

# POPULAR GOVERNMENT

May, 1964



## *In This Issue:*

**Questions and  
Answers for  
Voters**

**Voting Patterns  
in the North  
Carolina House  
of  
Representatives:  
1961**

**Published by the  
Institute of  
Government**

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COVER

*Some aspects of government can be glamorous. Witness our cover picture of the corps de ballet of the Winston-Salem Civic Ballet working out in the Gallery of the Art Council in the Community Center. (See article on Winston-Salem, "Culturo-polis of the South," p. 15.)*

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# QUESTIONS AND ANSWERS FOR VOTERS

By Henry W. Lewis

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## Introduction

Early in April, under sponsorship of the State Board of Elections, the Institute of Government conducted a study conference for chairmen and members of county boards of elections. This was the fifth such conference since 1959. Most of the discussion was based on a series of imaginary factual situations and the problems they pose for county election officials. A selection from the series is presented here in the belief that the problems will interest citizens in general.

The solutions suggested are not "official," and must be treated as expressions of the author's opinion of the North Carolina law and administrative practice.

Two cautions should be kept in mind in reading these questions and answers: (1) They are concerned with the Primary Election, not the General Election; the answers might be different if the questions dealt with the General Election. (2) Each answer is directed toward the factual situation described and no other; if the facts were even slightly different, it is likely that the answer would be different. Readers who would like to explore the problems posed here in greater detail will find the references useful; for example, a notation such as "[§23; pp. 12-13]" means that G.S. 163-23 contains authority for the statements made in the answer, and that on pages 12-13 of the 1964 edition of the Institute of Government's *Primary and General Election Law and Procedure* will be found some comment or discussion on the points raised in the question.

## I. ELIGIBILITY TO REGISTER AND VOTE IN PRIMARY

- A. During the registration period prior to the 1964 Primary, Don Cowan, who was born on August 12, 1943, applies to the registrar of his precinct, Mrs. Ernestine Muley, for registration. Mrs. Muley informs him that since he is not of age she cannot register him, but she tells him he can come back and register in the registration period prior to the general election. Disappointed, Cowan goes home and broods. On the day of the primary he reappears and asks Mrs. Muley to reconsider; again she refuses. On the day of the second primary he again appears, and Mrs. Muley again refuses to register him. Please explain Cowan's rights at each of the following times: (1) Immediately following Mrs. Muley's first refusal; (2) immediately following her refusal on primary day; and (3) immediately following her refusal on the day of the second primary.

*Answer:* 1. Under the terms of §123 one who will not be twenty-one at the time of the primary but who will become twenty-one prior to the general election "shall be entitled to register and vote in the said primary election if otherwise qualified; provided such person shall register while the registration books are open prior to the primary election. . . . No such person shall be permitted to register on the day of the first or second

primary under this provision *who fails to register* during the regular registration period prior to such primary." Thus, Cowan was entitled to register prior to the 1964 primary, and when Mrs. Muley refused to register him he was entitled to appeal her decision to the county board of elections. But this right was cut off when he failed to act by 5 p.m. on the day following the day on which he was turned down. [N. C. Constitution, Art. VI, Sec. 1; §§24, 123, 28.1; pp. 18, 30.]

2. While the right to register on primary day is denied one "who fails to register" during the regular registration period, Cowan's failure was not wholly for lack of effort on his part. His failure was due primarily to the registrar's mistake; Cowan's sole error was in not pursuing his statutory right to appeal. The language of §123 quoted in 1, above, suggests that the governing legislative intent was to prevent the confusion that might arise from mass attempts at registration on primary day; it does not seem to indicate an intention to deny a person who could have registered (and made an effort to do so) on narrow technical grounds. Thus, Cowan should have perfected his appeal on primary day.

3. Cowan should take an appeal. If it is heard in time for the elections board to order registration on the day of the second primary Cowan will be able to vote.

If not, he can still be registered and will be on the books in time to vote in the coming general election.

- B. Mrs. Daisy DeBow is a registered voter in Appledown Precinct of Bedlam County. Just after Christmas in 1963 she was committed by her physician to a private mental institution for observation and treatment. She was released on January 15 and returned home. On February 23, 1964, Mrs. DeBow was admitted to the State Hospital at Butner on her own request and without legal commitment. She remains there until May 1, 1964, when she is released and returns home. At Challenge Day (May 23) Miss Ima Snoop, a registered voter in Appledown Precinct, enters a challenge to Mrs. DeBow's registration, maintaining that she is a confirmed alcoholic, recites her institutional history, and claims she is not competent to exercise the right to vote. The precinct officials reject the challenge. Are they in error? Advise Miss Snoop what steps to take to insure the county board of elections will review the decision of the precinct officials.

*Answer:* No. The precinct officials are correct in rejecting the challenge. The election laws deny the right to register to "idiots and lunatics," but say nothing of inebriates. Furthermore, even if Mrs. DeBow had been committed for some mental disorder so that idiocy and lunacy are drawn in question, she would still be entitled to vote unless she had been adjudicated incompetent as provided in Chapter 35 of the General Statutes and had not had her legal capacity restored by law. [§24; p. 18.] If Miss Snoop desires to pursue the matter, she should challenge Mrs. DeBow's right to vote on primary day, and if the challenge is rejected, she can again bring the matter before the county board of elections at the canvass. (Mrs. DeBow's ballots in such a case can be identified because, after the challenge is rejected she would have had to sign her ballots before depositing them.) [§§168, 86; pp. 68-69, 33.]

- C. Philip Foley has lived in Peartree Precinct of Artichoke County since 1914. On May 2, the first day for registration in this county in 1964, he applies to the Peartree registrar for registration. The registrar requires him to copy a portion of the Constitution of North Carolina, which Foley attempts to do. The registrar takes the paper on which Foley has written, examines it, and declares Foley is not qualified. Two weeks later, on May 16 (the last day for registration), Foley reappears and again seeks to register. The registrar refuses, pointing out to Foley that he has already failed the literacy test. On Monday, May 18, in proper form, Foley appeals to the Artichoke County Board of Elections. 1. Should the board hear the appeal?

Assuming the board hears the appeal: The board treats the matter as requiring a *de novo* hearing at which the issue of qualification is to be determined anew. At the hearing, Foley is seated opposite the members of the board. One member asks Foley to write from his dictation. He reads a section of the State Constitution in a clear and reasonable tone and at a reasonable rate of speed. Foley refuses to take the test, and the board refuses to order his registration. 2. If Foley appeals to the courts of North Carolina, what will be the outcome?

*Answer:* 1. Yes. The applicant should be given a second chance to take the literacy test if there is any reasonable likelihood that he may be able to qualify. [pp. 19-20.]

2. The court will hold that a test administered by dictation is improper and will order that Foley be given another test according to the standards laid down in the case of *Bazemore v. Board of Elections*, 254 N.C. 398 (1961). [p. 19.]

- D. During the 1964 registration period the following drama takes place in Black Gum Precinct of Sawdust County:

Miss Eleanor Jefferson Truman, an unregistered female: "Mr. Registrar, I am free, sane, over twenty-one, have lived here five years, and want to register to vote."

Mr. Ulysses G. Lincoln, the registrar: "Well, that's just dandy. I reckon you're a Democrat, ain't you?" (As he says this he enters Miss Truman's name in the registration book.)

Miss Truman: "Well, maybe I am and maybe I am not."

Mr. Lincoln: "I'll have to know so I can register you."

Miss Truman: "You are not entitled to inquire into my private beliefs. This is an outrage."

Mr. Lincoln: "Lady, I don't care a hoot in Hell about your private beliefs, but sure as shooting, I ain't gonna let you vote in this precinct without you state your party 'filiation. And that's the law and I done warned you. What is you, an Independent?"

Miss Truman merely sniffs, turns on her heel and leaves, still puffing and blowing.

Imagine what happens when Miss Truman appears at the polling place on Primary Day and says she wants to vote in the Republican Primary. Analyze the situation and make suggestions.

*Answer:* Although the registrar probably did not give Miss Truman adequate notice of her inability to vote in a party primary, in this situation she will not suffer from the registrar's failure. Since the registration book shows her as neither a party affiliate nor an Independent, under §46 she can have her party affiliation recorded on primary day by "taking an oath to support in the next general election the nominees of the party with which [she] then declares . . . affiliation." The wording of this statute suggests the necessity of an oath comparable to the portion of the oath required by §50 upon change of party affiliation, but this was struck down in the case of *Clark v. Meyland* early this year. Thus, on primary day it is probable that Miss Truman should merely be required to take an oath that she desires in good faith to have her affiliation with the Republican Party noted on the registration book without any pledge that she will support the candidates of that party in future general elections. [§§46, 50; pp. 21-22.]

- E. At the last registration in Hurdam County, Willie Change was registered as a Republican. On the first day of the registration period before the 1964 Primary he appears before his precinct registrar and asks to have the notation of his affiliation with the Republican Party removed and, further, asks that he be recorded as an Independent. This the registrar does, and Change leaves. A week later Change returns to the registrar and requests that he be registered as a Democrat. The registrar tells Change that before he can do that Change will have to take the oath of party loyalty. Is this correct?

*Answer:* Yes, although the oath as modified by the case of *Clark v. Meyland* is little more than a statement that the request to make the change is bona fide. [§50; p. 22.] Here, however, it should be noted that some question can be raised about the registrar's authority to permit a voter to change his affiliation from a political party to Independent. The statutes make no express provision for such a change, and, as a matter of fact, the voter gains no material advantage by doing so. He may obtain the same result by simply refusing to vote in the Republican Primary. It is possible that the *Clark* case suggests that the North Carolina Supreme Court will take a liberal attitude toward all such changes when brought before it for consideration.



F. In the last presidential campaign Fred Doiley Carte played a leading public role in an organization called "Democrats for Nixon and Lodge." On Challenge Day in 1964 a registered Democrat in Carte's home precinct appears before the registrar and judges and challenges Carte's designation as a Democrat on the registration book and his right to vote in the Democratic Primary. What disposition should be made of this challenge?

*Answer:* The challenge should be rejected without stronger evidence. §126 provides that "any one may at any time any elector *proposes to vote* challenge his right to vote in the primary of any party upon the ground that he does not affiliate with such party or does not in good faith intend to support the candidates nominated in the primary of such party . . . ." Nevertheless, the fact that Carte was active in an organization called "Democrats for Nixon and Lodge" in the last presidential election is not, standing alone, evidence of his intention or affiliation at this time. As a technical matter, it might also be noted that the words italicized above suggest that a challenge on this ground should not be received until the individual presents himself at the polls. This point, however, has not been ruled on by the courts. [§126.]

## II. CANDIDACY

A. Early Kodger, a longtime Democratic member of the State Senate, neglected to register in his home county when a new registration was held there in 1962. When he files his notice of candidacy and pays his filing fee in 1964, the chairman of the county board of elections makes no check of the registration books, naturally assuming that Senator Kodger's name appears there with the appropriate party designation. After the registration period closes, Senator Kodger's opponent discovers this embarrassing situation and gives it wide publicity, stating that no primary should be held since he is the only qualified candidate. Senator Kodger applies to his brother-in-law, the chairman of the election board, for help. Advise the chairman. If you advise him that Kodger is not qualified, would it be proper to suggest that he have the primary ballot printed to show the opponent's name and leave a blank space for a write-in?

*Answer:* Ordinarily one in Kodger's position would be able to register during the regular registration period (indicating his party affiliation at that time) and cure the defect, but in this situation the defect is not discovered until after the registration period has closed. Furthermore, Kodger would not qualify for registration on the day of the primary in view of the fact that his qualifications to register had matured before the regular registration period closed, not afterwards. [§§119, 30; pp. 41, 29.] It would be improper to advise the chairman to leave a blank space on the primary ballot for a write-in. Write-ins are not valid in primaries, and ballots should not provide for them. Since Kodger is not qualified to run, there is no contest for the nomination; thus, the elections board should print no ballot for State Senator and should certify the sole candidate as the party nominee. [§§129, 128, 134; p. 46.]

B. A registered Democrat who has served several terms in the General Assembly appears at the proper time in 1964 to file as a candidate for that position in the Democratic Primary. Upon being asked to sign the oath required of persons filing in the primary, he tells the chairman of the county board of elections that the recent case of *Clark v. Meyland* makes the loyalty provisions of the oath unconstitutional and that he declines to sign it. What should the chairman do?

*Answer:* In the case of *Clark v. Meyland* the oath under scrutiny was that which §50 requires of a registrant changing party affiliation; the oath which §119 requires of persons filing for party nomination was not before the Supreme Court. Thus, since the oath required by §119 remains unchanged, it is the duty of the chairman of the county board of elections to require that it be taken before allowing a candidate to file. [p. 41.]

C. In 1962 Elijah Brood registered as a Democrat. During the filing period in 1964 Brood appears before the chairman of the county board of elections, states that he has changed his allegiance, and says he wants to run for nomination to a particular office in the Republican Primary. He makes it clear that he is willing to sign the usual pledge to the effect that he will change his affiliation on the registration book during the ensuing registration period.

1. Advise the chairman what action he should take.
2. Would your advice be different if Brood had registered in 1962 as an Independent?
3. Would your advice be the same if Brood had registered in 1962 without having indicated any party affiliation?

*Answer:* 1. The chairman should not permit Brood to file in the Republican Primary because he is already registered as a member of a different party and cannot have his registered party affiliation changed until the regular registration period opens, and this does not occur until after the filing period has closed. [§119; p. 41.]

2. and 3. §119 contains the following provision: "Any person registered as an Independent, or with no party affiliation recorded in the registration book, shall not be eligible to file as a candidate in a primary election." This language is sufficiently definite to require no interpretation; the advice would be that Brood is not eligible to file in the Republican Primary. [p. 41.]

## III. BALLOTS AND BALLOT COUNTERS

A. Set out in Column 1 below are the full legal names of certain individuals who file as candidates in a party primary. In Column 2 appears the exact way in which each signs his notice of candidacy. In Column 3 appears the way in which the candidate wants his name to be printed on the ballot. As chairman of the county board of elections, you must make a decision in each case:

Column 1:

Ephaphroditus Nicholides Papageorge  
Sunshine Belche Blossom  
Doctor Jones Boring  
Eloise Rankin Bond  
Percy Pitts

Column 2:

E. N. Papageorge  
Miss S. Belche Blossom  
Dr. J. Boring  
Eloise R. Bond (Mrs. William Moses Bond)  
P. (Rock) Pitts

Column 3:

E. N. (Pop) Papageorge  
Miss Sunshine Blossom  
Doctor (M.D.) Boring  
Eloise (Mrs. William) Bond  
P. (Rock) Pitts

*Answer:* The names should be printed on the ballots as follows:

E. N. Papageorge. [This is his legal name as signed on  
(Continued on page 20)]

# Voting Patterns in the North Carolina House of Representatives: 1961

By Clyde L. Ball

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## I. Purpose of the Study

The agitation over the distribution of seats in various legislative bodies has focused attention on the conflict between rural and urban interests. In state after state the issue of proper legislative representation has resolved itself into a struggle between the small (low population) counties and the large (high population) counties. So it has been in North Carolina.

When the "Little Federal" amendment to reduce the representation of each county in North Carolina in the House of Representatives to a single member was before the 1963 Extra Session of the General Assembly, the bill passed third reading in the House by a vote of 72 to 44. The representatives from the 12 largest counties, however, voted 27 to three against the amendment, and two of the three who voted for the amendment did so because they had made commitments or thought the vote necessary in order to obtain favorable action on another bill which redistricted Senate seats under the existing constitution. Clearly the attitude of the larger counties on this issue was in conflict with that of the smaller counties.

Undoubtedly, there are those residents of the rural counties who feel that the welfare of the State demands that the radical, undependable and corrupt groups which they think characterize the cities must not be allowed to gain control of both houses of the General Assembly. So, too, there are those in the cities who feel that rural control of the legislature has been and will continue to be a major stumbling block in the path of progress.

It is the purpose of this article to examine the records of the 1961 session to determine whether or not there was in the General Assembly of North Carolina a discernible pattern of voting which distinguished the representatives from the rural counties from the representatives of the urban counties. The 1961, rather than the 1963, session was selected because the journals for the 1963 session were not in print at the time the tabulations for the study were made. Furthermore, this article is the pilot portion of a projected longer study covering the decade from 1953 through 1961—a decade in which the House of Representatives was not apportioned in conformity with the requirements of the state constitution.

## II. Factors Promoting Legislative Agreement

Although there are factors which tend to produce sectional and rural-urban differences in attitudes in North Carolina, there are also factors which tend to produce agreement and like-mindedness in the legislature, especially on statewide issues.

North Carolina makes very great use of the local bill. In the 1961 session, for example, out of a total of 1298 bills and resolutions which were ratified, 789, or 61%, were local in nature. In addition to these local acts, there is widespread use of the device of exemption—at the request of a legislator his county is exempted from the coverage of a general law. Thus, if a legislator does not like the way in which a general law operates or is expected to operate within his county, he may be able to obtain a local modification of the law. There are some constitutional limitations on the use of local acts and

exemptions, and occasionally a strong statewide policy will defeat efforts for local modifications. But generally, the existence of this convenient device to accommodate non-uniformity of attitudes serves to reduce the number of instances where strong sectional differences have to be resolved in a battle on the legislative floor.

Furthermore, North Carolina does not present the extremes of rural-urban population division which characterize some other states. There are no huge cities in the state, but there are a great many small cities and large towns. The residents of these cities and towns are not sufficiently separated from the residents of the rural areas, either in point of time or in physical location, to cause the development of greatly different or sharply antagonistic points of view. The result is that legislative types in North Carolina tend to be relatively homogenous. There are few extreme radicals or extreme conservatives. The lawyer-legislator from a remote mountain county has probably attended the same university as has the lawyer who represents one of the larger cities. The city merchant or business man has much the same attitudes as his rural counterpart.

## III. Records Used

Legislative records in North Carolina are minimal. In many cases only the end product—the enrolled bill—is preserved permanently. The various steps in committee and on the floor by which the bill was molded into its final form are not recorded. Most votes are *viva voce*, and there is no means of recording the vote of the individual legislator. In some instances, however, "roll-call" votes are required by the constitution or are demanded by the members, and in these instances the permanent journal does show how each member voted.

Many roll-call votes are required by the constitution on purely local bills. The vote on these bills is virtually always unanimous and is of no value in determining voting patterns. Many non-controversial public bills contain provisions which bring them within a constitutional requirement of roll-call voting. The vote on these bills is also frequently unanimous or nearly so, and these votes are of no real value in determining voting patterns. The votes of value are those on issues sufficiently controversial to produce substantial support on both sides. Accordingly, this study is based upon roll-call votes on public bills where at least 20% of the total vote was recorded on the losing side.

The North Carolina Constitution requires that all bills be read three times in each house before they are passed. Under the practice in the General Assembly, no vote is taken on first reading, which occurs immediately after introduction of the bill and just prior to its reference to a standing committee. A vote is taken on both second and third readings, normally after the bill has been reported back to the house by any committee or committees to which it has been referred. Sometimes the major debate and contest occurs on second reading, sometimes on third reading, and sometimes on both.

Frequently a roll-call vote is demanded on both second and third readings of a bill. Where the voting pattern on the two



readings is substantially identical, it would be a distortion of the total picture to include both votes in this study. Accordingly, in such instances this study has included only the vote on that reading on which there was the largest percentage on the losing side. If the key vote on a bill took place on a motion to table or to amend, or on some other motion as distinguished from a vote on passing one of the readings, the key vote only is taken into account.

Of course, at best, the naked roll-call votes are of limited value in determining the influence of various legislators, groups of legislators, and county attitudes on the content of legislation. This influence may have had a profound effect on the particular provisions in a bill from the time it was initially drafted until the time it was finally amended, but the influence cannot be measured solely in terms of recorded votes, and indeed may never have required any voting situation in order to make itself highly effective. Accordingly, any study such as the present has many recognized limitations, but it seems to offer as valid a basis of objective evaluation of voting patterns as is now available in North Carolina.

Because Senate districts commonly include both rural and urban counties, it is not possible, with confidence, to analyze Senate votes in the same manner as House votes, as presumably a senator from such a district will attempt to represent the views of his whole district. Accordingly, this study is limited to an analysis of voting patterns, as reflected in contested roll-call votes on public bills in the 1961 North Carolina House of Representatives.

#### IV. Votes Analyzed

Application of the standards set out in the preceding section of this paper leaves only a small number of significant House roll-call votes for any session of the General Assembly. In 1961 this number was eleven; on the basis of preliminary tabulations for the 1953-61 decade, this number is slightly below the average for a session.

Arranged chronologically, the eleven House issues were as follows:

*Issue No. 1.* HB 223. This bill, introduced by Quinn of Cabarrus (urban) and Belk of Mecklenburg (urban), directed the Commissioner of Motor Vehicles to license and regulate commercial driver training schools and to prescribe standards for the schools and their instructors. The recorded vote was on the passage of the bill on second reading. The vote was later reconsidered so that the bill might be sent to the Committee on Finance, as it imposed a fee for driver training schools and instructors. It was reported favorably by that committee. When it reached the floor it was amended to exempt 33 counties and then was tabled by voice vote. *House Journal*, p. 282.

*Issue No. 2.* HB 104. This bill was the 1961 version of the Court Revision proposals originally submitted to the 1959 General Assembly by the North Carolina Bar Association's Committee on Improving and Expediting the Administration of Justice in North Carolina. It rewrote the Judicial Article of the Constitution of North Carolina to establish a State-administered unified and uniform court system. The vote here is on third reading; 72 affirmative votes were required. The bill was enacted and was later ratified by the people and became a part of the Constitution of North Carolina. *House Journal*, p. 413.

*Issue No. 3.* SB 98. This bill would have required an annual inspection of all motor vehicles, by inspection stations licensed by the Commissioner of Motor Vehicles, at a cost of \$1 to the vehicle owner. The vote here was on a motion to table. *House Journal*, p. 501.

*Issue No. 4.* SB 23. This bill increased license application fees for registered nurses and practical nurses by \$5 each. It was enacted into law. Revenue derived from these fees goes to support the nurses' licensing boards. The vote here is on third reading. *House Journal*, p. 532.

*Issue No. 5.* HB 234. This bill extended the coverage of the Minimum Wage Law to embrace establishments employing as many as three persons at one time (formerly five persons employed). The bill was reported unfavorably by the House Committee on Manufacturers and Labor with a minority report attached. The vote here was on the adoption of the minority report, which would have the effect of placing the bill on the favorable calendar. The bill was subsequently amended to limit the extension of coverage to employers of as many as four persons and was enacted. *House Journal*, p. 551.

*Issue No. 6.* SB 179. This bill amended the Constitution of North Carolina to empower the General Assembly to reduce residence requirements for persons seeking to vote for President. Seventy-two affirmative votes were required. The vote here is on third reading. The bill was enacted and was ratified by the people and is now a part of the Constitution. *House Journal*, p. 670.

*Issue No. 7.* SB 78. This was the Budget Revenue Bill which extended the sales tax to food and other formerly exempt items. The vote here was on a motion to table an amendment which would have substituted a tobacco tax for the food tax. After this amendment and several similar moves failed, the bill was enacted, receiving 86 affirmative votes on both second and third readings in the House. *House Journal*, p. 876.

*Issue No. 8.* SB 353. This bill reduced the number of Congressional districts from 12 to 11 by placing two incumbent Piedmont Congressmen in the same district. The vote here is on second reading. The bill was enacted. *House Journal*, p. 924.

*Issue No. 9.* HB 711. This bill amended the Constitution to provide that only the General Assembly may classify property for taxation, and that the power must be exercised on a statewide basis with every classification applying uniformly in every local taxing unit in the state. Seventy-two affirmative votes were required. The bill fell two votes short of the necessary 72 when it came up for third reading, but that vote was reconsidered, and the vote here was on third reading following the reconsideration. The bill was enacted and was ratified by the people and is now a part of the Constitution of North Carolina. *House Journal*, p. 1017.

*Issue No. 10.* HB 1026. This bill would have amended the Constitution to authorize the General Assembly to fix the compensation of the members of the General Assembly, but no session could alter the pay of its own members. Seventy-two affirmative votes were required. The vote here is on third reading. The bill was killed in a Senate Committee. *House Journal*, p. 1021.

*Issue No. 11.* HB 1127. This bill would have amended the Constitution to provide for a 60-member Senate, with a maximum of two Senators per county, and a 150-member House, with the 50 extra seats apportioned according to population. The vote here is on a motion to table. *House Journal*, p. 1036.

#### V. Classification of Counties

##### A. Geographical

North Carolina consists of three geographic divisions—the Mountains, the Piedmont, and the Coastal Plain (including the Tidewater area). The boundary lines between the respective areas are not sharp and do not follow county lines. Accordingly, some degree of arbitrariness is necessary to classify border counties. The division boundaries for the purposes of this study are those set out in Figure 1:

The three geographical regions have developed along different lines. The Coastal Plain-Tidewater region produced an agricultural economy and a planter aristocracy which have shaped the cultural, economic and political character of the region. The Piedmont has become the growing industrial, commercial and educational center of the state. The Mountains, still somewhat isolated and sparsely populated, reflect the pioneer spirit which characterized their earliest settlers. These differences in cultural and economic development could reason-

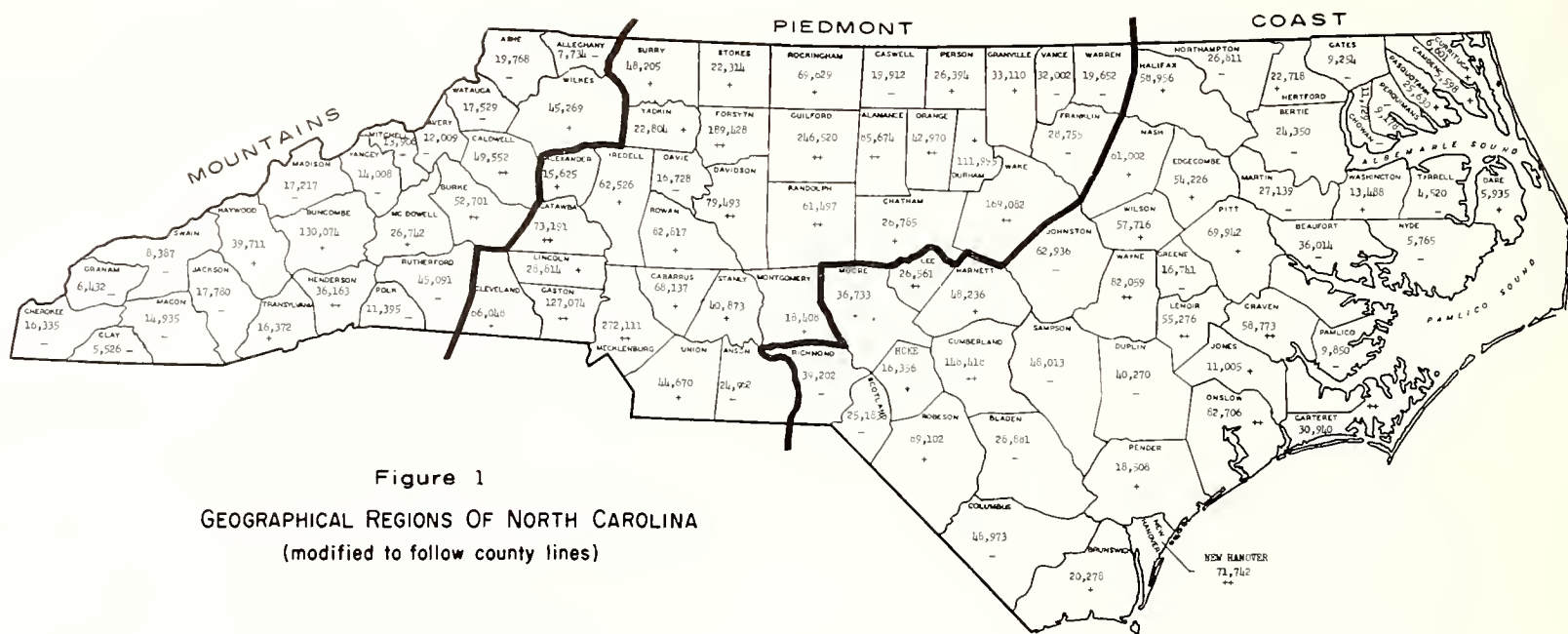


Figure 1  
GEOGRAPHICAL REGIONS OF NORTH CAROLINA  
(modified to follow county lines)

ably be expected to produce different attitudes which would be reflected in regional voting patterns in the General Assembly. Whether or not different voting patterns actually exist is one of the questions which this study seeks to answer.

#### B. Degree of Urbanization

Very few North Carolina counties are truly urban in character. Only six counties—Buncombe, Durham, Forsyth, Guilford, Mecklenburg and Wake—qualify as Standard Metropolitan Statistical Areas as defined by the United States Bureau of the Census.<sup>1</sup>

Only 11 of the State's 100 counties have a majority of their inhabitants residing in urban areas, that is, in incorporated cities and towns of 2,500 or greater population, in the densely settled fringe areas around such municipalities, and in unincorporated places of 2,500 or greater population. These counties (with the percentages of urban population indicated in parentheses) are Alamance (51.2), Buncombe (52.7), Cabarrus (67.7), Durham (75.6), Forsyth (69.2), Gaston (61.8), Guilford (76.1), Mecklenburg (78.0), New Hanover (69.0), Pasquotank (54.9), and Wake (63.2).<sup>2</sup>

These 11 counties constitute the urban classification used in this study. If there is a clear division between the urban and rural points of view as reflected in votes in the General Assembly, there should be a significant difference in the voting pattern of these 11 counties as compared with the pattern for the remainder of the state.

It is worth noting that these urban counties extend from Buncombe in the central mountain area to Pasquotank on Albemarle Sound in the northeast and to New Hanover on the Atlantic Coast in the extreme southeast. The other eight counties form a part of the Piedmont Crescent extending from the South Carolina border to Wake County at the fringe of the Coastal Plain.

North Carolina is becoming increasingly urban in character. In 1950, 66.3% of the total population of the state resided in rural areas. By 1960 this figure had dropped to 60.5%.<sup>3</sup>

#### C. Relative Population

The 20 largest counties contain 50.8% of the total population of the state. These counties and their respective populations are as follows:

Alamance	85,674	Mecklenburg	272,111
Buncombe	130,074	New Hanover	71,742
Cabarrus	68,137	Onslow	82,706
Catawba	73,191	Pitt	69,942
Cleveland	66,048	Robeson	89,102
Cumberland	148,418	Rockingham	69,629
Davidson	79,493	Rowan	82,817
Durham	111,995	Wake	169,082
Forsyth	189,428	Wayne	82,059
Gaston	127,074		
Guilford	246,420	Total	2,315,242

The 51 smallest counties constitute 51% of the counties and contain 19.1% of the total population of the state. These counties and their respective populations are as follows:

Alexander	15,625	Lincoln	28,814
Alleghany	7,734	Macon	14,935
Anson	24,962	Madison	17,217
Ashe	19,768	Martin	27,139
Avery	12,009	McDowell	26,742
Bertie	24,350	Mitchell	13,906
Bladen	28,881	Montgomery	18,408
Brunswick	20,278	Northampton	26,811
Camden	5,598	Pamlico	9,850
Caswell	19,912	Pasquotank	25,630
Chatham	26,785	Pender	18,508
Cherokee	16,335	Perquimans	9,178
Chowan	11,729	Person	26,394
Clay	5,526	Polk	11,395
Currituck	6,601	Scotland	25,183
Dare	5,935	Stokes	22,314
Davie	16,728	Swain	8,387
Franklin	28,755	Transylvania	16,372
Gates	9,254	Tyrrell	4,520
Graham	6,432	Warren	19,652
Greene	16,741	Washington	13,488
Hertford	22,718	Watauga	17,529
Hoke	16,356	Yadkin	22,804
Hyde	5,765	Yancey	14,008
Jackson	17,780		
Jones	11,005	Total	869,307
Lee	26,561		

If the House seats were apportioned on a purely population basis, the 20 largest counties could control the House. Had the "Little Federal" Amendment been ratified, the 51 smallest counties could have controlled the House. A comparison of the voting pattern in the 20 largest counties with the pattern in the 51 smallest counties should reveal whether or not control by population would produce a substantially different result than would control by a majority of the counties.

1. U.S. Census of Population: 1960, Final Report PC(1)-35A, p. 35-3.  
2. U.S. Census of Population: 1960, Final Report PC(1)-35A, Table 6.  
3. U.S. Census of Population: 1960, Final Report PC(1)-35A, Table 6.



#### D. Counties With More Than One Representative

At present, 12 counties have more than one seat in the House of Representatives. In the 1961 General Assembly, which is the subject of this analysis, 13 counties had more than one seat as follows:<sup>4</sup>

Guilford .....	4	Durham .....	2
Mecklenburg .....	4	Gaston .....	2
Buncombe .....	3	Johnston .....	2
Forsyth .....	3	Pitt .....	2
Wake .....	3	Robeson .....	2
Cabarrus .....	2	Rowan .....	2
Cumberland .....	2		

A comparison of the votes within each county delegation should indicate whether the members of a delegation tend to vote as a unit, and thereby to represent the county as a unit, or whether they tend to vote differently, and thereby to represent what they consider to be individual constituencies.

#### VI. Analyses Made

The votes on the 11 issues set out in Section II will be analyzed to determine:

A. How did the voting patterns in the three geographical divisions compare with the pattern for the whole state and with each other?

B. How did the pattern in the urban counties compare with the pattern for the whole state and with the rural pattern?

C. How did the pattern in the 20 largest counties having approximately 51% of the population compare with the pattern in the 51 smallest counties comprising 51% of the counties of the state?

D. How close was the correlation of votes among the several representatives from each of these various groupings?

The voting of the various groups on the 11 issues is set out in Figure 2:

#### A. Geographical Sections

What do the figures set out in Figure 2 at right reveal as to sectional voting patterns?

In six out of 11 cases, all sections of the state voted together. In no instance did two sections vote on the losing side; that is, in no instance was a top-heavy vote in one section sufficient to override the other two when the other two voted together. The Mountain area was on the losing side three times; the Piedmont lost twice; and the Coast lost only once.

In only four instances was the vote of any section determinative; that is, if the vote in one area had been eliminated entirely, the result would have been changed in only four instances. If the Mountain vote had been eliminated, the vote on all but one issue would have been the same; on that issue the Mountains joined with the Coast to offset a Piedmont vote in the other direction. Had the Piedmont vote been eliminated, all but one result would have been the same; on that issue the Piedmont vote broke a tie between Mountains and Coast, putting the Mountains on the winning side. If the Coastal vote had been eliminated, the result would have been changed in two instances; in both of these cases, the Coast joined with a close Piedmont vote to defeat the Mountains. Thus, in no instance was the Coastal vote sufficient, by itself, to defeat the Piedmont; and in only one instance did the Piedmont defeat the Coast. The Mountains defeated the Piedmont once and lost twice to the Coast.

It appears, then, that there is no discernible pattern indicating that any one of the geographical sections of the state is significantly out of step with the thinking of the whole state; and it is clear that no two sections have consistently "ganged-up" to defeat the third.

(Continued on page 16)

4. N.C. Pub. Acts 1941, c. 112.

Figure 2

TABULATION OF VOTES BY SPECIFIED GROUPS

Issue Number	Total Vote			GEOGRAPHICAL REGIONS						URBAN VS. RURAL						POPULATION VS. COUNTIES														
	+ — %*			Mountain		Piedmont		Coast		SMA		Other Urban		Total Urban		Rural		20 Largest Counties		51 Smallest Counties										
	+	—	%*	+	—	+	—	+	—	+	—	+	—	+	—	+	—	+	—	+	—									
1. Driver Training Schools	56	42	57.1	9	13	40.9	20	17	54.1	27	11	71.1	13	4	76.5	5	2	71.4	15	7	68.2	41	35	53.9	24	13	64.9	30	18	62.5
2. Court Revision	85	28	75.2	17	6	73.9	39	5	88.6	29	17	63.0	15	2	88.2	5	2	71.4	20	4	83.3	65	24	73.0	31	4	88.6	29	18	61.7
3. Compulsory Motor Vehicle Inspection	58	55	51.3	17	8	68.0	18	25	41.9	23	22	51.1	5	13	27.8	3	4	42.9	8	17	32.0	50	38	56.8	12	25	32.4	33	16	67.3
4. Nurse's Fees	86	23	77.5	15	9	62.5	35	9	79.5	36	5	87.9	15	3	83.3	5	1	83.3	20	4	83.3	66	19	77.6	27	7	79.4	35	13	72.9
5. Minimum Wage Extension	71	41	63.4	18	6	75.0	36	6	85.7	17	29	37.0	16	0	100.0	6	0	100.0	22	0	100.0	51	41	55.4	29	6	82.9	26	24	52.0
6. Voting Qualifications	74	39	65.5	20	5	80.0	26	16	61.9	28	18	60.9	12	6	66.7	5	2	71.4	17	8	68.0	57	31	64.8	24	13	64.9	30	18	62.5
7. Tobacco Tax	77	42	64.7	13	12	52.0	23	23	50.0	41	7	85.4	8	10	44.4	3	4	42.9	11	14	44.0	66	28	70.2	21	17	55.1	36	15	70.6
8. Congressional Districts	76	43	63.9	15	10	60.0	21	25	45.7	40	8	83.3	9	9	50.0	9	8	52.9	18	17	51.4	58	26	69.0	23	14	62.2	33	17	66.0
9. Property Classification	75	30	71.4	9	13	40.9	33	7	82.5	33	10	76.7	13	0	100.0	7	0	100.0	20	0	100.0	55	30	64.7	34	3	91.9	16	25	39.0
10. Legislative Pay	75	29	72.1	16	5	76.2	30	10	75.0	29	14	67.4	10	3	76.9	6	1	85.7	16	4	80.0	59	25	70.2	23	9	71.9	32	13	71.1
11. Legislative Representation	67	45	59.8	11	12	47.8	21	21	50.0	35	12	74.5	5	10	33.3	2	4	33.3	7	14	33.3	60	31	65.3	15	18	45.5	38	12	76.0

\* Per cent voting on prevailing side.

# *Planning in Great Britain - A Series*

## Part III: GREEN BELTS and Other Devices Used in Rural Areas

By Philip P. Green, Jr.  
Assistant Director, Institute of Government

### *Introduction*

The 1963 General Assembly for the first time handed North Carolina's cities and counties authority to acquire property rights within their respective zoning jurisdictions solely for the purpose of preserving open space (G.S. Chapter 160, Article 14A; Sess. Laws, 1963, c. 1129). They are encouraged to make use of this authority by the possibility of federal grants of 20 or 30 per cent of the cost of such acquisition (+2 U.S.C. Chapter 8C, 75 Stat. 183-185).

As they consider whether or how to exercise their new powers, North Carolina's local governments may be interested in the far greater powers of this type available to their English counterparts, how they have been exercised, and generally what the results have been. The best-known of these powers are the authority to establish "Green Belts," but there are less well-known powers which have also had important effects on urban and rural development in England.

### *Green Belts—History*

The Ministry of Housing and Local Government traces the idea of the Green Belt back to the very early days of England's history, when most towns were surrounded by open land. This land was used basically for agriculture, but it also served as a site for fairs and sports, a barrier against the spread of disease, and an open space which any enemy must cross before assaulting the city walls. In 1580 Queen Elizabeth I issued a royal proclamation forbidding new development within three miles of London's gates, so as to insure the availability of a supply of food and to impede the spread of the plague. In 1657 Parliament established a precedent for some present-day zoning near American metropolitan areas, when it attempted to slow urbanization by requiring all new dwellings within 10 miles of London to have lots of at least 4 acres.

Planners would generally date the Green Belt concept from the writing of Ebenezer Howard at the turn of this century. Reacting against the congestion of London—already with a population

close to 6 million—he proposed creation of new, small "garden cities." Each of these would be surrounded by a rural or country belt, which would prevent excessive growth of the town, maintain close-at-hand agricultural resources, furnish space for outdoor recreation—and provide sites for institutions for inebriates from London!

London itself was the site of the first important Green Belt actually to appear on the ground. Sir Raymond Unwin, who designed the first of the garden cities (and whose grandson graduated recently from the University of North Carolina's Department of City and Regional Planning) included the idea in his plan for greater London in 1933. He stressed the need for a brake on further expansion of the metropolis, while also pointing out the desirability of a reserve of land for recreational use.

With this inspiration, several of the counties surrounding London began to acquire land to prevent its further spread. In 1935 the London County Council embarked upon a program of encouraging such acquisition by making grants covering part of the cost. In 1938 Parliament authorized local authorities in the London area formally to establish a Green Belt made up of such lands, which could not thereafter be sold or built upon without the consent of the Minister and the contributing authorities. Some 35,500 acres in a discontinuous belt around the city were acquired in this fashion and are still held today.

Sir Patrick Abercrombie's 1944 plan for greater London recognized this belt and proposed that it be extended to a width of approximately 5 miles. The local authorities concerned accepted this proposal and went further, amending their development plans to show a width ranging from 6 to 10 miles.

At this stage the plans were probably not feasible, because of the cost of acquiring the land or of making agreements with its owners not to develop it. But as we have seen in Part Two of this series, the 1947 Town and Country Planning Act and its successors provided a

solution. That Act forbade any development of land without planning permission. Authorities wishing to preserve a Green Belt no longer had to purchase land in order to keep it open; they merely had to refuse permission to develop it. While compensation was, and is, available to the owner if this refusal precluded any reasonable use of the land, it was paid by the national government rather than by local authorities.

With this authority, the London Green Belt has achieved a lasting status. Furthermore, it has been extended still more, with plans now showing its width in some sectors to be over 25 miles.

Elsewhere, the cities of Birmingham, Leeds, and Sheffield in the pre-war period acquired large areas for Green Belt purposes or secured agreements from their owners that they should be kept open. But there was no general use of the Green Belt technique under the 1947 Act until 1955, when the Minister of Housing and Local Government stated in Parliament, "I am convinced that, for the well-being of our people and for the preservation of the countryside, we have a clear duty to do all we can to prevent the further unrestricted sprawl of the great cities." He followed this up with a circular to local planning authorities suggesting the circumstances in which they should create Green Belts. This met an immediately favorable response, and Green Belts were soon established in most of the major urban areas of England.

### *Nature and Objectives*

What, precisely, is the nature of a Green Belt under present practices? It is nothing more nor less than an area designated for that purpose upon the development plan prepared by a local planning authority—county or county borough—and approved by the Minister of Housing and Local Government. It is anticipated that the bulk of the land so designated will be kept permanently open. There is a strong presumption against any application to erect a new building or to undertake some new use of the land which will create new



employment—and ultimately a demand for nearby housing. The applicant must be able to show that a proposed building is necessary for purposes appropriate to a Green Belt (such as a farm building) or that there is some special reason why it should be allowed. Normally, agriculture, forestry, mineral working, reservoirs, recreation, cemeteries, and “institutions standing in extensive grounds” are considered appropriate uses.

The Ministry’s 1955 circular suggested three situations where a Green Belt might be appropriate:

“(a) to check the further growth of a large built-up area;

“(b) to prevent neighbouring towns from merging into one another; or

“(c) to preserve the special character of a town.”

The first two purposes are self-explanatory. The third relates to the desirability of preserving the character and setting of such historic towns as Oxford, Cambridge, and York against incongruous surroundings.

In many of the Green Belts which have received at least preliminary approval, several purposes are apparent. In such areas as Birmingham-Coventry, or Liverpool-Chester-Manchester-Bradford-Leeds-Sheffield, the belt is designed both to prevent further spread of a great urban conurbation and to separate the various component cities which are in danger of merging. (This type of situation is rapidly developing on the American East Coast, extending almost from Portland, Maine, to Norfolk, Virginia, and it could develop along North Carolina’s Piedmont Crescent.) A Green Belt about Bristol and Bath is designed to serve both of these purposes and in addition to preserve the special character of Bath.

Although not mentioned by the Ministry circular, other purposes for Green Belts undoubtedly play a part in their designation and furnish a basis for the strong public support which they attract: space for recreational purposes, visual amenity, readily accessible “breathing space” for crowded city residents, etc. The need to preserve near-by land for agricultural purposes once was a very strong motivation in food-short Britain, but improvements in agricultural techniques and productivity, coupled with improvements in transport, have lessened this requirement. Nevertheless, farming remains the prime user of land in the Green Belts.

As we saw in Part One of this series, the county boroughs—large chartered cities—are carved out of and administratively distinct from the counties—a situation akin to that in the state of Virginia. This means, just as in Virginia, that when a county borough wishes to extend its boundaries, it must do so

at the cost of a neighboring county, which would thereby lose valuable property from its tax books. Some counties have attempted to forestall this result by establishing a Green Belt around neighboring county boroughs, although this clearly is an illegitimate use of the device.

The Ministry’s circular suggested that wherever practicable a Green Belt should be at least several miles wide, so as to prevent development from merely leaping over it. Where there are existing villages lying within a Green Belt, the circular suggested there might be “a strictly limited amount of ‘infilling’ or ‘rounding off,’” but no industrial or commercial development.

#### *Significance of Green Belts*

It might be asked why it is necessary to designate Green Belts on the plan at all. The 1947 Act in effect has adopted Sir Raymond Unwin’s suggestion that rather than permitting development everywhere except where an open space is shown, the plan should require open space everywhere except where development is shown. If this approach were followed completely, there might be no necessity for Green Belts. But in periods of very rapid urbanization, pressures for land arise very quickly and strongly. In the absence of a Green Belt designation, it would undoubtedly be difficult to resist demands that more land be freed for development. As it is, the Green Belts have acquired very strong public support, and any suggestion that the local authorities or Ministry are weakening in their determination to preserve a Green Belt inviolate leads to immediate outcries, letters to *The Times*, mass meetings, and the like. So it might be said that the major significance of the Green Belt is psychological—it identifies those areas which are to be preserved, no matter what the pressure, and gives the public sure knowledge of when to protest.

It was undoubtedly in recognition of the sometimes unreasoning nature of this public support that the Minister in 1960 declared, “The right principles are that a green belt should be established only where there is a clear need to contain the growth of a town within limits which can be defined at the time; and the limits of the belts should be carefully drawn so as not to include land which it is unnecessary to keep permanently open for the purpose of the green belt.”

#### *How Well Have They Worked?*

Because of their location next to the growth areas of Britain—primarily in and about the major conurbations—it can be understood that there have been the most intensive pressures to open up the Green Belts for new housing and other development. The Minister left some latitude for this in suggesting that

there might be some limited “in-filling” and “rounding-off” of existing towns and villages. In a later circular spelling out the details for submission of Green Belt proposals, the Ministry noted that some problems might be alleviated in fixing the boundaries of the Green Belt:

“There may be some pockets of land between the town and the Green Belt, which are not to be developed within the present plan period but which could be developed later without prejudice to the Green Belt. It would be misleading to allocate such areas now, but to include them in the Green Belt for the time being might give rise to difficulties and undermine public confidence in the Green Belt at a later date if it were then decided to allocate the land for development. Such areas may well be left as pockets of ‘white’ land [i.e., land not presently available for development]. They are then bound to be especially attractive to developers and it will be desirable to set out in the Written Statement the authority’s policy for such areas in order to make it clear that they are not available for development at the present time.”

Apparently the pattern of development in most existing towns and villages within Green Belts was originally rather “loose,” so that there was considerable scope for “in-filling” and “rounding-off.” Daniel Mandelker in his *Green Belts and Urban Growth* (University of Wisconsin Press, 1962) reports that though growth in the Green Belts was undoubtedly retarded, between 1951 and 1958 development took place in the London Green Belt at a rate from four to six times the national average for all development, and that 77 per cent of the Birmingham area growth in 1956-7 took place in its Green Belt. From 1938 to 1961, population in the London Green Belt increased from 975,000 to 1,650,000.

Nevertheless, local authorities and the Ministry, backed by strong public opinion, have stood up extraordinarily well to such pressures. In 1962, for example, refusals of permission to develop in Green Belts were made in over 30 per cent of all applications, whereas the percentage of refusals elsewhere was around 15 per cent. Undoubtedly the effect was stronger than these figures indicate, because the record of past refusals has a dampening effect upon the number of applications submitted in Green Belts.

There are indications now that the supply of “gaps” which can be filled in existing towns and villages has virtually run out. The resulting shortage of space for building is bound to intensify the demands for easing of the Green Belt restrictions. The city of Birmingham, in a celebrated case in the late 1950’s, conducted a strong but largely unsuccessful campaign for permission to erect municipi-

pally-owned housing within a Green Belt established by its neighboring counties who may have hoped to prevent annexation of adjoining property in locating the Belt so close to its boundaries. This spring one of the colleges of Oxford University is seeking permission to build 80 houses in a village which it largely owns in the Green Belt around Oxford. Planners have been much concerned about a hint in a White Paper issued by the Minister last February that possibly not all the Green Belt land around London was essential—particularly as they examine his recent decisions permitting small-scale development in some portions of the area.

Regardless of whether current charges of a weakening support of the Green Belts are sound, there can be no doubt that it will be more and more difficult to hold the line as the supply of building land is exhausted.

Some planners have suggested that the best that can be hoped for from use of the Green Belt technique is a compact form of development—complete filling up of existing cities before growth moves outward, in contrast to the loose sprawl common on the fringes of most American cities. They feel that this objective could be met by a slowly moving Green Belt, whose inner edges would be gradually eroded while its outer boundaries are extended. This approach, however, would seem to increase enormously the difficulties of maintaining the Green Belt. The public would have no fixed image on which it could focus its support; the governing board would have less strong reason for denying permission to the developer who wished to encroach a little farther or a little faster into the Belt than was planned.

#### *Lessons Learned*

Probably the most important lesson learned in use of the Green Belt technique is the fact that public support for open areas in and about major cities is far greater than anyone had suspected. The Green Belt has become almost sacred in the minds of many voters, with consequent impact on the governing board members and others who administer it. Without this support, it is inconceivable that this type of regulation could have long endured.

Equally important, however, is that fact that it is now generally recognized that the Green Belt alone is not a sufficient answer to sprawling development. People must live somewhere, and if there is no space left inside the core city, either such space must be provided elsewhere or the Green Belt must give way.

This has led to two other developments within Britain which will be dealt with at greater length in future articles. First, the New Towns have been constructed, and are being constructed, in

areas beyond the Green Belt. These furnish housing for the "overspill" population which cannot be housed in the core city. More important, they contain industrial and commercial areas furnishing employment to their residents, so that they do not have to traverse the Green Belt on their way to work inside the older city.

Secondly, very active measures are underway to reduce employment within the major cities, on the basis that population follows jobs. These measures have reduced substantially industrial employment in the major cities, as new industries and expansions have been discouraged and old industries urged to move to less populous areas. More recently efforts have been made to reduce office employment in the same manner. Success in these efforts should reduce population pressures markedly.

Another major lesson is the undoubted benefit of operating Green Belts as a matter of regulation rather than acquisition of property. It is obvious that this is a less costly method, from the standpoint of the governmental units concerned. But it is equally important that under this system a Green Belt can be established with a great deal more dispatch, and that necessary modifications can be made much more easily when required, than where the governmental unit purchases either the fee or "development rights" to property.

There is still a note of caution prevalent, despite the amount of experience which has accumulated. Perhaps the best measure of this is that the Ministry of Housing and Local Government has given final approval to the London Green Belt—although it has given provisional approval to many others, and these have been treated by both the local authorities concerned and the Ministry as though they were definite and final. Apparently the Ministry is fearful that establishing an absolutely rigid policy may prove to be a mistake, as the population changes perhaps dictate new patterns of development.

Planners in other countries, including the United States, have argued that open space might more effectively be brought to residents of congested areas through a "finger" pattern of development—strips of open space running in towards the center of the city—rather than by an encircling belt. However, such a pattern obviously does not place limits on the ultimate size of cities in the manner of the British approach.

One major theoretical problem deserving more research, if the British technique is to be fully effective, is what population is the "optimum" for a city. Some light has recently been thrown upon this by research concerned with the costs of providing facilities for traf-

fic in towns, but this is only a small and highly tentative beginning.

#### *Other Measures*

British concern for preservation of open space is not limited to the Green Belt areas. Indeed, an extraordinary range of devices has been made available to planning authorities for achieving this and other objectives in rural areas.

Two devices are almost precisely similar to the Green Belt in their operation. The National Parks Commission may, after consultation with local authorities and approval by the Minister, designate Areas of Outstanding Natural Beauty. Local planning authorities may designate Areas of Grand Landscape Value. In each case, such areas are shown on local development plans, and the effect of the designation is to enable the planning authorities to refuse development permission to those proposed uses which would adversely affect the appearance of the area or change its character. As in the case of the Green Belt, much of the effect is probably psychological, putting an extra burden on the applicant to justify his proposal—particularly in the case of the areas designated by the National Parks Commission. Perhaps the most dramatic effect of these controls has been prevention of a number of high-powered electric transmission lines which had been proposed to cross scenic areas.

The National Parks Commission may also designate as National Parks areas of great natural beauty which are available for recreational purposes. Unlike the situation in the United States, it becomes the responsibility of local planning authorities to develop these parks, under the guidance of the Commission; grants are made to the local authorities by the national government to assist in meeting the costs of such development. In addition, the National Forestry Commission has opened a number of National Forest Parks to the public, and either the Nature Conservancy, a national agency, or a local planning authority may designate Nature Reserves for the preservation of unusual flora or fauna in their natural state. Altogether, almost 6500 square miles of territory, including some 250 miles of coastline, have been set aside for one or another of these purposes.

The British penchant for hiking is shown by two unusual sets of provisions. The National Parks Commission has power to designate long-distance hiking or horseback riding routes, which local planning authorities may thereupon improve in various ways. This has led to establishment of over 1000 miles of hiking trails similar to America's Appalachian Trail. More important, from the standpoint of local planning authorities, is a requirement that they prepare maps

*(Continued on page 22)*





*Careers for Carolina, a discussion program of opportunities in State government, was held in the Knapp Building. Co-sponsors were the Institute of Government and the Student Government of the University of North Carolina at Chapel Hill. Above left is a section of the audience which*



*gathered to hear a talk by Henry W. Lewis, Assistant Director of the Institute, speaking at right. Pictured with Lewis are, left to right, Joel Fleishman, legal assistant to Governor Terry Sanford; Lanny Shuff, coordinator of the program; and William Veeder, Charlotte City Manager.*

## INSTITUTE SCHOOLS MEETINGS CONFERENCES



*During a break between sessions of the Water Resources Seminar held at the Institute of Government Guilford County Commissioner William Davis, left, talks with Elmer Graham of the U. S. Soil Conservation Service.*



*Walter Fuller, Director of Water Resources for the State of North Carolina, speaks on the importance of water resources for the State's economy during the Water Resources Seminar in the auditorium of the Knapp Building.*

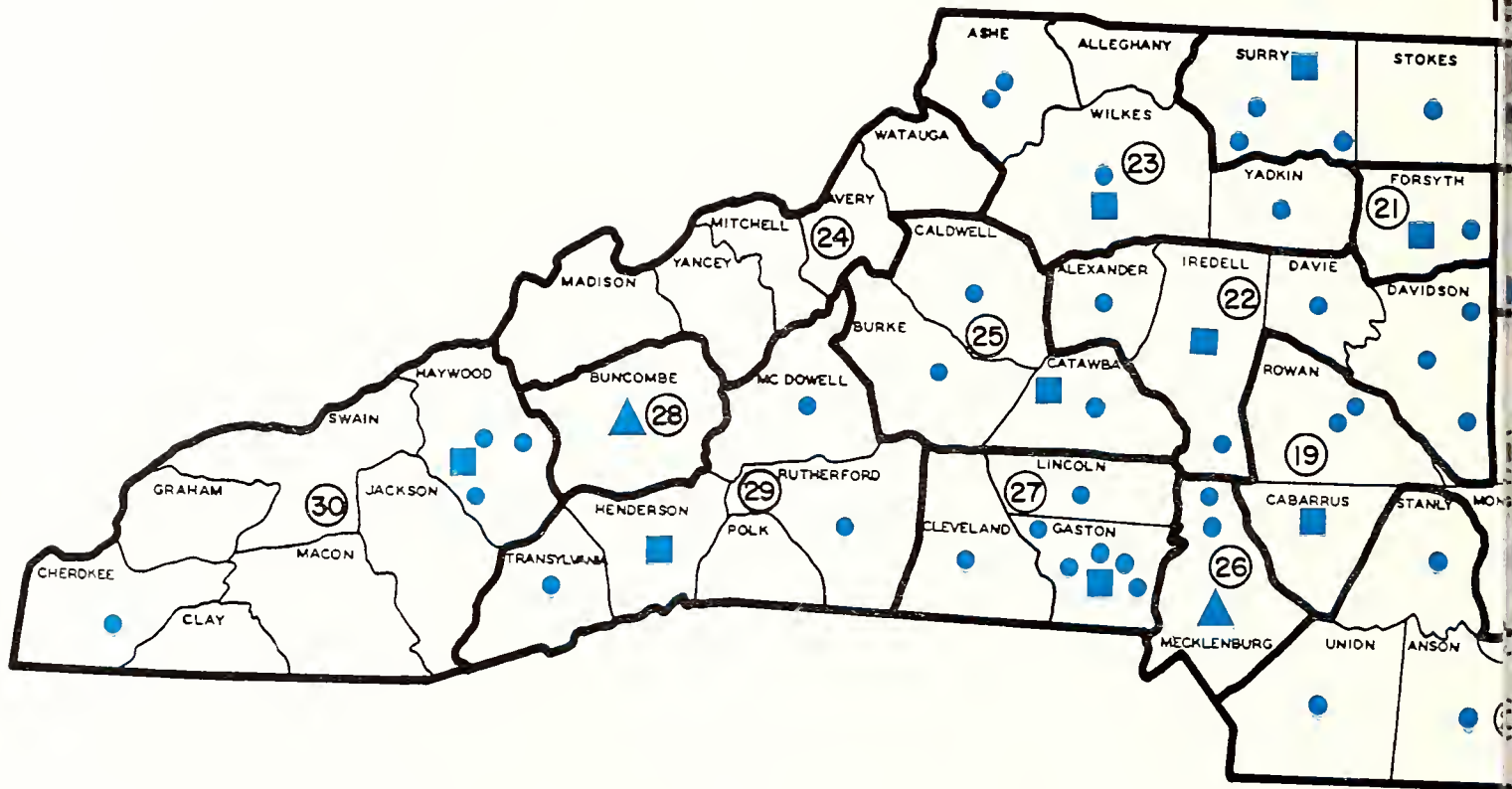


*Above left, Institute staff members and leaders of the 1964 North Carolina Traffic Court Conference chat prior to a dinner sponsored by the North Carolina Bar Association. From left to right are C. E. Hinsdale, Assistant Director, Institute of Government; Senator Lindsay C. Warren, Jr., Chairman of the North Carolina Courts Commission; James P. Economos, Director, Traffic Court Program, American Bar Association; and Robert L. Gunn, Assistant Director at the*



*Institute. Above right, Senator Warren addresses delegates to the Traffic Court Conference. On the left are Hinsdale and William M. Story, Executive Secretary, North Carolina Bar Association; on the right, Phil Ellis, Executive Secretary, North Carolina Traffic Safety Council; and Economos. The meeting was under the joint sponsorship of the Traffic Safety Council, the State Bar Association, and the Institute of Government.*

# SEATS OF BY JUDICIAL DISTRICT



## LEGEND:

●	One Inferior Court	125
■	Two Inferior Courts	25
▲	Three Inferior Courts	3
Total Sites of Court		153
Total Number of Courts:		181

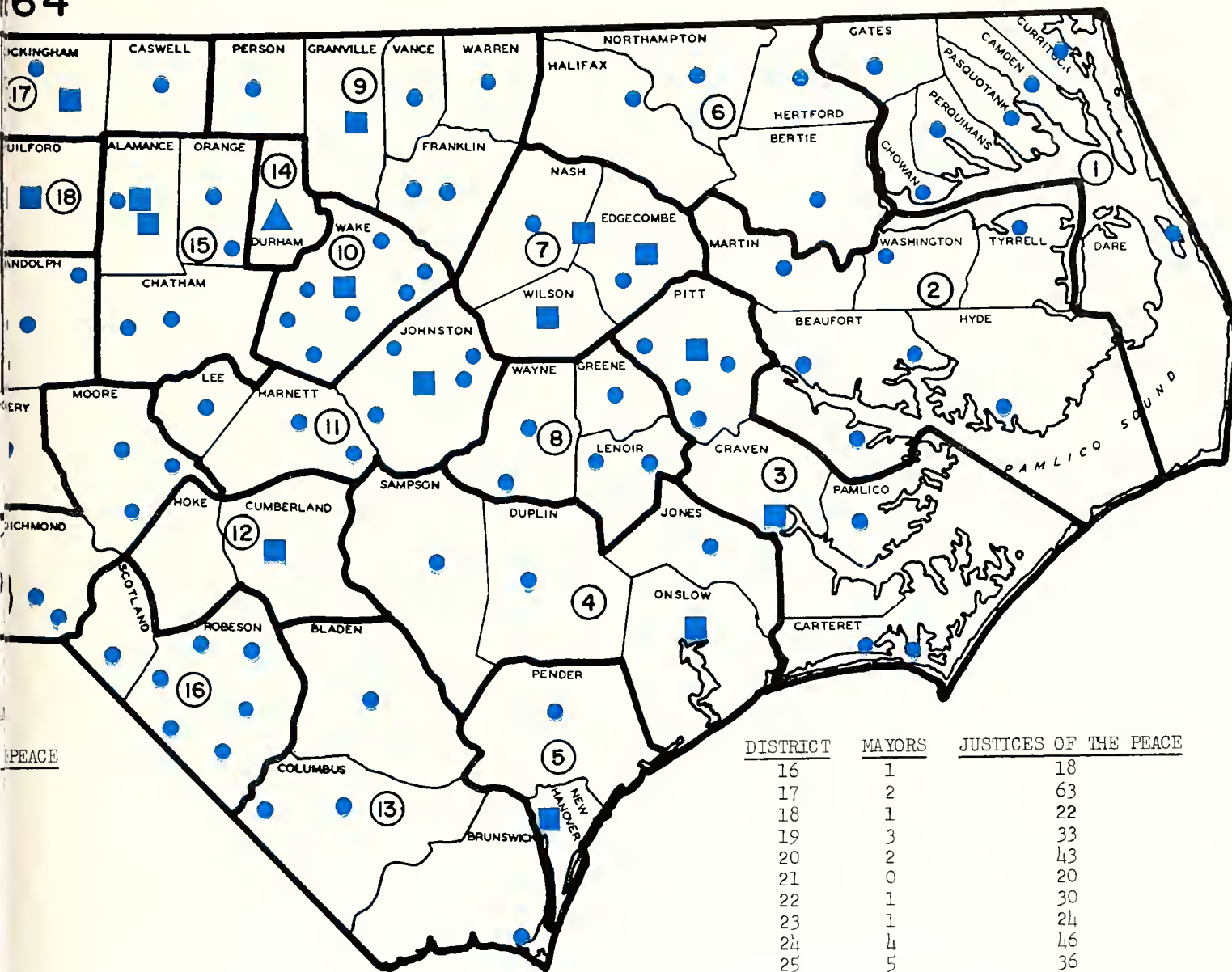
IN ADDITION BY DISTRICTS THERE ARE

DISTRICT	MAYORS	JUSTICES OF T
1	1	23
2	1	21
3	7	31
4	5	62
5	0	16
6	7	51
7	13	33
8	5	29
9	5	38
10	0	35
11	6	57
12	3	11
13	4	25
14	0	9
15	1	35

Prepared for the  
COURTS COMMISSION  
By the  
INSTITUTE OF GOVERNMENT



# SUPERIOR COURTS JUSTICES IN NORTH CAROLINA 1964



PEACE

DISTRICT	MAYORS	JUSTICES OF THE PEACE
16	1	18
17	2	63
18	1	22
19	3	33
20	2	43
21	0	20
22	1	30
23	1	24
24	4	46
25	5	36
26	2	21
27	0	32
28	0	6
29	9	22
30	4	35
Totals	93	927

# Spotlight on a Trio of Tar Heel Communities

By Lynn Deal  
Editorial Assistant

## ● Gastonia: All - America City



*Even an All-America city isn't perfect. Gastonia's central business district is bisected by a railroad, which presents problems this city hopes to solve in the future. Gastonia's outstanding qualities are enumerated below.*

Gastonia has joined the ranks of a select group of Tar Heel communities named as All-America Cities. Gastonia joins past winners Winston-Salem, Salisbury and High Point in the selection by the National Municipal League and *Look* magazine. Other 1963 selections include Alexandria, Virginia; Louisville, Kentucky; Aztec, New Mexico; Minneapolis, Minnesota; Oil City, Pennsylvania; Roseville, California; Seward, Alaska; Sidney, Ohio; Woodbridge, New Jersey; and Woodstock, Illinois.

Gastonia ranks as an All-America City because of its continuing fight against racial discriminations, its work toward building a new community college, and its effort to attract new industries by annexing nine square miles of contiguous area and voting \$5 million

for improvements in water, sewerage and electrical services.

With a Negro councilman and the first Negro city treasurer in the South, Gastonia has been quietly taking steps toward integration of its schools, restaurants, hospitals, and recreational facilities, in spite of occasional crossfire from extremist groups.

April 13-19 was set aside for a week-long All-America celebration in the Gaston county community. A prelude to the celebration was the raising of the All-America city flag at the city hall March 31. Celebration week events included an industrial exposition, exhibition golf match, civic luncheon, parade, bridge and fashion show, and the official presentation and outdoor show at Ashley High School stadium.

Celebrities assisting with the festivities

included Governor Terry Sanford; Miss Donna Axum, the reigning Miss America; Miss Jeanne Flynn Swanner, Miss North Carolina; and singers Betty Johnson and George Hamilton IV. The Air Force Drum and Bugle Corps and Bagpipe Band were also on hand for the parade.

In the midst of the excitement and the surge of community pride in its past accomplishments, Gastonia is looking ahead to solving other problems. Proud of their progress in race relations, Gastonians want to provide more jobs for Negroes and to settle housing problems. The downtown area needs sprucing up; a new civic center and municipal stadium are needed. City fathers hope that becoming an All-America city will be only a temporary landing in a continued sweep upward.



## ● Winston - Salem: Culturopolis of the South



*In this aerial view of the James Gordon Hanes Community Center in Winston-Salem, the Arts Council occupies the right half of the building. Leadership of the busy Arts Council is one of the reasons for the selection of Winston-Salem as the location for the new state school for the performing arts, to be housed in Gray High School. Evidence of twin city interest was shown when a quickly mustered team of 400 volunteers conducted a "Dial for Dollars" telephone campaign which raised more than half a million dollars in two days for the performing arts school.*

Winston-Salem adds a new feather to its cap with the designation of "Culturopolis of the South" by *Show*—the magazine of the arts.

Twenty-five years ago an investigation of cultural activities in 380 American cities found the twin city in 298th place. Today Winston-Salem is a front ranker with the largest total audience for the arts, largest ticket sale for a local symphony orchestra, largest sales outlet for art supplies and classical records, and the largest annual per capita donation to the arts of any city in North Carolina.

Third largest city in the State with a population of 116,000, Winston-Salem has a covey of cultural organizations which offer citizens 45 symphony concerts a year, more than 75 dramatic performances (plus 33 more for children), several concert series, and dozens of other events ranging from chamber music recitals and art film programs to choral concerts, ballet performances and art exhibits.

As an example of cultural penetration, in a single week last spring, Winston-Salemites had their choice of ten different art exhibits—one for every eleven thousand in the population. To match this degree of penetration in New York would require one thousand simultaneous exhibits.

Much of the credit for Winston-Salem's cultural status must go to Old Salem and its heritage. The Moravian settlers were the first to play and write classical music in America and their aesthetic traditions have inspired Winston-Salem since its founding.

## ● Albemarle - Stanly County: 1963 Community Pride City

Albemarle-Stanly County has been chosen by Radio Station WBT in Charlotte as its "Community Pride City of 1963." Albemarle was competing against Forest City, Kannapolis, Statesville and Monroe in North Carolina and the South Carolina communities of Pageland, Kershaw, and Fort Mill.

As an award winner, Albemarle received one thousand dollars and a trophy to honor its community pride and civic achievement during the calendar year.

Albemarle's civic accomplishments were brought about by necessity. The city's population grew only 463 between 1950 and 1960 and citizens faced an economic sluggishness destined to seriously decrease the population. A city manager form of government was established in 1962 and the "Industry Hunter" campaign was launched.

Projects on which the 1963 award was based included the establishment of a Human Relations Committee to bring about better racial understanding; the formation of city and county planning commissions to prepare for orderly growth; school accreditation; water line extensions; establishment of a Mental

Health Association; a clean-up, paint-up, fix-up campaign; purchase of a fire prevention and inspection truck; a Christmas home lighting contest; city landscaping by local garden clubs; an increase in Boy Scouting; and a special flag project in operation on ten annual holidays.



*Bailey Gullege, President of the Albemarle-Stanly County Chamber of Commerce, holds the WBT trophy. On the left is Albemarle Mayor Dwight Stokes; at the right is Worth Almond, Chairman, Stanly County Board of Commissioners.*



# VOTING PATTERNS IN THE NORTH CAROLINA HOUSE OF REPRESENTATIVES: 1961

(Continued from page 7)

## B. Rural vs. Urban

The urban vote differed from the rural vote in three instances of the eleven. These were compulsory motor vehicle inspection (Issue 3), a tax on tobacco rather than a sales tax on food (Issue 7), and the increased population factor in House representation (Issue 11). Issue 11 related to the distribution of power rather than to its application. Issue 7 had significant economic implications for the important tobacco industry, both with respect to the farmers and the processing manufacturers. A sales tax on food would similarly affect both farmers and manufacturers. But sales of food might not be affected by a sales tax so adversely as might sales of tobacco by an excise tax. Thus farmers—the rural population—had a special interest here. But the incidence of the two taxes, with respect to who would actually pay the tax, seems to have no special relation to geography. The city population buys most of the food and also most of the tobacco products. The relative impacts of the two taxes within economic strata might vary considerably, but no such difference is apparent with respect to geography. Even here, then, there is no clear effort by either group to pursue a selfish course which is clearly detrimental to the best interests of the other group.

In all three of the instances where the rural and urban votes differed, the rural vote prevailed. This is to be expected when the urban vote totalled 26 and the rural vote 94. Sixty per cent of the population of North Carolina still resides in rural areas. As shown in Section C below, the result on Issue 7 (tobacco tax) would have been the same had the 20 largest counties containing a majority of the state's population controlled the vote.

The rural vote controlled in the 1961 North Carolina House of Representatives, then, but the control was not dependent upon the existing scheme of House representation; the population of North Carolina is still predominantly rural. The results would have been the same on all but one issue had the House seats been apportioned strictly according to population. These statements do not apply to the issue of legislative representation itself; there is no question but that on this issue (Issue 11) there is a clear division in the state along rural vs. urban lines.

## C. Population vs. Counties

If representation in the House had been based solely on population, the representatives from the 20 largest counties of the state would have represented a majority of the population. If this particular majority segment of the population had actually controlled the House, how different would have been the results of the voting in the 11 cases studied? The result would have been the same in nine instances. Compulsory annual automobile inspection (Issue 3) which was defeated would have been passed; and a constitutional amendment increasing the population factor in House representation (Issue 11) which was tabled would have come to a vote on the merits. The latter proposition would not have received the requisite 35 vote, however, and it would, of course, have been meaningless anyway had the House already been apportioned solely on population.

If representation in the House had been based solely on counties, the 51 smallest counties would have constituted a majority. If this particular majority had actually controlled the House, how different would have been the results of the voting in the 11 cases studied? The result would have been the same in 10 instances. The constitutional amendment providing that classification of property for taxation can be done only on a state-wide basis and only by the General Assembly would have failed.

Leaving out Issue 11, which related to the distribution of power rather than its application, we learn that population control in the House, as represented by the larger counties, would have resulted in approval of a compulsory motor vehicle inspection

law, and that control by the 51 smallest counties would have defeated a constitutional amendment which prohibits local modification of state-wide property tax classification. Do these issues, however important, connote division along rural vs. urban lines? Do they represent efforts by a rural bloc to withhold from the cities powers necessary to the effective development of those cities, or do they represent efforts by the cities to impose radical and alien governmental philosophies upon the rural areas? Upon the answers to these questions depends the determination as to whether or not the actual pattern of voting in the 1961 North Carolina House reflected a significant rural-urban antagonism.

## VII. Cohesiveness—Voting Patterns within Various Groupings

### A. Geographical Divisions

Among the three geographical divisions, the Coastal section tended to vote more cohesively; that is, a higher percentage of the total membership from that section tended to vote on the same side. In only one of the 11 issues did the Coast show less than 60% of its representatives voting together. In six of the 11 cases, more than 70% of the Coastal members voted together.

More than 70% of the Piedmont representatives voted in the same direction in five of the 11 cases, but less than 60% voted together in five instances; and on two of the issues the Piedmont vote was split evenly.

More than 70% of the Mountain representatives voted together in four instances, and less than 60% in four other cases.

The limited effect of partisanship may be reflected in the cohesiveness of sectional votes. None of the 15 Republican representatives was from a Coastal county; six represented Piedmont counties, and nine came from the Mountains. The Republican vote in the Mountains was opposed to the Democratic majority in that section in four of the 11 instances. If the Republican vote in the Mountains had been eliminated, the Mountains would have voted with the state-wide majority in every instance. The Republican vote in the Piedmont was opposed to the Democratic majority in that section on six of the 11 issues. Although the relative Republican strength in the Piedmont was quite low, it was responsible for placing the Piedmont on the losing side in one of its two defeats.

### B. Urban-Rural

On two issues the urban vote was unanimous, and in two other instances the vote was above 80% on one side of the issue. On the average, 76% of the representatives of Standard Metropolitan Statistical Area Counties voted together, and the average for all urban areas was 75.1%. These figures were the highest for any of the groups. On the other hand, the SMSA vote was evenly divided on one issue, and was less than 55% on another.

Rural agreement never rose higher than 77.6%, but in only two instances did it fall below 60%. The average for the rural areas was 71.6%.

Thus, cohesiveness, or like-mindedness, was greater in the major city areas, falling off only very slightly in the smaller urban areas, and decreasing substantially in the rural areas. At the same time the rural area representatives tended to be more consistent in their cohesion; whereas the city representatives ran the gamut from flat disagreement to 100% agreement.

### C. Counties with Multiple Representation

Figure 3 (on page 17) sets out the votes in the 13 counties having more than one seat in the 1961 House.

In only one county—Gaston—did both or all of the representatives vote together on every issue. In both of the counties having four representatives—Mecklenburg and Guilford—the delegation was unanimous in seven of the eleven cases. [Unani-



mous is used here to mean that there were no votes on one side of the issue, and not that all members of the delegation voted.] Wake and Buncombe, each with three votes, split five times out of eleven. The other three-member county, Forsyth, voted unanimously on all except one of the eleven issues.

In general, the two-member county delegations tended to vote together somewhat more often than did the larger delegations. Gaston did not record a single split vote. Durham, Pitt and Robeson each split only once (interestingly, no two of these three split votes occurred on the same issue). Rowan split three times, and Cabarrus, Cumberland and Johnston each recorded four split votes.

As there were thirteen counties with more than one representative, and eleven issues, a total of 143 delegation votes were recorded. Out of these 143 instances, there was a split in 37, or almost exactly one-fourth, of the cases.

All of the members of each of the delegations came from the same county and, presumably, were subject to the same pressures from local governmental officials and agencies. But in one-fourth of the cases they reacted differently. And these differences occurred at a near-constant rate on all issues without regard to the nature of the issues; that is, on all but three issues there were splits in either three or four of the thirteen counties. On Issue 3, compulsory motor vehicle inspection, eight of the delegations split; whereas on Issue 5, minimum wage extension, and Issue 11, increasing the population factor in House representation, only one delegation split. On Issues 5 (minimum wage) and 11 (legislative representation), although only one delegation split, the other delegations did not all vote on the same side of the issues. On Issue 5, ten delegations voted unanimously on one side; two delegations voted unanimously on the other. On Issue 11, six delegations voted unanimously on one side and an equal number voted unanimously on the other.

These statistics seem to demonstrate that the individual members of each multi-member delegation voted together somewhat more frequently than did the members generally, but there were enough splits within delegations to suggest that the members (in so far as they purported to represent the desires of their constituents rather than their own personal attitudes) either read the wishes of their constituencies differently or voted as representatives of individual constituencies rather than as representatives of the county as a unit.

### VIII. Conclusion

The limited sample of voting covered by this study seems to support the following conclusions:

1. There is very little indication that there is in the North Carolina General Assembly any clear "rural view" or "urban view" with respect to various issues.

2. To the degree that rural attitudes oppose urban views, the rural controls. This control is not, however, dependent upon the existing scheme of House representation which is weighted in favor of the small counties; the results of the voting on most issues would be unchanged if the House seats were apportioned on population alone.

3. There is no clearly discernible difference in the attitudes of the various geographical sections of the state. No section is able to force its will on the other two, and no two sections consistently vote together in opposition to the third section.

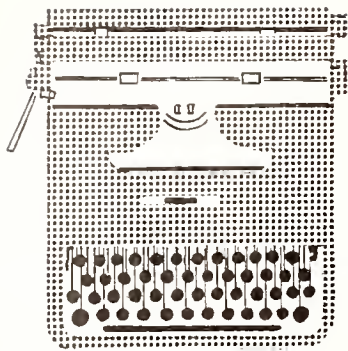
4. In general, urban area representatives vote more cohesively than do rural representatives, but the rural cohesion tends to be more consistent.

5. Members of the delegation from a county having more than one House seat vote together most of the time, but there are enough split votes to indicate that these members do not think of themselves as representing the county as such, but rather that they represent people who happen to reside in the county.

Figure 3  
VOTES BY MULTI-MEMBER DELEGATIONS

Issue Number	Mecklenburg 4 votes	Guilford 4 votes <sup>a</sup>	Forsyth 3 votes	Wake 3 votes	Buncombe 3 votes	Cabarrus 2 votes	Cumberland 2 votes	Durham 2 votes	Gaston 2 votes	Johnston 2 votes	Pitt 2 votes	Robeson 2 votes	Rowan 2 votes
1. Driver Training Schools	+	+	+	+	+	+	+	+	+	+	+	+	+
2. Court Revision	3	1	3	0	3	0	1	0	2	0	1	0	2
3. Compulsory Motor Vehicle Inspection	4	2	0	2	1	1	2	0	2	0	2	0	2
4. Nurse's Fees	0	4	0	3	1	2	1	1	0	1	0	2	1
5. Minimum Wage Extension	4	0	3	0	2	1	1	2	0	2	0	1	0
6. Voting Qualifications	4	0	3	0	3	0	2	0	2	0	1	0	2
7. Tobacco Tax	3	1	2	0	3	0	2	0	2	0	2	0	0
8. Congressional Districts	1	3	0	3	2	1	2	0	2	0	2	0	1
9. Property Classification	0	4	0	3	1	0	1	2	0	2	0	2	0
10. Legislative Pay	3	0	3	0	1	0	2	0	2	0	1	1	1
11. Legislative Representation	2	1	3	0	1	0	2	0	2	0	2	1	2
	3	0	0	3	1	1	2	0	1	0	0	2	0

<sup>a</sup> The Speaker of the House was from Guilford; he voted on only one of the 11 issues.



## ● NOTES FROM . . .

### CITIES AND COUNTIES

#### Agriculture

Duplin County has regained its rank as the number one agricultural county in the state, according to figures compiled by Dr. Charles R. Pugh, in charge of Extension Farm Management at North Carolina State. Duplin led the state in agricultural income in 1958, 1959, and 1960, but fell to third place behind Johnston and Robeson in 1961 and to second behind Robeson in 1962. Excessive rains were blamed for the drop.

#### Blue Laws

After a stormy three weeks of police enforcement, Charlotte's City Council voted 4-3 to kill the restrictive Sunday sales law. An advisory referendum has been set for May 30.

Forsyth County adopted a blue law on the same day that Charlotte killed her law. The regulation was effective immediately in the county outside the corporate limits of Winston-Salem and Kernersville, which have their own Sunday ordinances.

Wake County is bouncing its blue law plans back and forth. The commissioners have already rescinded an earlier blue law which had been scheduled to go into effect January 30. Sunday sales are on now as the result of a restraining order, in effect until the validity of the ordinance can be checked by the State Supreme Court.

#### Central Business District

Town board members voted unanimously to accept the recommendation of the Zebulon Planning Board for the construction of canopies in the downtown business area. To be of uniform size and height the canopies for Zebulon were inspired by the "Smithfield Plan."

Merchants, and representatives of the planning board and town board in Brevard are moving forward with plans for central business district canopies there.

To combat rapid deterioration of the central shopping area, Washington busi-

ness leaders are exploring a comprehensive face-lifting plan. Washington is not besieged with shopping center problems but experts feel that the business area needs to be up-dated in order to retain and increase its present sales level.

#### Millionaires, Ministers, Lawyers, Ladies: They Squawk Loudest

Shelby patrolman Paul Downs checks 725 city parking meters during his daily rounds and on an average day hands out 75 or 80 tickets for overtime parking violations. He finds that as a general rule, lawyers, ministers, "millionaires" and women give the most trouble on receiving a parking ticket. Patrolman Downs has discovered that women are perhaps worst of all in arguing about tickets and spouting off with "unbelievable and certainly unprintable" remarks.

So far nobody has actually taken a swing at the patrolman, who has been meter reading for four years, but he's had a few close calls and quite a few verbal attacks. Some offenders even telephone the officer at home during off-duty hours to fuss about parking tickets.

Who objects least to parking tickets? In Downs' opinion, it's the Cleveland County farmers who feed the meters with care and don't complain when they're ticketed.

munities that submitted reports on their improvements prior to March 1.

In Lillington a beautification plan is underway. Lillington Jaycees have accepted the responsibility of glamorizing the Community building, while the Harnett County Council of Home Demonstration Women will work on improving the parking area adjacent to the agriculture building. The County Council of Harnett County Club Women have landscaped the agriculture building and court house.

Paint up, clean up, fix up was the motto in Union County for an improvement program on a county-wide basis April 19-May 2. Good public and private housekeeping were goals of the campaign sponsored by the Chamber of Commerce.

#### Education

Plans for the reopening of historic James Sprunt Institute at Kenansville as a unit in the statewide community college system received a big boost when a full-time director of Duplin County's industrial education center programs was appointed.

Trustees of the Catawba Valley Technical Institute have approved a five-year program which calls for a new building in 1966, an expanded curriculum, and an enlarged staff. It is hoped that the Institute will become a community college by 1970.

Surry County voters gave approval by a four to one margin to a bond issue and tax levy for support of a community college. The location will be in Dobson.

Burke County voters approved a million dollar community college bond issue by an impressive 17-1 margin. The proposed college will be located south of the North Carolina School for the Deaf at Morganton and will have a college parallel curriculum of two years, a two-year technical program, and a one-year agricultural curriculum.

#### Community Improvement

Smithfield, riding its widely acclaimed "Plan," has moved into the finals of a national community improvement contest. Smithfield is one of ten national winners in the 1962-64 Community Improvement Program sponsored by the General Federation of Women's Clubs and the Sears Foundation. The city took top honors in North Carolina competition with more than 300 Tar Heel com-



Southeastern College has been chosen as the name for *Columbus* County's community college.

An entirely new concept of vocational education will be implemented in *Stanly* County high schools next fall, if results of a current study are an indication. The program calls for a brief investigation of numerous vocations and basic trades in the ninth grade, a more complete introduction to a smaller number of vocations and trades in tenth grade, and courses in specific fields in eleventh and twelfth grades.

*Chapel Hill* is planning a new pre-technical program in health service for non-college preparatory students. Basically envisioned as a three-year training program in high school with third-year internship in the University of North Carolina Medical Center, the program will be launched with a "crash" program for 12th graders selected next year. Tenth grade pupils will be chosen for the longer program, designed to prepare students for skilled and semi-skilled occupations in the University Medical Center and elsewhere.

"Operation Second Chance" at *Crouse* in *Lincoln* County has graduated its first class. The school for drop-outs concentrated on preparing women for upholstery sewing and cutting and has received statewide and national attention. Fourteen students, many of them housewives, attended a 12-week course which included academic training and shop practice. A call has been made for male drop-outs interested in welding and upholstery training.

### Palmy Proposition

"Plant a Palm" is the slogan for a new program being launched in *Wilmington* by Bill Mitcham of the Southeastern North Carolina Beach Association.

Long known as the city of azaleas, Mitcham wants *Wilmington* to branch out into palm trees. Objective of the project is to plant a palm every 50 feet along the highways.

### Elections

*Cleveland* County's elections board has formally ordered a new county-wide registration in all of the county's 28 voting precincts. The board will install the card index system to speed voting at the larger precincts but will not adopt the so-called "permanent" system which allows registration at all times during the year, excepting a 21-day period preceding elections.

### Fire Protection

*Littleton*'s Board of Commissioners has approved plans to construct a new fire station. The building will house four fire trucks and will have a lounge, meeting room, kitchen and rest rooms.

### History

*Chowan* is joining the list of counties and cities preparing histories. The town of *Edenton* dates to pre-Revolutionary days and the county is even older. Meredith College faculty member Thomas Parramore will prepare the 100-page historical study which is being sponsored by the *Edenton* Chamber of Commerce.

### Libraries

A \$6,000 gift to the H. Leslie Perry Library in *Henderson* will be applied toward completion of the new wing under construction.

*Kinston*'s old post office has been deeded to the *Lenoir* County Library Association for use as a branch unit.

### Municipal Bond Elections

In a fairly close margin *Cleveland* County voters voiced their approval of a two million dollar bond issue for expansion of county-owned facilities.

*Southport* citizens voted in favor of a \$230,000 bond issue for a new fire truck, additional storm sewers, expansion and enlargement of the city water system and erection of a modern sewage disposal plant. Only small oppositions were noted in each category.

More than 90 percent of the voters in *Dunn* turned out to approve the issuance of bonds totaling \$1,860,000 as the town's share of a \$3,567,000 city improvement program. The funds will go toward construction of a new hospital, water plant, and sewage system.

Nearly half of *Sylva*'s registered voters turned out to give a 237 to 2 vote in favor of a \$300,000 bond issue for extension and enlargement of the town's sewer system.

### Parking

*Albemarle* is working toward a solution of her parking problems through a committee of property owners and downtown merchants who will study the situation and make recommendations to the city council.

With the installation of new parking signs on the main business streets in *Winston-Salem* the long debated new parking plan has gone into effect. Tow-in zones have been established and meters

have been removed to allow one-hour parking in the central business district.

A hassle between merchants and aldermen in *Draper* over temporary removal of parking meters developed into a family quarrel for at least one couple. The owner of a men's store was among 21 merchants who signed a petition requesting a 90-day trial removal of meters; his wife, a town board member, was one of three board members voting to table the petition.

Angle parking has restored 38 parking spaces on two blocks of *High Point*'s Main street. Parallel parking remains in effect on the rest of the street and additional parking space is offered by the off-street parking facilities of the *High Point* Redevelopment Commission.

*Durham* merchants are strong supporters of the off-street parking theory. The city has been in the off-street parking business for seven years, currently with municipal metered lots and soon with a multi-deck parking garage.

### WANTED: More Shiny Badges

Maps of North Carolina are legion. Some show just roads and cities, others show historical attractions. *Winston-Salem* Police Chief Justus M. Tucker has one dotted with police badges.

Thirty-five badges are placed on a huge board cut in the shape of North Carolina in the approximate location of the cities they represent. Tucker hopes some day to have one badge each from Murphy to Manteo.

Idea for the badge map came when Tucker and Arnold Horton of *Winston-Salem* were trying to decide what to do with the blank wall space behind his desk. Horton came up with the badge map plan.

### Planning and Zoning

By a four to one vote the county commissioners have moved rural *Guilford* County under the comprehensive umbrella of a zoning ordinance.

### Public Buildings

New post offices have been approved for *Arden* and *Pantego*.

Contracts will be let in June for the new \$125,000 Haw Creek-Beverly Hills service complex in *Asheville*. The facility will include a fire station, branch library and community center.

(Continued on page 22)

## QUESTIONS AND ANSWERS FOR VOTERS

(Continued from page 3)

his notice of candidacy. While entitled to insert his nickname in parenthesis before his surname on his notice of candidacy, he did not do so. Thus, the way he signed his notice is controlling.]

Miss S. Belche Blossom. [Although "Miss Sunshine Blossom" is one way of writing her legal name, it is not the way she signed her notice of candidacy. The way she signed her notice is also her legal name, thus that is the way her name should be printed on the ballot. "Miss" is permitted by law.]

Dr. J. Boring. [It is certain that the nickname cannot be used because it was not inserted when the candidate signed his notice of candidacy. While a physician is not entitled to prefix his name with "Dr." on the ballot, in this case "Dr." is an accepted abbreviation of the word "Doctor" which is the candidate's legal name. Thus, the issue is whether an abbreviated form of a legal name is acceptable. If accepted in this form when notice of candidacy was filed, it should be printed on the ballot.]

Eloise R. Bond, or Mrs. William Moses Bond. [Both forms in which the candidate signed her notice of candidacy are her legal names, but the form in which she seeks to have her name printed on the ballot follows neither of the ways in which she signed her notice of candidacy.]

P. (Rock) Pitts. [When a candidate inserts his nickname in parenthesis before his surname on his notice of candidacy he is entitled to have it printed in that form on the ballot.]

[§§119, 151; pp. 42, 50.]

- B. By noon on May 30, Primary Day, a larger number of votes has been cast in Gunshot Precinct than had been anticipated. One of the experienced judges asks the registrar, a new appointee, whether he has given any thought to getting the ballots counted. The registrar answers, "When the time comes I'll take care of it. There will be plenty of people who have been working for the gubernatorial candidates here tonight, and we can call on them for help." Comment on this situation from the standpoint of (1) the candidates and (2) the county board of elections.

*Answer:* (1) The candidates would have the right to protest such a procedure. In order for anyone other than the registrar or judges to count ballots, the county board of elections must have authorized the appointment of either ballot counters or assistants. The facts given here do not indicate that the registrar had been given authority to appoint ballot counters. [§§84, 127, 178, 181; pp. 59, 74.]

(2) The county board of elections has authority to appoint both assistants and ballot counters, and it may authorize a registrar to appoint ballot counters. In order to protect against situations such as the one that has arisen here, the county board should authorize the registrar to appoint ballot counters if it is not going to do so itself, and in view of the registrar's inexperience inform him of his duties in this respect: administer an appropriate oath and instruct in proper procedures for counting ballots. [§84; pp. 59, 74.]

### IV. THE VOTING PROCESS

- A. Mrs. Ella Leigh is hale and hearty for ninety-two, but prior to 1964 has never voted. This year, however, her nephew, Leigh Roy Lee, is running for Democratic nomination for coroner, and Mrs. Leigh has registered properly. On May 30 she appears at the polling place accompanied by her 60-

year-old half-sister from Richmond. On arriving, Mrs. Leigh asks the registrar to allow her sister to help her mark her ballot. Knowing that the sister is from Virginia and not a registered voter in North Carolina, the registrar suggests that it would be better for the Democratic judge to help Mrs. Leigh. She accepts this suggestion and the two enter the voting booth. When they pull the curtain to leave the booth Mrs. Leigh seems pale and about to faint. Immediately her sister, who has been waiting to drive Mrs. Leigh home, rushes to her side and helps her to her car. As soon as she is settled in the car, the sister returns to the polling place with Mrs. Leigh's marked ballots and asks the Democratic judge to deposit them. Advise the judge and registrar.

*Answer:* In a primary election Mrs. Leigh was entitled to assistance from a "near" relative, a term that includes a sister. Although a half-sister is not specifically covered, there is no reason to believe the courts would draw such a fine line. Furthermore, there is no requirement that the assisting relative be a registered voter in the precinct or state. Thus, the registrar made a mistake in not allowing Mrs. Leigh's sister to help her. On the assumption that Mrs. Leigh was probably under some substantial physical disability, assistance from a precinct official would not be improper. Here, however, Mrs. Leigh has begun the process of voting, has marked her ballots, but leaves the voting enclosure before depositing them. Ordinarily, once a voter leaves the voting enclosure without depositing his ballots he cannot be allowed to return and complete the process. Here, however, the peculiar sequence of events and the absence of any suggestion of fraudulent conduct would seem to justify allowing the judge to deposit Mrs. Leigh's ballots for her. [§§174, 168; pp. 66-67, 63.]

- B. Dr. and Mrs. Paul Pill have never been known as a devoted couple, but on Primary Day 1964 they appear at the polling place together, give their names to the registrar, and are found to be registered as Republicans. There are a number of voters already inside the voting enclosure, and the judges and assistants seem to have their hands full. The registrar cannot leave her table because she needs to see that the voters' line moves regularly. For a few minutes she loses sight of Dr. and Mrs. Pill, but during a momentary lull she sees two pairs of feet beneath the curtain of a single booth. On questioning the judges, she finds they do not know to whom the feet belong. The registrar then goes to the booth, pulls the curtain aside, and finds Dr. and Mrs. Pill. The doctor has two ballots in his hands; Mrs. Pill is crying. The registrar tells them they have no right to occupy the same booth. Mrs. Pill cries even more profusely; the doctor swears softly; hands the marked ballots to the registrar and stomps out of the polling place dragging Mrs. Pill behind him. What should the registrar do with the ballots?

*Answer:* The registrar should deposit the ballots. The irregularity in this situation arises from the fact that two people occupied a booth at the same time without any indication that either had asked for the assistance of the other. Yet in a primary each was entitled to assistance from a "near" relative, a term that includes husband and wife. Had Mrs. Pill protested to the registrar that she did not want her ballot (as marked) deposited, there would have been some indication of improper influence by Dr. Pill, but when she had the opportunity to protest she did not do so. Thus, since the registrar could have allowed either to assist the other upon request, he can now ratify the action and accept and deposit the ballots. [§§174, 83; pp. 66-67, 64.]



C. In Birddog Precinct of Basset County the voting place is a small unused filling station, with a shed in front (about 25 feet square) where the gas pumps were formerly located. All the space inside the building is required for the precinct officials and the voting paraphernalia. Thus, persons waiting to vote must stand outside the door under the shed. Primary Day in 1964 is windy and rainy. Mrs. Eva Wright, Chairman of the Birddog League of Women Voters, stations herself under the shed to watch for voters she desires to challenge on the basis of her prior examination of the registration books. Unfortunately, as a newcomer to Bird-dog, Mrs. Wright knows only a few people by sight. Thus, while she can see what goes on inside the voting place, she cannot hear, and unless she can hear the names of the voters being called, she has no way of knowing whether to enter a challenge. The registrar will not allow her to enter the building except to make a challenge. Since she must remain under the shed, she can hear nothing, thus cannot challenge. She is frustrated and is getting wetter all the time. She leaves her post long enough to telephone the chairman of the county board of elections and ask him to tell the registrar to let her sit inside the building. What action should the chairman take?

*Answer:* The choice of a polling place is unfortunate but apparently inevitable; thus, the chairman's problem is to deal with the facts as they exist. Mrs. Wright is not an election official, an official marker, or an official watcher. [§170.] Thus, she is not entitled to be present in the voting enclosure. [§170.] She is entitled to enter it only when she makes a challenge. [§182.] Notice, however, that the law is drawn to enable one in her position to know the name of each person seeking to vote: one of the judges is required to announce each voter's name and address "in distinct tone of voice," and "when the name of any elector is called by the judges" Mrs. Wright has a right to enter and make her challenge. [§§166, 182.] In this situation Mrs. Wright cannot hear; thus, the chairman of the county board should instruct the registrar to have each prospective voter's name called in the area under the shed so that waiting voters and observers may know them and enter challenges when they desire to do so. He should not grant Mrs. Wright's request that he instruct the registrar to allow Mrs. Wright to sit inside the voting enclosure. [pp. 63, 68, 69-71.]

D. The voting place in Precinct 4 is the Hopeless Hills School. The precinct officials arrange booths and needed tables and chairs in a large hallway just inside the school from the portion of the playground usually reserved for first graders. On Saturdays neighborhood children customarily play on the school ground. Bob Lighter, one of the candidates for county commissioners in the Democratic Primary has twins, Energine and Zippo, who attend first grade at Hopeless Hills. On Primary Day, after being dressed by their mother in flame-red outfits, Zippo and his little sister, Energine, cover themselves in Lighter buttons and go to the school grounds to play in the usual place. Their little friends are delighted and beg for buttons. Before the morning is well along voters entering and leaving the Hopeless Hills voting place are being entertained by six or seven little urchins swapping Lighter buttons, fighting, playing, etc. At eleven o'clock the registrar receives a telephone call from Lighter's opponent demanding that the children be sent home. The registrar considers this a stupid request and ignores it. Fifteen minutes later a severe looking woman appears in the school yard brandishing a switch. She begins to chase the children off the playground and one of the voters standing in line takes off after her and trips her. Other bystanders enter the fray. Advise the registrar.

*Answer:* By the time the registrar is called upon to take action it is too late to review what should have been done earlier. However, it is proper to point out that the law provides that, "No person shall, while the polls are open at the polling places, loiter about or do any electioneering within such polling place or within fifty feet thereof, and no political banner, poster, or placard shall be allowed in or upon such polling places during the day of the election." [§165.] Technically, this provision was violated when the button-covered children were allowed within fifty feet of the door to the voting place. Thus, the registrar should have sent them away when first requested to do so. His problem now, however, is to deal with disorder. By law he and the judges are charged with "The enforcement of peace and good order in and about the place of registration and voting." [§21.] Here the registrar should first call on the offenders to cease creating a disturbance; if they refuse to do so, he should call for assistance from available law enforcement officers (county or municipal). If none are available, he and one of the judges should then deputize any available citizens to assist in maintaining order. [§§21, 82; pp. 70-71.]

## V. COUNTING BALLOTS AND DETERMINING RESULTS

A. The polling place in Stovepipe Township is small, inconvenient, and crowded with booths, tables, and chairs. At the close of the polls on May 30 the registrar instructs all persons other than the judges and two properly appointed ballot counters to leave. Several voters present protest this procedure, saying that they want to observe the count. The registrar informs them that the space is inadequate and that their presence will interfere with the orderly counting of the ballots. They leave, and the registrar locks the doors, and the counting proceeds. At 9 p.m. news reporters outside see one of the judges, Mrs. B. Z. Boddie, leave the polling place and drive away in her car. A few minutes later she returns, bringing her twenty-two year old daughter, Miss Bella Boddie. Miss Boddie knocks on the door and is admitted. Mrs. Boddie drives away. No explanations are made. At eleven o'clock p.m. those inside emerge from the polling place, turn off the lights, and lock the door. The registrar says in a loud voice to those present outside, "That's all for tonight, folks. We're just too tired to count them again. We'll be back and recount them all in the morning." Analyze this situation from the standpoint of both law and practice.

*Answer:* So far as the law is concerned, there is no proof that there have been violations on the night of the primary, yet the procedures followed have been such as to arouse suspicion which is both undesirable and unnecessary. It is true that the registrar and judges have the authority to control the counting procedures and protect themselves from interference, yet locking the door during the count is calculated to suggest that something improper is being done. Similarly, with regard to Mrs. Boddie's departure and Miss Boddie's arrival, it is entirely possible that Mrs. Boddie was unavoidably required to leave before the count was completed and that Miss Boddie was properly appointed to fill her place, but in the absence of explanations, observers in this situation had no way of knowing these facts. [§§127, 84; pp. 73-74.]

The statement made by the registrar on leaving the polling place indicates that the counting has been completed but that the precinct officials have decided to conduct a recount the next morning. This is contrary to the

(Continued on page 23)

## GREEN BELTS AND OTHER DEVICES USED IN RURAL AREAS

(Continued from page 10)

within their respective jurisdictions which will be published nationally when complete showing all footpaths and riding paths and that they promote access by the public to "open country," predominantly mountain, moor, heath, down, cliff, or foreshore. This access may be provided through agreement with property owners, or through the making of an "access order" which involves compensation.

The ordinary working of development controls operate to restrict scattered development, "sprawl," and ribbon development along highways, first attacked under the Restriction on Ribbon Development Act of 1935; to encourage compact development within villages; to preserve the better agricultural land against development; and to maintain the rural character of areas outside the villages. An official statement of policy issued by the Ministry of Housing and Local Government describes the basic approach as follows:

"In a village permission for a well-sited and well-designed house will usually be granted; even in a green-belt village permission may be granted if the house fills a gap. In ordinary rural areas some expansion of villages may be allowed; but where that is so, it is usually the back land which should be developed. 'Ribbon development' along the roads out of the village is to be avoided.

"In the open country between villages it is a different matter. In much of England and Wales a great many people now wish to build in the open country. If all were allowed to do so, the open country would be lost, the scenery marred, much farmland would be lost to agriculture, and the ultimate cost of providing services for the scattered buildings would be heavy. In remoter areas fewer people want to build, but the country often has a special beauty which must not be spoilt; this is especially true in national parks and areas declared to be of outstanding natural beauty. For these reasons the building of new houses in the open country is carefully controlled everywhere, and in many parts is not permitted at all except for people such as farmers and farm workers who have a special need to live on the farm.

"Permission will not generally be given to expand isolated groups of houses already in existence or to extend a 'ribbon' of houses along a road. On the other hand, a new house to close a small gap in a 'ribbon' of existing houses will usually be allowed."

A major factor in preserving the amenity of the countryside, of course, is the virtually complete elimination of outdoor advertising in rural areas which has taken place since the 1947 Act was enacted. The regulation of advertising

will be discussed at greater length in a later article in this series, along with controls over architectural styles and similar matters.

Nor does this exhaust the list of powers of local planning authorities with respect to rural areas. Among the more important of their other controls are (a) authority to regulate in detail the design of caravan (trailer) camps; (b) authority to require developers to restore the sites of mineral workings to proper order when they have ceased operation at that site (in the case of strip mining of "ironstone," operators must contribute to a fund to cover the costs of later restoration of the property), as well as authority to regulate actual mining operations so as to minimize bad effects on their neighbors; (c) authority to restore "derelict" lands through planting, landscaping, and other measures; and (d) authority to establish areas within which the cutting of trees will be either forbidden or sharply restricted. Some 56,000 acres of woodland are currently subject to tree preservation orders.

Most of the legislation under which all of these powers have been granted to local planning authorities dates since World War II. But even though few dramatic steps have taken place in any one area at any one time, the cumulative effects of just 15 years' attention to the countryside have been tremendous. American planners just beginning to think of the problems of rural areas can learn much of value from this experience.

## ● NOTES FROM CITIES AND COUNTIES ●

(Continued from page 19)

### Public Health

*Lincolnton* is joining *Lincoln County* in forming a city-county mental health clinic. The project is in the initial planning stage.

*Orange County* commissioners have adopted a new system of investigating all "unusual, suspicious, unnatural and unattended deaths." The program, already established in *Guilford, Transylvania, Caswell, Davidson, and Forsyth* Counties, will not abolish the county coroner system but will curtail his duties by providing a medical examiner and five medical assistants to investigate unnatural deaths.

*Duplin General Hospital, Kenansville* has been selected a typical small hospital of the United States by the magazine *Hospital Management*. The 70-bed hospital sends monthly reports to the magazine which are used in compiling reports on costs and utilizations of hospitals in the U.S. and Canada.

### Recreation

At least \$570,000 has been earmarked in *Winston-Salem* for construction of two new community swimming pools. Plans call for the pools to be in operation by the summer of 1965.

A bit unusual is the latest addition to recreational features of *Elkin Memorial Park*. The city has acquired a U.S. Air Force fighter-trainer jet plane which has been given a prominent place in the city park, flooded with light at night and with children during the day.

### Sanitation

Following in the path of *Winston-Salem* and *Durham, Greensboro* is planning to experiment with the garbage train system.

*Stanly County* commissioners have licensed a private owned garbage collection service to conduct weekly garbage pick-ups for rural residents. This will be

the first time such a service has been offered to *Stanly* residents.

Relocation of the northwest sewage disposal plant in *Hickory* was assured when city councilmen approved issuance of approximately \$140,000 in short-term notes to finance the improvement.

*Asheville* and *Buncombe County's* metropolitan sewerage district has been promised a \$2,180,000 federal grant for its \$10.4 million sewage treatment system. The grant will be made available over a three year period—the estimated construction time of the project.

*Morehead City* officials have broken ground for a new sewage plant. Contracts totalling \$1,338,361.75 have been awarded for the project.

Plans for a conventional, rather than the lagoon-type, sewage plant won out in *Hertford*. Lower cost and greater diversity were the reasons given for the



## QUESTIONS AND ANSWERS FOR VOTERS

(Continued from page 3)

law as interpreted by the State Board of Elections: Once the precinct count has been completed, the precinct officials have no authority to conduct a recount on their own motion. [§84; pp. 80-81.]

- B. In Precinct 10 of the City of Eleanor a large number of Negroes register for the first time during the registration period prior to the 1964 Primary. Most of them indicate preference for the Republican Party but some register as Democrats. On Primary Day, Philip Fraser, one of the newly-registered Negro Republicans appears at the polling place to vote and is challenged by Oscar Hoover, a long-time Republican Party member in that precinct. He asserts that Fraser has not been a resident of North Carolina long enough to register. The precinct officials hold the required hearing and reject the challenge. Fraser is then permitted to vote in the Republican Primary in the manner prescribed by law. At the County Canvass, Oscar Hoover again appears and demands that Fraser's vote be thrown out. The County Board of Elections considers the matter and agrees with Hoover and rejects Fraser's ballot. Fraser applies to the Federal District Attorney for help. In such a situation, consider the following questions:

1. What official has custody of used ballots?
2. How long must used ballots be preserved?
3. Are spoiled and unused ballots included in the answers to the first two questions?

*Answer:* The significance of this factual situation is made clear when applicable federal statutes are taken into consideration. Fraser is a Negro, and it is possible that it will be asserted that he has been denied the right to vote on account of his race in direct violation of law. In view of the provisions of the federal law (Title 42, USCA §§ 1974, 1974a, 1974b), the three questions should be answered as follows:

1. After a primary or general election, ballots which have been voted must be retained by the registrar and judges in the sealed ballot boxes subject to the orders of the chairman of the county board of elections as to disposition. [§§84.2, 178; p. 77.]
2. An old statute still on the books requires precinct officials to retain used primary ballots for two months after the primary, but it is probably superceded by the more recent statutes cited in 1, above. [§136; p.

77.] In view of the federal statute quoted above, however, the chairman of the county board of elections should require used ballots to be retained for twenty-two months following the primary.

3. Spoiled and unused ballots are not retained by the precinct officials; they must be turned over to the county board of elections within three days after the primary, and their disposition is subject to board control. [§171; p. 77.] In the light of the federal statute cited above, the county board should retain spoiled ballots for twenty-two months after the primary, but there would seem to be no reason to retain the unused ballots.

- C. Precinct 13 in Stockton has a registration in excess of 2,000 names. The population of the precinct is constantly changing; most of the men work as traveling salesmen and are away from home during the week. There is little community feeling and little acquaintance among residents of the area. In 1964 the county board of elections named new officials for this precinct; they know personally only a fraction of the voters. When the votes are counted after the 1964 Primary, it is found that

1. There are two more ballots in each box than there are voters recorded in the poll book.
2. In the race for Democratic nomination for township constable the two candidates have an equal number of votes.
3. In the race for Republican nomination for Governor one candidate has only one vote more than the others. Advise the chairman of the county board of elections how to treat this situation (a) when asked for help by the registrar and (b) at the county canvass.

*Answer:* (a) At the precinct level, in the absence of evidence justifying elimination of any identifiable ballots, all ballots should be counted. Those who voted legally should not have their ballots invalidated. (b) At the county canvass, since there is a tie for Democratic nomination for constable in a particular township a recount must be made by the county board of elections. If the recount produces a tie, a second primary must be held unless one candidate withdraws within three days after the result of the recount is announced. [§140; p. 88.] In the race for the Republican nomination for Governor, the county board of elections should certify the vote as counted. Mere closeness of the vote is not a ground for recounting the ballots. [p. 83.]

town council's choice. Construction is scheduled to begin in January, 1965.

\* \* \*

*Hendersonville's* waste is now being processed through a new sewage plant, financed through a bond election two years ago.

\* \* \*

Plans for the proposed sewer system have been approved by the *Newport* board of commissioners. The plant will be a relatively new type which will be largely self-operating, simpler than other types, and practically odorless.

\* \* \*

### Thoroughfares

An ambitious 20-year thoroughfare

plan is being considered by *Belmont* councilmen. The plan is based on the use of major cross-town boulevards which would facilitate the flow of traffic and reduce driving time to any portion of the city. A major obstacle is the existing railroad.

\* \* \*

*Dunn's* planning board in investigating a revolutionary thoroughfare plan which would eliminate unnecessary streets and turn them into access driveways.

\* \* \*

### Traffic Safety

*Morehead City* is one of 11 Tar Heel cities to receive an award for another fatality-free year. Presented by the North Carolina Motor Club and the National

Automobile Association, the award is *Morehead City's* third in a row.

\* \* \*

### Water

Fifteen deep wells which have supplied *Cherryville* residents with drinking water through the years have been abandoned. In their stead is a new \$645,000 water filter plant which opened April 1.

\* \* \*

Test runs were being made in April in *Wrightsville Beach* at the \$1.2 million demonstration plant which hopes to convert sea water into fresh water for use by the beach resort. The facility is one of five operated by the Department of the Interior for saline conversion.

# THE INSTITUTE

## In the News

Sanford Herald, February 13

JOHN SANDERS, Director of the Institute of Government, and Wayne Simpson, President of the North Carolina Association of County Accountants, opened the 1964 School for County Accountants at the Institute of Government in February.

Staff members leading discussion periods included Assistant Directors RODDEY LIGON and JAKE WICKER; and RUTH L. MACE, research assistant.

Ayden Tribune, February 14

Topics pertaining to local government and its problems were featured at the City and County Managers' seminar held at the Institute of Government recently. Among the speakers were Institute of Government Assistant Director JAKE WICKER and DENNIE BRIGGS, special consultant to the Center on Youth Crime and Delinquency at the Institute.

Mike Brooks, director of research on North Carolina, and George H. Esser, executive director, represented the North Carolina Fund at the session.

Randolph Guide, Asheboro, February 19

Governor Terry Sanford invited all of the State's lower court officials to attend a three-day traffic court conference in Chapel Hill Feb. 27-29. The Conference is sponsored by the INSTITUTE OF GOVERNMENT, the North Carolina Bar Association and the North Carolina Traffic Safety Council, Inc.

In announcing the session, Governor Sanford called courts "the front line in most of our efforts in highway safety."

Winston-Salem Journal, February 20

City officials have begun a 12-month countdown on ward realignment with a brief planning session at City Hall.

Aldermanic General Committee Chairman George Chandler reported that he and City Manager John Gold had discussed the principles of ward alignment with GEORGE ESSER, former assistant Director of the Institute of Government at Chapel Hill and now director of the North Carolina Fund. The session with Esser was termed "quite fruitful."

Ayden Tribune, March 6

A second seminar for city and county managers was held at the Institute of Government February 27-29. Discussing the role of the manager were Assistant Director ROBERT T. DALAND and JAMES KWEDER, research assistant.

PHILIP P. GREEN, JR., assistant director of the Institute of Government, is studying English planning law on a Fulbright Award at the University of London this year (see page 8). Following are excerpts from a recent letter to colleagues:

"I have been enjoying the benefits of being a foreign 'expert' recently, with a full schedule of interviews, visits to New Towns, etc. Everywhere I get the full treatment—lunch and perhaps tea, personalized tours, interviews with all the chief officers. It will be hard to go back to ordinary citizenship.

After our return from a three-week motor tour during Easter holidays, I shall fly back to Catholic University of Louvain to deliver a 3-lecture series on local government law and land use regulation at the Faculty of Law."

Durham Sun, March 6

Representatives of agriculture, industry and conservation will attend a seminar on water resources at the University of North Carolina March 13 at the INSTITUTE OF GOVERNMENT.

LYNN DEAL, editorial assistant and artist for Popular Government, has received the \$250 Thalheimer-Ellis Stone purchase award at the Ninth Exhibiting Members Show of Associated Artists of North Carolina. Following its display at the Weatherspoon Gallery in Greensboro, the painting "Amphorae" will be presented to the new Greensboro Public Library, now under construction.

Raleigh News and Observer, March 12

During a three-hour public hearing by the State Legislative Council's Committee for the Study of the Highway

Patrol, Institute of Government Director JOHN SANDERS said he is convinced the patrol is determined "to continue to merit the adjective 'outstanding.'"

Durham Morning Herald, March 17

The North Carolina Volunteers, announced by Governor Terry Sanford as a program among college students to help battle the cycle of poverty in the State, may be extended into the ranks of high school students and returning Tar Heel Peace Corps workers.

In outlining the new program track star Jim Beatty announced that the 11-week summer program for volunteers will begin with a training session at the INSTITUTE OF GOVERNMENT in Chapel Hill and be followed with another short seminar at the close of the summer.

Statesville Record and Landmark, March 26

A training institute for juvenile court judges in the western district will be held in Statesville March 27. On the teaching staff will be RODDEY M. LIGON, JR., assistant director of the Institute of Government, Chapel Hill, and Judge Mason P. Thomas, Jr., Wake County Domestic Relations Court, Raleigh.

### Alumni Headline

GEORGE C. COCHRAN, editor-in-chief of the North Carolina Law Review, has been awarded a United States Supreme Court clerkship effective August 1. Cochran, a former research assistant at the Institute of Government, is said to be the first student in any North Carolina law school to receive such an appointment. He will be full-time clerk for retired Justices Stanley Reed and Harold Burton, and will devote part of his time as clerk for Chief Justice Earl Warren.



## BOND SALES

From March 24, 1964 through April 21, 1964 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
<i>Cities:</i>			
Andrews	95,000	Sanitary Sewer, Recreation Center	4.00
Cherryville	205,000	Sanitary Sewer	3.52
Jacksonville	204,000	Sanitary Sewer	3.76
Morehead City	580,000	Waterworks and Sewer System,	4.09
		Revenue Bonds, Series A	
Morehead City	821,000	Waterworks and Sewer System,	3.62
		Revenue Bonds, Series B	
Roanoke Rapids	1,200,000	Water and Sewer	3.66
Roseboro	120,000	Sanitary Sewer	4.03
Washington	175,000	Water, Fire Station	3.27
Weldon	145,000	Water, Sanitary Sewer	3.76
Whiteville	230,000	Sanitary Sewer	3.82
<i>Counties:</i>			
Henderson	148,000	Refunding, School Refunding	3.98
Wayne	225,000	Road, Bridge, General Refunding,	3.25
		Refunding School	
Yancey	250,000	Courthouse	3.98

## Jefferson Award Goes to Brandis

Henry P. Brandis, retiring dean of the University of North Carolina Law School, is the 1964 winner of the Thomas Jefferson Award. Established in 1961 by the Robert Earl McConnell Foundation of New York City and Hobe Sound, Florida, the award is presented annually to the UNC faculty member whose life and work is in the best tradition and spirit of Jefferson.

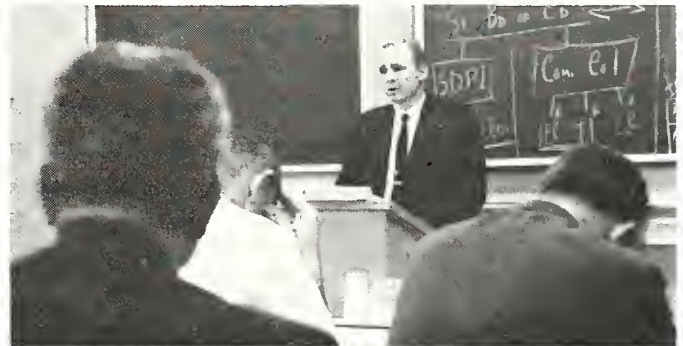
Dean Brandis, a native of Salisbury, will step down July 1 after 15 years as dean of the Law School. He will continue as a member of the Law School faculty.

Before joining the Law faculty as an assistant professor in 1940, Dean Brandis served as associate director of the Institute of Government. From 1933 to 1938, Brandis performed notable service in helping to establish the early reputation of the Institute, especially in the fields of taxation and legislation.

In 1947 he served as advisor to former UNC President Frank Porter Graham on the United Nations Committee of Good Offices on the Indonesian question. He has been a member of the Commission for the Improvement of Justice in North Carolina and the Chapel Hill School Board.



Four city managers chat during a break between sessions of the second seminar for city and county managers. From left to right Robert Peck, Chapel Hill; Gilbert Ray, Fayetteville; Phin Horton, Shelby; and H. E. Dickerson, Statesville.



Above Assistant Director Jake Wicker moderates a discussion following a talk on education by Dr. H. G. Beard, Associate Director of Vocational Education for North Carolina. Wicker had charge of the seminar for city and county managers. Below Assistant Director Robert T. Daland, left, and Research Assistant James Kueder, right, hold an informal session after their discussion on the role of the manager.



## INSTITUTE SCHOOLS MEETINGS, CONFERENCES

# NEW INSTITUTE PUBLICATIONS

Now Available

*Primary and General Election Law and Procedure*

by Henry W. Lewis, Assistant Director, Institute of Government

\$2.00

limited supply

Available in September

*North Carolina Hospital Law*

by Roddey M. Ligon, Jr., Assistant Director, Institute of Government

## Looking Ahead in Popular Government

*In the next issue:*

How can the cycle of poverty be broken? Billy E. Barnes, public relations director of the North Carolina Fund, has prepared a two-part "Progress Report" on the Fund which will begin in the June issue.

"New Towns" and "Expanded Towns" will be the topics discussed by Philip P. Green, Jr., in part four of his series on planning in Great Britain. An Assistant Director of the Institute of Government, Green is studying at the University of London this year under a Fulbright grant.

Milton Heath, Jr., will explore legal aspects of Federal and State regulation of water pollution in the June issue. An Institute Assistant Director, Heath is on leave this year to serve as technical assistant to the chairman of the Federal Power Commission in Washington, D. C.

*In future issues:*

V. L. Bounds, Director of the Training Center on Delinquency and Youth Crime at the Institute of Government, tells the story of Chydaru—a creative experiment for the rehabilitation of aggressive young first offenders.

What can be done about the problem of school drop-outs in North Carolina? Allan W. Markham and others will write about an important meeting of attendance counselors, juvenile court judges, and school superintendents relating to this key problem in the battle on poverty.

What is being accomplished in North Carolina with regard to civil rights and job opportunities? Officials attending Institute of Government schools have been giving and getting information and insights on what is happening at State and local government levels. A revealing picture should be ready for publication in the months ahead.

Watch for these and other significant articles on public law and government in the fall issues of

## POPULAR GOVERNMENT

Published by the Institute of Government

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