

Inactive

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
Washington

WAGE-HOUR SUPREME COURT CASE ENDS IN \$2500 FINE

Fred W. Darby, sawmill operator of Statesboro, Ga., who challenged the constitutionality of the Federal Wage and Hour Law and lost before the United States Supreme Court, today was fined \$2500 after two years of litigation.

The fine was imposed by Judge Bascom Deaver after a jury in the United States Court for the Southern District of Georgia, at Savannah, had found Darby guilty on eleven counts.

The case had gone back to the District Court to be tried on the facts after Harlan W. Stone, now Chief Justice of the United States, had upheld the constitutionality of the law in an opinion unanimously concurred in by the other justices of the high court.

Eight of the counts on which Darby was convicted were for failure to pay time and one-half for overtime. One count was for failure to keep records in accordance with the regulations of the Wage and Hour Division. Two counts were for shipment in interstate commerce of lumber produced in violation of the law.

The case was tried for the government by George Downing, Regional Attorney for the Wage and Hour Division at Atlanta, Ga. The trial took two days and the jury was out for two hours before returning its verdict.

###