the workers. The document would be all ready for the judge. Usually the judge would affix his signature without the change of a comma. The injunction would go into effect. Immediately the news would be

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Charlotte's Family Income Was \$6,882 For the Year 1948

Charlotte's per family income in 1948 was estimated at \$6,882 as compared with the national family average of \$5,531, according to "Sales Management" magazine's Survey of Buying Power out today.

Among the 200 largest cities in the country, Charlotte ranks sixth in per family buying income. Net buying income includes all income payments to individuals after the deduction of Federal income taxes. The per family income for this city is \$318 higher than it was in 1947.

The survey shows that Charlotte's population is 110,900, an increase of 10,000 people over the last U.S. census in 1940. Total retail sales for 1948 here were \$187,150,000, food sales \$30,319,000, general merchandise sales \$34,989,000, drug sales \$51,952,000, and furniture-household-radio sales \$17,297,000.

High buying power among the city's families is reflected by the fact that retail sales per family were \$5,086, a figure 62 per cent higher than the national average of \$3,131 per family. In 1948 the family units increased in Charlotte by 18 per cent over the 1947 period.

The "Quality of Market Index" in the survey shows that Charlotte is rated 35 per cent above average for its population. This is regarded as important in business circles where the "Sales Management" survey is used by national sales organizations to set sales quotas, apportion advertising dollars and build new plants. —Charlotte Observer, May 11.

Not A Land of Milk And Honey

During one of the most prosperous years in our history, 18 million families in the United States earned less than \$3,000. This is some \$275 under the figure set by the U. S. Bureau of Labor Statistics as the minimum for purchasing the bare necessities to keep a family of four comfortable and in good health.

In the Bureau of Census report for the year 1947 it was shown that one million families earned \$10,000 or more. This group included manufacturers and other business people who really got into the big profits in 1947. From top to bottom the average was \$3,000. About one-half was below average.

Generally there is only one person per family receiving income in the upper group, but it was necessary in one-third of the 18 million families at the bottom for more than one member of the family to work in order to bring the average up to \$3,000.

Following is the family breakdown of incomes announced by the Bureau of Census:

- 4 million families received under \$1,000.
- 6 million, \$1,000-\$2,000.
- 8 million, \$2,000-\$3,000.
- 8 million, \$3,000-\$4,000.
- 4 million, \$4,000-\$5,000.
- 3 million, \$5,000-\$6,000.
- 3 million, \$6,000-\$10,000.
- 1 million, \$10,000 or more.

ILWU VICE PRESIDENT RECEIVES ITALIAN REWARD

New York.—Edward Molisani, vice president of the International Ladies Garment Workers Union, received an award from the Italian government for his part in raising \$1,000,000 for relief work in Italy.

He was presented with the Star of Solidarity, the most prized medal conferred by Italy upon non-citizens, by Italian Ambassador Alberto Tarchiano.

Accepting the award, Molisani, who is manager of the Italian Cloak Makers Union, Local 48, pledged his union to continue Italian aid. He said:

"The war years have created in us a deep realization of the fact that each and every one of us is his brother's keeper."

Labor Journal Editors Extend Thanks



H. A. STALLS, Editor and Publisher

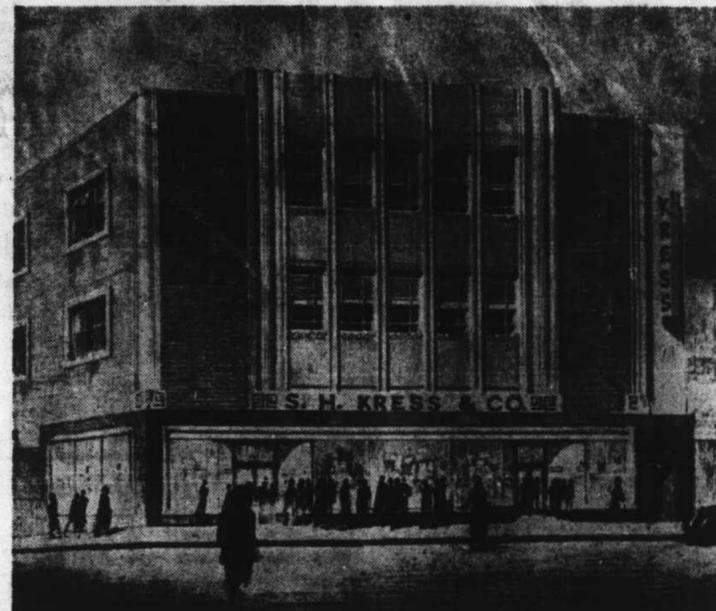


W. M. WITTER, Associate Editor

Pictured below are two of Charlotte's modern streamlined business establishments which stand as monuments to the skill of Charlotte Building Trades Unions. On another page is a picture of the Sears Roebuck Co. new building which was recently completed on North Tryon street. The Sears structure was erected entirely by union building tradesmen.

At his desk in the editorial office, busily engaged in preparing reading material for this issue of The Labor Journal is W. M. Witter, associate editor. Mr. Witter, together with Henry A. Stalls, upper left, present editor and publisher, founded The Journal 19 years ago, and he experienced many tough battles during his active years as this newspaper's editor and publisher before retiring to lighter duties a few years ago. Although now 75 years of age Brother Witter's mind is as alert as it was during the crusading years gone by. He likes to see and chat with old friends and his office is always open to welcome them.

Mr. Witter joins The Journal's editor and publisher in thanking this newspaper's friends for their loyal support throughout the years and especially for their contributions toward making this issue of the Journal the largest in the newspaper's entire history.



Truman, Green Plan Ultimate T-H Repeal

WASHINGTON.—President Truman pledged a continuing fight for repeal of the Taft-Hartley law during all four years of his Administration, if necessary.

The Chief Executive thus backed up AFL President William Green who praised the action of the House in sending the Wood bill back to the labor committee by the narrow margin of three votes, declaring that such action means "the death of the hypocritical measure."

Mr. Truman told reporters at his regular press conference that defeat of the Wood bill, termed by organized labor as worse than the Taft-Hartley law, was a victory for the Democratic Administration. He said the House's action afforded the opportunity for it to start from scratch again and pass legislation which would be acceptable.

Election Day Would Be A Natl. Holiday

Christmas, Labor Day, New Year's and Thanksgiving are all National Holidays. The AFL and LLPE have consistently demanded that National Election Days every two years should also be made a National Holiday so that the working people of the nation could get to the polls. Representative Hugh B. Mitchell, pro-labor Democrat from Washington, introduced such a bill at the opening of this Congress. The Judiciary Committee of the House of Representatives held hearings on Mitchell's bill last Friday, March 11th. If Representatives and Senators are interested in continuing and strengthening our Democratic way of life, they will get behind this bill and see that it is passed this session.

Representative Mitchell's case is typical. Here's what happened in his district:

The majority of working people stayed on their jobs during the day and then jammed the polling places after working time. When the polls closed at eight o'clock thousands who were waiting in line were unable to cast their ballots. Some nations make voting compulsory or hold elections on Sunday. But the American tradition is to hold national elections on the first Tuesday after the first Monday in November. As a result it is typical for less than half of the potential voters to elect our President and Congressmen. For the preservation of truly representative government, election day should be made a holiday so that the majority not the minority will choose our lawmakers.

If you worked all day last November 2nd, and didn't get a chance to vote, write your Congressman urging passage of HR. 1554.

The President's views on the developments coincided with a statement issued by Mr. Green which said:

"The vote in the House of Representatives to recommit the Wood bill means the death of the hypocritical measure and affords the House Labor Committee an opportunity to make a new start in drafting legislation to repeal the Taft-Hartley law.

"Meanwhile, organized labor awaits action by the Senate on the Thomas bill.

"We want Congress to know that repeal of the Taft-Hartley law is our firm objective and we will continue to fight for it no matter how prolonged or difficult the struggle."

Mr. Truman denied that action by the House had convinced him that he would be forced to make concessions on labor legislation. He said he would do whatever is necessary to get a labor bill through Congress and added that his position on labor legislation has not changed.

In reply to a reporter's question on whether he was insisting on a specific bill, the President said he wanted the Democrats in Congress to carry out the promises they made in the Democratic platform just as he was trying to carry out his.

Mr. Truman declined to say what he thought about the Sims bill, the substitute measure offered by some Democrats in the House when the Lesinski bill was doomed by a coalition of Republicans and southern Democrats. The Sims measure was defeated by labor foes who rammed through the Wood bill only to have it recommenced later by a vote of 212 to 209. This final vote leaves it up to the House Labor Committee to initiate further action on labor legislation.

Representative John Lesinski of Michigan said he hoped the committee, of which he is chairman, would start work on a new bill in about a week. He said the bill could be completed in a period of 3 or 4 weeks.

Meanwhile, consideration of labor legislation in the Senate was bogged down in a legislative schedule already running far behind due to the usual log-jam of appropriations measures. It is expected that action will not be forthcoming for a month or so.

Labor's foes in the Senate are gathering their forces to keep anti-labor legislation on the books. Senator Robert A. Taft introduced a bill as a substitute for the Thoms bill, approved by the Senate Labor Committee, drawn along the lines of the Wood bill which retains most of the obnoxious Taft-Hartley law.

UNPREPARED

The street musician was tired, and the motorist agreed to give him a lift to the next town.

As they were racing along at a terrific speed down a hill, the motorist suddenly shouted above the noise of the car: "What instrument do you play?"

The musician shouted back: "Violin."

The driver crouched over the steering wheel peering ahead. He yelled: "That's a pity."

"Why is it a pity?" demanded the musician.

"It's a pity you don't play the harp", yelled the motorist. "The brakes won't work."

Liberty