

# POPULAR GOVERNMENT

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June-July, 1953



*In This Issue*

**Training Center**

**On Delinquency and Youth Crime**

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Published by the Institute of Government • University of North Carolina • Chapel Hill



# POPULAR GOVERNMENT

Published by the Institute of Government

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*Conferring during the First Institute for Parole Board Members held at the Institute of Government are three key figures in the program, from left to right, Milton G. Rector, Director, National Council on Crime and Delinquency; V. L. Bounds, Director, U.N.C. Training Center on Delinquency and Youth Crime; and Richard A. Chappell, Chairman, U. S. Boards of Parole.*

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# *A Training Center on DELINQUENCY and YOUTH CRIME*

## **Institute of Government's V. L. Bounds Is Director of Training Center Operating Within Institute Structure**

A Training Center on Delinquency and Youth Crime is now an important reality at Chapel Hill. The Training Center is one of several established within the past year at selected universities throughout the country. It operates within the Institute of Government Knapp Building, within the framework of the Institute of Government and the University of North Carolina,

For the past year Training Center Director V. L. Bounds has been busy turning the grant to the University (he wrote the original grant request) from a paper authorization into a flesh and blood program.

On February 10-16 of this year the Training Center activities took a giant stride when it co-sponsored with the National Parole Institute the First Institute for Parole Board Members. More recently a series of schools and conferences have been held. A staff has been selected for the Training Center.

The story of these first months of the Training Center designed to answer the challenge of juvenile delinquency and youth crime in North Carolina and to help solve the problem nationally is told in the words of the Governor of North Carolina, the Director of the Training Center, and a key Juvenile Court Judge on the following pages. These are but the first chapters in what promises to be a continuing and fruitful effort.

### **THE TRAINING CENTER ON DELINQUENCY AND YOUTH CRIME**

In July, 1962, the President's Committee on Juvenile Delinquency and Youth Crime announced a number of grants made under the Juvenile Delinquency and Youth Offenses Control Act of 1961. One of the grants was made to the University of North Carolina to establish a Training Center on Delinquency and Youth Crime within the administrative structure of the Institute of Government.

The Director of the Training Center on Delinquency and Youth Crime is responsible administratively to the Director of the Institute of Government, and the facilities of the Institute are used for most of the Center's activities. In the formulation and conduct of the Center's program, the Director of the Training Center is aided by the advice and counsel

### **TRAINING CENTER STAFF**

#### **Administrative Staff:**

V. L. Bounds, Program Director

Ben Overstreet, Jr., Correctional Training Coordinator

Dorothy J. Kiester, Community Training Coordinator

Richard R. McMahon, Program Analyst

#### **Faculty Associates:**

Roddey M. Ligon, Professor of Public Law and Government

Alan Keith-Lucas, Alumni Distinguished Professor of Social Work

Ralph L. Dunlap, Associate Professor of Psychology

R. J. Hallberg, Assistant Professor of Psychiatry

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S. R. Fudge, Lecturer in Social Work

Richard S. Corry, Psychiatric Social Worker

#### **Retained Consultants:**

Charles E. King, Professor of Sociology, N. C. College

Mason P. Thomas, Jr., Judge, Wake County Domestic Relations and Juvenile Court

of a committee composed of the chief administrative officer, or his representative, from each unit of the University cooperating in the development and implementation of that program.

When fully developed, the Center's program will include courses of up to one semester in length for the various categories of personnel working to prevent and control delinquency and youth crime. The Center is striving for complete coordination of its program with related research and training at this University and elsewhere, with related community programs, with the work of the Governor's Committee on Juvenile Delinquency and Youth Crime in North Carolina, and with the projects and programs supported by the President's Committee on Juvenile Delinquency and Youth Crime.

## THE FIRST INSTITUTE OF THE NATIONAL PAROLE INSTITUTES

Among the grants announced by the President's Committee in July, 1962, was one to be administered by the National Council on Crime and Delinquency for the explicit purpose of developing a series of institutes for members of paroling authorities throughout the United States. This grant helped establish the National Parole Institutes, sponsored by the Advisory Council on Parole of the National Council on Crime and Delinquency, the United States Board of Parole, the Association of Paroling Authorities, and the Interstate Compact Administrators Association for the Council of State Governments.

The first institute developed by the National Parole Institutes will be conducted at the University of North Carolina's Institute of Government with the cooperation of its Training Center on Delinquency and Youth Crime. Representatives of twenty full-time parole boards, selected so as to give the widest range of geographic representation, will come to Chapel Hill to participate in this institute.

The fact that two organizations supported in part by grants made under the Juvenile Delinquency and Youth Offenses Control Act of 1961 are working together in this training endeavor is illustrative of the coordination of effort encouraged and facilitated by the President's Committee on Juvenile Delinquency and Youth Crime.

### COMMUNITY ORGANIZATION WORKSHOP

The President's Committee joined with UNC's Training Center on Delinquency and Youth Crime in sponsoring a workshop on curriculum and training problems resulting from the changing nature and emphasis of community organization for planned change. This workshop was held at the Institute of Government March 15-17, 1963. Eighteen educators and practitioners attended. They came from ten universities and five cities where major projects are underway to demonstrate the effectiveness of a comprehensive and coordinated community attack on delinquency and youth crime. The President's Committee was represented by four staff members.

### INSTITUTES FOR JUVENILE COURT JUDGES

An average of fourteen judges attended the four Friday afternoon-Saturday morning sessions of an institute for juvenile court judges held at the Institute of Government in March, April, and May of this year. Major responsibility for the development and conduct of this institute was borne by the Training Center's Consultant on Juvenile Courts, Mason P. Thomas, Judge of the Wake County Domestic Relations and Juvenile Court and President of the North Carolina Domestic Relations and Juvenile Court Judges Association. Judge Thomas appointed a committee of judges and chief probation officers of juvenile courts to work with the Center's staff and faculty associates in developing the program. The National Council of Juvenile Court Judges and the National Council of Crime and Delinquency cooperated in this training effort by supplying materials and providing consultants to assist in the planning and conduct of the sessions. Similar assistance was rendered by the Children's Bureau of the Federal Department of Health, Education, and Welfare.

### SEMINARS FOR PROBATION OFFICERS

The North Carolina Probation Commission's entire staff of seventy-nine officers and their supervising superiors attended a three-day training session at the Institute of Government Oct. 31-Nov. 2, 1962. At this session a foundation was laid for a series of seminars to be conducted by the Training Center on Delinquency and Youth Crime in the spring and early summer of 1963 for small groups of proba-

## A TRAINING CENTER: *Delinquency, Youth Crime*



*During a recess in meetings of the First Institute for Parole Board Members, three delegates pause in the Knapp Building. From left to right, Eugene J. Czachoski, Illinois Youth Commission; Leonard R. McConnel, Michigan Parole Board; and Hugh F. Rivers, District of Columbia Board of Parole.*

tion officers. Each officer was assigned to attend one of four five-day seminars. Their supervisors attended planning sessions before and evaluation sessions after the seminars were held.

### YOUTHFUL OFFENDER INSTITUTES

The Institute of Government's Training Center of Delinquency and Youth Crime is working with the National Council on Crime and Delinquency in the development of training institutes based upon a study of the youthful offender sponsored by the Council. A planning conference for this purpose was held here in May, attended by the principal drafters of each chapter of the study. An institute based on the chapter dealing with youth correction institutions will be held at the Institute of Government August 6-8, 1963.





*Pictured during one of the conferences at the Institute for Parole Board Members in Chapel Hill, from left to right, T. H. Reiber, Pennsylvania Board of Parole; John Matthews, North Carolina Board of Parole; Harris G. Hunter, Washington Board of Prison Terms and Paroles; and William F. Howland, U. S. Board of Parole.*

# FIRST INSTITUTE FOR PAROLE BOARD MEMBERS

At Institute of Government

The theme of the First Institute for Parole Board Members, held at the University of North Carolina's Institute of Government in February, was "Realistic Problems of Decision-Making in Parole."

The Parole Board members, in conference and workshop, listened to expert faculty members discuss such matters as "Decision-Making Concepts and Board Member Roles," "Institutions and Parole" (Role as Regulator), "The Uses of Parole Prediction" (Role as Evaluator), "Human Factors in Decision-Making" (Role as Executive), "Back-Home Problems," "The Rights and Privilege Controversy in Parole" (Role as Judicial), "Dynamics of the Youthful Offender" (Role as Evaluator), "The Decision-Making Process" (Executive Role), "Citizen's Role," "Individual Analyses of Cases." In addition to hearing speakers, the Parole Board Members exchanged information and experiences and together examined the forces which confront them in their official roles—public opinion, parole risks, staff relationships, etc.

The Chapel Hill Institute, first of its kind, will be followed by others at selected universities throughout the country. The University of North Carolina is one of six universities at which training centers on crime and delinquency have been established with the aid of grants made under the Federal Juvenile Delinquency and Youth Offenses Act of 1961. The centers are scheduling courses for a wide range of officials and workers concerned with prevention and control of delinquency and youth crime. The courses will run up to a full semester. The grants are made by the Department of Health, Education, and Welfare for training projects coordinated by the President's Committee on Juvenile Delinquency and Youth Crime.

## **Attending First Parole Boards Institute**

The following officials from all over the nation were delegates to the first Institute for Parole Board Members to be held in the United States under the President's new program to combat juvenile delinquency.

William F. Howland, United States Board of Parole; T. H. Reiber, Pennsylvania Board of Parole; Pleasant C. Shields, Virginia Parole Board; Hugh F. Rivers, District of Columbia Board of Parole; Roy W. Russell, Florida Probation and Parole Commission; Eugene J. Czachorski, Illinois Youth Commission; Mark M. Maxwell, Idaho State Board of Correction; Joseph S. Coughlin, Wisconsin Parole Board; Harris G. Hunter, Washington State Board of Prison Terms and Paroles; Paul C. Wolman, Maryland Department of Parole and Probation; Johnson Matthews, North Carolina Board of Paroles; Russell G. Oswald, New York Board of Parole; Ben B. Stewart, Missouri Board of Probation and Parole; Leonard R. McConnell, Michigan Parole Board; Dibert L. Yeagley, Kansas Board of Probation and Parole; Glenn E. Douthitt, Indiana Parole Board; Heman G. Stark, California Department of Youth Authority; John W. Brewer, California Adult Authority; George Street, Dominion of Canada Board of Parole.

## **Instructors and Staff for First Parole Institute**

Instructors for the Parole Institute, drawn from the faculties of five universities and representing five relevant disciplines, included: Dr. Daniel Glaser, Professor of Sociology at the University of Illinois and Director of the Ford Foundation Research Project on the Effectiveness of the Federal Correctional System; Dr. Jerry B. Harvey, Instructor of Psychology at the University of Texas; Sanford H. Kadish, Professor of Law at the University of Michigan; Dr. Herbert C. Modlin, Director of the Law and Psychiatry Division at the Menninger Foundation and Associate Clinical Professor of Psychiatry at the University of Kansas Medical School; Dr. Clarence Schrag, Professor of Sociology and Director of the Training Center on Delinquency and Youth Crime at the University of Washington. Staff assistance was provided by Vincent O'Leary, Director of the National Parole Institutes, and Patrick M. Smythe, Assistant Director of the National Parole Institutes.



*Charles Cahoon, far left, Director of Probation for the State of North Carolina, and George Randall, left, Director of Prisons for the State, address probation officers during their tour of prison facilities at Raleigh in July.*



*A guard directs probation officers through the heart of the prison. Such tours fit into the broad framework of the Training Center on Delinquency and Youth Crime by establishing a realistic approach to some of the problems which face those who deal with correctional institutions today.*

*Members of the probation group head toward the center for industrial woodwork rehabilitation, a part of the North Carolina Prison Enterprises in Raleigh.*

# A TOUR OF CENTRAL PRISON

## NORTH CAROLINA PROBATION OFFICERS:



*Inside the walls of Central Prison, a prison officer lectures to probation officers on special facilities at the penal institution.*



# THE GOVERNOR'S ADDRESS

## To First Institute for Parole Board Members

By Governor Terry Sanford

EDITOR'S NOTE: North Carolina's Governor Terry Sanford addressed the First Institute for Parole Board Members at the Institute of Government Building. POPULAR GOVERNMENT carries his remarks in print for the first time on these pages.

I understand that this is the first in a series of institutes for parole board members to be held at different places across the United States. North Carolina is proud of her growing list of "firsts." I consider this one a highly significant addition. Adding to its significance is the fact that this is the effective beginning of two complementary programs.

The National Parole Institutes program is administered by the National Council on Crime and Delinquency. Sponsors include the Association of Paroling Authorities, the United States Board of Parole, and the Interstate Compact Administrators Association of the Council of State Governments. Each succeeding institute in the N.P.I. series may have a different theme, but all will be designed to provide parole authority members and administrators with the opportunity to meet as you are meeting to learn new concepts and techniques and to review experiences related to parole. The N.P.I. program is an outstanding example of the short-term institutes receiving Federal support under the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Support from the same source and under the same authority has helped us to establish the Training Center on Delinquency and Youth Crime at the University of North Carolina's Institute of Government. This is one of a number of such centers so established at universities throughout the country. These centers provide a concentration of resources, knowledge, staff, and facilities on a long-range basis for the training of all categories of personnel who work with youth.

Thus, national and local endeavors are here joined for greater strength and enduring benefits. This is a commendable example of the coordination encouraged nationally by the President's Committee on Juvenile Delin-

quency and Youth Crime and in this State by a committee I have appointed to promote the same purposes. By coordinating these two programs in this way, the immediate and long range impact of this particular institute is greatly increased. I believe we are here engaged in an endeavor of immense and lasting value.

I am sure you will agree that crime and delinquency prevention and control call for concerted action by all agencies concerned with the administration of justice. Law enforcement agencies, courts, and correctional agencies must work together in accordance with a consistent set of principles to achieve their common aim.

The aim of the American system for the administration of justice is the protection of the public by measures consonant with our concepts of due process and individual dignity. This aim has at least three elements.

The first is the swift, certain, and impartial imposition of sanctions against individual law-breakers. This requires sound laws and effective agencies of apprehension and prosecution.

The second element is the provision of proper controls for those who are unable to live a law-abiding life in a free community. Society has a right to expect protection against repeated crime by convicted persons.

However, more than apprehension, imposition of sanctions, and provision for control is required if the administration of justice is to be successful. Each year millions of offenders are convicted in our criminal courts. The vast majority of these never leave free society or are released after a relatively short confinement. Therefore, the third element must be a concern with developing self-control among those who break the law. Only when this is done can we claim success for our efforts to prevent repeated

crime.

The experience of being apprehended and penalized is sufficient to develop self-control in some violators. For another relatively small group of offenders, neither penalties nor present knowledge about human behavior seems sufficient. We must provide for identifying and holding in safe custody for extended periods these offenders whose early release would endanger free society.

The overwhelming mass of law violators are vocationally unskilled, mentally or emotionally impaired, alcoholic, or simply socially untrained. Penalties and custody are not going to remove the root cause of their criminality. They require the attention of skilled persons who can bring to bear on these individual problems the scientific knowledge which we do have about human behavior. They need help to develop the vocational and social skills and the self-control required for law abiding life in free society.

General public support for sound measures to prevent and control criminal and delinquent behavior is needed as never before. Each year we see the number of law violators increasing at a more rapid rate than our population is growing. Since the 18- to 25-year-old age group contribute heavily to our crime burden, we are faced with the high probability of a further rise in the crime rate as the youngsters born during the post-war "baby boom" reach this age of difficult adjustments.

We seem to be spinning in an inflationary spiral of institutional failures. Home and community inadequacies contribute to the development of juvenile delinquency. Too many delinquents pass uncorrected through the juvenile courts and correctional agencies into the courts and correctional services for adult offenders and out again with their criminality confirmed.

Clearly the confirmed criminal is the least hopeful prospect for shaping into a self-respecting and responsible citizen, willing and able to contribute constructively to the progressive development of a free society. We must not abandon all hope and cease our efforts to develop self-control and proper attitudes and aims among even the most hardened maximum custody prisoners. But we should place the greatest stress upon programs designed to stop the growth of criminality as close to the seed stage as we can get.

The seeds of crime are large in number and varied in form. The vexing complexity of crime causation calls for complete mobilization, proper coordination, and full utilization of many resources to meet the ominous threat to the stability of our social order posed by the accelerating growth of this age-long social problem.

To effectively cope with this challenge, public and private local resources, as well as state and federal programs, must be mobilized to move vigorously and imaginatively on a wide front. Even if all agencies directly connected with our system of criminal justice work harmoniously together, the system will fail to accomplish its mission if forced to operate in a hostile and inadequate society.

Therefore, when you consider your responsibilities as parole board member, you should not limit your concern to passing upon the cases officially before you. Your responsibilities as high office holders in a constitutional democracy include the exercise of leadership in the struggle of the people toward the realization of their full potential for a productive, healthy, and free society of self-respecting and responsible citizens.

The need for bold and imaginative leadership was never greater. Improvements must be made in our correctional methods, and the general public must be brought to understand and support constructive changes. You have a special responsibility to explain the nature and need for parole, and correctional innovations related to parole. But in your role as a citizen leader, you also have a responsibility to promote full mobilization and effective coordination of all resources for the prevention and control of crime and delinquency.

One resource of obvious importance is our public school system. I am convinced that meeting in a better way the educational and training needs of more of our people will carry us far toward the solution of some of our most perplexing problems, including those created by increased crime and delinquency. I am making public school improvement the keystone of my administration as Governor of North

Carolina. I believe free quality education is essential in a democracy for the development of a responsible and progressive citizenry.

The public schools may well be the place where we can first discover and correct criminal tendencies before their manifestation multiplies the problems of correction. The behavioral scientists are beginning to push back the frontiers of ignorance about the mental and emotional makeup of man. There is basis for belief that criminal characteristics can be detected in the formative stages when habit patterns are easier to alter. We must make the knowledge possessed by behavioral experts known to school personnel. We must use science to rip up the roots of crime before they sink deep and spread far into the developing personality of a schoolboy or girl.

I am not claiming that it is possible for us to eliminate the criminal element from our population by improving our public schools. I am not suggesting that we have reached the point where we can single out for correctional treatment every incipient criminal while still a school child. I am not asserting that we can correct every child believed to be headed toward a life of crime. What I am saying is that we must make fuller use of advancing knowledge for these purposes. By developing and using the full potential of our educational resources, I am confident that we can appreciably reduce the incidence of delinquency and crime.

One consequence of our failure to provide adequate schools is revealed by the appalling rate of unemployment among out-of-school youth between 16 and 20 years of age. This rate is more than double the rate for all age groups.

School inadequacies are at least partly to blame for the growing number of school dropouts. Youngsters with inadequate schooling have great difficulty securing and retaining satisfactory employment. Unemployed and dissatisfied young people are much more likely to become delinquents or youthful offenders than are young people with worthwhile jobs. Stating the obvious serves to point up the importance of doing all that we can to provide our youth with the education and training they will need to find satisfying employment in the labor market of today and tomorrow.

Here in North Carolina we are developing a very good vocational training program in the Industrial Education Centers located throughout the State. I am confident this program could meet the training needs of many young people who are not participating because they are not aware or not appreciative of the training available

to them at these centers.

I have recently established the North Carolina Good Neighbor Council whose mission is to urge youth to become better trained and qualified for employment and to encourage the employment of qualified people without regard to race. I have asked all mayors and chairmen of boards of county commissioners to establish local Good Neighbor Councils. While the Good Neighbor program is not primarily directed toward the prevention of crime and delinquency, this will be an important consequence of its success.

Unfortunately we are not going to be completely successful in our efforts to prevent crime and delinquency. I accept the regrettable probability that we shall continue to be confronted with a large number of young people whose misbehavior will extend beyond the correctional capabilities of family, church, and school. But I believe we can provide better services to help them find their way back to the path of rectitude as soon as possible after their first departure from it.

Several years ago I served as chairman of a commission appointed by Governor William B. Umstead to study the juvenile courts and correctional institutions of North Carolina. Throughout our study we adhered whole-heartedly to the concept that the proper function of a juvenile court and correctional system should be to correct unbalanced behavior patterns through guidance and training rather than to serve as a tribunal and instrument of punishment. That concept still guides my thinking in this area.

Our children, delinquent or not, are worth the expenditure of greater effort and more money to provide the help they need to achieve their maximum usefulness as citizens of a free democracy. The additional money required to provide adequate programs will raise what we are now spending for inadequate services from an unproductive outlay of tax money to an investment that will ultimately yield profits far exceeding the sum invested.

We must broaden and strengthen our programs for prevention, our juvenile and criminal court services, and our systems of community treatment, such as probation. But for the foreseeable future, we will be forced to deal with a number of offenders who will need to be removed from the community for a time. We must never cease our search for ways to keep this number as small and the time as short as we can without unjustifiable risk to the public. Major dependence must be placed upon you members of full time parole boards to provide the requisite leadership.

*(Continued on Page 24)*



# JUVENILE COURT JUDGES DISCUSS YOUTH PROBLEMS

By **Mason P. Thomas, Jr.**

*Judge, Wake County Domestic Relations and Juvenile Court, Raleigh*



Several North Carolina cities (Charlotte, Asheville and Greensboro) recognize that specialized youth officers are needed to meet juvenile delinquency problems and make appropriate referrals to the juvenile courts. They have established youth bureaus in their police departments. Winston-Salem Police Department is considering such a program. In some cases, these youth officers have taken educational leave to secure training to qualify themselves for this specialized police service. Such officers have had to leave the State to secure this training.

Most cities, towns, and counties in North Carolina have no special youth officers. We must therefore depend primarily upon our regular law enforcement officers to meet juvenile delinquency problems.

Experts in prevention and treatment of juvenile delinquency recognize that law enforcement plays a crucial role in meeting delinquency problems at the community level. The officer is usually the first person in authority to have contact with a delinquent child. If this contact is properly handled, the stage is set for a helping relationship with the child in juvenile court. If the law enforcement officer is not able to carry his appropriate role, he has missed an important opportunity to help a child and serve his community.

## **Juvenile Court Procedures**

North Carolina has one set of laws and procedures which govern the handling of adult criminals. Different procedures and special courts are established by law for offenders under

sixteen years of age within the jurisdiction of our juvenile courts. Perhaps our law requires too much of law enforcement officers. They must learn two sets of laws and procedures—one for adult criminals, another for juvenile delinquents. These two types of procedures sometimes become confused in actual practice.

The N. C. Conference for Social Service has been interested in a training program for law enforcement officers who work with children. They suggested a one-day institute on law enforcement and juvenile delinquency. The N. C. Association of Domestic Relations and Juvenile Court Judges adopted this idea and sought joint sponsorship for such a program with other interested groups. The N. C. Police Executives and the N. C. Sheriffs' Association were approached and decided to jointly sponsor such a program with the juvenile court judges. Eventually, eight interested groups decided to jointly sponsor a one-day institute, including the Governor's Committee on Delinquency and Youth Crime, the Training Center on Delinquency and Youth Crime of the Institute of Government, the N. C. Board of Correction and Training, the N. C. State Highway Patrol, and the N. C. Conference for Social Service.

## **Program for Juvenile Delinquency Institute**

Each of these eight sponsors was represented on a program committee. The *Institute on Law Enforcement and Juvenile Delinquency* was held on March 13, 1963, at the Institute of Government. There were 161 law en-

forcement officers, juvenile court judges, and juvenile probation officers present for the program. The large attendance by sheriffs, police officers and other law enforcement people indicated their concern about the many difficult problems in this field.

As president of the N. C. Association of Domestic Relations and Juvenile Court Judges, I presided over the morning session. The group was welcomed by Mr. John L. Sanders, Director, Institute of Government.

Judge E. S. Heefner, Forsyth County Domestic Relations and Juvenile Court, presented the *Philosophy of Juvenile Court*. The juvenile court is not an inferior criminal court. It must study the delinquent child and develop a treatment plan to meet his needs. This approach is a drastic departure from traditional criminal law philosophy that "the punishment should fit the crime." The needs of the child become more important than his offense. Treatment and rehabilitation replace punishment.

Professor Roddey Ligon, Assistant Director, Institute of Government, discussed the *Differences in Law and Procedures for Children and Adults*. In dealing with an adult offender, the law enforcement officer will sign a criminal warrant if he believes his case can be proved beyond a reasonable doubt. He will arrest and jail the defendant. The adult so charged has the right to post a bond pending an adversary trial conducted under strict rules of criminal procedure and evidence. Usually, the defendant has the right to trial by jury. If convicted

*(Continued on Page 25)*

## The Institute Covers the Legislature:

# The 1963 Legislative Service— A Tradition in New Environs

By ELMER OETTINGER

Assistant Director, Institute of Government



The statutory songs of the 1963 North Carolina General Assembly may be over, but for the Institute of Government their melody lingers on. The two legislative chambers in the new Legislative Building have become strangely silent, yet for weeks after the session the Raleigh and Chapel Hill basement office of the Institute legislative staff remained a beehive of activity.

Every day during the 1963 session five Institute of Government staff members covered the General Assembly, analyzed carefully each bill introduced, followed its course, and published their analytic record of the Legislature in a daily Legislative Bulletin, a Weekly Summary, and in special communications. Now, with the Legislature gone home, they helped to work up a final summary which will present the complete picture of legislative action. In this latter endeavor they share considerable work with the rest

of the Institute staff. Occasionally, during the session they also had assistance from other staff members. But, by and large, Clyde L. Ball (who was in charge), David N. Smith, Robert L. Gunn, Allan W. Markham, and William H. Stepp, Jr. bore the central responsibility for continuing a tradition of Institute legislative service of almost three decades.

In addition, two other Institute of Government staff members, Robert G. Byrd and C. E. Hinsdale held forth daily in separate offices upstairs in the Legislative Building. They were carrying on a special service, begun by the Institute in 1931 at the request of the Speaker of the House and Presiding Officer of the Senate, whereby legislative committee chairmen could call upon them for advice and assistance in drafting legislation. The pioneers in this drafting service in the 1961 session had been John L. Sanders and Donald Hayman. Each day the



*Complete coverage of every bill introduced to the Legislature keeps typewriters in the Legislative Service office in constant motion.*

*Topping the stack of material on a senator's desk is the Institute of Government's Daily Legislative Bulletin.*

publications produced by Clyde Ball and his four Institute colleagues, with the assistance of a bevy of typists and production line helpers, were read by State and local officials all over North Carolina and national officials in Washington, as well as by professors, students, and other interested citizens in university, school, and public libraries, homes, and offices. The corpus of the Institute legislative bulletins revealed the entire work of the Legislature the previous day: complete analysis of each bill introduced, a running report on what happened to all legislation during the previous day's session, certain special information (e.g., the time and place of next meeting of House and Senate). Each day legislators called or dropped by the Institute's Raleigh office to seek help or make comment, or, occasionally just

*Clyde L. Ball, head of the Legislative Service, pauses to correct a draft.*







*David N. Smith leans over the desk to prove a point to William H. Stepp, Jr.*

to be friendly. Thus it has been for many sessions, although in the proximity of the new Legislative Building, undoubtedly more members came by than ever before.

There were long hours, especially in the latter weeks of the session, when bill introductions increased sharply and legislative committee and floor action were at peak. It was not unusual for the "late man" to get home at 2:00 or 3:00 in the morning, after

having put the Bulletin to bed. But thus it had been since the thirties, as the memory of many Institute staff members, present and former, will attest.

Turn the clock back six years and the names of the Institute legislative staff covering the 1957 session, were, aside from Ball, different: Philip P. Green, Jr., Joseph P. Hennessee, John L. Sanders, and Durwood S. Jones. Turn it back to 1951 and the names

were Henry W. Lewis, George H. Esser, Jr., J. Shepard Bryan, Jr., Ernest W. Machen, William E. Poe, Basil Sherrill. In 1947 they were Peyton W. Abbott, Clifford L. Pace, Louis Cherry, William M. Cochrane, Terry Sanford, Samuel R. Leager, David H. Scott, and Henry W. Lewis. In 1937 they were Henry W. Brandis, Marian R. Alexander, and Harry W. McGalliard. And in 1935 they were Brandis, T. N. Grice, and Dillard Gardner. That was the first year that the Institute of Government did a daily report on the General Assembly.

But in 1933, following the session, Henry Brandis had actually begun the Legislative Service. In January 1934 the Institute published its first legislative summary: "Legislation: General Assembly 1933." After the session Brandis had gone to Raleigh and analyzed every piece of legislation passed in 1933 by the North Carolina General Assembly. In his preface to the volume he wrote prophetically: "The Institute believes that in each future legislative year with a complete staff beginning work on the first day of the legislative session, it will be able to present within a short time after adjournment, a volume infinitely superior to this monograph, carrying to the citizens and public officers of the State a complete analysis of the significant handiwork of their Legisla-

*Allan W. Markham (left) and Robert L. Gunn discuss a current house bill.*



*All copy produced by the Legislative Service passes through the hands of Ball.*





## Institute Legislative Staff: 1933-1963

The names of Institute of Government staff members who have worked as part of the Institute's legislative service include many individuals who are well-known in the public life of the State. The legislative staff through the years is published below for the first time. The list is designed to include only those staff members who were assigned to serve full time during the legislative sessions, covering daily sessions, analyzing and keeping track of all legislation, and writing and publishing the daily and weekly legislative bulletins and summaries. The list does not include other staff members who gave of their time and talents to fill in or assist when needed. Nor are the many who played roles in the production and distribution process (typists, mimeographing operators, etc.) noted. Their efforts, however, are nonetheless remembered.

Year	Institute Legislative Staff
1933	Henry W. Brandis, Jr. (final summary only; daily and weekly legislative service begins in 1935)
1935	Brandis, T. N. (Buck) Grice, Dillard S. Gardner
1937	Brandis, Marion R. Alexander, Harry W. McGalliard
1939	Alexander, McGalliard, Elmer R. Oettinger
1941	Oettinger, George Riddle, Ashley Seawell
1943	Clifford Pace, Peyton B. Abbott
1945	Pace, Abbott, John Fries Blair, Louis H. Cherry
1947	Abbott, Pace, Cherry, Henry W. Lewis, W. M. Cochrane, Terry Sanford, Samuel R. Leager, David H. Scott
1949	Pace, Lewis, George H. Esser, Jr., John Alexander McMahon, D. W. McCoy, J. D. Phillips, Jr.
1951	Lewis, Esser, J. Shepard Bryan, Jr., Ernest W. Machen, William E. Poe, Basil L. Sherrill
1953	Lewis, Esser, McMahon, Sherrill, John Pershing, Jr.
1955	Lewis, Esser, McMahon, Philip P. Green, Jr., Robert E. Giles
1956	Green (Special Session)
1957	Green, John L. Sanders, Joseph P. Hennessee, Clyde L. Ball, Durward S. Jones
1959	Ball, Hennessee, Milton Heath, Jr., Robert B. Midgette, Hugh Cannon
1961	Ball, Heath, L. Poindexter Watts, Marion Benfield, Dudley Humphrey; with Donald B. Hayman and Sanders in new legislative research and drafting service
1963	Ball, Allan W. Markham, David N. Smith, Robert L. Gunn, William H. Stepp, Jr.; with Robert G. Byrd and C. E. Hinsdale in research and drafting service



C. E. Hinsdale, serving with the Institute's Legislative Drafting Service, consults the daily bulletin during a telephone conference.



Working on the Legislative Drafting Service, Robert G. Byrd studies current legislation.

ture, reduced to its simplest terms and placed against the perennially lively background of human and civic affairs."

Brandis announced his own aim as follows: "... to interpret (or, where there is no interpretation to be offered, merely to summarize) the changes made in the statute law of the State by the 1933 Legislature and to present some of the problems which result from those changes."

Even with these self-stated limitations, his accomplishments in that first year were prodigious. He laid the foundations of the Legislative Service with his work. He digested all the general laws; he wrote the results of his digests in a 261-page summary (classi-

fying the laws under 20 headings and 70 sub-headings) that was distributed to State and local officials, newspapers, and private citizens throughout the State. This summary was published as the third issue of *Popular Government*.

Brandis also made 100 digests of local legislation and wrote 100 summaries for the 100 counties and for every city, town, and subdivision, and these typewritten summaries and an index of new laws were distributed to appropriate local officials throughout the State.

The next sessions, in 1935 and 1937, Brandis, Dillard Gardner, and T. N. "Buck" Grice, Marion Alexander, and Harry McGalliard, covered the Gen-

eral Assembly as a "team," prepared daily "Legislative Bulletins" containing analyses of all bills introduced and action taken, put it on the desks of legislators, the Governor, and other State officials and mailed it to city, town, and county officials and to schools, business concerns and individuals in time to be read the following morning. They further prepared and distributed a series of 17 mimeographed weekly digests of local legislation throughout the State and sent typed bulletins summarizing legislation acted upon that day to officials in the particular towns and counties concerned and to newspapers. They completed a summary of general legis-





Secretary Mrs. Marie Denmark find typing for the Legislative Service a never ending task.

lation, published in *Popular Government*, county summaries of local legislation, and summaries of legislation for each group of local officials in time for discussion at annual Institutes, and compiled replies from State officials to questions concerning new laws and used them as a basis for discussion at the Institutes.

They also expanded the distribution of the service. The 1933 summaries were sent to all legislators, certain State administrative officials, clerks of court, city and county attorneys, city and county accountants, county auditors, and a few schools, newspapers, and private individuals; the 1933 index was sent in addition, to registers of deeds, sheriffs, and tax supervisors. The 1935 and 1937 daily bulletins and summaries were distributed to additional officials and individuals. In 1935 eight special summaries of specific local legislation were sent to the affected local officials and law enforcement officers. By 1937 the daily legislative bulletin went to officials in 114 cities and towns, and 79 counties, 14 departments and agencies of State government, and 15 subscribing concerns and organizations.

The first legislative summary of Brandis appeared as a special issue of *Popular Government* in 1934. Since that time the magazine has been used regularly as a vehicle for presenting a legislative summary and analysis, usually in the form of a legislative issue.

The summary of the 1935 "New State Laws" (*Popular Government*, May-June 1935, p. 13) is accompanied by a box entitled "A Service for North Carolina Officials and Citizens" and enclosing the following explanation:

"Following the policy of making available information about new legislation, inaugurated by The Institute of

Government in 1933, the accompanying Summary is designed to afford a broad-gauged picture of the Statewide laws enacted by the 1935 General Assembly.

"Though time and space do not permit the detailed analysis of particular measures, it will be found to be fairly inclusive. The editors' hope is that it will prove a useful and handy reference for public officials, lawyers, and others interested in legislation.

"The scope is necessarily limited to Statewide laws. Summaries of the new Local Acts affecting each county and town are now in preparation, and will be distributed to officials attending the 1935 sessions of the Institute of Government in Chapel Hill, June 10 and 11. The Institute will be glad to be of any service it can to local officials in procuring information concerning specific laws in which they are interested."

The "Comprehensive Summary" of "New State Laws" which appeared following the 1937 General Assembly (*Popular Government*, March-April 1937) continued the explanatory box, but specified that the Summary was "designed to provide officials, lawyers, and citizens" a picture of all the Statewide laws enacted. It also added this notation: "The next issues of this magazine will carry additional information on the interpretation and effect and on specific administrative problems raised by some of the new laws."

The policy of augmenting the information offered in legislative summary articles through pieces on specific measures or fields in subsequent issues of *Popular Government* has continued through the years and provided a useful means of widening and deepening the streams of Institute's service. Similarly, articles have been run prior or during the legislative session analyzing the legislation proposed or to be proposed by specific agencies or segments of government.

Out of Brandis' experience in the General Assembly of 1933 and his resultant insights came the basic plan and pattern for the Institute of Government service through the years to the present day. During and following that first session, the following practices and conclusions, almost all still valid and in use, were worked out: the concept of the legislative service as a team operation, growing out of first-hand evidence that it was more than a one-man job; the use of a "geographical card index system"; the conviction that material prepared for the service could not economically be submitted to legislators for checking before distribution; the decision that the inclusion

of rejected bills does not add sufficient interest to justify the additional time and expense; the belief that the major interest in the service is found in local newspapers rather than in the larger dailies [no longer wholly true]; and the prescience that the general summary must be published as soon as possible after adjournment to insure greatest value, interest, and salability.

In 1941 the author began the first Institute of Government weekly summaries, an analysis of legislative accomplishment at the end of each week of the session, which was prepared primarily for use by the State's newspapers and certain governmental sources in need of current information maintained in perspective.

Despite man-power shortages during World War II, the Institute of Government maintained its legislative coverage in the 1943 and 1954 sessions. A *Popular Government* article on the 1945 legislative service, appearing in July of that year, carried pictures of six former legislative staff members, then in the Armed Services: Brandis, Grice, Gardner, Alexander, McGalliard, and Oettinger. The author of that non-bylined article (probably Peyton Abbott, who was then in charge of the legislative service) described the challenge that faced Institute staff covering the General Assembly in this way:

"From the beginning they faced all the expected and unexpected difficulties of pioneering efforts. There was no place for them at the reporters' desks under the stands of the reading clerks in either House or Senate, nor in the open spaces around the dais of the presiding officers—only in the galleries where in single and solitary isolation they wrote down on desk pads on their knees what they picked up by ear from the intonations and the chants of the reading clerks and the comments of legislators, supplemented by a tortuous and precarious accessibility to copies of bills by virtue of

(Continued on Page 31)

Taking a moment from her secretarial duties, Mrs. Betsy Denton smiles for the cameraman.







The Institute of Government conducts an annual Municipal Administration Course, attended by city and town officials from all parts of North Carolina. Meeting at intervals each month from October through May, officials who complete the course receive certificates at a graduation ceremony. Near the end of the course the class is divided into groups and assigned specific problems in various areas of governmental study. Here one of these groups is shown in action on an assigned problem.



Professor Robert S. Rankin, right, congratulates Thomas A. Raffety, recipient of the George C. Franklin Award, given annually to the student in the Municipal Administration Course whose work is most distinguished. Mr. Raffety is manager of the Charlotte Municipal Airport. Dr. Rankin, a member of the Duke University Political Science Department, delivered the Municipal Administration commencement address.

## INSTITUTE SCHOOLS MEETINGS AND CONFERENCES



Institute of Government Assistant Director Philip P. Green, Jr., discusses a planning problem with one of the project groups during the 1963 Municipal Administration Course.



New Tax Collectors listen intently during a special school conducted by Assistant Director Henry W. Lewis at the Knapp Building in May.





Sgt. George Stewart, Commandant of the Basic Training School, lectures to future State Highway Patrolmen at the Institute's 1693 basic training school which runs 13 weeks. Announced at press time is the news that the North Carolina State Highway Patrol has for the seventh consecutive year been recognized by the National Association of Chiefs of Police as the outstanding highway patrol in the nation.



Col. David T. Lambert, Commander of the State Highway Patrol, speaks at the series of In-Service Training Schools for the State Highway Patrol. The school ran from January 7 through April 10. In charge was Institute Assistant Director Elmer Oettinger.

This lineup consists of Juvenile Court Judges in North Carolina as they participated in a round-table discussion during a seminar for Juvenile Court Judges at the Institute this spring. (See p. 7.)



Thoughtful consideration is given new topics presented at the Institute's School for County Attorneys in March, directed by Robert G. Byrd.



In full swing is the June meeting of Local Health Directors held at the Knapp Building. State Health Officer Dr. Roy Norton presided over the session.



Donald Hayman, Assistant Director at the Institute, talks with State Highway Patrolmen at one of the In-Service Training Schools. All patrolmen in the state attended one of the schools.







# 1963 BOYS' STATE AMONG BEST EVER

The Twenty-Third Annual North Carolina Boys' State brought some 407 high school student leaders to the Institute of Government for a week's intensive training in government from June 16-22. Although much of the weather was wet (for the first time in several years), the program was vital and intensive, the boys were attentive and sharp, and the result may have been the very best Boys' State since the program was begun in 1939.

From the moment on the first Sunday night when Governor Terry Sanford fascinated the Boys' Staters with a half-hour explanation of the executive responsibilities of the Governor's office plus a forty-minute question-answer session to the final Saturday night banquet when certificates and awards were presented and the boys heard an address by the winner of their own oratorical contest, the occasion was a huge success. The speakers were all well received. They included Clyde L. Ball, Assistant Director, Institute of Government ("The Legislative Branches of City, County, State and Federal Governments"); Dillard S. Gardner, Marshal-Librarian, Supreme Court of North Carolina ("The Judicial Branches of City, County, State and Federal Governments"); Professor Gordon B. Cleveland, Department of Political Science, UNC ("The Executive Branches of City, County, State and Federal Governments"); Robert L. Stallings, Jr., Director, Department of Conservation & Development ("Conservation and De-

velopment of Resources—Responsibilities of City, County, State and Federal Governments"); Frank Crane, Commissioner of Labor ("Labor-Management Responsibilities"); V. L. Bounds, Assistant Director, Institute of Government ("North Carolina's Correctional System"); I. L. Clayton, Assistant Commissioner of Revenue ("Sources of Governmental Revenues—City, County, State, and Federal"); Sam Ragan, Editor, *Raleigh News & Observer* ("The Place of the Newspaper in a Modern Democracy"); George H. Esser, Jr., Assistant Director, Institute of Government, ("Functions of City Government"); Robert G. Byrd, Assistant Director, Institute of Government ("Functions of County Government"); R. Eugene Brown, Acting Commissioner of Public Welfare ("Public Welfare Responsibilities of City, County, State and Federal Governments"); David S. Coltrane, Director, Advisory Budget Commission ("State Government Administration and Budget Administra-

tion"); Joseph L. Kissiah, Special Agent in Charge, North Carolina-South Carolina, FBI ("Law Enforcement—Federal Agencies"); Walter F. Anderson, Director, State Bureau of Investigation ("Law Enforcement—City, County, and State Governments"); L. Y. Ballentine, Commissioner of Agriculture ("Relationship of City, County, State and Federal Governments to Agriculture"); J. Everette Miller, Assistant Superintendent of Public Instruction ("The Public School System in North Carolina—Roles of City, County, State and Federal Governments"); Dr. Jacob Koomen, Jr., Assistant State Health Director ("Public Health Work—Roles of City, County, State, and Federal Governments"); Thad Eure, Secretary of State ("The Role of Political Parties in City, County, State and Federal Governments"); and Henry W. Lewis, Assistant Director, Institute of Government ("Elections and Election Laws").

Director of the 1963 Boys' State was Assistant Director Elmer Oettinger of the Institute of Government. Research Assistant James C. Harper served as Assistant Director. The counselors were composed mainly of University law students and included Ben U. Allen, Chief Counselor; Tommy Johnson, Athletics Director; David Blackwell, Henry Boshamer, Floyd Brock, James Carr, George Cochran, Ronald W. Davis, Bobby Deaver, John Fletcher, Houston Groome, John Hanft, James Johnson, Charles Mills, Russell Norville, Kenneth Oettinger, Fred Parker, William Partin, Bobby Somers, Alwood B. Warren.

The boys elected their own city, county, and state officials and conducted their own legislative session. In these sessions they put to use what they had learned from the various State officials, Institute of Government staff members, and other speakers. The elections results were written up by the boys themselves in their own daily newspaper, *The Boys' Statesman*, as follows:

"Last night John Civils and Tommy

*Lined up for the camera, some of the 1963 Counselors: from left to right, Al Warren, Bob Deaver, Houston Groome, Bill Partin, Jim Johnson, Charles Mills, Dave Blackwell, Jock Fletcher, Ben Allen, Henry Boshamer, Bob Somers, John Hanft, and Floyd Brock.*





Taft captured the top two positions in Boys' State amid heavy voting at the polls.

"John Civils was elected as our Federalist Governor over Roy Rowe, Jr. from Burgaw. Civils has made quite a habit of winning high offices such as these. He ran away from opposition at Charlotte last October when he took the Office of President of the North Carolina Student Council Congress for 1963.

"Civils' running mate, Tommy Taft from Greenville, swept the office of Lieutenant-Governor to give the Fed-

number of offices with twelve. However, even though the Federalists captured only five offices, they filled the two top offices. Boys' State wound up their convention in fine fashion by selecting a fine slate of officers. The staff, as well as the entire group of Boys' State, would like to congratulate these boys."

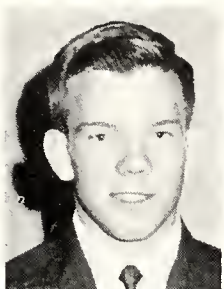
From the roster of Boys' State through the years have come many individuals now prominent in the political, educational, and professional life of the State. For example, in 1946 the director of Boys' State for the In-



Larry Parrish, Jack Reitzel, and Bill Seigler write copy for an issue of THE BOY'S STATESMAN.



John Civils, Governor,  
1963 Boys' State



Tommy Taft,  
Lt. Governor



Roy Rowe, Jr.,  
Governor nominee



Jerry Murtagh,  
Lt. Governor nominee

eralist party the top two positions. Both Civils and Taft, running on a platform of a strong central government, earned themselves a trip to Boys' Nation.

"In what turned out to be the closest contest of the night, Penn Holsenbeck from Greensboro, eased by Jones Byrd of Sanford, to take the office of Secretary of State. This was the first Nationalist victory of the night.

"The race for Superintendent of Public Instruction turned out to be a real dilly. The final count proved a tie between Mike Rogers of Gastonia and Charles McRorie of Bostic.

"The Commissioner of Agriculture turned out to be Bill Carr, Jr. of Matthew. Bill Little of Grimesland was selected as the Labor Commissioner and Gary Snook of Charlotte was elected our Commissioner of Insurance.

"Bill Morris, Jr. who hails from Lincolnton, was chosen as the Nationalist Attorney General. Mike Gilbert of Newton beat Dwaune Mitchiner of Garner to take the position of Auditor.

"Six of the seven possible offices for Justice of the Supreme Court went to the Nationalists. The Nationalist victors are: Paul Short, Gastonia; Jim Byrd, Greensboro; Howard Johnson, Garner; Cliff Butler, Dunn; Pat Smith, Beaufort; and Mark Brown, Forest City. The lone Federalist was Bruce Toy of Jacksonville.

"The Nationalists took the greater

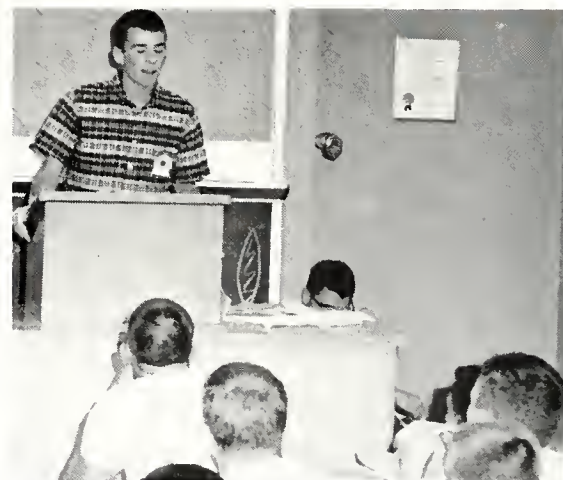


Many moods from excitement to meditation result from Boys' State Legislature Sessions.

stitute of Government was Terry Sanford; two of the counselors were William C. Friday and William B. Aycock, now President of the Consolidated University of North Carolina and Chancellor of the University at Chapel Hill, respectively. The Governor of Boys' State that year was Nick Galifinakis, now a State legislator. Similar examples could be cited from other years.

The Institute of Government has conducted the program which is spon-

Jones Byrd takes the platform to make a campaign speech in a pre-election meeting. Boys elect their own officials and conduct their own legislature.





# COURT REORGANIZATION: Some Transitional Problems

By C. E. Hinsdale

Assistant Director, Institute of Government

## Claim and Delivery Jurisdiction of Justices of the Peace

The second major question concerning the interpretation of the 1962 judicial amendments to the Constitution arose in the General Assembly in April, 1963. Reps. Zollicoffer and Godwin introduced H.B. 221,<sup>1</sup> to amend G. S. 7-122 (Jurisdiction in Actions Not on Contract) by raising the jurisdiction of JPs in claim and delivery proceedings involving the vendor-vendee relationship from \$50 to \$200. It was contended before the House Courts and Judicial Districts Committee, which considered the bill, that the trial jurisdiction of the JP was no longer limited by the Constitution (Art. IV, Sec. 27), having been removed therefrom by the adoption of the new Article IV, which makes no mention whatever of that office. Being statutory only, the limitations were within the power of the legislature to amend. No further mention of the constitutionality of this proposal was made in committee or on the House floor, where it passed on a voice vote. When it reached the Senate floor, however, it was vigorously challenged on the ground that, while the old Article IV, Section 27, was perhaps no longer a formal part of the Constitution, it was nevertheless controlling until such time as the system of District Courts required by the new Article IV was established and operative. Support for this position was derived from the new Article IV, Section 21, which reads, in part, as follows:

"... Until a District Court has been thus established to serve a county ... the laws and rules governing ... [the present courts in a county] ... and appeals from the

inferior courts to the Superior Court shall continue in force and shall be deemed to comply with the provisions of this Article." (emphasis supplied)

Additional support for this position was derived from the legislative history of the judicial amendment: it was never intended (so the argument went) that existing constitutional and statutory provisions governing the judicial system of the State should be abrogated until such time as they were replaced by an operative system of district courts.

The Senate, nevertheless, passed the Zollicoffer bill on 6 May, and it was ratified the next day. On the same day (7 May) the Attorney General issued an advisory opinion, in response to an inquiry by Senator Hamilton, concerning the constitutionality of the bill (now a law).

The Attorney General stated:

"... it is also clear that the provisions of new Article IV do not become effective until a district court has been established.

"I am of the opinion, therefore, that those who framed new Article IV, providing for a new uniform court system in the State, did not intend that the system would become effective until the General Assembly implemented the district court provisions and the General Assembly was given until January 1, 1971, to carry out this mandate. *I am further of the opinion that old, or former, Article IV, Section 27, is still in force and effect and that it was the intent of the General Assembly of North Carolina in rewriting Article IV of our Constitution to keep the old provisions of the Constitution in force and effect except that portion of Section 21 in the new Article IV which provides that immediately upon the certification by the Gov-*

ernor to the Secretary of State of the amendment that the Supreme Court and the Superior Courts shall be incorporated within the General Court of Justice, as provided in the Article. . . .

"It is our opinion, therefore, that until the General Assembly implements Article IV, that is, the new Article IV, we still remain under the provisions of old Article IV of the Constitution, and under old Article IV, Sec. 27, the jurisdiction of justices of the peace is constitutionally limited and fixed. . . ." (emphasis supplied)

Earlier<sup>2</sup> we noted that the Attorney General in the Everett opinion of 18 March 63 ruled that an amendment to Article XIV, Section 7, striking the JP from the exceptions to the double office holding prohibition, became fully effective (and operative) on 30 November 62. These opinions are not necessarily conflicting, however, since the earlier ruling did not involve Article IV. Nevertheless the sweeping, apparently unequivocal language of the Hamilton ruling may have put some questions to rest prematurely.<sup>3</sup>

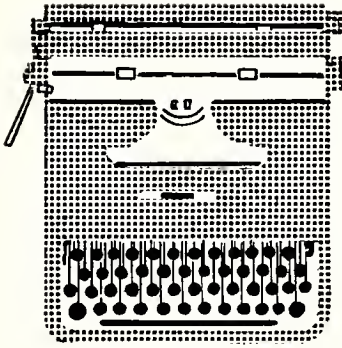
Meanwhile, Justices of the Peace to whom the question of enlarged jurisdiction in certain claim and delivery proceedings is presented, may rest assured that whichever way they decide the jurisdictional question, an early appeal is probable. It is to be hoped that such an appeal will be carried to the North Carolina Supreme Court, where the ultimate answer to this question lies.

<sup>2</sup> *Popular Government*, April-May, 1963, p.7.

<sup>3</sup> A quick comparison of the old and new versions of Article IV brings to light a number of variances, and in each case under the literal language of the Hamilton ruling the old version is controlling. Thus constables and coroners are still constitutional, elective officers; assignment and rotation of Superior Court judges is governed by the old section 11, instead of the new section 9; the Attorney General may not yet require solicitors to perform "duties related to appeals"; Superior Court clerks are still subject to removal by the judge riding the district rather than the senior regular resident judge; and so on.

1. Now Ch. 383, S.L. 1963: "... Provided, however, that justices of the peace shall have concurrent jurisdiction in claim and delivery proceedings wherein the value of the property in controversy does not exceed \$200 and provided, further, that the plaintiff or petitioner in such action has a vendor-vendee relationship with the defendant with respect to the property in question . . ."





## ● NOTES FROM . . .

## CITIES AND COUNTIES

Mayor Guy Elliott, who has served 18 years as **Kinston's** chief executive, resigned June 1 after serving longer than any mayor in the city's 201-year history.

\* \* \*

Construction of an experimental 25-acre lagoon-type sewage disposal plant for **Kinston** has been approved by the State Stream Sanitation Committee and will get underway this summer. The experimental phase of the lagoon will cover one full year and should it prove impractical, the city will construct the usual type sewage disposal plant utilizing most of the machinery involved in the experimental plant.

\* \* \*

The Town Board of **Mooreville** has authorized a study to determine if a matching fund retirement program for municipal employees is feasible.

\* \* \*

Bids are being asked by the General Services Administration for improvements to the U. S. Post Office in **Franklin**. Work will include landscaping, driveway resurfacing, and masonry improvements.

\* \* \*

Expansion of the **Lincolnton** Post Office will include space for the majority of U. S. Government offices located in **Lincoln** County. Bids for the project are being received this month.

\* \* \*

Dedication ceremonies for the new **Sandy Ridge** Post Office were held in May. The new facility is part of the Post Office Department's lease construction program. The community of **Teachey** will construct a new post office under the same program.

\* \* \*

Half a century ago Winston and Salem merged to form a single city. Birthday celebrations were held at the 78th annual Chamber of Commerce meeting in **Winston-Salem**.

\* \* \*

Anticipated proceeds from the sale of the old City Hall property in **Kinston** will be ear-marked for the acquisition of property for a large municipal parking area.

Bids are being sought to construct a new Post Office at **Hampstead**.

\* \* \*

Increase of the town board is one feature of a proposed revision of the **Surf City** charter.

\* \* \*

Bids have been taken for a 22-teacher junior high school to serve the twin cities of **Newton-Conover**. Expected cost of the educational facility is \$575,916.60.

\* \* \*

Extension of the city limits is being investigated by a committee composed of city councilmen and leading citizens in **Belmont**.

\* \* \*

Plans for a three-phase 12-month survey on urban renewal are being made in **Kinston**. "Re-location data cards" submitted by area residents, a determination of building conditions in the proposed renewal area, and appraisal of property market values are preliminary steps in the program.

\* \* \*

Finishing touches are being applied to the pump installation at the **Albemarle** filter plant which will enable the city to supply water under controlled pressure to the Pfeiffer-North Stanly water line. The city has contracted to furnish up to 250,000 gallons per day.

\* \* \*

Residents of the **West Smithfield** Sanitary District voted overwhelmingly in favor of a \$350,000 bond issue for construction of a water system. Voters favored a tax levy as a means of paying principal and interest on the bonds.

\* \* \*

A three-member board of commissioners and a mayor will form the governing body of the Town of **Micro** under a newly revised and consolidated charter.

\* \* \*

Voters went to the polls in **Scotland Neck** July 9 to decide on a special tax levy to support the community hospital.

Half the cost of water and storm drainage additions will be provided **Scotland Neck** through a \$132,000 grant under the accelerated public works program of the Community Facilities Administration. Local voters have already approved a bond issue to provide the town's share of the \$264,000 project.

\* \* \*

For the first time in its 93-year history, **Kernersville** has a zoning ordinance. The law passed in May climaxes discussions begun nearly four years ago and is one of the most extensive zoning ordinances in the state for a town of this size.

\* \* \*

Two hundred acres of open land in **High Point** are being considered as a possible industrial park if the Planning and Zoning Commission reclassify the area.

\* \* \*

Hearing on the proposed by-pass of **Newport** will take place in September. At present the new route of highway 70 has not been decided.

\* \* \*

Under a new property valuation program, the Town of **Siler City** has a net gain in property valuation of \$1,717,223. Additional increases will be received from time to time but no significant increase is expected.

\* \* \*

Congressman Ralph Scott was on hand as principal speaker at the dedication of the new **Sandy Ridge** Post Office.

\* \* \*

As the result of a special meeting, the **Mayodan** Board of Commissioners has advertised for bids on laying a new sewer line. Also okayed were sewer lines in the new Mountain Valley development.

\* \* \*

Residents of **Selma** are being served by a new \$50,000 Post Office.

\* \* \*

A proposed subdivision regulation and a recent population and economy study prepared by the Community

(Continued on Page 28)



# The Perception of Urban Environment

By DR. GEORGE S. WELSH

Associate Professor of Psychology, University of North Carolina

## Editor's Note:

It is probably safe to predict that during the decades ahead municipal officials will increasingly concern themselves with the overall livability of the communities they represent, and that as such "practical" problems as engineering, sanitation, safety, housing and others are gradually solved, the "impractical" problems of total city environment will come in for more and more emphasis.

However, many "practical" people in every community are already concerning themselves with the problem of how communities look. Architects and engineers, chambers of commerce, merchants associations, industrial developers and others are among those who most persistently raise questions about the drabness of our cities. City planners have concerned themselves with this problem for some time, as have a number of mayors and city managers.

The following article makes the point that cities not only "look," they also smell, make characteristic noises, and do other things that make profound impressions on the people who inhabit them. George Welsh, Professor of Psychology at the University of North Carolina, suggests that city planning involves more than the mere appearance of buildings and streets and urges that more attention be given

to sounds and smells in city planning and development programs.

This paper was prepared for a highly experimental Institute of Government-sponsored Seminar on the subject of "Perception and Environment: The Foundations of Urban Design," held in Chapel Hill in February, 1962 and attended by more than 60 city planners, city managers, architects and other professionals from throughout North Carolina. It represents but one of a number of outstanding papers prepared in an effort to delve into the subject of how cities influence their inhabitants, and how people in turn perceive their city environment. The seminar is further described in the October, 1962 issue of POPULAR GOVERNMENT. Eventually seminar proceedings will be published, but in the meantime Professor Welsh's paper is set out below.

Professor Welsh has been a member of the UNC faculty since 1953, and in 1956-57 was Visiting Fulbright Professor at the Institute of Psychology at the University of Florence, Italy. He is the author of several books and many articles on psychology, a member of the American Society for Aesthetics, and a Fellow of the American Psychological Association. The panoramic shot (top of page) shows the author addressing the Urban Design Seminar.

The essays of the Irish traveler and writer, Sean O'Faolain, contain some interesting comments on urban environment. In *A Summer in Italy* he notes that, "Guide-books do us a disservice by romancing about the mere paraphernalia of strangeness. Writers on Florence often begin on such a top note of lyricism that you wonder where on earth they will end. They start with talk of the City of Flowers and would be pained if one reproached them afterwards that the characteristic smell of Florence is horse-dung, its characteristic noise motorcycles and its characteristic sight money-changers."

## The Sensory Organs

Perception of the urban environment comes to us through all of our senses and it involves much more than the mere visual appearance of buildings and streets. O'Faolain reminds us that smells and sounds are important in perception and that the environment includes animals, vehicles, and people as well as structures.

No doubt vision is of crucial importance in perception and influences our response to environment more directly and with greater salience than other sensory modalities. But we must not forget that our cities include blinded persons who have to appreciate their environment without vision and who are, perhaps, more sensitive to sounds and smells than the intact citizen.

What are these sense modalities through which we perceive the world? If you look in a mirror, or glance at your neighbor here you will see a collection of organs specifically suited for the reception of particular ranges of stimulation.





The eyes are located strategically on the front of the head and bring us information in visual terms of what lies before us. Unlike some birds and animals, the woodcock, for example—we cannot see behind ourselves without turning the head. Perhaps this is just as well—it may be better to know where you are going than where you have been. Or, if you follow Satchel Page's advice, "Never look back, somethin' might be gainin' on you."

Also strategically located are the ears on the sides of the head to bring us information in auditory terms of what lies around us. We can hear what is going on behind our backs without turning even though we may incline the head to help locate the source of a sound or to increase its clarity. This auditory omnipresence has some disadvantages as well as advantages. We can sometimes shut our eyes or avert our gaze to be spared certain sights—say a particularly ugly building or a billboard—but it is difficult to avoid sounds. If we turn away from one sight we can always look at something else. But if we stop up our ears to escape one sound we may not be able to hear anything else. Probably few persons would want to wear ear plugs throughout the day, even though many city dwellers sleep with them in all night.

From the front of the head projects the nose, bringing us information in olfactory terms of the world around us. No doubt the sense of smell is less important for man than for animals since he is not obliged, like dogs, to sniff out his opportunities. But the urban environment does include various odors, aromas, scents, as well as fumes, gasses, and other olfactory effluvia. For all its sensitivity, however, the sense of smell rather readily adapts to odors and a strong stench may soon become tolerable even though not pleasant.

Below the nose is the mouth containing the taste receptors which usually cooperate with those for smell. Occasionally, though, we can speak of tasting the urban environment with some justification. On a recent trip I

drove along the Ohio River from Ashland to Huntington and the acrid fumes from some of the chemical plants there could be literally tasted as well as smelled.

The surface of the body is covered with skin which contains a series of different sensory receptors that lead to perception of touch, of temperature, of pressure, and of pain. Within the body itself lie sensory receptors in the muscles, tendons, and joints forming the kinesthetic system. This system tells us of our bodily movements and spatial position in cooperation with the vestibular system of the inner ear. All of these receptors operate in concert to bring us information about the world around us, information to which we respond in various ways.

#### The Sense Modalities

Perception of the urban environment, like any perception, must involve one or more of these various sensory modalities. Physical stimuli of different kinds and intensities are received by specialized sensory receptors; sensations are transmitted by the nervous system to various parts of the brain; the brain somehow receives, organizes, and interprets this information. Perception is an exceedingly complex phenomenon and involves much more than the apprehension of physical stimuli; it is their comprehension that is so crucial in our discussion. I would like to concentrate on the more sensory aspects of perception since they lead, though not by simple addition, to the total perception of urban environment.

#### Pain

Probably we do not often think of environment in terms of pain but there are locations where this type of perception is more than incidental. The smogs of Los Angeles are infamous in this regard but other locations are almost as bad even if less well-publicized. Regretfully I must report that one of my favorite cities, yes, San Francisco—the saint of northern California—suffers from this malady and the much-publicized "natural air-conditioning" of the ocean and bay does not always keep the air clean and

clear.

Exploitation of pain is not often deliberately sought, as far as I know, on an urban level although I suppose metropolitan masochism might be found parallel to what we sometimes find in disturbed individual persons.

#### Temperature

The perception of temperature, on the other hand, is obvious in our response to most environments. Where it is either too hot or too cold we seek to ameliorate our condition. Some modification on an urban scale is perhaps possible by the use of large bodies of water or extensive planting, but for the most part temperature control is limited to heating and cooling of individual structures. The future may see a more general solution on an urban basis with entire sections air-conditioned. Or perhaps the artificial creation or dispersion of clouds might be used to cool or heat large areas as the occasion demanded.

An individual citizen can always take some personal measure to modify his environment in this regard, and because he is mobile—unlike most cities—can relatively easily move to a different temperature if it doesn't suit him where he is. There are occupational hazards though: a friend of mine who works for Standard Oil is constantly sent off on research projects—to Bimidji, Minnesota in the winter and Yuma, Arizona in the summer.

#### Touch

Other sense receptors in the skin lead to touch but this is not often remarkable in environmental perception. Those of you who crossed the bay from Oakland mole to the Ferry Building in San Francisco may include as I do, a factual memory of the trip—the touch of the spray and the wind on your face—that combines with your visual image of the bridge and the skyline.

#### Kinesthesia

Kinesthetic perception is involved in a hilly city like San Francisco too. Whether we walk or ride, the continual change of position may be a de-

*(Continued on Page 29)*

# CIVIC ACTION AND HISTORIC ZONING

By ROBERT E. STIPE, Assistant Director, Institute of Government

*Editor's Note: The article which follows is an address prepared by Robert E. Stipe, Assistant Director of the Institute of Government, for a panel discussion on Civic Action and Historic Zoning at a Regional Conference on Historic Preservation held in Winston-Salem late in April. We have published it here because of its general interest during the North Carolina Tercentenary, and because of the growing interest of a number of North Carolina cities in the subject of historic preservation.*

## Introduction

Being neither a historian nor an expert in the field of historic preservation, I am forced to approach this discussion of "Civic Action and Historic Zoning" from other points of view. My first attitude toward the subject stems from my professional training in law and in city planning. This background has particularly colored the approach I want to take to the subject of this workshop. My second point of view toward historic preservation is that of the average tourist with more than a passing interest in our historic places and heritage, and as a father who must do his historic sightseeing in company with two small boys, ages three and six. [The significance of this will appear later.]

The simplest approach I could take to the subject of "Civic Action and Historic Zoning" would be to stick literally to the narrow topic of historic zoning, covering such matters as enabling legislation, the organization and administration of the ordinance, and the court decisions that have come out of this particular approach to historic preservation. I plan to cover these matters only briefly, however.

My most important reason for dealing with historic district zoning in brief, summary fashion is not that it is too technical, or that it is unimportant, but that *I want to put it in the context* in which I think it properly belongs. In other words, I think my more valid contribution to this discussion might be to emphasize the various aspects of "civic action" and to put the "historic zoning" in that somewhat more generous framework.



In this respect, my viewpoint is essentially that of the city planner. And one of the shibboleths of the planning profession is that zoning, of any kind, is but a means to an end and not an end in itself; that to put zoning first, or to zone without a well-documented plan reflecting clear-cut objectives, is to put the cart before the horse.

Thus, a city's action in adopting a historic district zoning ordinance will not automatically make or rehabilitate a historic area, any more than the adoption of a city-wide zoning ordinance will automatically solve the problems of traffic congestion, incompatible mixture of land uses, slums and all of the other general problems that city councils and city planners are confronted with. Properly drawn and administered, however, and placed in a planning context, zoning can do much—both to preserve historic districts, as well as to alleviate the other city-wide problems I mentioned.

My main point, then, is that historic district zoning is only a very small part of civic action for preservation. Employed by itself, as an end in itself, it will have little impact either on preservation or on any other city problems.

So I propose to do two things. First, I want to describe the broader context

within which historic zoning must take place (which, as some of you may have guessed by now is the city's overall planning and development program), and second, I want to catalogue the many types of regular municipal government activities that have some bearing on preservation efforts. This list is considerably longer than you might at first imagine.

## Planning and Preservation

City planning and historic preservation planning, as processes, are identical. City planning, as an activity of local government, and historic preservation planning, should be inseparable. They go hand in hand.

At the outset I would also add that city planning, contrary to the impression some of you may have gained from the more missionary members of this growing profession, is not an end in itself either. Nor is planning a mere matter of building "better cities in which to live, work and play"—to use a trite and over-worked phrase. Planning, as I view it, is simply a down-to-earth, practical approach to problem solving, or an administrative device which makes it possible for cities to grow and develop without making too many outrageous mistakes along the way.

In this sense of the word, planning invariably involves the same four-step process. The first step of the game is *Definition of Objectives*, or determining goals. The second step is *Research*, or data-gathering and study of the relevant facts as they affect the objectives. The third step is *Plan-Making*, which usually involves drawing some lines on paper or a map; and the fourth and final step is *Implementing the Plans*, or doing something to carry them out. This is the conceptual framework, and the process itself—determining objectives, research, plan-making and implementation—can be applied to just about anything.

For instance when a planner applies the planning process to a city, he sets some general objectives: a better organization of land uses, a more efficient system of traffic circulation,



renewal of obsolete areas, etc. Second, he engages in some formal studies or research: trends in population growth; economic development prospects; conflicts in land use; the availability and suitability of particular pieces of land for particular types of development; the availability of utilities in certain areas, and many other subjects. This step behind him, he draws (literally) plans for the city's growth and expansion. His plans include general plans for the major types of private development such as residential subdivisions, shopping centers, expansion of the business district, and industrial development. They will also include facilities to be provided by the city: major streets and thoroughfares, park and recreation areas, fire stations, landfills, and many others. With the aid of specialists in engineering, architecture and design, detailed plans for certain types of facilities may also be evolved.

But all of these plans are no more than "paper fairylands" unless they can be implemented or executed. These plans, in one sense, are the end products of planning, and they are executed by various legal, administrative and financial devices: (1) the public acquisition of land in advance of development for needed public facilities (basically a problem of getting land in the right amount and in the right location); (2) the regulation of private development, primarily through zoning, which by controlling use and density of development in accordance with a plan can be a powerful tool for achieving a desired land use pattern; (3) the provision of needed public facilities such as streets, utilities, parks, schools, and so on; and (4) urban renewal, which is essentially a device



Shown on these pages are views of the Old Salem restoration project.

for conserving, rehabilitating, or clearing and re-building areas of the city to prevent or replace slums and blighted areas.

Let's transfer this process to historic preservation. Here the overall objectives are somewhat simpler to determine, usually involving a relatively small area, and aiming ultimately at the preservation of structures or areas of acknowledged historic value. But preservationists, like planners, have also to contend with the problem of thorough research or documentation of their plans and objectives. This is especially important if preservation plans are to be well-drawn, and critically important if you expect your ordinances to stand up in court. But it is also important to remember here that historic building inventories alone are not plans, any more than surveys of existing land use by the city planning department constitute a master plan. But assuming that the necessary studies of historic areas can be carried out adequately, it is next necessary for the preservationists to draw up specific preservation plans for each area. These will show which buildings (historic or otherwise) are to be kept or changed, where open spaces are to be acquired, what changes are needed in the street pattern, what alterations are desirable in the land use situation, where parking or other public facilities are needed, and so on. At this stage, like the planner, you preservationists have only "paper fairylands," and now the last step, of *implementing the plan* must begin. And here again, you are confronted with essentially the same problems as the planner: controlling (somehow) the uses of property in the area, raising money to acquire necessary land and structures, eliminating inappropriate uses, and providing and maintaining the facilities needed for the project.

So, you see, the processes of city planning and preservation planning are identical. But to what extent should

the activities involved in such planning be related? I believe a good argument can be made that city planning and preservation planning can successfully be undertaken only in an atmosphere of complete goodwill, cooperation, and coordination, and that the municipality and private groups must work together.

A noted city planner, Carl Feiss, writing in the December, 1956 issue of the *Journal of the Society of Architectural Historians*, said:

"... a historic place is part of a living organism in the modern world. Its restoration has educational, cultural, and emotional value. *But it cannot survive in conflict with the growth of the place in which it is to be found, nor can its development ignore the basic drives behind our dynamic society. A return to the womb of time is neither physically possible or psychologically healthy.*" [Italics added.]

Another city planner, John Voorhees, in the *Wilmington, North Carolina, Historic Area report*,<sup>1</sup> says:

"Part of the problem of preserving older houses is making them revenue-producing units within the community. This means most often that different ways must be found for making each building earn sufficient income for its proper maintenance and repair. . . . Whenever a contemporary use can be found which will help preserve these significant buildings, it should be encouraged."

What both of these men are saying is that historic districts must be healthy, vital neighborhoods for real, live people, and that the city's master plan should include special plans for historic areas. Feiss says that there must be two plans, one for the city as



1. North Carolina Department of Conservation and Development. Division of Community Planning. *Wilmington, North Carolina, Historic Area*. Raleigh, North Carolina. 1961. pp. 57.



a whole and one for the historic area. Obviously, these plans must complement and mutually reinforce one another, and this necessarily implies close cooperation between city planners and preservation planners.

Some few city planners have recognized this for a long time. Here in North Carolina there are already several outstanding examples of collaborative city planning-historic planning in Wilmington, Winston-Salem and Fayetteville. And there have been other programs around the country where this kind of integrated planning has been successful. I mention these examples knowing that planners and preservationists have not always been the best of friends, and that city planners have come only recently to the notion of including preservation plans for historic districts in their overall plans. But the interest of planners in this subject is definitely on the upturn.

For one reason the scope of local planning has broadened in recent years. Planners are showing an increasing interest and concern with the economic development of cities, as contrasted with the physical development which traditionally has been the limit of their concern. And thus they recognize the importance of tourism as a potential local "industry" and the importance of well-preserved historic areas as tourist attractions. As has been said, "Yankee tourists are easier and more satisfying to pick than cotton, and you don't have to bend over so far to get at it." While this motive may not be all that ardent preservationists would like, it does provide an incentive. [Some of this kind of thinking also shows up in court decisions, as we shall see later.]

Perhaps a happier motive is that planners are becoming less exclusively preoccupied with the engineering feasibility and the financial aspects of their plans, and are beginning once again to provide more emphasis (as they did during the early years of the planning game) on amenity, pleasantness, design and delight in their plans. Few of them feel they have to apologize these days for actively seeking beauty as an element of their schemes, and the restoration of a historic area is one of the more accessible and achievable projects from that standpoint.

A final reason for the entry of city planners into the preservation field is the ready availability and the adaptability to preservation efforts of the planners' skills and experience in implementing general city plans through such legal and administrative devices as zoning, capital improvements programming, urban renewal, and so

forth. All of these are involved in greater or less degree in historic area plans, and it therefore becomes logical in preservation efforts to call on the man with the experience in related fields. In this connection, I might also mention that there appears to be a distinct and growing tendency in historic preservation to deal more with areas, and less exclusively with individual structures. Here I would only note that planners are particularly adept, in contrast with other professional groups, at dealing with area-wide problems.

In short, the planning commission and its technical staff can be extremely useful to the cause of preservation at all stages. Basic research in land use, housing, traffic and other matters performed by the city planners includes the historic areas as well as the rest of the city. Supplemented by architectural specialists and historians, the planning commission may even be the logical local group to provide or to direct the inventory of historic structures. In the planning stage, the planner's plans can indicate the best or most feasible economic use of the area, whether for homes, offices, or what have you. His thoroughfare plans can make the historic area more accessible, but may also be designed to unify the district by keeping through traffic out. They may provide for needed parking in the vicinity of historic structures or areas, as well as other needed public facilities, services and amenities. And in the final step, his experience with zoning, housing and building codes, and urban renewal—all of which bear on preservation—have an obvious usefulness.

#### **What Can The City Do? A Catalogue of Activities**

What civic action, i.e., municipal action, is appropriate to preservation?

In thinking over this question, it is good to remember that in actuality the local planning commission and the planning staff are only advisory arms of the city council. The final determinations about what ordinances to adopt, how much money to spend on what facilities—these decisions rest with the governing board. The scope of appropriate action is very broad, and I have broken it down into seven categories.

##### *Leadership*

*First, the city can provide leadership.* The council, the planning board, and other such groups can promote the project, advertise it, and take the initial steps toward organizing for it. City financial support (permitted under G.S. Ch. 153, Art. 19) may also be appropriate. The Executive Director of the National Trust for Historic Preservation has cited Winston-Salem's leadership in getting Old Salem

started, and this is a good example of the kind of leadership I have in mind here.

##### *Studies and Plans*

*Second, the city can provide studies and plans* of the kind already mentioned. For one thing, such plans should have the desirable effect of stimulating action by private groups—and here I note that the Wilmington Historic Area report was undertaken with this in mind. Such studies and plans are also necessary as the basis for regulations the city might later adopt, as well as for anticipating what public facilities and services will be needed in the area.

##### *Services*

*Third, the city can provide services* in the area. Here, as is the case with respect to the next item listed, the need for municipal services is a double-edged one. One reason for them is to maintain the vitality of the area as a living place. The other is to bolster its use as a historic place. Especially applicable are such services as police and fire protection, the regular collection and removal of garbage and trash, the cleaning and maintenance of streets, park maintenance, trees, and so on. It is the absence of just such services that promotes the spread of blight and slums.

##### *Municipal Facilities*

*Fourth, and in line with this thought, the city can also provide a full complement of municipal facilities,* again, as a means of maintaining decent neighborhoods. Here I have in mind such things as paved streets, curb and gutter, water and sewer, schools and recreation facilities. Again, I mention the obvious because I am convinced that one of the major causes of slums is the fact that city governments have often turned their backs on older areas near the center of the city (areas most often containing places of historic significance), the very areas that most need these services and facilities. Special mention could be made here of the need for parks and open space, usually hard to come by in older developed areas, both for the accommodation of residents and to provide a setting for historic buildings and groupings of buildings.

Here again, the provision of such services and facilities by the city could well trigger the private development of historic areas by demonstrating the city's interest; as well as to improve the appearance of the area and offer a better setting for restoration and preservation efforts by private groups. This brings to mind some *special facilities* the city might provide, for the better utilization of a historic area:

One of these would be off-street



parking in convenient, attractive lots, both in the area itself and in the surrounding area, for the convenience of tourists and visitors. Anyone who has ever tried to find a place to park near old St. Augustine will grasp this point.

Other useful facilities would be information centers, perhaps with such added features as parcel storage, refreshment and food services, telephones, and rest rooms, and perhaps even a baby-sitting service. Benches in shady places, adjacent to open spaces where children can run off accumulated energy, child-sized drinking fountains, would also be useful facilities. I would like to see these spotted throughout historic districts. [Parenthetically, I might also note here the desirability in museums and historic buildings of what young parents call "baby-proofing." While I am delighted to turn my small children loose for a few minutes in the bowels of the whaling ship Morgan at Mystic Seaport in Connecticut, or in the dungeon at San Marco in St. Augustine, I hate to think of what would happen to the museum at Old Salem if I let go their collars for even a second. An outstanding example of such "baby-proofing" is the museum at Fort Fredricka on St. Simons Island, Georgia.] City-provided trash receptacles, street signs, street lights and other items of street "furniture" which are compatible with the design of the restoration itself would also be nice.

Then there are other special facilities in restoration areas a city might provide, directly or indirectly, such as a museum. An ingenious city might even find some municipal use for a historic structure. Witness the use of Kyle House in Fayetteville, which in its restored condition serves both as an office for the Mayor and a place for receptions and other official ceremonies.

#### *Regulations*

Fifth, the city can provide regulations, both to govern personal conduct in the area, as well as to regulate the condition and use of buildings. These regulations fall into several categories.

The first is the regulation of conduct in historic areas to make the district safe and attractive to visitors—referring here to beer parlors and other potential sore spots. My own experience in Charleston a number of years ago, in company with my wife and my mother, in encountering a group of teen-age toughs has been sufficient to make me think twice about going back. I might note here that there is some evidence that there is a relatively high incidence of juvenile crime in the older, blighted areas of our cities.

A second type of appropriate regu-

lation would be building codes to maintain the safety of structures, historic and otherwise, for residents and visitors. Building code enforcement can also be a major element in slum prevention and correction.

Third, the city can adopt minimum housing standards ordinance, by which property owners can be forced to fix up dwellings to minimum standards of habitation. These are also useful in up-grading the character of neighborhoods generally.

Fourth, the city can adopt sanitation regulations as a means of maintaining the health of the area for residents and tourists. I refer here to ordinance requirements calling for covered garbage cans, regulations requiring that vacant lots be kept free of trash and weeds, and so on.

Fifth, the city can control signs and billboards in the area, prevent their encroachment onto public walks and ways, and regulate their construction in the interests of safety. The size of signs and their placement can also be regulated, either through a zoning ordinance or a separate set of regulations.

Sixth, the city can adopt regulations providing for a better overall environment in the historic area. Here I have in mind regulations controlling noise of air pollution. Fort Fredricka, in spite of its other attractions still smells violently, on many days, of pulp, paper and turpentine. I might add here that good planning years ago might have prevented the location of the pulp mill upwind of the fort and resort areas in the first place.

Seventh, the city can move to eliminate or abate nuisances in and adjoining historic areas. I refer here to operations that might have some especially noxious effects on the historic area, such as a vulcanizing plant.

Eighth, and finally, the city can adopt zoning regulations. Two aspects of zoning are important in this discussion. One is the general usefulness of zoning in preserving the character and value of the entire area through restrictions on permitted uses and density of development (to keep out inappropriate uses and to avoid so much development that the capacity of city streets and other facilities are outstripped), and to achieve the city plan and the district plan.

The second aspect of zoning, and the one I suspect you are most interested in, is its potential use as a device to exercise some control over the appearance of the area. This is sometimes done by requiring certificates of appropriateness (i.e., permission) regarding the style, color, design, bulk, etc. for the construction or alteration of structures in a designated historic

zoning district. This permission is typically granted by a special commission, and appeals from its decisions lie usually to the local zoning board of adjustment and to the courts.

There are constitutional provisions permitting such zoning in Louisiana, and special zoning enabling acts in at least seven states (Arkansas, New York, Rhode Island, Massachusetts, Connecticut and Pennsylvania) and perhaps others. I would estimate that 50 or more cities in the United States have adopted local ordinances pursuant to these acts.

To impose these "design" controls, however, seems to fly in the teeth of a traditional rule of the courts that the police power cannot be invoked solely for the accomplishment of aesthetic objectives, which rule the North Carolina Supreme Court has followed in other cases involving closely related situations. However, a cursory study of the decisions throughout the country specifically applicable to historic zoning provisions indicates that a number of courts have upheld them—usually bottoming their reasoning on a broadened concept of the "public welfare" rather than public health and safety, and avoiding any discussion of aesthetics. In using the public welfare as a basis for approval, the courts have usually cited the increased benefits to the community in the form of more tourist dollars spent in areas of historic interest. I am sure that this reasoning must seem ironic to ardent preservationists!

The traditional rule with respect to the use of the police power to effect aesthetic controls does seem to be changing in a few states, especially since the U. S. Supreme Court's decision in *Berman v. Parker*,<sup>2</sup> which really didn't involve the police power at all, but the power of eminent domain, or condemnation. In that case, Justice Douglas threw out a broad dictum to the effect that cities may ordain themselves beautiful as well as safe. A very few state courts have picked up this line of reasoning and ruled flatly that aesthetic considerations alone are enough to justify the use of police power. But North Carolina at present appears to stick by the traditional rule that aesthetic considerations may for the basis for police power regulations only when other considerations more directly related to the public health and safety are present.

To complicate matters for you still further, there is in North Carolina at the present time no clear cut legislative authority for the adoption of such

(Continued on Page 26)

<sup>2</sup> 348 U.S. 26, (1954).

## BOND SALES

From April 30, 1963 through June 11, 1963, the Local Government Commission sold bonds for the following governmental units. The unit, the amount of bonds, the purpose for which the bonds were issued, and the effective interest rates are given.

Unit	Amount	Purpose	Rate
<b>Cities:</b>			
Brevard	\$ 13,000	Water	3.62
Chapel Hill	160,000	Municipal Building	3.04
Forest City	165,000	Sanitary Sewer, Recreation. Library, Refunding water. light & sewer	2.90
Graham	410,000	Water	3.34
Hillsboro	190,000	Sanitary Sewer	3.29
Hope Mills	115,000	Water and Sewer	3.98
Landis	102,000	Fire Equipment, Water, Town Hall	3.93
Louisburg	225,000	Water, Sanitary Sewer	3.73
Raeford	315,000	Sanitary Sewer	3.65
Wilmington	1,595,000	Water, Fire Department Equipment	3.09
Windsor	150,000	Water	2.50
<b>Counties:</b>			
Beaufort	75,000	General refunding, School refunding	2.75
Bertie County	775,000	School	3.18
Brunswick	1,170,000	Road and bridge refunding, General refunding, School refunding	3.81
Columbus	1,000,000	School building	3.30
Duplin	64,000	Refunding road and bridge, Refunding school bonds	3.29

### — Governor's Address — (Continued from Page 5)

Today there are more than 200,000 persons confined in penal institutions for adult felons in the United States. Each year more than 100,000 are admitted to these institutions. Over 95% of these will eventually be released into our communities, probably half in two or three years.

If their prison experience has taught them respect for law, has increased their chances for successfully competing in our economic system, has given them a more healthy attitude towards themselves, and has instilled a sense of responsibility towards others, then we can feel that they have benefited from time in prison. The real test comes in the free community. Parole is a service that provides essential assistance at the time of crucial need.

Unfortunately, parole has too often been confused with the sentimental approach towards the offender. There is a compelling logic for a wisely operated parole program as part of a system of justice which seeks to protect the public while maximizing concern for individual dignity. This is not sentimentality.

Parole is a sensible way of retaining needed controls and providing rehabilitative assistance to persons released from prison during the period

required for them to complete the difficult change from inmate to parolee, to citizen. But there continues to exist major misunderstanding of its purpose, great variations in its use, and serious shortages of adequately trained personnel.

National prison statistics show that only 60% of those released each year in the United States are released on parole. The other 40% are turned loose with no controls or assistance. Variance in use of parole is very great. The five states using it most release over 90% of their prisoners under parole supervision while the five using it least release only 25% by parole.

Failure to exploit fully the potential of parole reflects a need for better public understanding of the vital role played by parole in the community's security and welfare. Public support is essential if parolees are to have a fair chance to succeed. A parolee denied a reasonable opportunity for a decent job and the self-respect that goes with it is highly likely to return to crime as the only life open to him. Public attention should be called to the fact that tens of thousands of parolees are living in the free community and making an acceptable adjustment. We should not permit the glare of publicity to be focussed only on the relatively small percentage who fail.

The public must be educated to the

need for a properly trained parole staff sufficiently large to avoid excessive case loads. Salaries must be high enough to attract and retain able parole personnel. While parole should never be used simply to reduce the prison population, the additional amount of tax money needed to provide an adequate parole staff will be offset many times over in reduced prison and welfare costs. Of even greater importance are the unmeasurable benefits from breaking the vicious cycle of crime, prison, release, and more crime.

The inmate population of the North Carolina prison system started to climb at the close of World War II. From less than six thousand in 1945, the number grew at an alarming rate, passing 12,000 early in 1961, the year I became Governor. By a coordinated attack along the lines I have been advocating in this speech, we have succeeded in stopping the growth of our prison population. The Prison Department's budget requests for the next biennium are based on an inmate population estimate which represents a reduction of more than a thousand inmates from what the figure would have been if the average inmate population had continued to grow as it did from 1945 through 1961.

I do not discount the importance of tax dollar savings when I affirm that the savings in human resources and the reduction in heartbreak and mental anguish are the most significant gains realized by stopping the growth of our prison population.

Increased use of probation and parole for appropriate cases contributed significantly to the reduction of the prison population. Considerable credit is also due to prison rehabilitation programs. Perhaps the most significant single factor explaining the greater success of these programs is closer involvement of the free community.

Close cooperation between the Prison Department and free community agencies and citizens in aiding alcoholics has helped to remove many from the list of repeated offenders. Not so readily measurable but clearly considerable are the immediate and long-range benefits of the mental health clinic at Central Prison, which was established and is operated cooperatively by the Prison Department and the Hospitals Board of Control.

The rapid growth and remarkable success of our work release program has attracted national and international attention. Since the original enactment in 1957 of the Work Release Law, each session of the N. C. General Assembly has produced modifications broadening the Law's application. Basic provisions have remained unchanged.



These authorize the Prison Department to grant certain inmates of the State Prison System the privilege of working at regular employment in the free community and spending only their leisure time in confinement. Inmates granted these privileges surrender their earnings to the Prison Department. After deducting the cost of the inmate's keep, the Prison Department arranges for paying through the appropriate county department of public welfare such part of the balance of the inmate's earnings as is needed to support his dependents. The remainder is kept in trust and paid to him when he is paroled or discharged from prison.

Possession of money and productive employment on final release from prison are two positive factors contributing importantly to the low rate of recidivism for inmates granted work release privileges. Less tangible but probably even more important are the increased self-respect and self-confidence frequently found in those inmates who serve all or the final part of their prison sentences on work release.

This program has not only helped to reduce the prison population by its effectiveness as a rehabilitation measure but has also shifted the cost of supporting hundreds of work release prisoners and their dependents from the State to the prisoners themselves. Another especially noteworthy aspect of the work release program is the fact that court, probation, prison, parole, welfare, and employment officials and personnel all have important functions in its development and operation. Furthermore, since these prisoners are employed at regular work in the free community, there is an obvious need for the understanding and cooperation of employers and other free citizens. Credit for and pride in the success of this program is therefore widely shared.

Improvements and expansions in our programs for alcoholics and work release have been paralleled by corresponding development of other rehabilitation programs less amenable to isolated evaluation. Each has made a significant, though unmeasured, contribution to the success signified by the reduction in our inmate population.

Although the growth of the prison population has been halted, it will begin again unless we continue to develop alternatives to imprisonment for appropriate cases and unless we expand and improve programs for reducing the number of prisoners who return to crime after their release. We need more probation officers to bet-

ter serve the courts so that judges can keep out of our prisons those offenders whose rehabilitation can be effected under supervision in the free community. We need more parole supervisors so that the public may be better protected by timely release of prisoners under supervision. We need to have the work release law modified so that its proven value as a pre-parole program can be extended to prisoners serving sentences longer than five years. We need to expand and extend the programs and measures conducted cooperatively by the Prison Department and the Hospitals Board of Control to determine what can and should be done for prisoners who are mentally ill or inebriates. We need to make a comprehensive study of alternatives for treating the alcoholic offender. We need to provide our courts with diagnostic services to aid them when they are uncertain as to appropriate disposition of an offender, and with facilities to which they may send convicted offenders who should not be in prison

## **- Judges Discuss -**

*(Continued from Page 7)*

beyond a reasonable doubt, the adult offender can expect punishment by the court.

The juvenile court process is more like a civil proceeding. A delinquent is brought into court on a petition headed "In The Matter Of" or "In The Interest of" the child. Any person with knowledge or information about the child may sign the petition. It is unlawful to put a child in jail in North Carolina. A juvenile court may detain a delinquent child in an approved detention facility pending the hearing. The juvenile court hearing is an informal proceeding unlike an adversary criminal trial. Delinquency must be established by the evidence, but not beyond a reasonable doubt. There is no right to trial by jury because the hearing is not a criminal trial. Our law specifically states that adjudication of delinquency is not conviction of a criminal offense. The goal of disposition in juvenile court is a treatment plan to fit the needs of the child, rather than punishment. This is sometimes called "individualized justice."

Sheriff Robert Pleasants of Wake County introduced the film, *Youth and the Law*, which dramatized the problems of delinquency from the point of view of a youth officer in a metropolitan area. This officer was effective in working with children in trouble. He used various community resources for helping them. The film illustrated both the right and wrong approach to the youthful offender.

but who cannot profit from probation until they have been given special preparation. We need to encourage and facilitate coordination of the programs of all agencies concerned with crime prevention and control.

Since Mr. Johnson Matthews, Chairman of our Board of Parole, and Lee Bounds, Director of the Training Center on Delinquency and Youth Crime, will be with you all of this week, I can depend upon them to provide you with more details about our programs and our plans.

I shall also depend upon them to gather for us the fruits of your deliberations at this institute. We need to help each other by free and full exchange of information, ideas, and experience. None of us can afford the luxury of complacent isolation. I am confident none of us desire it. I believe you all share my feelings about the importance of what you are doing this week. Thank you for the privilege of participating in this pioneering program.

Chief James I. Waller, Winston-Salem Police Department, presided over the afternoon session. A panel discussion on *A Better Understanding Between Law Enforcement and Juvenile Courts* was moderated by Neal Forney, Assistant Director, Institute of Government. The panel members were Judge Bachman S. Brown, Jr., Cabarrus County Domestic Relations and Juvenile Court; Joseph E. Jarvis, Director, Juvenile Division, Asheville Police Department; Judge D. M. McLelland, Alamance County Juvenile Court; Sheriff Malcolm McLeod of Robeson County; Haywood R. Starling, Senior Agent, State Bureau of Investigation; and Chief Waller.

### **Treatment Philosophy of Juvenile Courts**

The panel members seemed to agree with the treatment philosophy of the juvenile court. The application of this philosophy is a much more difficult problem. Their discussion reflected the many differences in actual approach and practice across the State. There was disagreement concerning which children should be referred to juvenile court by the law enforcement officer for delinquent behavior. Children are fingerprinted and photographed in some areas. Somebody referred to "juvenile criminals." Most agreed that it is improper to release the names of delinquent children to the press. Many law enforcement agencies do not keep separate records for children and adults. There was disagreement about the wisdom of officers sponsoring athletic programs for

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## —Civic Action—

(Continued from Page 23)

ordinances. It may be true, as some of you have suggested, that general or local acts specifically authorizing the adoption of historic zoning regulations would be helpful. Even with such enabling legislation, however, constitutional obstacles can always arise, and it is perhaps pointless in any event to speculate too much about what a court might ultimately do with such an ordinance. For example, it is conceivable (looking at the situation in a more favorable light) that our court might, in a given situation, pick up the theme of cases from other states and find that the general welfare clause of our present municipal zoning enabling act already provides a sufficient basis for upholding such controls, even without specific new legislation.

Perhaps the most important thing to keep in mind here is that both the legal and practical success of this approach to preserving historic areas will ultimately depend largely on the thoroughness of the research and the soundness of the preservation and city plans which underlie the ordinance itself. In any event, you had better be prepared to document your case.

### Urban Renewal

In my sixth category, the city can utilize urban renewal programs throughout the city to conserve good areas, rehabilitate areas that are slipping, and to clear and redevelop areas that are wholly beyond salvation. Obviously, historic areas wherever located, can benefit from this program. First, funds are available for planning a project containing historic elements or buildings or areas of historic significance. Second, funds are available for acquiring land and demolishing deteriorated buildings. Third, funds for installing needed streets, utilities and other public improvements can also be had. Fourth, there are available the so-called "demonstration grants" of the kind employed in the now-famous College Hill preservation study in Providence, Rhode Island. Fifth, subsidies are available for the purchase of open space. And sixth, funds are available for local community planning assistance of the kind employed in the Wilmington, N. C. historic area study I mentioned earlier. While federal urban renewal funds can not be used directly for the restoration of historic buildings, there is available special F. H. A. mortgage insurance for the owners of homes in project areas to assist them in bringing structures up to rehabilitation standards. The August, 1962 issue of the *Journal of Housing* was devoted

entirely to the subject of historic preservation via urban renewal, and contains a number of interesting case studies that would be of considerable interest to you.

### Remove Roadblocks

My seventh and final item in this listing of activities relates back to the first point I made about leadership in general. Here I believe that city government can remove roadblocks to preservation efforts. I understand, for example, that Warrenton, N. C. is searching to find a way around a local fire district ordinance which prohibits wooden construction in its fire district. In Raleigh, there is the problem of finding a way to reduce the tax burden on the owner of an old home of historic significance. The owner would like to preserve it for the city, but finds maintenance difficult because of its location near the central business district where it is assessed at a high value. As I mentioned earlier, there are indications that a number of municipalities in North Carolina that would like to proceed with special zon-

ing controls in historic districts. There are a lot of unresolved practical and financial problems, in addition to the legislative or legal ones. My point here, however, is that the city government has another kind of leadership role, in that the General Assembly rarely passes municipal legislation that does not have strong and vocal support from the cities themselves. I mention this especially because of the ingrained tendency we all have to accept the *status quo*. In time, with leadership, the rules of the game can be changed, and are changed, where there is a need.

To conclude, I would only reiterate that historic zoning is but one relatively small aspect of the total problem of preserving historic areas. The range of potentially useful municipal actions and activities is indeed broad, and I believe that the success of local preservation efforts will depend largely on the extent to which a broad spectrum of coordinated activities—preceded by sound overall planning—can be brought to bear on the project.

## —Judges Discuss—

(Continued from Page 25)

children—is this the responsibility of law enforcement or community recreation programs? It was agreed as fact that delinquent children are frequently put in jail in violation of North Carolina law. The main reason is that there are only five approved detention facilities in the State. Most communities have no access to such a facility.

### Need for Intensive Training Program

The Institute then divided into ten discussion groups. Each group selected its own chairman and recorder. A topic was assigned to each group for discussion. Among the topics discussed were causes of delinquency, delinquency prevention, organization of a juvenile division, detention of children, investigation of delinquency cases, and law enforcement's responsibility for neglected children.

The group re-assembled for five-minute reports from each discussion group. The various reports reflected the real concern and involvement of the discussion groups. Many questions were left unanswered.

This Institute underscored the need for a more intensive training program here in North Carolina for law enforcement officers who work with children. There is basis for hope that this need will be met by the Training Center on Delinquency and Youth Crime at the Institute of Government.

### Training Center Grant

In July, 1962, the President's Com-

mittee on Juvenile Delinquency and Youth Crime announced a number of Training Grants made by the Department of Health, Education, and Welfare under the Juvenile Delinquency and Youth Offenses Control Act of 1961. One of the Grants was made to the University of North Carolina to establish the Training Center on Delinquency and Youth Crime.

### A CORRECTION

The April-May issue of POPULAR GOVERNMENT carried an article on *Court Reorganization* which dealt specifically with the fact that under the Constitution, as amended November, 1962, Justices of the Peace are no longer exempt from the double-office holding provision, Article XIV, Section 7. In citing a ruling of the Attorney-General to this effect, the article incorrectly listed the effective date of the new provision as 30 November 1963. Of course the correct date is 30 November 1962, as several of our readers were quick to point out. We regret the misprint, and sincerely hope no one was misled.

To repeat, Justices of the Peace ceased to be exempt from the double-office holding provision on 30 November 1962, and since that date cannot constitutionally assume a second office. Please see the cited article for a full discussion.

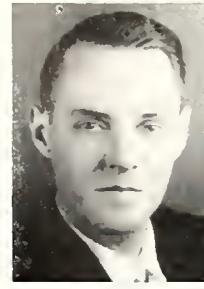




Green



Hayman



Heath



Wicker

## INSTITUTE STAFF MEMBERS ON LEAVE...

Several Institute of Government staff members have been granted leaves to participate in studies, teaching, or advisory programs with the federal government or overseas. All of the staff members are expected to return to the Institute and Chapel Hill at the end of their allotted leaves. Each is going in accordance with the usual University policy of granting such leaves to faculty members for purposes of growth and enrichment. Each should return more knowledgeable and better equipped to serve the officials with whom he works in Institute programs.

Those honored with the opportunities for further work or study are Philip P. Green, Jr., Donald B. Hayman, and Milton S. Heath, Jr. David N. Smith also is leaving to accept a governmental assignment.

PHILIP P. GREEN, JR. has been awarded a Fulbright fellowship to study at the University of London during the 1963-64 school year. Green will be doing research on English law and administrative practices relating to city and regional planning and land use regulation. He will be at the London School of Economics and Political Science.

An assistant director of the Institute of Government since June 1949, Green has specialized in the field of local governmental planning (particularly legal measures for carrying out plans, including zoning, subdivision regulation, urban renewal, building regulation and industrial development). He has appeared frequently on national conference programs of the American Society of Planning Officials and the American Institute of Planners; been a member of the Editorial Advisory Board of the ASPO magazine, *Zoning Digest*; and served on various national committees of the American Institute of Planners, and as advisor to the Subcommittee on Laws and Ordinances of the National Committee on Urban

Transportation. He is the author of *Cases and Materials on Planning Law and Administration*, *Zoning in North Carolina*, *A Guidebook for City Planning Boards*, and numerous special studies and articles. He also is co-author (with George H. Esser, Jr. and John Alexander McMahon) of *Cases and Materials on Local Government Law*.

### ...and New Arrivals

Newly appointed to the Institute of Government Staff as an Assistant Director in the field of Criminal Investigation and Law Enforcement is Jesse James. Mr. James comes to the Institute with a wide background of experience in education and law enforcement. Formerly a special agent with the State Bureau of Investigation and a criminal investigator with the U.S. Marine Corps, Mr. James has served as Chief of Police in Burlington and Charlotte and until recently was Director of Industrial Relations, South Atlantic Division, Florida Steel Corporation. He has lectured on police administration and human relations at the University of Louisville and Michigan State University.

Ben Overstreet, Jr., a career penologist, will join the Institute staff this fall in the area of corrections. He has been a consultant with the National Council on Crime and Delinquency and also will be on the staff of the Training Center on Delinquency and Youth Crime. Since 1947 Mr. Overstreet has been principal civilian specialist in correctional administration for the Dept. of the Army in Washington. He has a law degree from Mercer University and a background with the Federal Prison Service.

DONALD B. HAYMAN will be serving as visiting professor of political science at the University of Kansas for the 1963-64 academic year. Hayman will teach courses in public administration and personnel administration and will be responsible for coordinating the Kansas training program for city management. This training program was established in 1948 at the request of a group of midwestern city managers, with the aid of a financial grant from a national foundation. It has received national attention, and a majority of the 130 graduates of the program are now employed as city managers.

Hayman, an assistant director of the Institute since 1949, has been responsible for the Institute's teaching, training, and research program in personnel classification, salary schedules, working hours, vacation, and retirement and benefits. Recently he has conducted a seminar for top-level State officials in management.

MILTON S. HEATH, JR. currently is on leave from the Institute of Government, serving as one of three assistants to the Chairman of the Federal Power Commission. Of his work he says: "Although I have some special responsibilities in the legislative field and am currently concentrating more on electric power matters than natural gas matters, I am basically there to help Chairman Swidler handle whatever crosses his desk. The work offers some unusual challenges, notably in the legislative area and in the National Power Survey, a nationwide planning survey initiated by Chairman Swidler of prospects for the electric power industry."

Heath has been an assistant director of the Institute of Government since 19—. He has worked in several areas, including water problems, industrial water supply, sewage and industrial waste disposal. He feels that: "This

Washington exposure fills a gap in my personal education concerning government and governments. While I have been employed by a state office and a federal regional agency, this is my first Washington experience. I hope to return to the Institute with a better understanding of doing Washingtonian;

with some knowledge of the utility regulation process; with a refresher course in life beyond the ivory towers; and incidentally, all in one piece.'

Other Institute of Government staff members are called on from time to time to serve at governmental levels for brief periods of time.

## Smith Assignment

David N. Smith will help the Nigerian government with its courts system. Beginning September 1, Smith will serve for eighteen months as Assistant Commissioner for Native Courts in Kaduna and as Law Lecturer at the Institute of Administration at Zaria. Both Kaduna and Zaria are in the Northern Region of Nigeria. The program under which Smith was appointed is administered by the Maxwell Center for the Study of Overseas Operations at Syracuse University, and financed by the Ford Foundation. Smith, however, will be under contract with the Nigerian government. Smith explains: "The Institute of Administration is a training center for lawyers and public officials. My work will be

one of legal counsel, involving the interpretation and administration of the new native court laws and related matters. Much of the work will concern changes in the area of substantive criminal law and criminal procedure."

Smith has been an assistant director of the Institute of Government since September 1961. His major fields have been criminal law and law enforcement. He has been a lecturer on such subjects as "The Law of Evidence" and "The Law of Search and Seizure" in various Institute training schools. He also has written articles for *Popular Government* and is the author of a new guidebook on *The Law of Evidence*.

## Wicker Trip

Warren Jake Wicker, Institute Assistant Director, has just returned from a government-sponsored trip south. Wicker conducted a seminar in Jamaica for four weeks on "Water Utility Management" under the joint sponsorship of the Agency for International Development and the government of Jamaica. The seminar curriculum included such subjects as Personnel Administration, Public Purchasing, Organization, Management Methods, Rate Structure, Extension Policies, Capital Budgeting, Debt Management, and Public Relations. In attendance were national and local officials, including superintendents of municipal water systems, managers of local water authorities, and personnel from the National Water Authority. Under Wicker's guidance the seminar followed the pattern of Utility Management schools and the Municipal Administration Course at the Institute of Government.

## NOTES FROM CITIES AND COUNTIES

(Continued from Page 17)

Planning Division of the State Department of Conservation and Development occupied the **Dunn** Planning Board at its May meeting.

\* \* \*

Construction will begin this summer for a low-rent Federal housing project in **Mt. Gilead**. George Bruton has been appointed administrative director for the 30-unit project similar to one now underway in **Star**.

\* \* \*

In **Troy** the Federal Housing Authority has approved a 50-unit low-rent project with construction slated to begin early in the fall.

\* \* \*

Fred Arnold of the Commerce and Industry Division of the State Department of Conservation and Development talked with business leaders in **Spring Hope** and **Nashville** about the advantages and risks involved in constructing shell buildings for industrial purposes. **Nash** County Industrial Director Mel Coleman reported to the group about his experiences with shell buildings in **Granville** County.

\* \* \*

**Washington** has been re-certified as having a workable program in urban renewal and public housing.

Fifteen towns, including **Hendersonville**, **Asheville**, **Brevard**, **Cherokee**, **Maggie**, **Cullowhee**, **Franklin**, **Candler**, **Bryson City**, **Nantahala Gorge**, **Waynesville**, **Fontana Village**, **Enka**, **Sylva**, and **Robbinsville** were represented at the quarterly meeting of Western North Carolina Associated Communities in **Waynesville**. Consensus of the group is that western Tar Heel communities are readying more facilities for tourists than at any other given period.

\* \* \*

Water rates are a current topic in **Kings Mountain**. The Chamber of Commerce has suggested a downward revision to provide a favorable climate for attracting new industry.

\* \* \*

Equalization of privilege taxes is now a reality in **Kernersville** following a special meeting of the Town Board attended by local merchants and businessmen.

\* \* \*

Sponsored by the **Rosman** Chamber of Commerce a clean-up campaign which will continue through July 31 is underway in the community.

\* \* \*

New lower water rates for the City of **Reidsville** go into effect July 1.

Right-of-way is being acquired for an eight-mile by-pass of **Waynesville** according to Chief Engineer C. W. Lee. The project is expected to be brought before the State Highway Commission later this summer.

\* \* \*

**Elkin's** planning board and commissioners are studying a population-economy survey prepared by the N. C. Department of Conservation and Development. The report establishes Elkin as the industrial and commercial hub of an area including parts of **Surry**, **Wilkes**, and **Yadkin** Counties.

\* \* \*

June 20 is the deadline for bids on the **Jonesville** Post Office.

\* \* \*

Recreation and the town library will benefit in **Dunn** where the City Council has ear-marked ABC profits for these facilities.

\* \* \*

**Edenton** will experience a 30% increase in traffic in less than nine months when travel begins on the \$200 million Bridge-Tunnel across Chesapeake Bay. Bids have been opened for construction of an administration building for the 17.6 mile long toll facility.

\* \* \*

**Shelby** is the safest city of more than 10,000 population in North Carolina according to the accepted traffic

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## Perception of Urban Government

(Continued from Page 18)

light or a despair depending on whether we are sightseeing or trying to get someplace in a hurry. No doubt some of the motivation behind the fanatic defense of the cable cars when the city sought to sack them comes from the perceptive importance of kinesthesia as well as tradition. Amusement parks would not have been developed except that we enjoy exploiting our movement sense.

I cannot think of my stay in Perugia without kinesthetic memory of the long walk up the hill from the pensione to the university on Piazza Fortebraccio—and the long walk back down again.

It may be a mistake to flatten out the physical environment too completely so that no change in position is possible except along a horizontal plane. Kinesthetically as well as visually hills and hollows allow exploitation of these senses in perceptually pleasant ways.

### Smell

I have already alluded to the olfactory sense and the imperious information it brings us. Others may not be so sensitive or so responsive to smells but they have always been particularly important to me both in present perception and in nostalgic recall of cities. During the time I lived in Minneapolis I became used to the characteristic odors in the section near the 10th Avenue bridge—flour and linseed oil seemed particularly potent and not really unpleasant.

Absolutely pleasant both at the time and in memory is the San Francisco side of the Bay Bridge where the aroma of roasting coffee and the pungence of spices give hints of the gastronomic delights ahead. Some do not care so much for Fisherman's Wharf redolent with fish and steaming crab. But olfactory adaptation, as I have noted above, keeps the environment tolerable. Many years ago I worked for a while in Monterey on Cannery Row as a jigger and sacker of fish meal and, although I got used to the smell, I found that other passengers on the bus when I left work did not appreciate my local odor.

The drabness of Durham and Danville are perhaps relieved by the fragrance of tobacco without smoke. But the squat tanks and towers of Marcus Hook, Pa. and Martinez, California are not aided by fumes of gas and oil. I don't know whether Hershey, Pa. advertises itself as the city that smells good, but the sweetness is surely cloying to many visitors.

We should not turn up our noses at

smells as a potent part of the perception of urban environment; they are important positively as well as negatively. Piped in scents have not been used to my knowledge but plantings of flowers and trees are exploited in this regard. There are, however, wide individual differences; I find the faint odor of skunk to be quite pleasant but many do not agree with me at all.

### Sound

Sounds are obvious in their relation to the perception of urban environment and we cannot easily escape them. Traffic noise of automobiles, trucks, trams, and trains blend with the rumbling and roaring of industrial plant and factory. In both construction and destruction of buildings and streets the rivet gun or air hammer commands our attention. Audible locally are the shouts or conversations of individual citizens.

Often the sounds are unpleasant and disruptive. Who enjoys staying in a motel in, say, Green River, Wyoming with the railroad immediately on one side and Highway 30 directly on the other. But the distant whistle of a train is for most persons pleasant and suggestive.

Frequently sounds are sought and a vacation trip enlivened by pounding surf or a rushing waterfall. Rain on the roof produced artificially in South Pacific type saloons have helped sell zombies in a tropical atmosphere.

When I first arrived in Florence I heard a melodious cry in the street, "Cincaio," that intrigued me even when I found out later that it was merely the old clothes man. Also interesting were the vendors of flowers and of food—"garofani" and "trippa fresca." At Xmas time the shepherds' bagpipe added a new and unusual sound to the Florentine scene. But, unfortunately, O'Faolain is right—it is the Vespa and Lambretta that give its characteristic sound. The narrow streets and stone walls are beautifully designed to amplify engine noise and direct it to your ear. And the horns of trucks, buses, cars and motor-scooters contribute to the auditory environment. They sound continuously since all Italians believe that an engine will not run unless the horn is blown at regular intervals.

Some friends of mine who still live in San Francisco sent as a Christmas card a small record commercially produced with the voice of Herb Caen. I quote from the cover: Merry Christmas from San Francisco . . . the magic city of soaring hills and bridges that leap across the Bay . . . a city of many voices you can hear nowhere else. So what better way to bring you season's greeting from Baghdad-by-the-Bay than to let the city speak for itself.

Sounds have a great deal to do with

the perception of urban environment although they are not easily controlled or manipulated.

### Vision

The importance of vision in perception is perhaps clearly seen in Lynch's book, *The Image of the City*. Although an image may reflect any sense modality it is clear that Lynch casts his results in visual terms and discusses them from that point of view for the most part. I have not seen professional planners at work but I guess that they approach a problem with maps and models more often than with recordings of sounds or some other sensory data.

The perception of urban environment takes place through the senses that we have discussed. The range of stimuli necessary for sensation and for perception can be fairly well specified and studied from a physical, a physiological, an anatomical point of view among other approaches depending on the aim or purpose of the investigation. Perhaps relatively more important for urban design is a psychological approach through personality study.

### Research Possibilities

I think that Lynch's book offers many exciting suggestions for research in this area. The straightforward approach of asking persons directly to describe and discuss their environment is a good one. But there are many problems and limitations too. People vary tremendously in the intellectual ability, in their verbal facility, in their perceptiveness, in their responsiveness. We are influenced by unconscious motives of which we are unaware and over which we have little control.

Our society is an exceedingly mobile one and unlike, for example, Italy, we do not have to get a work permit to move from one city to another. This mobility means that people frequently come into new communities. Here, it seems to me, is an unusual research opportunity.

Every September hundreds of newcomers arrive in Chapel Hill — students, faculty, retired persons. They come from diverse backgrounds, they vary in age, in sex, in motivation, in purpose and other variables. I would suggest a study here that might be a prototype for replication in other types of communities.

The procedure would consist in selecting some kind of representative sample of the newcomers and assessing their image of the community very shortly after they arrive. The methods developed by Lynch might be followed or perhaps some modification or extension would be desirable. These

(Continued following page)

persons would then be studied again after say a month had gone by, then at six months, then a year or longer. A comparison could be made of life-long residents of the community. This might shed some light on how the environment is perceived, how this perception changes with experience, what aspects are positive or negative. The effect of past residential experience could be determined—does a former big city dweller find a small community as charming after a year as he might have at first? Why are some cities described as “a great place to visit, but not to live in?”

Such a study would give us a good deal of information on individual differences in environmental perception and might shed some light on the relative importance of the different sense modalities in determining the image of the city. Further, from a practical point of view, it would have the potentiality of providing a baseline data from which suggestions and implications for city planning could be drawn.

## Notes from Cities and Counties

(Continued from Page 28)

safety standards of the N. C. State Motor Club. Sharing honors with Shelby for a traffic fatality-free record in 1962 are **Thomasville, Sanford, New Bern, Albemarle, Elizabeth City, Chapel Hill, and Roanoke Rapids.**

Under new legislation the Town Commission of **Mount Airy** can order the paving of streets without petition.

Bids on a project to improve, widen, and deepen the harbor at **Swan Quarter** will be opened late in June. The project has been under consideration for four or five years and has been approved by the Corps of Engineers.

Six years of impasse for public recreation ended in **Chapel Hill** when voters gave a comfortable margin to a special tax.

**Sanford** now has a municipal airport. The city purchased a privately owned airport early this month following approval in a municipal election. There is still some question whether Sanford will get Federal matching funds to pay for improvements to the airport.

Estimates on the cost of a proposed new police headquarters building for **Durham** comes to \$545,000. The figure does not include a suggested sub-base-ment which would house communica-

tion facilities for the Fire and Police Departments and local Civil Defense operations.

In **Winston-Salem** policemen are being trained in new quarters. Facilities, including classroom, library, offices, shop, and an indoor shooting range are located in the new National Guard Armory.

A second fire station is on the boards in **Lexington**. Plans are to construct the \$50,000 plant in 1965.

**Chapel Hill** is slated to receive a \$12,000 loan from the Public Housing Administration for preliminary planning of 60 low-rent homes.

In **Raleigh** the City Council's Law and Finance Committee has advised the city to get out of the cemetery business. The city would continue maintenance of the two city cemeteries, but the committee recommends that remaining lots be sold as quickly as possible.

**Lucama** has received \$28,000 for sewer additions and other municipal improvements through the accelerated public works program on the Community Facilities Administration.

**Roseboro** residents have voted to establish an ABC liquor store in the community.

Evidence of **Greensboro's** growth in the past two years is borne out by a new city map which indicates 1720 city streets, an increase of 150 over the map drawn in 1961.

Seven North Carolina cities are among 181 in the nation to receive citations from the National Safety Council. **Charlotte** has received the Council's second highest award for overall traffic safety as well as certificates for traffic engineering and a public traffic safety education program. **Winston-Salem** received achievement certificates for record maintenance, traffic safety education in schools, and public traffic safety education. **High Point, Statesville, and Shelby** have been honored for traffic engineering; **Greensboro** and **Burlington** for accident records. The state received certificates for accident records and school traffic safety education.

Suggested for **Hickory** is a court reorganization program with a four-day municipal court and a separate juvenile court. The new set-up has been outlined by the City Council.

## COUNTIES

County commissioners from **Bertie, Northampton, Hertford, and Gates** Counties have set up a committee to study the possibility of combining health departments in the four counties.

Civil Defense and fire departments in **Alamance** County are now linked in a unified warning system of two-way radios based in the **Burlington** fire department.

Under construction near Warsaw are quarters for the **Duplin** County Law Enforcement group. The building will be used for meetings and a shooting practice range for officers.

**Lenoir County Commissioners**, faced with total budget askings for the 1963-64 fiscal year of \$2,524,421 compared with anticipated revenues of \$2,011,375, are engaged in budget trimming. Although county revenues are down this year from last year and are predicted to continue to fall, no plans are underway to increase the present \$1.50 county-wide tax rate.

Rural garbage collection and disposal was the topic of a public meeting recently held by the **Stanley** County Board of Commissioners.

For the first time in the history of North Carolina, a county has returned to the legal sale of beer and wine after once voting it out. Reversing the 1947 vote, **Pender** County residents gave a 520 vote margin in favor of re-establishing Alcoholic Beverage Control stores.

Budget trimming and a proposed tax levy for operation of the new county hospital are occupying the **Catawba** County Board of Commissioners.

Machinery has been set in motion by the **Wayne** County Board of Education to construct a single high school near **Dudley** to serve the southern section of the county.

**Alamance** County voters defeated a 20c school tax increase three to one in spite of the threatened loss of the 26 county supplied teachers in the county school system.

**Johnson** County Drainage District No. 1 has been officially set up following a final report of the Board of Viewers.

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# Legislative Service

(Continued from Page 11)

the uncertain whereabouts of introducers and the uncertain grace of office helpers too busily engaged in tending to their own business to help us tend to ours.

"Without precedents to go by they blazed their own paths, during the lengthiest sessions of the General Assembly this generation of North Carolinians has experienced under more mentally wracking, physically exhausting, and long continuing strains than any single set of staff members of the Institute of Government has ever faced. . . . "Succeeding members of the Institute staff have built on these foundations and every year made this legislative service a little better than it was the session before. Institute staff members through the years have slowly won a genuine ungrudging welcome to the reporters' desks, to the open spaces around the presiding officers' dais, to the offices and records, and full cooperation of the chief clerks and their assistants in House and Senate,—not as outsiders or intruders but as supplementary participants in the administrative machinery involved in the legislative processes. When we say that the legislative service furnished by the present Institute staff in the 1945 General Assembly was the most complete and most effective ever furnished in the ten years of its history, we are not stepping on the toes of the predecessors of the present staff—we are standing on their shoulders."

The Institute legislative staff members have been standing on the shoulders of their predecessors through the years, but they also provide strong new shoulders of their own for future members to stand on. The complete listing of staff members who have covered the General Assembly, shown in the box on page 10, provides not merely a comprehensive meaning of those who have served in this capacity, but also an indices as to their caliber and performance.

Changes in format of the daily legislative bulletin occurred in virtually every session through 1947 but have been comparatively few since then. The 1935 bulletin was headed "The Institute of Government Legislators Division," followed by the Institute office address "1001 Raleigh Building, Box 147, Raleigh." The 1947 bulletin changed the heading to "The Institute of Government Legislative Bulletin"

and the title remained in that form, though with changed art work and the additional legend "Daily Bulletin" below, until 1951 when it became simply "The Institute of Government Legislative Service" followed by the large title "DAILY BULLETIN." In 1937 the Institute's Raleigh office telephone number was included as part of the bulletin heading following the address and has been listed there in each succeeding session. Also, in the 1937 bulletin, the times of meeting for the next sessions of House and Senate were listed for the first time. This, too, became a permanent feature. In the same year the respective bulletin section headings "House [Senate] Committee Reports and Calendar Action" was shortened to read "House [Senate] Calendar Action." Whereas in the 1935 bulletin, bills were listed by House or origin and number only (SB31, HB 120, etc.) followed by the write-up, beginning in 1937 the words "(Public)" or "(Local-Alamance County or Local-Burlington)" were placed just after the bill number to designate type of legislation. Occasionally a special listing, such as "Public-Local" or "Private" was necessary. This procedure was followed through 1941. In the 1943 session and again in 1945 the name of the introducer of the bill was carried just after the designation—e.g., "(Local—Gastonia)—Cherry." This innovation was dropped in 1947 and the former practice of using the legend "Introduced by Cherry" at the end of the write-up of the bill and just before the committee routing. In 1947 also the parenthesized designations of bills as "Public" or "Local" were forsaken and a system, surviving to the present, of listing all public bills under "Public Calendar" and all local bills under "Local Calendar" in separate listings for each house of the General Assembly was introduced. From 1935 through 1943 the bill routing was noted in this way: "Sent to Committee on Judiciary 1." In 1945 this was simplified to: "To Judiciary 1." In the 1950s the older method was resumed. The daily bulletins for the first six sessions covered were mimeographed on one-color paper, generally white or a drab buff variation. Starting in 1947 different solid colors have been used for Senate and House legislation—blue for the Senate bulletin, yellow for the House bulletin—with a gain of distinction, attractiveness, and ease in differentiation. This innovation required that there be no overlapping of Senate and House bill introductions or calendar action on the same pages, with the result that Senate and House portions of the bulletin are maintained intact on their respectively colored

sheets and in wholly separated segments which are joined together to form the total two-tone bulletin.

The number of daily bulletins issued each session has depended, of course, upon the number of sessions which is, in turn, determined by length of session. Prior to 1963 no session has exceeded the 105 numbers prepared and distributed in 1935, although the 103 numbers in 1955 and the 100 numbers in 1959 came close. The fewest regular session issues of the daily bulletin was 55 in 1943, but the special sessions of 1936, 1938, and 1956 required only 6, 3, and 5 bulletins, respectively. The 138 page legislative summary which appeared in *Popular Government* following the 1947 session and the six page summary in the same magazine after the 1945 session were the long and the short of the 13 summaries.

It is a far cry from the present Institute legislative offices in the new Legislative Building to the early space in which the Institute legislative staff functioned. By 1939 the Institute had a small rented space on the first floor of a Raleigh hotel. It was not unusual for early risers, peering in from the street, to see the staff still busy at work trying to beat the deadline for getting last night's bulletin to officials in the morning. Sometimes at dawn one of the staff members might be seen sprawled out on a narrow ledge against the plate glass window at the front of the office, worn out from his efforts. For producing a professional bulletin is often a round-the-clock endeavor. Through the years the legislative staff has been augmented, including considerable stenographic and mechanical help. It is rare for anyone to have to stay up all night with the bulletin. Still, it is not unknown for the "late man" to work well past the witching hour and well into the morning.

In 1941 the Institute took over new offices within (and sub-leased from) the North Carolina Education Association floor of offices over a super market building only a couple of doors cater-cornered across the street from the State Capitol. From that vantage point the service was continued through the forties and into the early fifties when it was moved first to the Mansion Park Hotel, newly-converted into office space, and then to the old YMCA building, across the street north from the Capitol. In the early years Institute legislative staff members variously lived in Raleigh or commuted during the session. More recently, the procedure has been to commute, regardless of the hour.

The names of present Institute of Government staff members who have

served in legislative service comprise perhaps half of all the Institute's staff members through the years. They include some names which will be instantly recognizable to officials and private citizens alike throughout North Carolina. Some thirteen, or more than one-fifth of the total, still are members of the Institute staff. Among those who covered the General Assembly for the Institute are a governor, general counsel for the U.S. Department of Commerce, law school dean, head of the State Department of Administration, Administrative Assistant to a United States Senator, and at least two State Assistant Attorneys General. But all who have served in Raleigh for the Institute would have seemed to have one thing in common: as staff members of the Institute of Government, they have been dedicated to a non-partisan, unique service to the officials and citizens of North Carolina.

The total number of bulletins published and distributed by the Institute weekly during the legislative session runs into five figures. The 1945 *Popular Government* article refers to the "undertaking and carrying out (of) the task of preparing, assembling, and delivering . . . 24,000 bulletins weekly . . . a testimonial to the Institute's basic philosophy that information rather than reform is the only true and lasting answer to the critics of democracy." The writer adds: "The aim and object of the Institute's legislative service is to carry the greatest amount of legislative information to the greatest number of State and local officials possible. . . . Our goal dictates our watchword: Conciseness, completeness, economy, and impartiality; and the greatest of these is impartiality." The author, even then, could describe how the daily bulletin grows from two to fourteen (or more) pages as the session progresses and work hours to "an intense, concentrated, no-time-for-idle-pleasantries, 18 and even 20 hours a day." In response to the questions "How do you boys do it?" "Why do you do it?", the article observes: "The first question can be answered largely by pointing to the splendid cooperation we received from the offices of the Chief Clerks of the Senate and House, and from the various State departments. The balance of the first question and all of the second one can only be answered by the statement that we are trying to do something we believe in." Certainly the debt owed to the Chief Clerks and their staff and to the many officials who are helpful to the legislative staff would be echoed in full measure by those who have served in Raleigh in each and every session, including the present one. The 1945 article included

a picture story on the daily process followed by the legislative staff, including action shots of staff members, Peyton Abbott, Clifford Pace, John Fries Blair, and Louis Cherry, various secretaries, typists, and stencil cutters, and such readers as Governor R. Gregg Cherry. Another article with photographic illustration of the process was published in 1951, again in *Popular Government*, and showed legislative staff members Henry Lewis, Basil Sherrill, George Esser, Ernest Machen, J. Shepard Bryan, Jr. and William E. Poe, together with last-minute helpers Charles Knox and Cliff Bumgarner, on the job. The magazine cover shows "examples of the four services the Institute of Government Legislative staff offered during the 1951 General Assembly"—the *Daily Bulletin*, *Weekly Legislative Summary*, *Bulletin of Local Legislation*, and *Summary of Legislation*.

The 1951 article explains the approach of the legislative staff to its task:

"For the past eighteen years the Institute of Government has reported the day by day operations of every session of the North Carolina General Assembly to the members of the legislature themselves, to State officials, and to local officials in every county and town in North Carolina. When each session is adjourned the members of the Institute staff take critical inventory of their work in Raleigh, inviting criticism helpful in extending or improving the service, and begin to make plans for the session two years ahead. This year we decided to summarize our operations in the form of an illustrated article, thinking that the people who use our legislative service might be interested in what we try to make of it and in how we gather and publish the information that appears in our legislative publications."

The article illustrates the reasons for the Institute service in terms of one incident relating to a committee of the State Senate and observes: "This demand for brief and understandable explanations of propositions presented to the General Assembly is acute among the members themselves and essential to citizens outside the legislative halls interested in what is happening there." The writer, probably Henry Lewis, goes on to further explain:

"North Carolina newspapers do a remarkably able job of covering legislative matters, but a great deal of the work of the General

Assembly, often of vital importance to limited groups or particular localities, has little news value as that term is commonly understood. Consequently, the papers are inclined to treat local legislation and highly technical 'lawyers' bills' in a summary manner. Members of the House and Senate, crowding their days and nights with committee meetings, conferences, and attendance at session, find it almost impossible to read every bill with care. Yet they are expected to vote on every measure with intelligence. County and city officials, throughout the State, charged by virtue of their offices with administering the law and having to know what the law is, find themselves hard put to keep abreast of the proposals suggested for enactment. State officials face the same situation. Often proposals are of paramount significance to the operation of their offices and departments, and it is essential that they know what is happening. In brief, accurate information is needed and it is needed quickly, for it does not take long for a bill to become law or for another bill to meet legislative death."

To the question why the Institute of Government sends staff members to Raleigh during the sessions of the General Assembly the writer replies by citing "the need for accurate and rapid reporting of legislative matters illustrated here" and by quoting the 1945 statement of objectives. The author elucidates:

"We are in business as an instrument of the State to try to help members of the legislature, public officials, and the people in general keep up with what is going on. State and local officials receive their bulletins without additional charge by virtue of their official position. In an effort to offset the heavy expense involved in carrying on our regular service, for set fees we supply bulletins and special information services to a number of business firms and private individuals both in North Carolina and outside."

"During the legislative session, the Institute of Government's legislative service staff worked right along with the General Assembly, as it has since 1933. Its members published daily bulletins summarizing all bills introduced and reporting all calendar action taken with regard to any bill. At the end of each week they published weekly summaries of the major legislative activity during the week, together with



local bulletins describing for local governmental officials in each county the bills introduced and action taken relating to that county. At the end of the session they published a statement of final action taken on each bill introduced and local summaries of final action on all bills pertaining to individual counties. Finally, in the *Summary of 1955 Legislation, General Assembly of North Carolina*, they summarized all statewide legislation enacted (codified in General Statutes form so as to be useful as quasi-official supplements to the General Statutes until the supplements appear).

"In this issue of *Popular Government* we have attempted to bring together the highlights of the legislation introduced which are of interest to particular state and local governmental officials. We have in many cases described local acts and acts that failed, as well as statewide legislation—for it is from these seedbeds that statewide legislation in future years will grow. We have in many cases described the background which led to particular bills—and the legal problems which might result from their enactment. Because of space limitations we have not been able to analyze all new legislation as fully as we might wish, but during the coming issues of *Popular Government* particular bills of importance will be discussed in detail."

The third definitive article, following the major write-ups of 1945 and 1951, was headed "The Institute's Legislative Service—1957" (*Popular Government*, September, 1957, pp. 1-5, 33) and introduced the legislative issue of the magazine. Written by Philip P. Green, Jr., who had been in charge of the Institute legislative service that year, the article begins with a statement of the growth in importance of and official dependence on the service:

"Since 1933 one of the major services rendered by the Institute of Government has been its reporting of the actions of the General Assembly. Through the years state and local officials throughout the state have come to rely upon the bulletins appearing on their desks each day, setting forth detailed and accurate information as to the contents of new bills and action on old bills."

Green next re-states the reasons for the service, noting that it "grew out of a need for complete, concise, and impartially accurate reporting of legislative action," that newspapers cannot meet official needs, that legislators and other busy officials need information about bills and "their effect upon existing laws in a manageable form," that impartiality and technical accuracy are essential, that the latter

requires trained lawyers experienced in legislative analysis, that the need for the service exists "among . . . a number of categories of officials," that state and local officials require information on the content of bills in time to take effective action, and that citizens of the state "must have the same knowledge of, and opportunity to take action concerning legislative proposals." The author lists and describes in detail the five major publications through which the Institute seeks to attain these objectives: *Daily Bulletins*, *Weekly Summaries*, *Weekly Bulletins of Local Legislation*, *Final Summary*, and "this issue of *Popular Government*." The article parallels the 1951 piece in describing "the machinery by which these bulletins are produced." Staff names, office personnel, organization, and procedures are listed or explained. Once more pictures, 16 in all, are used to advantage to illustrate the steps in the process. Increases in numbers of bulletins distributed are evident: the *Daily Bulletin* is provided in "a cumulative set" on every legislator's desk, is "delivered by messenger" (in early years by staff members themselves) to 150 state officials in Raleigh each morning and is "mailed to approximately 1400 city and county officials over the state; the *Weekly Summaries* mailed to some 8800 state and local officials each week; *Weekly Bulletins of Local Legislation* are mailed with the *Weekly Summaries* and may run from one to 20 a week; and the *Final Summary*, a printed volume, is distributed to approximately 2,000 officials.

Special services in addition to or made possible by these publications are specified: special information supplementing the *Daily Bulletin*, including digests of messages from the Governor, lists of legislative committees, etc.; special information furnished to "legislators, officials, newspapermen, and other interested persons during the session, special information available through the Institute journal 'showing the progress of every bill through the General Assembly,' through copies of all bills and amendments, through classification files of public and local bills; and through copies of special reports. The issue of *Popular Government* in which this article appears "is designed to highlight the legislation of particular interest to particular groups of officials. In it we have tried to do more than show the major provisions of the new laws. In some cases we have set forth the background which led up to particular acts, plus an analysis of the probable effect of the change. In addition, we have described some of the local bills enacted and some of the bills which

failed of passage, in the belief that future legislation may grow out of these seedbeds."

The article discusses the hours of legislative coverage, research, digest, analysis, and the process of mechanical reproduction leading to the finished bulletin. In addition to the daily routine, the processes of preparing and filing cards on bills, making entries in the journals, handling requests for information, providing extra typists for Saturday morning to cut stencils for the Local Bulletin, and checking all records against the House and Senate Journals following final adjournment in the interest of accuracy, are described.

On the ninety-sixth and final page of the June, 1959, issue of *Popular Government* appear concise but revealing description of the Institute of Government Legislative Service:

"The Legislative Service of the Institute of Government is designed to make sure that North Carolinians are the best informed people in the nation with respect to the activities of their State Legislature.

"Each Day the Institute Legislative Staff prepares summaries of every new bill introduced in either house of the General Assembly and an accurate record of action taken with respect to every bill already introduced. This information is published in the *Daily Legislative Bulletin*, copies of which are distributed each day to members of the General Assembly, to nearly 200 executive, administrative, and judicial officials of the State, and to over 1400 county and municipal officials. Copies are sent to Registers of Deeds, Clerks of Superior Court, and City Clerks, all of whom are requested to file the bulletins and make them available to private citizens on request. Within 24 hours after the General Assembly acts, the record of that action is in the hands of citizens all over the State.

"Each week the bills and actions pertaining to individual counties and municipalities or special districts therein are collected and published in a *Weekly Bulletin of Local Legislation* which is sent to every county and municipal official in the county concerned. A total of 8,000 copies of these Weekly Bulletins are mailed each week. They go into every community in the state.

"A *Weekly Summary* of legislative activity, primarily concerned with public bills of general interest, is sent to all those who receive the Daily and Weekly Bulletins, and to numerous private-citizen subscribers as well."

Perhaps the final two paragraphs of the 1957 article is, in theme, applicable to every session:

"From the time the first envelopes and other supplies are ordered in the

fall until the last report is issued, the better part of a year elapses. In the meantime the Raleigh office force and mimeographing and assembling crews have been hired, places have been found to house the service and the staff members during the session, and a publishing operation producing some 1,500-2,000 pages of legislative information has been completed.

"With this publication, we bring our 1957 legislative service to a close. Planning will now begin for the 1959 session of the General Assembly."

In the November 1961 issue of *Popular Government* the author at-

tempted in a brief article to put into perspective the functioning of the 1961 legislative staff. The article noted:

"Perhaps the only facet of the 1961 North Carolina General Assembly not covered by last month's legislative issue of *Popular Government* was the work of the seven Institute of Government men who covered every moment of the session and were responsible for the Institute legislative publications and other services to legislators and public officials throughout the State. The regular Institute legislative staff was headed for the second straight session by Assistant Director Clyde L. Ball. Working with him were assistant directors Milton S. Heath, Jr., L. Poindexter Watts, Marion W. Benfield, Jr., and Dudley Humphrey. This five-man staff, located in Institute Raleigh offices on the second floor of the old YMCA Building on Capitol Square, analyzed and reported on all legislation introduced and its course through House and Senate in four Institute publications: *The Daily Legislative Bulletin*, *The Weekly Local Bulletin*, *The Weekly Summary*, and *The Final Summary*. They also rendered other services upon request to legislators, officials, press, and public. Two more experienced Institute assistant directors, John L. Sanders and Donald B. Hayman, initiated a requested bill drafting and consulting service to committee chairmen."

## LEGISLATIVE PUBLICATIONS

Some indication of the kind and quality of Institute of Government publications which have been made possible by the services of the Institute to the North Carolina General Assembly and through coverage of the annual sessions and by related services to officials may be gleaned by the following partial list of relatively recent and still available works:

The Authority of the General Assembly to Vest Power In, and To Impose Duties Upon, Counties and Cities, by Clyde L. Ball. 1960. \$1.

Committees of the General Assembly of North Carolina — Membership and Workloads, by Clyde L. Ball. June 1962.

The General Assembly of North Carolina: Guidebook of Organization and Procedure, by Henry W. Lewis. 1951.

General Assembly of North Carolina: Organization and Procedure, by Henry W. Lewis. 1952. \$1.50.

Grant of Legislative Power. Legislative Committees in North Carolina, by Henry W. Lewis. 1950.

Legislative Research Agencies in the United States, by Clyde L. Ball. 1961.

Press Privileges and Facilities for Covering State Legislative Sessions. A Report to the State Legislative Building Commission, by Clyde L. Ball. 1961.

Notes on Selected Legislation of Interest to Lawyers, 1953 General Assembly. 1953.

Summary of 1959 Legislation [of the] General Assembly of North Carolina. 1959. \$3.

Summary of 1961 Legislation [of the] General Assembly of North Carolina. 1961. \$3.

## Notes from Cities—

(Continued from Page 30)

**Harnett County's** library would benefit if **Lillington** is able to establish a town liquor control system.

**Beaufort County** has officially been declared an Area Redevelopment area. Under the program participation in public works programs can be arranged, and industries and small businesses can borrow money for expansion or location purposes at low interest rates.

Construction has been completed on "B" Canal in **Wenona** and work is progressing on Indian Run Canal in the eastern end of **Washington County**.

Overwhelming approval of a \$500,000 school bond issue has prepared **Hyde County** officials to move ahead with a school improvement program. Voters also agreed to consolidation of West Hyde and East Hyde schools.

One of the major expenditures approved by the **Sampson County** Board of Education for 1963-64 is the construction of a 14-classroom elementary

school building for **Newton Grove-Westbrook School** in the **Hobbs** district.

Federal assistance has been promised the newly organized **Montgomery Soil and Water Conservation District** in an agreement signed by Secretary of Agriculture **Orville L. Freeman**.

**Hoke County** was host to the quarterly tour of the **Sandhills Area Development Association** early in June. Development clubs from **Montgomery, Lee, Moore, Richmond,** and **Hoke Counties** form the association and tours are designed to acquaint members with progress made in industrial, agricultural, travel, and recreational developments.

As an economy measure the **Wake County Board of Commissioners** has appointed **M. V. Griffith** as purchasing agent for all county offices. Previously each department handled its own buying, but savings are expected through the new volume purchasing.

Hope for a tax decrease has died in **Wake County** where county commissioners have indicated that any actual surplus at the end of the current fiscal year will be used to keep from running a deficit in 1963-64.

Superintendent **C. M. Abernethy** described the consolidation of two **Caldwell County** high schools the biggest step the **County Board of Education** had taken in its history. A pair of elementary schools will also be merged.

Landowners in **Iredell** and **Rowan Counties** have voted a green light for the **Second Creek Watershed** project which calls for construction of 12 to 15 dams in a five-year period.

As a result of a two-dam power project in **Grayson County, Va., Allegheny County** will have a 4,000 acre lake dropped in its lap. Most of the lake will follow the **New River**, but part will be on the **Little River** to the east. Construction of the dams is at least two years away.

Eleven new **Welfare Department** employees would boost the total to 120 in **Guilford County** if the requested budget is approved.

Jail building contracts totaling \$73,446.67 have been awarded by the **Jackson County Board of Commissioners**. The new brick, block, and steel building will be located between the present jail and the courthouse.

(Continued on Page 37)



# -BOOK REVIEWS-

## LAW ENFORCEMENT

**THE LAW OF CONFESSIONS AND SCIENTIFIC EVIDENCE.** By David N. Smith. Chapel Hill: Institute of Government, University of North Carolina, 1963. 308 pages. \$3.09.

This book fills a crucial gap in the publications available to law enforcement officers, judges, solicitors, and other public officials engaged in the administration of justice in North Carolina. The author, an assistant director of the Institute of Government, reports and analyzes North Carolina cases and statutes, U. S. Supreme Court rulings, and laws and rulings in other jurisdictions, including the most recent cases and statutes in each category. He also offers cogent interpretations of major evidence problems and related matters. The book is an important addition to works available in the field of criminal law and law enforcement.

**COMPLETE BOOK OF SELF-DEFENSE.** By Bruce Tegner. New York: Stein and Day, 1963. \$5.95.

This book describes and illustrates different types of unarmed self-defense. The author's aim is to provide day-by-day for study. Accordingly, this work can be especially useful to law enforcement personnel.

**POLICE ADMINISTRATION.** By O. W. Wilson. New York: McGraw-Hill Company, 1963. \$8.95.

This basic guide to organization and administration of a police department is in its second edition. The book covers all aspects of the structure and operation of a department. However, in the second edition the planning function is stressed more.

**TRAFFIC LAW ENFORCEMENT, A GUIDE FOR PATROLMEN.** By the Southwestern Law Enforcement Institute. Springfield, Illinois: Charles C. Thomas, 1963. \$4.75.

This volume will serve as a basic guide for traffic law enforcement personnel in such functions as investigation of accidents, preparing final reports, and utilizing evidence in court testimony.

## EDUCATION

**THE ECONOMICS AND POLITICS OF PUBLIC EDUCATION SERIES.** Syracuse, New York: The Syracuse University Press, 1962-63. Each title in series is \$1.75.

1. **Schoolmen and Politics: A Study of State Aid to Education in the Northeast.** By Stephen K. Bailey, Robert C. Wood, Richard T. Frost, and Paul E. Marsh.
2. **Government and the Suburban School.** By Roscoe C. Martin.
3. **National Politics and Federal Aid to Education.** By Frank J. Munger and Richard Fenno.
4. **Issues in Federal Aid to Education.** By Sidney C. Sufrin.
5. **Cost and Quality in Public Education.** By Harold F. Clark.
6. **Federal Aid to Science Education: Two Programs.** By Paul B. Marsh and Ross Gortner.
7. **State and Local Taxes for Public Education.** By Jesse Burkhead.
8. **Administering the National Defense Education Act.** By Sidney C. Sufrin.
9. **Aid for Federally Affected Public Schools.** By I. M. Labovitz.
10. **Suburban Power Structures and Public Education.** By Warner Bloomberg, Jr. and Morris Sunshine.
11. **Social and Economic Factors in Spending for Public Education.** By Jerry Miner.
12. **Education Price and Quantity Indexes.** By William Wasserman.

This series deals with public education finance, governmental relations in education, and federal aid. Each book, based on field research, examines a specific problem. It furnishes detailed material to the educator, legislator, and citizen concerned with support for public education.

**TEACHER SHORTAGES AND SALARY SCHEDULES.** By Joseph A. Kershaw and Roland N. McKean. McGraw-Hill, 1963. \$5.50.

This work is properly described as an "exercise in applied economics [which explains] how the present system of unified teacher salaries affects, and will affect the next decade, the cost and quality of public school education." The economics of teacher compensation is the heart of the study which is concerned primarily with salary structure rather than level.

**HIGHER EDUCATION: RESOURCES AND FINANCE.** By Seymour E. Harris. New York: McGraw-Hill Book Company, 1962. \$9.95.

This study, sponsored by the Ford Foundation, suggests methods by which the country could provide the

additional resources for higher education made necessary by increasing enrollment and the need to improve standards.

**THE FEDERAL INTEREST IN HIGHER EDUCATION.** By Homer D. Babbidge, Jr. and Robert H. Rosenzweig. New York: McGraw-Hill Book Company, 1962. \$5.95.

This book presents a realistic discussion and an analysis of existing and emerging patterns of relationship between the Federal government and higher education.

## HISTORY AND POLITICAL SCIENCE

**NORTH CAROLINA: THE HISTORY OF A SOUTHERN STATE.** By Hugh Talmage Lefler and Albert Ray Newsome. University of North Carolina Press, 1963. \$8.00.

Professor Hugh Lefler, the leading historian of The Old North State, has updated the authoritative history of North Carolina, which he and the late professor A. R. Newsome first released in 1954. In chapters on "For a Finer North Carolina," "The New Commonwealth—For the Public Welfare," and "In the Mainstream" Lefler records recent developments still fresh in the consciousness of the State. Among the items noted by his careful historian's pen are the establishment and rapid growth of community colleges, the expansion of public library facilities, increased interest in art and music, the growth of writers' colonies in the State, recent figures on church membership, reapportionment legislation, public health and welfare programs, development of the State's resources, the increasing cost of government, recent developments in higher education, politics of the last decade, (including the Hodges and Sanford administrations), the Pearsall Plan, the Research Triangle, recent Constitutional changes, and the movement for integration and civil rights. The book, as amended, offers worthwhile information and perspective to every Tar Heel.

**CASES ON PARTY ORGANIZATION.** Edited by Paul Tillett. McGraw-Hill, 1963. \$4.95. (Paper edition—\$3.50).

This first "fruit" of the Eagleton Case Studies Program comprises a collection of case studies on party organization. The articles range from a study of the identification of the individual with the party ("The Nomination of 'Chip' Bohlen" by James Rosenau and "The Rise of Local Political Clubs (The Rise of the Democratic Clubs in California)" by Francis Carney and "The

*Riverside Democrat*" by Donald C. Blaisdell) to national party organization (*Meade Alcorn and the 1958 Election* by Phillip F. Wilder, Jr., *The Loyalty Pledge Controversy in the Democratic Party* by Abraham Holtzman, and *Dollars for Democrats, 1959* by Bernard Hennessy) and Republican attempts to organize the South (*Two Parties for Shreveport* by Kenneth N. Vines). The result is an interesting and informative, though scarcely comprehensive, picture of party developments, with insights from recent events.

**THE DEMOCRATIC SOUTH.** By Dewey W. Grantham, Jr. University of Georgia Press, 1963. \$2.50.

The author here puts together a series of four lectures in which he interprets the current economic and social revolutions in the South. To Dr. Grantham, historian, these developments are the climax of "regional and national developments and bring the promise of "more realistic and democratic politics for the South." The titles of the four lectures will give some idea of the author's approach: *The Democratic Basis of Southern Politics*, *The Forging of the Solid South*, *The One-Party South in Mid-Passage*, and *Tradition and New Departure*.

**THE STRUCTURE OF POLITICAL THOUGHT. A STUDY IN THE HISTORY OF POLITICAL IDEAS.** By Charles N. R. McCoy. McGraw-Hill, 1963. \$7.95.

Professor McCoy, Head of the Department of Politics at Catholic University, traces the structure of political thought from Plato and Aristotle through Christianity and its effect on political philosophy to Machiavelli, and the new politics, the modernized theory of natural law and enlightenment (Hobbs, Locke, and Rousseau), classical liberalism and conservatism (Hume, Adam Smith, Bentham, Mill, Burke), and the Marxist revolutionary ideas. Relating to both theory and practice, the author's ideas are cogent, but scarcely light reading.

**CLASSICS IN POLITICAL SCIENCE.** Edited by Joseph S. Roucek. Philosophical Library, New York, 1963. \$6.00.

Professor Roucek has brought within the covers of this book a survey of political ideas through history. Among the authors whose works are included, at least in part, are John Adams, Czar Alexander II, Saint Thomas Aquinas, Aristotle, Saint Augustine, Jeremy

Bentham, Edmund Burke, Sir Winston Churchill, Cicero, Oliver Cromwell, Demosthenes, Alexander Hamilton, Disraeli, Adolf Hitler, Abraham Lincoln, John Stuart Mill, Oswald Spengler, Benito Mussolini, Joseph Stalin, and George Washington. There are a great many others, but that is the idea. A fascinating collection of political ideas. Good, bad, and often debatable.

**STATE AND LOCAL GOVERNMENT AND POLITICS.** By Robert S. Babcock. New York: Random House, 1962. 425 pages. \$5.75.

The author has had a considerable career as state legislator and lieutenant governor of Vermont, as well as political scientist. In this second edition he brings up to date his analysis of state and local government, making his text current in interest and value. He considers the citizen and the government; the legal basis of the Federal Constitution; pressure groups and lobbyists; political parties and the politicians; suffrage and elections; the county; the city; the metropolis; the legislature; the governor; and various state services, among other major chapter heads. His bibliography and tables comparing state and local practices is especially useful.

## LAND ECONOMICS RESEARCH

### LAND ECONOMICS RESEARCH . . .

Edited by Joseph Ackerman, Marion Clawson, and Marshall Harris. Washington, D. C. (1775 Massachusetts Avenue, N.W.): Resources for the Future, Inc., 1962. 270 pages. \$4.00.

This book consists of papers presented at a symposium held at Lincoln, Nebraska, June 16-23, 1961, under the joint sponsorship of the Farm Foundation and Resources for the Future. Set forth are ideas, theories, and suggestions for research in land economics to advance professional thinking among economists in universities and government and to stimulate and guide land economics research for the next ten or twenty years in dealing more effectively with significant land problems. All major land uses are covered: however, rural land receives the lion's share of attention. The book should be of interest to sociologists, political scientists, lawyers, and others who are concerned with land use and land institutions. Planners will find papers by Coleman Woodbury on "Land Economics Research for Urban and Regional Planning" and by Marion Clawson on "Future Land Use and Tenure Problems Requiring Research" of particular interest.

## PUBLIC HOUSING

**SLUMS, PROJECTS, AND PEOPLE: SOCIAL PSYCHOLOGICAL PROBLEMS OF RELOCATION IN PUERTO RICO.** By Kurt W. Back. Durham, N. C.: Duke University Press, 1962. 123 pages. \$5.00.

This book reports on a study of the attitudes of Puerto Rican slum-dwellers toward moving from their slum homes and into high-rise public housing projects. As a means of understanding the considerable resistance of these people both to being displaced from their slum dwellings and to moving into the housing projects provided for them, 405 interviews were conducted in 242 households. Information was gathered about the people themselves, their slum living conditions, the process of change, and reactions toward change. Studied also were the importance of housing to slum residents, their aspirations, and their perceptions of the housing project as a means of achieving these aspirations.

Fact-finding of this type is potentially of enormous importance to a wide audience of those concerned with planning, urban renewal, and public housing—to commission members and governing boards as well as city administrative officials and professional staff people. Unfortunately, this book, despite its inviting title and exceptionally fine layout, is destined for a limited readership, the trained professional staff member who possesses both the competence and the patience to wade through the technical language and the plethora of detail to extract for himself the essence of this really fine piece of research.

## GENERAL

**HOW AND WHERE TO FIND THE FACTS.** By William Sunners. New York: Acro, 1963. 442 pages. \$7.50.

If you do research and sometimes have trouble finding the facts you need, this volume is designed to tell you where to find them; how to use various libraries; all about encyclopedias, dictionaries, almanacs, gazetteers, atlases; directories; illustrations; and miscellaneous facts about finding facts. It contains various directories and a guide to more than 700 subjects. The reviewer is not ready to dispute the claim of the publisher that "there is absolutely no subject . . . not covered in this amazing storehouse of knowledge."



## Notes from Cities, Counties—

(Continued from Page 34)

Some 128 additional geodetic survey markers may be placed in **Iredell** County by a cooperative venture of the Iredell County Planning Board and the North Carolina Geodetic Survey. The planning group has voted to request the county commissioners to secure the services of the NCGS for placing additional control markers in the rapidly developing areas of the county.

\* \* \*

Merger of the **Henderson** and **Vance** County school systems will be decided in a county-wide vote June 29.

\* \* \*

"If **Ocracoke** wants to leave Hyde County, we'd be happy to have it become a part of **Carteret**," W. R. Hamilton, chairman of the county board of commissioners said on learning that Ocracokers want an election to determine which county they will be a part of. Years ago Ocracoke was a part of Carteret, then joined Hyde County. Residents feel the distance traveled to the county seat is too far to be convenient, so a new county affiliation is being eyed.

\* \* \*

Five coastal projects under the accelerated public works program have been approved by the Fish and Wildlife Service of the U. S. Department of the Interior and the State of North Carolina. **Currituck**, **Chowan**, **Camden**, and **Hyde** Counties are involved.

\* \* \*

**Bertie** County has completed and submitted its over-all economic development program to the federal government for approval. This is the first step in becoming eligible for development assistance under the Area Redevelopment Act. **Northampton** and **Halifax** Counties expect to have their program ready for editing in several months.

\* \* \*

**Lenoir** County will issue bonds in order to balance its budget for the coming fiscal year. Salary increases were denied and other expenditures were pared in order to bring funds requested in line with funds available.

\* \* \*

Controversy has developed as to how the outer banks in **Currituck**, **Dare**, **Hyde**, and **Carteret** Counties should be handled. National Park personnel and North Carolina Outer Banks Seashore Park commission members have studied the area which has been considerably eroded in recent years.

## THE ATTORNEY GENERAL RULES

To: Mr. G. L. Mewborn, Jr.

Subject: Counties and County Commissioners; Expenditures; Expenses of Officials and Employees Attending Conferences and Conventions.

In a letter dated March 15, 1963, you write in part as follows:

"We would like an opinion from your office on whether or not a county can legally pay the expenses for travel, registration, meals and lodging incurred by county officials and employees while attending schools and other meetings held by the Institute of Government, County Officers' Associations, State Agencies and similar organizations for training programs and providing information relative to the duties and affairs of the respective office or position held by such officials and employees. We would also like to have an opinion as to whether or not officials and employees who are compensated for their services on a per diem basis could be paid their regular per diem rate for the days required in attending such sessions."

Under the authority of *Green v. Kitchen*, 229 N.C. 450, this office has

always taken the view that the governing body of a county or a city did have authority, in its discretion, to pay the reasonable expenses incurred by officials and employees in attending schools and meetings of the type described by you. This would be the general rule.

As to persons compensated on a per diem basis or limited expense basis, the answer would have to depend on any local acts affecting the particular county or municipality involved. Many local acts limit compensation or expense allowances for such officials to a certain limited number of days devoted to performance of duties or to a limited number of meetings. In situations where such limitations exist, the right to pay additional per diem allowances or expenses might be doubtful. I do not know what local acts relate to the Greene County situation.

This letter is written as a courtesy to you because, ordinarily, inasmuch as the county attorney is the official legal adviser of the county, legal questions relating to county affairs should be presented to him. In the instant case, if the county attorney disagrees with the opinion expressed in this letter, then the opinion of the county attorney should be followed.

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## Dixon Leaves Impressive Record Of 27 Years In Public Service

Ralph L. Dixon's recent retirement from the post of Commissioner of Public Accounts and Finance and City Secretary in Winston-Salem brings down the curtain on an impressive career of 27 years of public service in North Carolina's third largest city.

On the occasion of his retirement, Mr. Dixon received high tributes from Winston-Salem City Manager John M. Gold and the Board of Aldermen. Among the recommendations and achievements of his term of service to the city were the installation of a new accounting system, establishment of an audit of activity funds of all City Schools, redesign of the water billing system, installation of a system for processing the appropriation and expenditure records to afford better control over appropriations, and establishment of a Purchasing Warehouse to serve several city departments and an Automotive Equipment Fund which have saved thousands of dollars for

Winston-Salem.

During Mr. Dixon's administration a reserve fund to pay off serial bonds was set up as well as a highly successful Pension Fund for city employees. A division of Property Control has been established and the microfilming of city records is adding to savings in claims.

As City Secretary, Mr. Dixon has devised systems to bring minutes of Board of Aldermen meetings up to date, a system of uniform resolutions for like subjects, and a new indexing system of minutes. Data processing machines have been used to facilitate voter registration.

In 27 years, Mr. Dixon has been responsible for handling more than \$325 million dollars. Today Winston-Salem has a Moody credit rating AA and a North Carolina Municipal Council rating of 92—highest city rating in the state.



## FILTER AND FLAVOR

You get both with Winston... America's best-selling, best-tasting filter cigarette.  
Up front, ahead of a pure white, modern filter, only Winston gives you Filter-Blend.

PURE WHITE,  
MODERN FILTER



PLUS **FILTER - BLEND** UP FRONT

Winston tastes good  
like a cigarette should!