

WHEN
SOUTHERN
LABOR
STIRS

PART III

THE STRIKE AT **Gastonia**

BY
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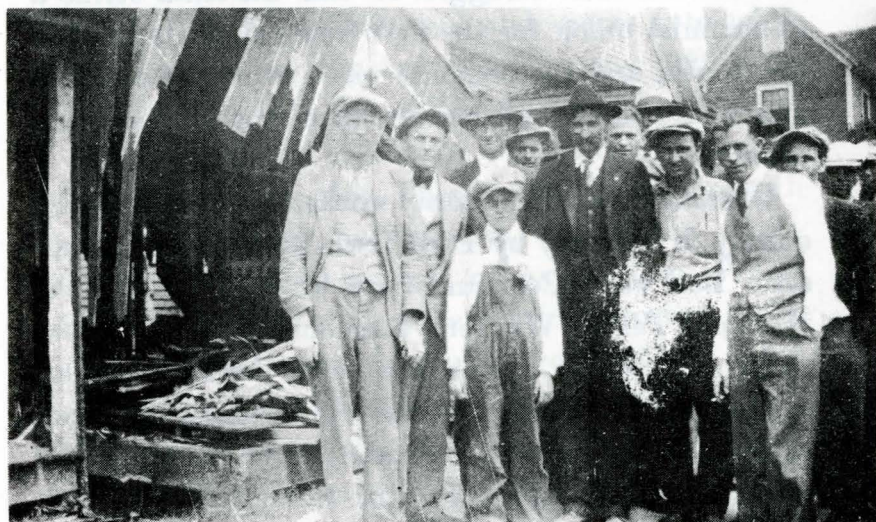
April, 1972

published by:

Appalachian Movement Press
Box 8074
Huntington, West Virginia 25707



AN EVICTED FAMILY IN THE GASTONIA STRIKE



GASTONIA STRIKERS IN FRONT OF THEIR UNION HALL
WRECKED BY A MOB

VI

THE GASTONIA STRIKE

LESS than three weeks after the Elizabethton workers had by their first walkout raised the standard of revolt, the operatives of the Loray Mill in Gastonia embarked on a strike that flared into a still more bitter and dramatic struggle. In this Gastonia strike a Communist union for the first time raised its head in the South, and the response was a storm of hysteria and mob violence and murder that shocked the whole country.

Organization of the Loray workers had been started quietly in January by Fred Irwin Beal of Massachusetts. Beal was a Communist and an organizer for the National Textile Workers, a union affiliated with the Communist Party. Upon the mill's discharge of all workers known to belong to the organization, the union called a strike and approximately 1,800 of the 2,200 operatives in the mill joined the walkout. The factory was closed by the strike but opened again almost right away. It continued to operate with "loyal" workers

and with other operatives who were imported at once to replace the strikers.

The United Textile Workers had conducted an unsuccessful strike in the same village against the Loray Mill a decade before, but it had withdrawn from Gastonia and did not attempt to insinuate itself into the 1929 strike.

Gastonia is a county seat with a population of 33,000. There are fifty-two cotton mills in the county and the whole city lives, in one way or another, from textiles. The Loray Mill, one of a chain of cotton mills owned by the Manville-Jenckes Company of Pawtucket, Rhode Island, is the largest mill of its kind in America. It manufactures yarn and weaves automobile tire fabric, on the two operations having 2,200 employees at work both day and night under one roof.

Some of the worst conditions in North Carolina prevailed in the Loray Mill. There was a mill village with overcrowded, badly built houses, unsanitary conditions, and the worst aspects of paternalism. Whole families, sometimes of three generations, worked in the mill. Individual workers earned from \$.50 to \$3 a day and \$9 to \$12 was about the average full-time weekly wage for men and women. The shifts were eleven and twelve hours, with a half-holiday on Saturday. When the mill was busy the short day was omitted.

The wages and work standards had been going

downward for three years when the strike occurred. Wage cuts and the stretch-out system had been applied in the preceding year, so that the National Textile Workers-organizers found a fertile field in the Loray Mill. The company store and credit system kept most of the employees in debt to the mill. There were company boarding houses, company churches, and a company playground. The cotton mill dominated every phase of life in the village which it owned, body and soul.

Gastonia proper boasts a daily newspaper, the *Gastonia Gazette*. This paper took the lead in denouncing the union from its inception, and to defeat the strike went to lengths that had never before been equaled in American yellow journalism. All the business men of any importance united to fight the labor organization and stood solidly against the strikers. That was also true of all the officers in the courthouse in Gastonia, as well as the sheriff of the county and the city police force. The ministers ¹ in all the churches preached openly against the strike; in short, all the forces of organized society actively opposed the union. Moreover, it had the opposition rather than the coöperation of the local labor movement because of the friction between the Communists and the American Federation of Labor. So it was that the union did not have outside its

¹ There was one lay preacher who worked in the mills, joined the union and functioned actively in the strike.

own ranks one articulate friend in the immediate vicinity.

On the other hand, the strike had the sympathy of many radicals throughout the country as a whole, the South included. The Communist party has an elaborate and well-planned set-up of auxiliary organizations that are utilized in every Communist activity, all of which came to the aid of the Gastonia strike. The Workers' International Relief collected funds for the Loray struggle and sent trained administrators to the mill village. The International Labor Defense Press Service dispatched experienced publicity men to the strike zone who kept Gastonia news in the radical press and got much space in the general labor and capitalistic papers. The International Labor Defense provided excellent legal talent to defend the strikers in the North Carolina courts. The Young Communists sent their representatives into the mill village to organize the children into the strike activity.

The American Civil Liberties Union, a non-Communist organization, coöperated with the National Textile Workers in its struggle for free speech and in other civil liberty aspects of the strike.

The personnel of all the Communist auxiliary units were disciplined members of the party. Many of them were college-bred intellectuals with a knowledge of society that surpassed by far the experience of their enemies in Gastonia. By and large, the joint leadership

of the strike was infused with a revolutionary idealism and devotion to the cause which won the sympathy of thousands of neutral observers who followed the Loray struggle.

Whether the Communist party intended actually to build up "left wing" radical labor unions that would enter into collective bargaining with capitalism when it sponsored the organization of the National Textile Workers is a moot question, and the development of the Gastonia strike was so influenced by the opposition forces that the union was compelled, in the latter phase of the struggle, to fight out the issue as one between capitalism and Communism. But at first there was no sign of Communist propaganda in the tactics of the Loray strike. It was a militant campaign which did not differ, on the surface certainly, from that employed by most of the American Federation of Labor unions in their early years. The strike demands called for :

1. Twenty dollars minimum for all hands
2. Better working conditions
3. No more hank clocks and no more piece work
4. The 5-day week
5. The 8-hour day
6. Company houses to be repaired, screens and bath-rooms added
7. Recognition of the union

The strike meetings were conducted in open fields, as they were elsewhere in the South, and the tenor of

the speeches, although decidedly shocking to the quiet South, was no more disturbing in effect than were the utterances of conservative labor in Elizabethton. Albert Weisbord, at that time one of the National Textile Workers' organizers, led off one of the early strike meetings with a speech that is typical. He stood on an elevated platform and spoke in the presence of newspaper men as follows:

This strike is the first shot in a battle which will be heard around the world. It will prove as important in transforming the social and political life of this country as the Civil War itself. These yellow aristocrats have ground you down for centuries. They went out to the farms and mountains to offer you high wages and good conditions, but you have a Chinese standard of living. In 1850 the United States government announced a 10-hour day for navy yards and public works—and here you are so far behind the times that you are working twelve hours a day. We have come to Gastonia to help you in your struggle for existence. Make this strike a flame that will sweep from Gastonia to Atlanta, and beyond, so that we can have at least 200,000 cotton mill workers on strike. You can't get ahead by yourself. Stick together! Don't listen to the poison of the bosses—extend the strike over the whole country-side. We need mass action!

The Loray workers responded to the National Textile Workers. Many of them did not know the difference between that union and any other. Then too the organizers attacked the American Federation of Labor

and deliberately prejudiced the strikers against the United Textile Workers. The failure of the American Federation of Labor union ten years before was emphasized, and many rumors of corruption in the old United Textile Workers strike were revived. "The American Federation of Labor leaders came in here, took your money, and then sold you out to the boss," was a common statement on the speakers' platform.

From outside Gastonia came denunciations of the Loray strike leaders by the American Federation of Labor, who tarred them with Communism in the same degree as did the textile company. President Green sent an official letter to the nearest central labor union, at Charlotte, twenty-three miles from Gastonia, formally advising the American Federation of Labor unions to oppose the Gastonia strike.

However, the Communists had a following among the strikers. The big Loray Mill was badly crippled, and the strike spread to adjoining mill centers under the leadership of the National Textile Workers. It was so large at first that the union could not provide enough executives to organize effectively. The opponents of the strike, concentrating their attack on Communism and on the personal beliefs of the leaders involved, pretended to favor a conservative union for Gastonia. However, with the current Elizabethton

strike under the American Federation of Labor leadership meeting just as stern opposition and with the memory of the manner in which the United Textile Workers had been crushed in Gastonia in the past, naturally the Loray strikers paid no attention to the red-baiting campaign.

In the early weeks of the struggle I drove from the Loray village to Bessemer City, a few miles away, where a new strike had broken out and was being organized by the Gastonia union. No meeting was in progress and no National Textile Workers' officials were near, but a crowd of strikers were milling about. Joining with them, I discussed conditions in the mill and learned that they were as bad or worse than those obtaining in the Loray Mill.

I asked a middle-aged woman who elected to speak for the strikers if she was a Communist. She answered, "Sure I am. I joined the minute I heard of it in my section and came right out on strike with the others."

At this point I interrupted to differentiate between the strike *per se* and Communism, and to clear up my point I quoted from the *Gastonia Gazette* which had that day published its regular vitriolic attack on the union and its leaders—"Negro lovers, against America, free love, northern agitators, Russian reds." "Do you mean to say you are lined up with a bunch like that?" I asked the group that had crowded around.

The woman trembling with anger, shaking her long finger in my face, answered: "Say you! Listen to me. These people are helping us. They are feeding us. That paper is a liar, and so are you, if you say things like that."

The Bessemer City woman, compelled to work twelve hours a day for a few cents an hour, had not enough time or energy to analyze complicated problems of political economy. She responded to the first avenue which seemed to offer escape and measured the union leaders by what she saw them do in Gastonia. When they denounced the cotton mill and society in general, they were but voicing her own pent-up emotions which she had long wanted to express.

So it was with thousands of other textile workers in the South. It must be remembered also that the American Federation of Labor union had neglected to attempt organization in the Gastonia region after its failure ten years before. The textile workers, therefore, joined the only union that offered them an application blank.

In such circumstances the Communist National Textile Workers, as far as the mill workers were concerned, had little difficulty in floating in Gastonia a textile union, but the red herring did not find swimming in surrounding water so successful. It was inevitable for the Communist issue to be admitted sooner or later by the leadership. Winning an initiated following for

Communism in America is a very different matter from organizing a militant labor union. In spite of what can be said for the non-Communitic complexion of the National Textile Workers' initial campaign in Gastonia, the affiliation was there, and the Communist Party, which dominated the union, did not seem to be clear whether the National Textile Workers was to be used as a revolutionary propaganda agency or whether it was to attempt the building of a mere radical trade union.

The *Daily Worker*, official Communist organ in New York, reporting Loray strike news for its international clientele, was none too particular about the accuracy of its accounts of Gastonia, and it bristled, of course, with all forms of revolutionary news. The paper, though not in evidence at the early strike meetings, in the course of time reached Gastonia. The *Gazette* got it and eagerly jumped at the golden opportunity to interpret the strike to its Gaston county readers from the columns of the *Daily Worker*.

It is true that the Communist Party inspired the very effective federated organizations that functioned in the strike and was the driving force back of all of them; it is also true that the party contributed a considerable handicap to the strike by its political philosophy, and because of its constant internal strife and disagreement as to what a Communist program in America ought to be. The Loray strike was a bone of

contention in the party. One leader after another was withdrawn from that area, and some of them expelled from all party and National Textile Workers union activity. All of this naturally hindered the success of the Loray strike. But there were other obstacles in the way of the union also.

Four days after the strike was called Governor Gardner sent five companies of the state militia into the Loray village. The mill had been operating with "loyal" workers as well as new recruits, and the strikers picketed to dissuade them from entering the gates. When the Gastonia police stretched a rope across a street leading into the mill to prevent the strikers from speaking to the night shift as it went on, the pickets protested. A striker grabbed one end of the rope and a tug of war began between the strikers and the policemen. That was the signal for bringing soldiers in on April 4.

The troops pitched their tents in the mill yard and patrolled the village streets, thereby ending all attempts to picket. The strikers functioned on the outskirts of the village in the free area quite near the mill. Union headquarters and a relief depot were opened in two separate store buildings on the main free business street of the village. The court issued sweeping injunctions, which the strikers consistently violated, forbidding all union activity. The strikers were clubbed and

beaten in the streets and carted off to jail *en masse*. Their reaction to this unwarranted brutality is one of the most outstanding phases of the struggle. Their parades were broken up by force every day, and just as consistently the strikers would form again the following day to march, with full knowledge of what they were doing, into the clubs and rifles.

I saw a woman striker knocked down and stuck with a bayonet until she bled profusely. She struggled to her feet and marched on—in the parade.

During the night of April 18, a mob of masked men attacked the union headquarters, located on the first floor of a new brick building, and destroyed every breakable article in sight. The huge plate glass front was smashed into bits, and the large canvas union sign on the building torn into shreds. The vandals then marched on a few doors farther down the street to the one-story wooden structure that housed the strike commissary. The mob destroyed every article of furniture together with all the food, and utterly demolished the entire building. So complete was the destruction that it was literally impossible to recover one single board from the wreck. Such indestructible articles of food as sugar and flour were dumped into the street on the car track. Then kerosene was poured over the mass, lest the hungry strikers recover a speck of flour or a pinch of sugar. While this wrecking was in

progress 250 soldiers slept peacefully within 500 feet of the racket. They were encamped in the yard of the cotton mill, and had been sent to the village by the state of North Carolina to protect property. When the last ax fell on the food store the soldiers came running—arrested the strikers who had been guarding their property unarmed and who were being held at bay by the mob.

The *Gazette* applauded the mob and urged more violence to drive the strike leaders out of town, but there was a loud protest raised by the sane press of the state. Nell Battle Lewis, columnist in the *Raleigh News and Observer*, paid her respects to the mob and to the mill in stinging terms. The *Greensboro Daily News* and other strategic newspapers set up a howl too. On April 20, two days after the mob action, the Governor withdrew the troops. All told the soldiers had been in Gastonia only sixteen days, and while they were there, for the first time in the history of an American labor dispute, the union had issued a printed appeal to them to mutiny.

When the opposition first thrust the soldiers between the strikers and the mill gate, the union issued the following statement to the soldiers:

Workers of the National Guard! Do not accept the orders of the capitalist murderers, but stand fast when the order is given for strike duty. Refuse to shoot your

fathers and brothers on the picket lines! Don't be a strike-breaking scab! Fight with your class, the strikers, against your common enemy, the textile bosses. Join us on the picket line and help win this strike. Do not obey the orders of the bosses! Do not shoot us, the strikers!

When this statement was issued, the *Gazette* grew hysterical; the soldiers took the handbills, smiled and obeyed their officers.

The day the soldiers left Gastonia, the Loray Mill organized its own local force into a "Committee of 100," most of whom were deputized as sheriffs or special policemen. From then on a virtual reign of terror against the strike was the order of the day. The Gastonia city council issued anti-parade ordinances; the courts broadened injunctions for the cotton mills. In the middle of May scores of striking families were dumped out of company houses by eviction orders from the court, and a tent colony was established by the National Textile Workers in Gastonia. The tents were set up on a "free" strip of land a few blocks from the mill. A wooden hall was erected by the strikers in the tent colony. The union's rehabilitated office and the commissary were set up in the new building.

On May 16 the strikers notified Governor Gardner by letter that since they could get no protection from the civil authorities they themselves would protect their lives and property "at all costs."

NATIONAL TEXTILE WORKERS UNION OF AMERICA
GASTONIA LOCALS

May 16, 1929

Max Gardner

Governor of the State of North Carolina
Raleigh, North Carolina.

SIR:

The textile strikers of Gastonia are building with their own hands new union headquarters to take the place of the one demolished by thugs while the state militiamen were looking on. The new building is about to be finished and the dedication will take place next Saturday evening, May 18, before thousands of workers.

It is rumored around Gastonia that enemies of the workers, inspired by the mill owners, are plotting to wreck our new headquarters within three days after completion.

The strike committee took the matter up to-day and decided that it is useless to expect the one-sided Manville-Jenckes Law to protect the life and property of the many striking textile workers of Gastonia. Every striker is determined to defend the new union headquarters at all costs.

Very truly yours,

ROY STRIVEL,

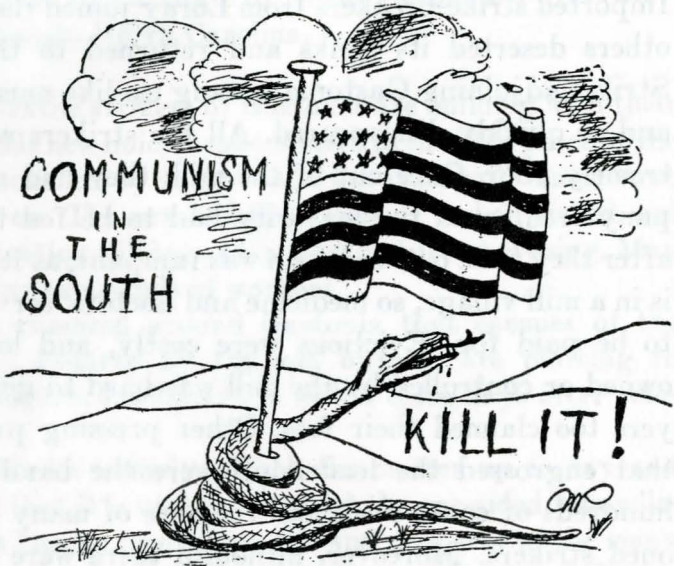
Chairman of Strike Committee.

So the union established an armed guard from its own ranks inside the borders of the tent colony where the evicted families had set up their canvas homes.

Photographs of the armed guard were made and sent by the union to the press.

Meanwhile, the union attempted to carry on the strike, the size of which fluctuated from week to week. Imported strike-breakers from Loray joined the union, others deserted its ranks and returned to the mill. Strikes adjoining Gastonia sprang up like mushrooms and as quickly disappeared. All the strikers were extremely poor. Once out of the mill, they had no company credit and the majority had to be fed the day after they went out. Sickness was rampant, as it always is in a mill village, so medicine and doctors' service had to be paid for. Evictions were costly, and land not owned or controlled by the mill was hard to get. Lawyers too claimed their fees. Other pressing problems that engrossed the leadership were the handling of hundreds of court cases and the care of many imprisoned strikers. Moreover, although there were leaders among the rank and file strikers, their newness to unionism meant that nearly all activity had to be supervised by the small number of trained executives on the spot and these leaders were constantly going in and out of jail. The special deputies and police officers were dubious characters, and ran amuck throughout the strike zone. No one knew who was an officer. Anyone opposed to the strike could assume the rôle of a policeman or deputy sheriff and beat up a striker, for no questions were asked at headquarters.

A Viper That Must Be Smashed!



CARTOON PUBLISHED IN THE "GASTONIA GAZETTE" DURING THE GASTONIA STRIKE.



POLICE SUBDUING A WOMAN STRIKER



RIGHT: AN EFFIGY OF THE CHIEF OF POLICE INTRODUCED BY THE STATE IN THE TRIAL FOR HIS MURDER.



FUNERAL OF MRS. ELLA MAY WIGGINS SLAIN BY MOB
LAW AND ORDER IN GASTONIA

The Sunday following the raid of the mob on union headquarters and food store, the Reverend D. L. Phillips of the Presbyterian Church in Charlotte, twenty-three miles from Gastonia, delivered a sermon on the Gastonia labor situation. His information on the subject was somewhat faulty, but of his conclusions he was sure. His sermon ended with "There is no place in this country for Communism, reds or Bolsheviks. Let them go back to Russia, or we will send them to the penitentiary, or to the—electric chair."

The *Gazette* spewed forth its venom daily, egging the population to rise against the "reds." The manufacturers had full page advertisements in the *Gazette* to keep pace with its editorials. There would be a front page story illustrated with a lewd cartoon of an American flag, and at its base a coiled snake, with the caption: "Communism in the South. Kill it!" (See Cartoon in Appendix.) The business men's advertisement said:

RED RUSSIANISM LIFTS ITS GORY HANDS RIGHT HERE IN GASTONIA

Do the people of Gastonia, Gaston county, and the South realize what the Communist party is? . . . It is a party that seeks the overthrow of capital, business, and all of the established social order. World revolution is its ultimate goal. It has no religion, it has no color line, it believes in free love—it advocates the destruction of

all those things which the people of the South and of the United States hold sacred.

Charles G. Wood came over to Gastonia from Elizabethton to offer the neutral service of the United States Department of Labor to settle the strike. He denounced the union in the public press, and added, "I am going home and plant my garden."

Thus the strike moved on in Gastonia. The southern press was full of spot labor news. The whole South was aquiver with the unrest in the textile area. Senator Wheeler proposed a federal investigation of southern textiles.

Gastonia business men began explaining the plight of textile manufacturers. It was reported locally that the Loray Mill was losing money. The stretch-out, it was said, had been introduced as a means of keeping the mill open in order that Gastonia mill operatives might be given work. A big public meeting was held under the auspices of the local Chamber of Commerce in the courthouse at which all of this was explained. Officers of the union were barred at the meeting. The union requested the use of the same courtroom to tell the other side of the story. The courthouse was refused it. Then the union made public the contents of a letter written by the head of the Pawtucket textile firm to the manager of the Loray Mill in which he was congratulated in the following way for forcing wages down and production up:

Member of the Cotton Textile Institute, Inc.,
Manville-Jenckes Company
Pawtucket, R. I.
Nov. 8, 1927

Mr. G. A. Johnstone, Resident Agent,
Manville-Jenckes Company,
Loray Division,
Gastonia, N. C.

DEAR MR. JOHNSTONE:

I have been keeping close tab on your payroll and production at Loray division, and I am glad to say, it is very gratifying to see your payroll come down and your production go up. I am frank to say I was skeptical about you being able to cut \$500,000 a year on the Loray payroll and keep your production up. I want to apologize now for this skepticism. Now I think you can cut out \$1,000,000 a year and still keep your production up.

I am in hopes of getting South but you are making such a good job of it that I am only afraid I will upset things rather than help.

Your very truly,
(Signed) F. L. JENCKES

FLJ:EVG

The strike was the result of these "saving" practices which had been in operation in 1927 and the attempt to raise that year's saving to \$1,000,000 in 1928-29.

Although quite a number of persons, friendly to improving conditions for textile workers, were admitting the mills were in difficult financial straits, the

Loray workers did not believe them in view of Mr. Jenckes' letter and other similar evidence disseminated from their union's platform. The National Textile Workers did not attempt to make out a case for the boss, so the strike struggled on. Then came the shooting of the chief of police of Gastonia in the tent colony.

The strike had been gradually losing its strength. The Committee of 100, armed and deputized, had opposed every move of the union by force. A correspondent² on a Charlotte paper had been assaulted by the deputies for merely watching this committee break up a strike parade.

On the evening of the shooting the strikers held the customary meeting in the yard of their tent colony. Speakers reported that some strike-breakers in the mill had sent word to the effect that they wanted to join the strike. It was decided to attempt a parade toward the mill to induce those at work to walk out. From the edge of the colony eggs and stones were thrown at the speakers. A parade formed and started to march from the union lot towards the cotton mill. Before it had gone halfway to the factory it was forcibly broken up by the deputies. Women and men strikers were knocked to the ground and badly beaten up.³ The paraders dis-

² T. Blythe, who later had the deputies arrested on an assault charge.

³ Sophie Melvin, Vera Bush, Edith Miller, Mrs. McGinnis, and Earl Tompkinson were beaten.

banded; the marchers returned to their homes in the tent colony and dressed their wounds. Shortly thereafter Chief of Police Aderholt of Gastonia and four other law officers appeared at the union grounds. The customary armed guard of strikers was on duty. One of them ⁴ demanded a search warrant from Aderholt before he would let the police enter the grounds. The officers of the law did not have a warrant of any kind.⁵ Aderholt attempted to disarm the union guard. Police officer Roach ran into the grounds and went back of the union hall.⁶ Shots rang out! A striker was seriously hurt, two policemen slightly wounded, and Chief Aderholt fatally shot. He died the following day.

It will take no vivid imagination to understand what the effect of the shooting was in Gastonia. The *Gazette* went completely mad, and called in screaming headlines for the strikers' blood. In an editorial on the day following the shooting the *Gazette* said:

The blood of these men cries out to high heaven for vengeance. This community has been too lenient with these despicable curs and snakes from the dives of Passaic, Hoboken, and New York. For weeks and weeks we have put up with insult and injury; we have tolerated their insults and abuses. Our officers have taken unspeakable abuse from these folks day after day. We have put up with it, hoping they would wear themselves out, although fingers were twitching to get at them.

⁴ George Carter.

⁵ Admitted it at trial.

⁶ Included in the trial testimony.

No one but those who have experienced the abuse heaped on officers and citizens can know what this community has suffered from the presence of these vipers in our midst.

And now they have made good their threats of violence. They have shot down as brave and as good a man as ever lived. Chief Aderholt had no ill feelings toward these folks. He pitied rather than censured them. After he had to use desperate methods to keep his men from resorting to violence in the face of unspeakable epithets and vile abuse from this gutter scum who have come South to prey on the ignorance of a deluded people, it was the very irony of fate that Chief Aderholt should be the victim of unjustifiable violence at the hands of these very people.

The blood of these officers shot down in the dark from behind cries aloud. The display of gang law must not go unavenged.

The Committee of 100 inflated itself like a balloon to include thousands, deputized or not, to hunt down the strikers. At their head was Major Bulwinkle,⁷ former United States congressman and counsel for the Loray cotton mill. The residents of the tent colony were hunted like wild beasts. They fled from their homes into the woods to escape the fury of the mob. More than 100 of them were caught and thrown into jail. All this happened before Chief Aderholt had died, while he and a unionist⁸ lay wounded in the city hospital.

⁷ Bulwinkle was reelected to Congress in the election following the strike.

⁸ Joseph Harrison, New Jersey.

It was established at the trial that both sides shot. Who started shooting will never be known, except by the man who fired first. Several important indisputable facts were disclosed in the days following the shooting and while the whole country was atremble because of the man hunt. In the first place, two of the police officers at the time of the raid were drunk; and in the second place, none of the police had any lawful business at the tent colony.

The preliminary hearing was held on June 19 before Judge W. F. Harding in Charlotte. Frank Flowers, a Charlotte lawyer, represented the strikers. One of the policemen who testified was Adam Hord. He had been at the tent colony with Aderholt at the time of the shooting, and had been appointed acting chief of police after Aderholt died.

Flowers asked Hord if the police had a search warrant. The witness replied in the negative and added, "We weren't going to search any property or arrest anyone." The attorney then asked Hord: "There wasn't any trouble until one of the members of your force started to disarm one of the men on private property: is that right?"

To that question acting chief of police Hord replied, "That's right."

The issue involved, stripped of all red hysteria, was not confined to the Loray mill village. It was presaged long ago by the early American statesmen who under-

stood the meaning of liberty. They caused to be written in the first, second and fourth amendments of the Constitution of the United States articles which gave the American citizens the right to defend their homes against just such lawlessness as occurred in Loray, August 7. Those articles are:

ARTICLE I.—Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.—A well regulated militia, being necessary to the security of a free State, the right of people to keep and bear arms, shall not be infringed.

ARTICLE IV.—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

None the less strikers were indicted and a grand jury, a month later, after deliberating one half hour returned true bills against thirteen men and three women for murder. The day following the shooting, word came from Tom Jimison, one of the strikers' at-

torneys, that police officer Tom Gilbert and deputy-sheriff Arthur Roach, both of whom had been with Aderholt in the tent colony when he was shot, had been mixed up in a drunken brawl the afternoon of the trouble in the strike lot. He tried to have warrants issued for their arrest, but they were refused him by the county solicitor as well as by Solicitor Carpenter of Gastonia. When Judge Shaw came to Charlotte the matter was taken up with him, and he promptly ordered warrants issued for their arrests. Then the story came out. According to the evidence produced against the two officers, they had gone into the adjoining county of Mecklenberg in a quest for whisky, although they were already drunk. They demanded liquor from Pedro Melton and J. C. Hensley and were refused it. Whereupon they began shooting at the frightened men who had to run into the Catawba river to escape the drunken officers. Rural officials⁹ heard the shooting and came running. They rescued Melton and Hensley and drove the drunken policemen out of Mecklenberg county. Two and a half hours later Gilbert and Roach were in the raid on the tent colony. Judge Shaw reprimanded the authorities for not having arrested the policemen before, saying such conduct was "disgraceful." On July 19 a grand jury returned true bills of indictment against both Roach and Gilbert for "assault with a deadly weapon with intent to kill."

⁹ John Irvin and Henry Mosley.

Meanwhile the state built up its case against the strikers held for the shooting of Aderholt. According to Solicitor John Carpenter the union men deliberately planned the murder. They telephoned police headquarters and requested that officers be sent to the tent colony to put down a fight that had broken out among the strikers themselves. When the officers arrived the strikers without warning opened fire.

The *Gazette*, of course, had seen it all clearly long before the trial. On the day following the shooting the paper said, under the heading of "A Deep-laid Scheme":

That the whole thing is a deep-laid plot is supported by ample evidence. The original plan included the shooting of the editor of the *Gazette*, who had been denounced and cussed at every meeting held by this bunch since the strike began April 1st. Between 1 and 2 o'clock Friday afternoon, Beal called on the editor of this paper—it was the first time he had ever set foot in the *Gazette* office—and invited the editor to witness the showing of a Passaic strike moving picture at union headquarters that night—the murder night. He was insistent and but for the previous plans the invitation might have been accepted. Had he done so we have no doubt that he would have met the same fate that the police officers met. He was a marked man and gives Divine Providence credit for being saved from the fate of the officers.

The case came to trial in Gastonia on July 29. Governor Gardner appointed Judge M. V. Barnhill to pre-

side. Solicitor Carpenter was supported in the prosecution for the state by Major Bulwinkle, regular attorney for the Manville-Jenckes Company, Clyde R. Hoey, brother-in-law of Governor Gardner, T. T. Cansler, leading corporation lawyer, and others of their ilk. Other southern lawyers defended the strikers: Jimison and Flowers of Charlotte, and some prominent ones from New York. Dr. John R. Neal of Knoxville, Tennessee, who defended the Elizabethton strikers, came to Gastonia, volunteered his service and joined the defense. So did Arthur Garfield Hays of New York. Because of the hysteria in Gastonia, Judge Barnhill granted the defense a motion to move the case to Charlotte, where the trial got under way on August 26.

The prosecution did not have a clear case. The strikers' attorneys knew law as well as the state's forces. They established the fact that the policeman was killed while he was invading the home of the strikers, that he had no warrant, and that there was no trouble at the tent colony when he appeared. The strikers had plenty of witnesses to refute the state's case. The judge ruled that the Communistic beliefs of the defendants were not on trial. "The case," he said, "has to be tried on the murder element alone." The trial was spectacular. The press of the nation sent its best correspondents to Charlotte and turned a hot spotlight of publicity on the scene. The courtroom was

jammed to the doors by all elements of society. Outside a huge crowd milled about unable to gain admission.

Mr. Hoey is a famous criminal lawyer in his section, who always gets his man, and whose family connection with the Governor added to his prestige. He is a conspicuous figure affecting the manner and dress of Henry Clay, white choker collar, swallow-tail coat, long white hair, and boutonnière always on the lapel of his coat. He was the big gun in the state's battery. But he was decidedly unfamiliar with labor law, and he knew very little about working men's legal rights. Opposite him, on the strikers' side of the table, sat Dr. Neal, with blood as blue—without burlesque and with a knowledge that equaled his devotion to the rights of common men. The state was obviously in a bad way as the trial proceeded.

Then Solicitor Carpenter arose to play his part. By order of the court he could not mention Communism, but Mr. Carpenter is resourceful. As he spoke there was wheeled into the courtroom a stretcher on which an object lay covered with a white sheet. Carpenter dramatically snatched the shroud off the stretcher and there lay Chief of Police Aderholt in effigy. A young artist had been secretly at work on the model for weeks preceding the trial. The dead policeman's features were molded in wax, and he was dressed in the bloody uniform he wore at the time of the shooting.

The widow of Aderholt sat in court, six feet from the jury. The judge rapped Carpenter down and ordered the ghost out of the court. A juror sat transfixed with fright. In the jury room he went stark mad. His insanity caused a mistrial. With the jury dismissed five of its members told the press they would have voted for acquittal "if the state had no stronger evidence than what we heard." Thus a stage episode from the play, *The Trial of Mary Dugan*, won the first round on September 9, for the state of North Carolina, in its fight against the Loray strikers.

Just before this trial the terroristic tactics of the opposition had waned a little. The strikers moved their tent colony to another location and began to come above ground with union activity. The *Gazette* had become the laughing-stock of other newspapers. The *Raleigh News and Observer* advocated a fair trial for the defendants. Miss Lewis centered her chief interest on the strikers' side of the case, openly soliciting money for their relief in her weekly Sunday column. The mistrial, the statement of the jurors, and the public ridicule of the prosecution over the effigy incident all served to whip the mob spirit into action once more.

On the same evening that the trial adjourned because of the insane juror, a mob formed in Gastonia, seized three Loray strikers¹⁰ and drove off in a proces-

¹⁰ Lell, Sanders and Wells.

sion of 100 automobiles. Some of the cars went to Charlotte where the mob surrounded the jail and threatened the imprisoned defendants. It also marched to the home of one of the strikers' attorneys¹¹ and, not finding him there, swaggered on to the office of the International Labor Defense. The three strikers were hauled by the other cars into Cabarrus county, where they were whipped and left stranded in the woods.

Three days later a raiding party searched the rooms of National Textile Workers organizers in Charlotte, arrested seven men and charged them with "insurrection to overthrow the state of North Carolina." The court refused to hold the organizers for lack of evidence, and scored the sheriff for his raid and arrests.

The union attempted to function in the face of this storm of mob activity. It called a strike meeting in the Loray Mill neighborhood for the afternoon of September 14. An armed mob, most of them company officials,¹² determined to prevent the meeting. Members of the union coming from surrounding towns were intercepted by the mob. A truck load of strikers on their way to the meeting from Bessemer City was ordered to turn back. The workers obeyed and started back for their homes. Notwithstanding the fact that the strikers were carrying out the order of the mob, it followed them. A car overtaking the truck veered into its path.

¹¹ Tom Jimison.

¹² Civil Liberties pamphlet, "Justice—North Carolina Style."

The truck stopped; some strikers jumped out and ran for cover.

The mob fired. Ella May Wiggins, 29 years old, mother of five small children, clutched her throat, gasped, "My God, they have shot me!" and sank to the bottom of the truck—dead. Other strikers fled and were shot at like rabbits across the cotton patch.

Ella May Wiggins was buried in Bessemer City after the union had held a mass funeral at which the strike songs she had written were sung, and while the press of the nation wrote its condemnation of North Carolina. None the less, on the evening following the funeral the mob swung into action once again. Cleo Tessner, a National Textile Workers organizer, was kidnapped at his home in Kings Mountain (in Gaston county), and taken by an armed mob in an automobile across the state into South Carolina where he too was beaten and left in the woods. Next, the mob returned to Kings Mountain and dynamited the speakers' stand of the union there.

Seven men, six of them from the Loray cotton mills, were finally arrested, and released on bail, for the shooting of Ella May Wiggins. But the reign of terror against the union continued until it was compelled to suspend all above ground activity in Gastonia. However, the National Textile Workers continued to operate against violent opposition in Charlotte.

In September the second trial in the Aderholt case

was held, with all the same lawyers, excepting Arthur Garfield Hays, and with the same judge. The prosecution withdrew the indictments of first degree murder, freed nine of the defendants, and held seven men for trial.¹³ The trial lasted three weeks during which Judge Barnhill, reversing his former ruling, permitted the prosecution attorneys to introduce the religious, political, and economic views of the defendants. With the flood-gates down the case then became a heresy trial. The jury returned its verdict on October 21. After deliberating forty-five minutes it found all defendants guilty.

Judge Barnhill sentenced the northern men to serve from seventeen to twenty years in prison. To the Southerners he gave sentences from five to fifteen years. The defense appealed; bail was fixed at \$5,000 for each defendant.

On the same day that the Charlotte jury found seven men guilty of murdering Chief Aderholt, another jury sitting in Gastonia refused to indict any of the men arrested for the murder of Ella May Wiggins. It also released all those held for kidnapping and beating the various union organizers.

The action of both courts pleased the *Gazette*, but there was such a howl of protest made by the press as a

¹³ Fred E. Beal, Clarence Miller, Joseph Harrison, and George Carter, organizers from the North; W. M. McGinnis, Louis McLaughlin, and K. Y. Hendrix, southern workers. The women released were Vera Bush, Sophie Melvin, and Amy Schechter, all from New York.

whole that Governor Gardner sent Judge McElroy on a special mission into Gastonia to hold special hearings on the Wiggins murder. As a result fourteen men were held on November 24 to be tried by the next grand jury in January. They came before Judge J. H. Clement at Charlotte on February 24, 1930. After a trial lasting two weeks all of them were acquitted.

In March union organizers were being arrested and beaten up again on sight.

On August 20, 1930, the Supreme Court of North Carolina denied the appeal of the seven men convicted in the Aderholt case, and ordered them to the penitentiary.¹⁴

In the winter of 1930 I visited the Loray Mill village. There was no open activity of the National Textile Workers. The union had been driven completely underground. The huge Manville-Jenckes mill was working its usual 12-hour shifts; the wages had been further reduced; the operatives were as undernourished and as miserable as before the strike. Ella May Wiggins was the only one at peace. The tent colony was no more; the old union hall remained. From an improvised flagpole nailed on its side the stars and stripes were flying in the breeze. The flag had been run up there by the Committee of 100 to indicate to the world that the Loray cotton mill and America had won.

¹⁴ The seven men failed to appear to serve their sentence. Their bail was forfeited.

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