

POPULAR GOVERNMENT

June, 1964

Published by the Institute of Government
The University of North Carolina at Chapel Hill



In This Issue:

**A Progress Report on the
North Carolina Fund
The President's Visit**

**Some Legal Aspects of Federal
and State Regulation of
Water Pollution**



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Vol. 30

June 1964

No. 9

POPULAR GOVERNMENT is published monthly except January, July and August by the Institute of Government, the University of North Carolina, Chapel Hill. Editorial, business and advertising address: Box 990, Chapel Hill, N. C. Subscription: per year, \$3.00; single copy, 35 cents. Advertising rates furnished on request. Entered as second class matter at the Post Office, Chapel Hill, N. C. The material printed herein may be quoted provided proper credit is given to POPULAR GOVERNMENT.



COVER

Our cover picture is a thoughtful study of the President of the United States while in North Carolina. The background for this interesting shot of President Johnson is a farmhouse near Rocky Mount. For stories on the North Carolina Fund, and the President's visit see pp. 1-8.

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THE NORTH CAROLINA FUND:

A Progress Report

BY BILLY E. BARNES, News Director
The North Carolina Fund

INTRODUCTION

Most of our Poor People were born that way. They have never known anything else.

When the children of poverty start school, they already are a year behind their classmates from the better side of the tracks.

As the early years of school pass by, these children . . . shoeless, sickly, stomachs growling from hunger, get further and further behind until they drop out, to walk the streets of a city that has no need for a dropout.

Or they go back to a farm that promises a dwindling income, as acreage allotments decrease, and the long-worked soil wears out.

This is the poverty cycle. A vicious, age-old problem that has sapped the strength and heart of nations throughout history.

The poverty cycle. A whirlpool of despair that at this very moment holds over a half-million North Carolina families in its grasp.

What can be done about it? Surely modern man, with one hand reaching for a landing on the moon, can reach with the other to help the world's poor. Surely we can find ways to break the cycle of poverty.

This, then—the finding and showing of ways to break the poverty cycle—is the purpose of The North Carolina Fund.

The North Carolina Fund

The North Carolina Fund now is moving out of the staff-hiring and organizing, and community-selecting phase, and into its active phase—a four-year program to find and show new ways to break the cycle of poverty in North Carolina.

The North Carolina Fund is unique because its program is the first series of state-wide experiments ever aimed at breaking the cycle of poverty.

It is the first poverty-fighting project ever to be backed by the Ford Foundation in a location below the Mason-Dixon line.

It is North Carolina's first attempt to take a look at its total poverty problem, and outline means of fighting it in many communities, and with many weapons, in a truly comprehensive program.

The idea for the Fund originated in 1963 when Governor Sanford, having spent two years of his administration building a better school system in North Carolina, came to the realization that improved education doesn't necessarily improve, significantly, the plight of the poverty level child. Why? Because these children have so many distractions—hunger, sickness, crowded living, and poor studying conditions—coming between them and their lessons that they can't take advantage of what the school has to offer.

These disadvantaged children get off to a slow start in school, and fall more and more behind until they drop out in early high school years. In many North Carolina counties, well over 50% of all children entering first grade never graduate from high school.

With this dropout rate, a state can improve its high schools to the utmost, and succeed only in giving a better education to children from middle and upper-class homes—doing nothing for children of poverty-level families.

Governor Sanford expresses the problem this way:

"I have come to believe that charity and relief are not the best answers to human suffering, that the schools are not the answer so long as only a third or a half of our students finish school, that the wealth of America is not the answer if many families have fifty-some cents a day per person for all expenses; that it is not enough to have here the most powerful nation in the world and then to admit that we are powerless to find ways to give our young people training and job opportunities.

"In North Carolina we want to go into a few communities and say to the leaders of schools, government, welfare, health, charity: 'Look, let's work together, let's see if together in a few neighborhoods near here we can't break the cycle of poverty and give these children a better chance.'"

As a first step, Sanford talked it over with his aide and idea-developer, novelist and former U.N.C. faculty member John Ehle. The two decided they would try to start a break-the-poverty-cycle program, not as a state government function, but as an experimental program financed by private (non-government) funds.

Ehle and Sanford personally took their thoughts and ideas and problems to the Ford Foundation in New York, starting a chain of events that led to a \$7 million grant from the Ford Foundation, to which was added another \$2.5 million in local money from the Z. Smith Reynolds and the Mary Reynolds Babcock foundations, both in Winston-Salem.

To receive and spend the funds, Sanford and a group of advisors created a non-profit organization called The North Carolina Fund, Inc.

The incorporators of the Fund then named a board of directors, drawn from all areas of the state, and many walks of life. The roster read:

Board Chairman, Governor Terry Sanford, Raleigh

Fund President, C. A. (Pete) McKnight, Editor, *The Charlotte Observer*

Wallace Murchison, Wilmington attorney
Hargrove Bowles, Jr., Greensboro businessman and politician

J. Gerald Cowan, Asheville banker

Dr. Samuel Duncan, President of Livingstone College, Salisbury

Dr. Hollis Edens of Winston-Salem, executive secretary, Mary Reynolds Babcock Foundation and former president of Duke University

James A. Gray of Winston-Salem, former publisher of the Winston-Salem *Journal and Sentinel*, now president of Old Salem, Inc.

Dallas Herring, Rose Hill, member of the state board of education

Mrs. B. C. Parker, professional educator, Albemarle
John H. Wheeler, Durham banker

Mrs. H. Frank Forsyth, Winston-Salem civic leader

Thomas J. Pearsall, Rocky Mount, farmer, businessman and politician

In the fall of 1963, in an austere suite of second-floor offices in downtown Durham, the staff began assembling. From Chapel Hill came the Fund's Executive Director, George H. Esser, Jr., formerly assistant director of the Institute of Government and U.N.C. professor of law and government.

Esser quickly put together a six-man professional staff made up of (1) Michael Brooks, research man who recently completed course requirements for a Ph.D. at the University of North Carolina's School of City Planning; (2) Mary Hatley, teacher and editor—native of North Carolina; (3) William A. Darity, holder of a Ph.D. in Public Health, with ten years experience in public-health field work; (4) William H. Koch, community development man with ten years experience dealing with problems of migrant workers in four states; (5) The Reverend Jack Mansfield, who has combined a career as Methodist minister with his years of service organizing volunteer workers for poverty-fighting programs in North Carolina. Mansfield, the Fund's Director of Volunteer Services, supervises training and placement of volunteers of all ages, in the Fund's community programs; and (6) Billy E. Barnes, writer and photographer, and former chief southeastern correspondent for McGraw-Hill magazines.

With \$9.5 million to spend and an entire state in which to spend it, officials of The North Carolina Fund made an unusual decision. Instead of making arbitrary decisions as to where and how the money should be spent, the Fund asked North Carolina communities to analyze their poverty problems, and come up with some ideas for solving them with the help of The North Carolina Fund.

Shortly after the new year 1964 began, proposals started pouring into the Fund's Durham offices. Some contained over 100 pages of illustrated material wedged into impressive bindings. Other proposals consisted of three or four pages of mimeographed material held together with a staple.

All of the proposals represented considerable depth of thought and candid analysis, in a spirit of determination to do something about the miserably poor families found in their communities. At the February 1 cutoff date, 51 communities had proposed projects to the Fund. Some proposals spoke for a single county. Others represented interests of two, three, and four counties. In all, 66 counties participated in formulation of the 51 proposals.

In Durham, Fund officials were at the same time gratified and concerned by the size of the response. Experts in community development work had expected perhaps 20 or 30 counties' leaders would be interested enough to do the leg-

work and thought and analysis necessary for submitting comprehensive proposals.

The 51 proposals represented a splendid degree of interest; but, at the same time, this number of proposals presented a formidable screening and selecting task.

County and city government officials played important roles in preparation of the proposals. The Charlotte Area Fund, Inc., chartered last year with North Carolina Fund participation in mind, has as one of its incorporators and board members, Charles M. Lowe, Chairman of the Mecklenburg County Commissioners.

The Cleveland County proposal was submitted by the Cleveland County Association of Government Officials (CAGO).

Thirty of the 51 community-action proposals submitted to the Fund came from committees that included representatives of county and city government officials. Most of these 30 committees also included representatives from the welfare, health, education, and other government agencies.

One proposal was submitted primarily by a welfare agency. Three were submitted by private citizens in the interest of the community. Two proposals came from education officials. Two were submitted by industrial or economic development organizations.

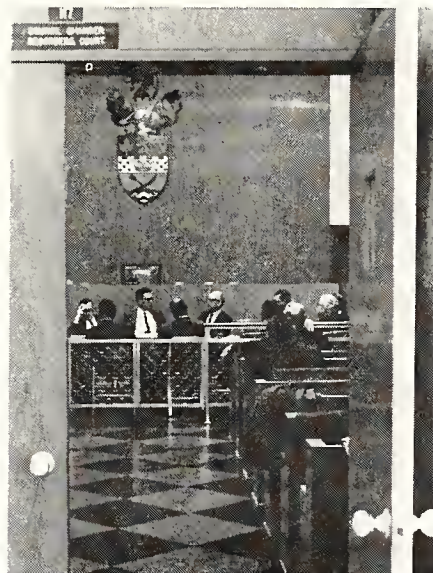
What was in the proposals themselves? The Fund originally asked for comprehensive community action programs. But what specific ideas made up these 51 programs?

Thirty-six of the proposals provided for some type of training for pre-school children. Sixteen proposed dropout pro-

grams (counselling, tutoring, etc.), 16 called for vocational education programs for in-school children, 23 called for adult vocation education, 10 proposals planned birth-control programs, and 12 called for agricultural-development programs.



On the road Fund Director George Esser and Thomas Pearsall listen to Fund requests . . .



made in the Lenoir County Court House



the YMCA Boardroom in Mecklenburg

grams (counselling, tutoring, etc.), 16 called for vocational education programs for in-school children, 23 called for adult vocation education, 10 proposals planned birth-control programs, and 12 called for agricultural-development programs.

Other popular program segments included community centers for poverty-level neighborhoods, academic training for adults, improved education at all levels of public school experience, and special programs in health and welfare such as care for the indigent sick, and home-making courses for mothers of large families.

As Fund officials scanned the proposals, they found some brand new approaches to the problems of poverty. One called for a Creative Training Program for low-income families, teaching them drama, music, dance, script writing, and other such skills in classes concentrated in the summer months. This program would end in an arts festival.

pects of another meeting in another town the very next morning at 9:00.

The Fund visitors noted with interest the many different types of towns, and people, and problems in North Carolina. Even the types of meeting places picked by the local committees were interesting to note.

The groups met in courthouses in Lenoir, Harnett, Rutherford, Anson and Stanly; in Savings and Loan offices in Wilmington and Whiteville; in the home of a welfare official in Carteret; in the YMCA boardroom in Mecklenburg; at colleges in Scotland and Buncombe; in a schoolhouse in Salisbury; a church in Yancey; a restaurant in Swain; and hotels in Cleveland, Craven, and Wayne.

On March 19, in Reidsville, the last-on-site visit was completed. Then the staff returned to Durham to start analyzing and comparing and sorting their notes and observations. Some-

how, the 51 had to be shaken down to ten communities that would receive major grants, and a few more to receive small, "seed-money" grants.

There were some built-in ground rules governing the selection process. The communities selected had to be well spread over the entire state. There had to be a good balance between large cities and smaller ones, rural communities and industrial areas.

For the next three weeks, the staff mulled over the selec-



... a director's room in Salisbury ...

tion process and the board members, in their spare moments, re-read proposals, looking toward the next board meeting when the actual selection process would begin, with reporting and debating and voting until the screening was done.

As the selection process moved to its mid-April climax, another important part of The North Carolina Fund's program was announced. Back in the fall of 1963, world champion runner Jim Beatty had returned from California to organize a special, Fund-sponsored program. In late March, the announcement came: Beatty would direct The North Carolina Volunteers, a Peace-Corps style organization of North Carolina college students volunteering to spend their summers helping out in the Fund's community poverty-fighting programs.

For five weeks, Beatty and his assistant director, Curtis Gans, visited college campuses in a concentrated recruiting drive. They told the students that 100 college men and women were needed to lend a hand in the Fund's community programs. Pay would be \$250 for the eleven-week period, plus free room and board. The students would do whatever work the community program director needed done—recreation leader work, tutoring mathematics or French to potential high school dropouts. Some of the co-eds might serve as assistants to public health nurses.

At the end of the whirlwind recruiting tour, well over 700 applications had poured into the Volunteer's office.

In mid-April, the Fund's board of directors met in Asheville to decide which communities the Fund should pick as sites for seeking and showing new ways to break the poverty cycle.

They brought to this task all of the observations and evaluations made by the staff and the board during and after the on-site visits. They also brought with them information and impressions from the written proposals themselves.

They knew the final selections had to include small towns and large cities, rural poverty pockets as well as urban ones. And all geographic areas of the state had to be represented.

The following Monday, April 20, Governor Sanford, sur-



... a Savings and Loan office in New Hanover ...

rounded by Fund board members, took a microphone in hand and addressed the dozens of newsmen assembled in the capitol press room.

"This, to the Fund, is the end of an exhaustive study. It is the beginning of a venture in our state and nation to find new ways to stop the cycle of poverty which mars the lives of so many children and adults. What goes on in the counties selected for grants will be of value to all of our counties, and people everywhere.



... an apartment in Carteret ...

"Today, we are announcing seven projects involving thirteen counties, but these are not necessarily going to take all the money we have. There will be additional, comprehensive projects. We're going to start with these seven projects and



... and the Harnett courthouse ...

then go on to some of the others just as soon as these get started on a sound basis.

"It is our intention in The North Carolina Fund, to find help for each of the 66 counties which made a proposal.

"The seven projects which I'm going to announce now are the start of a whole enterprise—but, I emphasize—only the start. The North Carolina Fund will now consult with them, determining how much money they need, and how much money they can find on the local level. These projects represent urban and rural areas, all sections of the state, allowing experiments with all types of poverty programs. Other communities still are under consideration.

"The communities picked by the board after a careful, four-month selection process, are as follows:



The notes taken were numerous . . .

Robeson, Richmond, and Scotland Counties
Craven County
Nash and Edgecombe Counties
Durham County
Mecklenburg County
Forsyth County
Avery, Watauga, Mitchell, and Yancey Counties."

After the Governor's announcement, Fund executive director, George Esser, released to the press a statement that offered a great deal of help and hope to the 43 communities that asked for aid from the Fund, but were not selected for major grants in this first announcement.

Esser said, "It is obvious that when 50 communities ask for help, and seven are picked for assistance, the other 43 are wondering 'where do we go from here.'

"Since early February, when these proposals poured into the Fund office, we have recognized, and discussed the need for helping each of these communities build on the momentum already started by the committees submitting those proposals.

"As a first step, the Fund board already has set aside a small sum for making minor grants to a few counties. This money also would provide training for people already working in those counties, and technical assistance from the Fund staff and its consultants.

"Since the beginning of the Fund, North Carolina's state agencies have been giving attention to ways in which they might work with these communities on their poverty problems. We expect that aid from those sources will be announced from time to time, as these agencies' plans are completed.

"Finally, at the risk of counting chickens before they're hatched, we must consider what will happen to our program if the Economic Opportunity Act of 1964—President Johnson's anti-poverty bill—is passed, as there is every indication it will be.

"The heart of this bill is title II, which would set aside



. . . and the staff meetings long . . .

over \$300 million for grants to communities submitting comprehensive, community-action proposals dealing with the problems of poverty, and lack of opportunity.

"This language, 'comprehensive, community-action proposals,' sounds familiar, of course. It has been used from the start by The North Carolina Fund, with the result that leaders of 66 counties already have been through the process of thinking and planning for comprehensive poverty-fighting programs. These 50 proposals represent 50 giant steps by communities of our state—steps giving them a head start toward participation in the sweeping program now being considered by the United States Congress.

"I can promise these communities that the Fund will provide every possible assistance in helping them, and the 34 North Carolina counties not originally participating in the proposal process, to sharpen their program and their processes, for participating in forthcoming federal programs."

With the naming of the communities, The North Carolina Fund leaves the planning phase and moves into its community-action phase. During the week before the announcement, reporters were calling the Fund trying to get some speculation on which communities would be selected. But after the announcement, the big question was "What next? How are you going to get these seven community programs underway?" Esser's answer: "The Fund's first task is to help each of these seven communities complete the organization of its action

(Continued on page 22)



. . . but the final announcement came on schedule.

The President and the Fund

The extra street-cleaning crews, the rows of state patrol cars parked uptown, the big Pepsi-Cola sign that said "Welcome President Johnson," and the Negro school children carrying small, hand-made posters saying "We Love You, Mr. President"—all of these told of unusual doings in Rocky Mount. For the first time ever, a President of the United States was coming to visit the town.

Sure, FDR rode through on a slow-moving train one time. And HST, as *ex-president*, came and made a speech. But LBJ, a real, honest-to-gosh, President of the United States of America, was coming now and for three hours on May 7, 1964, Rocky Mount, North Carolina, would be the White House, the center ring—the focus of national attention.

True, President Johnson was making Rocky Mount just a short stop on a two-day trip to look at economic problems in six states. And he was making an important stop in Goldsboro the same day. But the Rocky Mount stop was different. The President was coming to Rocky Mount not only to look at problems but also to hear about, and talk about, solutions already in sight.

Months before, Rocky Mount leaders had gathered together, looked at their poverty problems in Nash and Edgecombe counties, and submitted a plan to The North Carolina Fund. In April, the Fund announced that the Nash-Edgecombe area had been picked as one of seven North Carolina communities to be sites of four-year experiments to find and show new ways to break the cycle of poverty.

Here was an example of a community willing and ready to work, making best use of resources from both inside and outside the community, to offer a new brand of opportunity to citizens who never had had any opportunity at all.

The President first wanted to see some folks who were down, but not out. He wanted to hear some plain talk from some plain people, about the problems of making a living in rural North Carolina. The President's advance men had found an ideal case in the

family of 39-year-old William David Marlow, his wife, Doris, and their seven children ranging in age from 18-year-old Billie, to seven-year-old Robert (nickname—Tootsie Bug).

Marlow, a tenant farmer who grows tobacco and cotton "on halves" with his landowner, nets about \$1,500 a year, spends \$100 a month on groceries, and has \$300 a year for all other expenses such as clothing, and medical care.

Marlow and his family were waiting on the porch of the unpainted, four-room house with crumbling front steps, when a great, blue helicopter landed in a swirl of dust in a nearby field still covered with stubble from the oats that had been cut two days before.

Out of the copter strode a tall man wearing a white stetson hat, followed by a younger man named Sanford, wearing a wide, proud, grin instead of a stetson.

Both men, followed by cabinet members Orville Freeman and Anthony Celebrezze, plus Undersecretary of Commerce Franklin D. Roosevelt, Jr.; the President's daughter, Lynda Bird; a bevy of congressmen and a horde of newsmen, walked down an unpaved road, between the cotton patch and the oats field, toward the tenant farmer's house.

The President stayed about 25 minutes. He talked with Marlow and his wife about why the children dropped out of school (they had to help with the work when Marlow suffered a slipped disc four years ago). The President asked how they felt about the food stamp program they had been participating in. He compared notes with Navy veteran Marlow and found they had served on the same kind of ship during World War II.

Over and over again, Johnson told the Marlowes "We're going to get some programs going to help you people." The Marlowes nodded and smiled and did a good job of being themselves but Mrs. Marlow couldn't help looking a little wide-eyed, and saying, once, "I just never dreamed we'd have a President come to see us like this."

When the sun was getting low behind the piece of woods separat-

ing the cotton field from the collards patch, President Lyndon Johnson stood up, reached for Marlowe's hand, and said, "Well, we got to be getting along now." The goodbyes were quickly said and within a matter of minutes, the President, the cabinet men, the Secret Service squad, the congressmen, the writers and photographers and the rest, had disappeared up the road toward Rocky Mount, and the Marlowes went in to eat their supper and talk of the tall man with the white stetson, who had dropped in to chat that day.

In Rocky Mount, over 100,000 people had stood since well before nightfall, crowding the sidewalks for a glimpse of the President and his pretty daughter Lynda Bird. There were boy scouts and high school bands, ladies with babies, and toddlers holding American flags. People held signs of all types and sizes carrying all kinds of greetings including one that said, "Mr. President, you can pull my ears anytime."

In uptown Rocky Mount, the presidential party first went upstairs in City Hall, where an audience of dirt farmers, local VIP's and press representatives heard Governor Terry Sanford tell the President about North Carolina's move against poverty, through the projects of The North Carolina Fund.

Standing at a temporary podium, with the President sitting just a few feet behind him, Sanford said, "Mr. President, we welcome you to North Carolina. You are not in a section of poverty, but you are in a section where there is poverty."

The Governor told the President some things about the state's poverty problems, and then started on the solutions. He mentioned North Carolina's Industrial Education Centers, and the Community Colleges, then added, "But better education is not enough. Children must want to learn . . . we must kindle the desire to succeed, on the ashes of frustration.

"For centuries men have tried to find answers to the paradox of great need in the midst of plenty. Recognizing that we had to try



Striding toward the house . . .

again to find some new and realistic answers to these basic problems, we went out and secured some 'risk capital' from private foundations. We established the North Carolina Fund to make grants to a few communities that were willing to pull together their leaders to sit down and define the problems faced by those living in poverty, and to work together to find ways in which these people could be helped to break out of the cycle of poverty."

around Rocky Mount. Then, as the Rocky Mount proposal committee stood proudly, the Governor presented a copy of the full, Nash-Edgecombe proposal to the President. (Johnson scanned the pages of the proposal for the next several minutes.)

When Sanford finished his words of welcome, the President went to the podium and answered, saying, "You have already started your own war on poverty to show that something can be done to help forgotten Americans get a decent break. . . .

"I commend you on the leadership and progressive spirit that North Carolina has shown. I came here to see what you are doing, and I wish I had more time." Looking the 50 farmers squarely in the face, Johnson continued, "I never make such a trip without returning to Washington a stronger man. I get the strength from looking at you and shaking your hands."

A few minutes later, Johnson was out in front of City Hall, under the bright TV lights, waving his arms and thumping the podium and speaking of the plight of the forgotten Americans, "waiting for surplus food, standing in line for a relief check, despairing of finding work, coming home empty-handed every night with neither work nor dignity.

"Some people say if these Americans are poor, it's their own fault. I have even heard others say that God ordains poverty for the poor.

"I don't believe them. I believe the reason most poor people are poor is that they never got a decent break. They never had a fair chance when they were young and they never got it later on."

Johnson talked and moved and waved and thumped and the crowd



. . . President Johnson visits with the Marlowes . . .

Sanford went on to tell how the Fund had asked for expressions of interest from all North Carolina communities, and received 51 formal program proposals.

He pointed, specifically to the Nash-Edgecombe community



until he had "to be getting along."



Governor Sanford gives the President a copy of the Nash-Edgecombe North Carolina Fund proposal which he scans closely.



In Rocky Mount the President uses a full range of gestures during his speeches at the City Hall . . .

was caught up in his power and enthusiasm and determination until they forgot about their feet hurting from the hours of waiting.

When he had finished, the Secret Service men cleared a path for him at the bottom of the platform steps. But Johnson half ran to the front edge of the platform, bounded down to the street, and walked directly to the crowd, grabbing the outstretched hands with both of his own hands and smiling and speaking words unheard under the din of a cheering, east-Carolina crowd.

Finally eased away from the

crowd by the nudges of the Secret Service men, the President moved to his limousine and zipped to the Rocky Mount airport. He walked up the ramp and disappeared into the big, blue helicopter, which in the darkness was just a window-splash of light in the middle and red blinkers on top.

With a final gust of wind and a wap-wap-wap of helicopter blades, the President was gone from Rocky Mount.

On the runway, his white hair blowing in the backwash from the helicopter blades, stood Tom Pearsall, a member of The North Caro-

lina Fund board of directors, and head of the Rocky Mount committee that paved the way for the President's visit. As he walked toward a waiting bus, Pearsall wondered that it all came off so smoothly—the placement of a dozen bands and boy scout troops along the parade route, the printing and handing out of hundreds of special badges to the press and VIP's and others, the long nights of planning with Secret Service and White House political men, and the maps that had to be drawn showing every step the President was to take during every minute of his stay in Rocky Mount.

As the red helicopter lights disappeared to the south, Pearsall entered the bus and sat across the aisle from George Esser, The North Carolina Fund's executive director, who had been in Rocky Mount for five days, getting together some of the information that would be handed, and told, to the President.

The President came and went in a three-hour period. Pearsall, and Esser, and the others had been busy all week, night and day, getting ready for his coming. And 10,000 Rocky Mount citizens had made the most of that afternoon, May 7th, when their home town for three hours was the center ring, the White House, the focal point of the nation.



. . . and on Main Street.



Some Legal Aspects of Federal and State Regulation of Water Pollution

Editor's Note: This article has been adapted from a paper presented at the Thirteenth Southern Municipal and Industrial Waste Conference in Durham, North Carolina on April 16, 1964. The author has been on leave of absence during 1963-64, serving as Technical Assistant to the Chairman of the Federal Power Commission in Washington.

The familiar Greek legend has it that Hercules was required by his unfriendly sovereign the King of Thrace to perform twelve great labors. The fifth of these was the awesome chore of cleaning out the Augean stables where the 3,000 oxen of King Augeas had been corralled for 30 years without so much as a spring cleaning. Hercules turned the trick in one day, it is said, by chopping some holes in the stable walls and diverting two neighboring rivers through the holes. (Obviously, though Hercules may have been the original sanitarian, he was no conservationist or riparian at heart.)

Things have not been the same for the rivers ever since, and if the legend of the twelve labors were penned today it is a safe bet that the fifth labor would require Hercules to clean the Augean stables out of our rivers.

My assignment is to review the legal tools which we non-Herculean mortals must content ourselves to use in going about the less dramatic but equally burdensome task of keeping our streams clean. I shall be considering largely regulatory law in the governmental sense, and not attempting to give an exhaustive picture of all the law that bears upon problems of water quality.¹

1. I have drawn heavily on general discussions of the subjects covered here, including the following: Murray Stein, "Problems and Programs in Water Pollution," *Natural Resources Journal*, December 1962; Chester S. Wilson, "Legal Aspects of Water Pollution Control" and Robert A. Forsythe, "The Needs and Obligations of Federal Agencies," in *Proceedings of the National Conference on Water Pollution*, Washington, December 1960; Earl F. Murphy, *Water Purity: A Study in Legal Control of Natural Resources*, University of Wisconsin Press, Madison, 1961; and Philip P. Green, Jr., Donald B. Havman, and Ernest W. Machen, Jr., *Stream Pollution in North Carolina*, Institute of Government, Chapel Hill, 1951.

BY MILTON S. HEATH, JR.

Assistant Director, Institute of Government

The place of beginning for such a tour is at the constitutional level. As is typical of our dual system of federal-state government, there are multiple sources of authority for water pollution control laws. The states through their sovereign or police powers may enact such laws for the protection of the health, safety and welfare of their citizens.² The federal government has no such general police powers, but it may enact regulatory laws as an incident of its delegated powers, chief of which for our purposes is its power to regulate interstate and foreign commerce. By successive interpretations of the Supreme Court this has been construed to give the United States jurisdiction over all navigable rivers, extending to those capable of being made navigable as well as those actually navigable.³ In addition to the commerce clause, federal pollution control programs may derive support from the general welfare and property clauses. (Art. I, § 8 and Art. IV, § 3). Finally, the compact clause of the Federal Constitution serves as the basis for interstate compacts involving water (Art. I, § 10). Somewhat in the manner of the treaty making authority, the compact clause supplies a framework for inter-governmental agreements under which the states may incur binding obligations, sometimes even overriding private rights based upon state law.⁴

In short, the federal and state constitutions and the inherent sovereign powers of the states provide a broad foundation for water pollution control programs at state, federal and interstate levels—so broad indeed that inevitably it bears the seeds of some potential overlapping, du-

plication and conflict. On the positive side, though, this constitutional structure supplies a much needed flexibility that permits us to attack knotty problems from several directions at once, and that affords opportunities for trial-and-error without risking all of the eggs in one basket. If this does not produce neat and tidy results it is probably just as well, for we are not dealing with a neat or tidy problem.

Constitutions of course place restrictions on the exercise of authority as well as supplying a source of authority, and there are important constitutional restrictions that impinge upon regulation of water pollution—including the requirements of procedural due process and equal protection of the laws and the prohibition against taking of property without compensation. While these restrictions and some related general principles of administrative law play an important role in shaping the regulation of water pollution, they are for the most part principles which are common to all regulatory programs and I shall not pause to dwell on them here.

Another basic part of the legal structure concerning water pollution is its common law element, consisting mainly of the rights of riparian landowners (in riparian rights jurisdictions), and of other landowners affected by nuisance conditions, to bring civil suits for the violation of their property rights. During the 19th Century the civil damage or injunction suit together with local prosecution or nuisance abatement action under powers delegated by the state were the legal tools available for controlling water pollution. The civil suit remains a right of injured landowners today, and occasionally state legislatures recur to the civil suit as a method for enforcing state policy, as in the case of last year's

2. Roddey M. Ligon, Jr., "Legal Basis for Pollution Control," *Popular Government*, March-April 1962 (Institute of Government, University of North Carolina).

3. *United States v. Appalachian Electric Power Co.*, 311 U.S. 377 (1940).

4. *West Virginia ex rel. Dyer v. Sims*, 341 U.S. 22 (1958); *Hinderlider v. La Plata River & Cherry Creek Ditch Co.*, 304 U.S. 92 (1938).

5. N. C. Sess. L. 1963, Ch. 1086. 143 NC GS-215.3(a)(7). In this instance a right of action was created in the State Stream Sanitation Committee to bring suit for damages in the name of the State.

North Carolina fish kill legislation.⁵ In time it became apparent that civil litigation and local action would not suffice to protect the public interest in safeguarding water quality. The episodic quality of private litigation, its inability to prevent damage, problems of proof, and localism—all of these contributed to the eventual failure of this 19th Century system of pollution control and helped to engender the momentum for modern state laws regulating water pollution.⁶

Around the turn of the century the search for more effective controls began to produce results in the form of statutes prohibiting the discharge of specific wastes of an especially damaging character. The same period saw the beginnings of the first major effort by state governments to tackle the water pollution problem on a large scale—this, as you know, through the state health departments with emphasis upon the protection of public health and particularly on protecting the sources of public water supplies against contaminating from sewage. From that point, speaking in very general terms, there was a movement toward expansion of the scope of these laws to encompass protection of water quality for multiple purposes and from all manner of wastes as well as sewage. More recently we have seen a trend toward autonomous water pollution control administration—either by way of creating of new agencies or by transfer of existing ones out of the state health departments, as in the case of North Carolina—and 30 or more states have such organizations today. In addition to enforcing the pollution control statutes these agencies typically perform a variety of related functions, including supervision of the federal sewage treatment grants, representation of state interests before federal agencies, participation in general water resource planning and research, etc.⁷

Turning briefly to the area of interstate action, there are two major avenues that have been followed by the states: the suit between two or more states within the original jurisdiction of the U.S. Supreme Court (under Art. III, § 2 of the Constitution), and the interstate compact.⁸ A suit against a sister state in the Supreme Court is always available to a state as a last resort, but is a rather

awkward and uncertain method for resolving interstate pollution problems. The interstate compact executed with state legislative sanction and approved by Congress has offered a more effective means for promoting regional water pollution control programs. When Ed Cleary reviewed the topic of interstate agencies at the National Conference on Water Pollution in 1960 he reported that there were seven interstate agencies recognized by USPHS as engaged in water pollution control, including the leading example, ORSANCO, which has flourished under Cleary's leadership (Ohio River Valley Water Sanitation Commission).⁹ In the interim the Delaware River Basin Compact has come into being, providing the first example of a pollution abatement compact in the context of a basinwide program for comprehensive water resource development and control. The Delaware compact also breaks new ground by two organizational innovations: it provides for federal representation on the Commission with full voting powers, and it allows the Commission to act on the basis of a simple majority vote, foregoing the usual veto power given to the representatives of each participating state in pollution compact agencies.¹⁰

Federal legislative interest in water pollution dates from 1899 when a provision of the Rivers and Harbors Act of that year prohibited discharges of refuse into navigable waters that might serve as an impediment to navigation.¹¹ Comprehensive federal pollution control legislation is of but very recent origin, however, stemming from experimental legislation in 1948, the first permanent Water Pollution Control Act in 1956, and its 1961 amendments (33 U.S.C. 466-466k). The regulatory features of the Act, as you may know, are placed in the context of a comprehensive program including research and investigation, training and grants in aid, all currently lodged for administration in the Public Health Service.¹²

9. Edward J. Cleary, "The Needs and Obligations of Interstate Agencies," *Proceedings of the National Conference on Water Pollution*. Washington, 1960.

10. My information on interstate action is derived from Cleary's paper (note 9, *supra*). Flannery's thesis (note 7, *supra*) and a Report to the Delaware River Basin Commission in July 1963, by Cleary, Harvey O. Banks and Allen V. Kneese: "Development of a Water Quality Management Program for the Delaware River Basin."

11. Other early federal laws on the subject include provisions authorizing investigations of disease-related pollution in the Public Health Service Act of 1912, and the Oil Pollution Act of 1924, enacted to control oil discharges in coastal waters damaging to aquatic life, harbors and docks, and recreational facilities.

12. My sources on federal regulation under the Federal Water Pollution Control Act are the publications by Stein and Forsythe at note 1, *supra*.

On the over-all federal program I shall limit myself to a brief description of the regulatory provisions. In general the Act provides a limited authority to bring about abatement of pollution of interstate or navigable waters which endangers human health or welfare. As we know from Senator Muskie's bill, the enforcement of the law is currently placed in the hands of the Public Health Service by virtue of a delegation of authority by the Secretary of HEW. (In other words the Secretary could bring about one of the purposes of S. 649 by re delegating that authority to an independent branch of his department.) The extent of the jurisdiction under the Act is as follows:

First, on an interstate stream where there is pollution in one state that endangers health or welfare in another state, the Act can be invoked in either of two ways: on a request by State authorities (or by local authorities with state approval); or by federal initiative without a state request upon the basis of reports or studies available to the Secretary.

Second, the Act can also be invoked in intrastate situations by request of a state governor only—where the pollution both occurs in his state and affects health or welfare within that same state. Under the statute this could take place either on interstate stream or a navigable intrastate stream.

The procedure that must be followed, assuming there is jurisdiction, involves, first, a conference with the state and interstate agencies; then, if necessary, a public hearing; and finally, if necessary, a federal court action to secure abatement.

This, then, is the basic federal regulatory statute as it now stands. In the six years since its enactment it has been applied in some 20 cases which have reached the conference stage, only one of which has gone to court. Eighteen of the 20 cases have involved interstate situations. According to the Muskie Committee testimony of chief enforcement officer Murray Stein, the regional offices of the agency are keeping some 220 cases under surveillance, of which about 90 appear to need attention now.¹³

There are other sources of federal authority for controlling water pollution, the most significant of which is to be found in the hydroelectric licensing provisions of the Federal Power Act. The

13. United States Senate, Hearings before a Special Subcommittee on Air and Water Pollution of the Committee on Public Works on S. 649 and other bills, 88th Congress, 1st Session, pp. 50-52. Of the 90 areas listed by Stein as currently needing attention, five involve North Carolina rivers—the Catawba-Wateree, the Nolichucky, the French Broad, the Pigeon and the Roanoke. Id. pp. 76-77.

FPC licensing function extends to all non-Federal hydroelectric projects on government lands and on streams over which Congress has jurisdiction under the commerce clause. Under the Power Act it is the Commission's job, whenever the development of a water resource for hydroelectric power is proposed, to decide whether the power development is compatible or can be made compatible with a comprehensive plan to develop the water resource to serve the over-all public interest, and the Commission is given broad discretion to prescribe implementing conditions in licenses.¹⁴ This licensing power can be a strategic legal tool for regulating water pollution through river control measures. It enables the FPC to scrutinize all major non-Federal hydroelectric impoundment proposals; to consider the long-range physical, biological and chemical consequences for the river; and to take these factors into account in deciding whether to license the project and if so, upon what terms.

Every FPC license includes certain standard form conditions that have been evolved.¹⁵ To supplement the standard conditions the Commission often prescribes special provisions in a license, sometimes entailing large expenditures by the licensee. For example, in order to improve the quality of water released from storage at the Gaston and Roanoke Rapids projects of the Virginia Electric Power Company of the Roanoke River, the Commission prescribed certain minimum flow and D.O. content requirements that resulted in an \$850,000 investment in submerged weirs by VEPCO.¹⁶

14. Although the Power Act does not address itself directly to water pollution abatement, it does give the Commission a general standard for evaluating proposed hydroelectric projects that is broad enough to embrace water pollution abatement. This general standard is the requirement of § 10(a) of the Act that any project approved by the Commission should be one which is best adapted to a comprehensive plan for improving or developing the waterway.

15. The Power Commission has recently reviewed the subject of license conditions and the results of this review are reflected in a decision by the Commission granting a license to the South Carolina Electric and Gas Company for its existing Neal Shoals project. The Commission has evolved several series of standard license conditions extending to such matters as navigation, flood control, fish facilities, recreation, public access, hydraulic and electrical coordination and soil erosion. Project No. 2315, Opinion No. 411, issued November 21, 1963.

16. Virginia Electric Power Company, Project Nos. 2093 and 2009, 23 FPC 537, March 1960. Nor is the impact of special conditions necessarily limited to a single project. Thus, as a result of the Gaston Dam license conditions VEPCO's neighboring utility Duke Power Company with the encouragement of the State Stream Sanitation Committee installed similar facilities at its Cowans Ford development without the necessity of a Gaston-type license condition. Duke Power Company, Project No. 2232, 23 FPC Repts. 554, March 1960.

Another point that I should like to make is brought out by the Gaston Dam case. The moving force behind the water quality conditions of that license was a confederation of state and local interests which reviewed the needs of the Roanoke River Basin among themselves and made a well-documented presentation of their recommendations to the Commission. Of necessity this will often be the pattern in licensing cases, or suggestions will originate from other Federal departments which are routinely circularized for their comments on project proposals. FPC does not have the staff to search out and evaluate all of the ramifications of a proposed license, and the initiative for new or unique water conservation requirements typically will rest with affected local and state interests.

The Commission has also required various licensees to assume other responsibilities in the interest of water quality, such as performing reregulating functions or maintaining prescribed minimum flows. Anyone interested in further details will find a full discussion in a statement by FPC Chairman Swidler last year at the hearings of the Jones Committee on pollution abatement.¹⁷

Preferably of course operating and structural measures to benefit water quality conditions should usually be taken when a dam is built before large investments have been committed to a specific design, and thus FPC's influence on pollution control through its licensing powers is largely prospective. However, there are some ways in which action may appropriately be taken by the Commission to alleviate pollution after a project has been constructed. Thus, a licensee is required by the Federal Power Act to conform with regulations prescribed by the Commission from time to time for the protection of life, health and property. In addition there is the possibility of attaching supplemental conditions when the licensee comes in for a license amendment to allow a change in the project, as was done last year in the case of an amendment to the license for High Rock Lake.¹⁸ Also, there are some small unlicensed existing projects that ought to be under license now but aren't and when their owners apply for licenses conditions may be attached to these projects. This is currently of special significance because the licensing of constructed projects is likely to run at a relatively high level during the next few years as a result of a drive launched by the pres-

17. "Relation of Activities of the Federal Power Commission to Problems of Water Pollution Control." Statement by Chairman Joseph C. Swidler of the Federal Power Commission before the Natural Resources and Power Subcommittee of the House Committee on Government Operations, June 14, 1963.

18. FPC Project No. 2197; order amending license issued October 3, 1963.

ent Commission to bring these projects under license.

Finally, there is one other safety valve in the Federal Power Act that allows some leeway in dealing with changed circumstances after a licensed project has been constructed. Every major project licensed to a private applicant is subject to recapture by the United States when the license expires, on payment of the licensee's net investment in the project and any severance damages.¹⁹ If the project is not recaptured it must be relicensed. In either case the end of the original license period will furnish an occasion when the effects of a power dam on water quality and other matters can be reconsidered. There's not much that can be said on this subject now since very few FPC licenses have expired to-date. The first big surge of first-round license expirations will come in the 1970's and the Commission has already begun preparations for what promises to be a very lively time.

Now I should like to touch upon some more general matters.

Looking back over the ground I have covered I observe several striking features. One is the relative breadth and experience of state regulation as contrasted with the recent origin and narrow scope of the federal activity. By "narrow scope" I refer not only to the few areas that have been thus far reached by federal action, but also to the limited extent to which Congress has exercised its potential powers under the United States Constitution.

The recent origin of the federal law highlights the extremely restricted scope of federal regulatory programs in the total field of water resources—this law together with the hydroelectric licensing provisions of the Federal Power Act are the only major examples of which I am aware. By and large regulation has been the field of the states, while the long suit of the federal government has been construction activities, research, planning, surveys and the like. This may be merely a transient condition which will change, for example, with increasing urbanization; or it may reflect some permanent underlying reasons for specialization.²⁰

The variety of regulatory approaches that have been used in our history reminds me that there are many different ways of stimulating pollution abatement activities. Perhaps in our emphasis on regulation within the states we have overlooked other more promising avenues.

(Continued on page 23)

19. Federal Power Act, Section 14.

20. One possible consideration working against enlargement of the sphere of federal regulation may be the increasing role played by Congress in the administration of water resource programs and the obstacles that this places in the way of independent administrative regulation.



Pictured above in front of the Institute of Government's Knapp Building are members of the 1963-64 Municipal Administration Course.

FRANKLIN AWARD PRESENTATION MADE AT MUNICIPAL ADMINISTRATION CEREMONY

Jesse S. Goodman, Assistant Director of Public Utilities for the City of Raleigh, is the winner of the George C. Franklin Award in the Institute of Government's 1963-64 course in Municipal Administration.

Presentation of the award and certificates was made at graduation exercises held at the Institute's Knapp Building May 16. The Franklin Award is made annually by the North Carolina League of Municipalities in honor of the League's former General Counsel George C. Franklin, and goes to the member of the class with the most distinguished record. Major Julian G. Whitener of Hickory, League president, made the presentation to Goodman.

The Municipal Administration course is offered each year for city managers and top administrative officials of North Carolina cities and is devoted to increasing administrative confidence. Thirty-five other officials representing cities and counties in North Carolina graduated with Goodman.

Speaker for the graduation exercise was Oscar R. Ewing, former Head of the Federal Security Agency in the Truman Administration and presently a Chapel Hill resident and Chairman of the Research Triangle Regional Planning Commission.

Ewing spoke on "The Opportunities and Obligations of Public Service." He recounted interesting and revealing stories of his Washington experiences including his association with Presidents Franklin D. Roosevelt and Harry S. Truman.

Members of the tenth graduating class



Participants in commencement exercises included, left to right, John Sanders, Institute of Government Director; Jesse S. Goodman, Franklin Award winner; Oscar Ewing, commencement speaker; Mayor Julian Whitener, Hickory; and Warren J. Wicker, School Director.

of the Municipal Administration Course who were presented certificates by Institute of Government Director John L. Sanders were as follows:

E. G. Adkins, Detective Captain, Durham; Curtis D. Baker, Purchasing Agent, Rocky Mount; Onnie R. Baker, Street Superintendent, Shelby; Wilson D. Coleman, City Manager, Albemarle; Atwood B. Core, Office Manager, Fayetteville; Lindsay W. Cox, Planning Director, Guilford County; Fred P. Dallas, Administrative Assistant, Fayetteville; Willis R. Deaton, Assistant Traffic Engineer, Charlotte; Elton D. Dickey, Electric Department Supervisor, Gastonia; Hazel P. Diggs, Finance Department, Chapel Hill; George P. Donavant, Purchasing Agent, Raleigh; Henry L. For-

rest, Water Treatment Supervisor, Charlotte; W. Groome Fulton, Personnel Director, High Point; Jacob C. Goodman, Police Major, Charlotte; Jesse S. Goodman, Assistant Director, Public Utilities, Raleigh; Charles R. Hayes, Planner, Greensboro; Daniel C. Hooker, Police Chief, Rocky Mount; Joe Letzing, Fire Captain, Durham; Alton D. Little, Director of Recreation, Washington; David M. Lucas, Civil Engineer, Charlotte; William E. McAlister, Water Resources Director, Roxboro; William B. Morris, Clerk-Treasurer, Albemarle; Irene F. Mullinix, Clerk-Treasurer, Vass; Wayne K. Nall, Assistant Superintendent of Sanitation, Greensboro; Phillip L. Paul, Police Chief, Washington; Sherman A. Pickard, Fire and Rescue Director, State

Insurance Department; Patrick G. Ross, City Accountant, Shelby; Albert F. Shipton, Fire Chief, Salisbury; Paul Stephens, Engineer, Winston - Salem; Paschal Swann, Street Superintendent, Winston-Salem; Albert G. Taylor, Finance Officer, Asheboro; Edmund T. Turnley, Assistant Recreation Director, Rocky Mount; Dan H. Umstead, Finance Director, Durham; Harrison H. Walker, County Accountant, Forsyth County; Shelton C. Womble, Superintendent of Public Works, Chapel Hill; and Joseph C. Yarbrough, Assistant Director of Utilities, High Point.



Near the end of the Municipal Administration course small groups meet in sessions of practical problem solving in the areas of finance, supervision, personnel, and planning.

Municipal Administration students mull over a problem in planning. The course also includes instruction in administration techniques, functions and organization, finance and taxation, personnel, municipal law, race relations, and the line functions of police, public works, library, recreation, water and sewer, and fire protection. Institute staff members teaching during the course included Robert T. Daland, George Esser, Jesse James, Henry W. Lewis, Richard McMabon, Elmer Oettinger, Olga Palotai, Robert Stipe, L. Poindexter Watts, and Warren J. Wicker. Also teaching were former staff member Robert Byrd and a number of guest instructors.



City-County Managers Association

Formed at Wrightsville Beach Meeting

North Carolina posted another first on May 2 and 3 when the North Carolina City and County Managers Association was organized at a meeting of city and county managers at Wrightsville Beach. The merger of city and county managers is successor to the North Carolina City Managers Association. For several years the City Managers Association has invited North Carolina County Managers to attend their annual spring meetings, and the union is now complete.

Elected as initial officers of the new Association were the following: President, William J. Veeder, City Manager,

Charlotte; Vice President, J. Harry Weatherly, Mecklenburg County Manager; Secretary-Treasurer, Jack Neal, Manager, Roxboro. In addition, three Directors, all city managers, were elected: J. D. Mackintosh, Jr., Burlington; E. C. Brandon, Wilmington; Robert H. Peck, Chapel Hill.

General James R. Townsend, former Manager of Greensboro, was elected an honorary member of the Association.

J. D. Mackintosh, Jr., City Manager of Burlington, and President of the North Carolina City Managers Association, presided at the conference, a major

portion of which was devoted to discussion of city-county relations. City and county managers appearing on the program were Jack Maynard, Wilson; E. S. Swindell, Jr., Durham county; Archie S. Daniels, Rockingham county; W. H. Carper, Raleigh; C. L. Lineback, Salisbury; Robert G. House, Forsyth County; Harold Cheek, High Point; and Weatherly.

The conference was attended by about 50 city managers and ten county managers, and was addressed by Orin F. Noltling, Director, The International City Managers Association.

Planning in Great Britain-A Series

PART IV: NEW TOWNS AND EXPANDED TOWNS

By PHILIP P. GREEN, JR.
Assistant Director, Institute of Government

Introduction

If you were to ask a city planner almost anywhere in the world to name the single most distinctive feature of English planning, the chances are great that he would reply, "The New Towns."

In a sense, this is curious. England has built no great new cities on the scale of a Brasilia or a Chandigarh. Furthermore, most other countries can point to examples of planned new towns which they have built. In the United States, for example, are Greenbelt, Maryland; Greendale, Wisconsin, and Greenhills, Ohio, all constructed by the federal government during the depression; the T.V.A. and atomic energy towns; various "company towns" such as Kingsport, Tennessee; and privately-developed towns such as Radburn, New Jersey, or Pinehurst, or the "Levittowns" in Long Island, Pennsylvania, and New Jersey.

Indeed, every city or town in North Carolina was at one time a "new town"—some planned in great detail like Old Salem, some unplanned.

The distinctive feature of the British New Towns would seem to be a matter of concept—the idea of a planned, self-contained community, established and built through governmental action, for the purpose of achieving particular planning objectives within a larger framework. Particular stress is laid by the English on the "self-contained" aspect of these towns, which distinguishes them from mere "bedroom suburbs."

Since the concept of New Town building appears to be a major element in the Housing Bill currently before Congress, North Carolina officials may soon have more than academic interest in a description of the British New Towns.

History

Although there were several examples of planned communities in Britain before his time, Ebenezer Howard is gen-

erally credited with being the originator of the New Town concept. In his book, *Tomorrow: A Peaceful Path to Real Reform*, published in 1898, he urged the creation of a system of self-contained communities of limited size as an alternative to the congested conditions which already marked London.

Howard did not stop with writing his book, however. In 1899 he founded the Garden City Association, forerunner of today's Town and Country Planning Association, to propagandize on behalf of his ideas, and the Association in turn formed a corporation in 1903 to build an actual "garden city"—the town of Letchworth. Despite difficulties in raising money and otherwise, within 10 years the corporation's venture had grown into a town of 8,000 and today is a well-established town of over 26,000, with more than 100 manufacturing establishments, 200 shops, 16 schools, 20 churches and chapels, etc. A Green Belt, the first in England, was established around the town to limit its growth, over-all density was kept relatively low by English standards, a great deal of open space was reserved, and much attention was paid to landscaping and to architectural controls. All told, a very pleasant town resulted.

The eventual success of this venture was not at all clear in 1919 when Howard established a second town, Welwyn Garden City. This too was created by a private corporation. With the experience of Letchworth before it, the corporation established a policy of renting or leasing properties so as to retain for itself the values added to property as the town grew. It succeeded in building a town to higher standards, from a planning standpoint, than Letchworth—while continuing the same basic approach. By 1948, when designated by the government as a New Town, Welwyn Garden City had

a population of 18,500, 47 industries, 51 shops, and five schools.

Thus, by the beginning of World War II there were in existence two world-famous and highly-successful "garden cities," which furnished a realistic basis for a continuing campaign by the Town and Country Planning Association and others for the establishment of further such towns as alternatives to the sprawling growth of London and the Midland conurbations.

During the war years there was a very considerable amount of discussion within the government and elsewhere of the shape post-war England should take, and the New Town ideas were prominent. Sir Patrick Abercrombie's 1944 plan for the greater London region called for strengthening the Green Belt as a limit on the city's growth, with the resultant "overspill" population channeled into (a) satellite suburbs on the edge of existing development, (b) additions to existing towns beyond the Green Belt, and (c) ten New Towns to be created at distances of 25-30 miles from London.

These ideas led in 1945 to the appointment by the government of a New Towns Committee, whose reports recommended the legal, administrative, and financial machinery needed to establish the New Towns, together with some specification of the characteristics these towns should have. These led in turn to enactment of the New Towns Act of 1946.

Under the provisions of this legislation, 14 New Towns were "designated" in the period 1947-50. Following the return to power of the Conservative Party, an alternative approach was provided in the Town Development Act of 1952, under which the emphasis was upon expansion of existing small towns. For a time there were no further New Town designations, pending assessment of experience under the two acts. Then

a further New Town was designated in 1955, and a so-called "second wave" began with designations in 1961, 1962, and 1963. The designation of up to five more New Towns is expected during the coming year.

All of the "first wave" New Towns are now far advanced in their development, and those in the London area in particular are rapidly approaching their target populations. As of the end of December, 1963, the 17 operating New Towns had a combined population of over 560,000 people—an increase of roughly 420,000 over the populations in their areas at the time of designation. At a total capital expenditure of approximately \$1,009,400,000 127,000 new dwellings, 580 new factories, 2,270 new shops, offices for 450 new firms, and 250 new schools had been built—not counting the expenditures of private owners, which in some cases, such as factories, were very great. What is more, they are now beginning to yield hefty annual monetary returns.

Objectives

Most of the New Towns were designed primarily to be used in conjunction with Green Belts, central city redevelopment, and industrial dispersion measures for the purpose of rehousing population from the large metropolitan areas in more suitable conditions. This was certainly true of the eight New Towns around London: Basildon, Bracknell, Crawley, Harlow, Hatfield, Hemel Hempstead, Stevenage, and Welwyn Garden City. East Kilbride, Cumbernauld, and Livingston in Scotland were established to relieve congestion in Glasgow, and this is at least a secondary objective for Glenrothes. Dawley and the proposed New Town at Redditch are to serve this purpose for Birmingham; Skelmersdale and the proposed Runcorn for Liverpool; and a proposed New Town, probably near Risley, for Manchester.

Other New Towns have had somewhat different objectives. Newton Aycliffe near Durham, Cwmbran in Wales, and Corby in Northamptonshire were built largely for the purpose of housing workers of existing industries. This was also a major secondary objective of Hatfield in the London area. Peterlee near Durham was designed to provide more adequate living conditions for coal miners, in an effort to halt further emigration from the area. Glenrothes, Scotland, was originally expected to provide housing for miners in a new coal field, opened to replace the output of exhausted fields; more recently it has been regarded as a site for industrial development. The proposed Washington New Town is described as a focal point for a regional economic development program. Basildon near London was in part a rural redevelopment measure.

Organization and Procedures

Under the New Towns Act, the parties most directly concerned with the construction of a New Town are the Minister of Housing and Local Government, a local development corporation, and the local governments and "statutory undertakers" (public utility companies) having general jurisdiction over the area.

The process begins with designation of the New Town, including a statement of its boundaries, by the Minister, which involves publication of a draft order, notice to various interested parties, and the holding of a public inquiry if objections are raised. Several of the early New Towns were delayed at this stage by court actions brought by property owners in the area, but legal objections were overcome.

The Minister, in addition to issuing the designation order, creates a Development Corporation consisting of a chairman, deputy chairman, and not more than seven members, which has basic responsibility for doing everything necessary to build and maintain the town. It is broadly empowered "to acquire, hold, manage and dispose of land and other property, to carry out building and other operations, to provide water, electricity, gas, sewerage and other services, to carry on any business or undertaking in or for the purposes of the new town, and generally to do anything necessary or expedient for the purposes of the new town or for purposes incidental thereto."

During the hearings held by the New Town's Committee prior to adoption of the New Towns Act, there was considerable discussion as to whether New Towns should be built by private firms, non-profit corporations or associations, or existing local governmental units. The Committee came out strongly for *ad hoc* Development Corporations appointed by the central government, however, and that was the only alternative for which provision was made in the Act. It may be of interest that America's new federal Housing Bill provisions are somewhat more flexible on this point.

One searching for an analogy to the Development Corporation in North Carolina would have to think of a combination Redevelopment Commission-Housing Authority, with greater powers than are possessed by the two together and with no direct responsibility to any local government.

With finances coming directly from the central government in the form of grants and loans, the Development Corporation hires a staff and begins work. Usually its first task is to prepare plans for the New Town, while beginning to acquire by purchase or condemnation property within the designated area. Customarily the plans are prepared by teams of consultant planners.

The completed plans are submitted to the Minister of Housing and Local Government. After consultation with the appropriate local governmental authorities, the Minister may approve the proposals with or without modification. This approval in effect gives the Development Corporation the right to carry out the plans without further permission from local planning authorities, although normally there is at least courteous consultation and there may be need for formal consultation and approval in the event of changes in the plans.

The Development Corporation then proceeds to acquire property and to build the town, either with its own forces or through contractors. In some cases local governments in the area take responsibility for building certain facilities (including housing). In others, private developers may be authorized to build groups of houses for sale. In others, lots may be sold or a long-term lease may be granted to private individuals, who then build their own homes subject to architectural and other controls. Some idea as to relative degrees of responsibility can be gained from the fact that out of the 127,899 new homes so far built in the New Towns, 109,496 were built by the Development Corporations, 11,340 by local governments, and only 7,063 by all others.

In most cases it has been necessary for the Development Corporations to construct the bulk of such facilities as water and sewerage systems, electric and gas systems, and streets, although it may be possible to arrange for this work to be done by existing local governments or by public utility companies in the area. When the Development Corporation has completed work on such facilities, it usually transfers responsibility for operation and maintenance to a local governmental unit or a public utility company. Schools are normally constructed by the local education authority.

Since the New Towns are normally sited in areas which have little pre-existing development, the only local governmental units in the area are apt to be the county and perhaps a rural district council. As the New Town grows, an urban district council or perhaps a non-county borough may be established to handle normal local governmental functions.

As houses, shops, and perhaps factories are built, the Development Corporation becomes much like the proprietor of a large rental housing project such as Glen Lennox on the outskirts of Chapel Hill. The great bulk of the property is made available on a rental or leasehold basis (indeed, the New Towns Act provides that no freehold can be sold, nor can any lease for more than 99 years be granted, without permission of the Minister), although some is sold. This

obviously permits great control over the use or abuse of property.

The Corporation thereafter does a great deal of landscaping and maintenance work, as well as collecting rentals, maintaining a roster of applicants for housing, and generally acting as a landlord. It may also actually operate some local businesses, as well as public utilities.

Under the original New Towns Act it was provided that when the purposes of a particular Development Corporation had been substantially achieved, its affairs would be wound up and its assets and liabilities transferred to local governmental authorities and public utility companies. In 1959 the Act was amended to provide for creation of a centralized New Towns Commission to take over and operate the New Towns for a period pending eventual transfer to local authorities. Crawley and Hemel Hempstead have now been transferred to the jurisdiction of this Commission.

Planning the Towns

The New Towns, of course, represent a planner's dream, since he is given an opportunity to plan a complete town virtually from scratch. There were, however, existing villages within the sites of most of the New Towns, which presented some difficulties to the planners. Prior to the designation of the town there is an opportunity to consider the most advantageous site, in terms of physical features and other important factors. The planner normally is given a target population for which to plan (both in terms of a figure to be reached by immigration and an eventual figure to be achieved by natural growth); he thus knows the scale of public facilities which must be provided. He may estimate the characteristics of this population, in terms of ages, economic status, and other factors. He knows how much land will be available for development. And above all, he knows that there will be adequate control over what is built either through the Corporation's ownership or through other controls, so that he can be assured that his plans will be carried out more or less intact.

But lest it be assumed that planning for New Towns is a relatively simple exercise in design, it must be pointed out that there is a tremendous problem in *programming* development. It is in this respect that the New Towns have had their most severe early difficulties.

Manufacturers want to have workers when their factories are completed, but workers don't want to move into the town until there are jobs available for them. Merchants don't want to open their stores until there is a "market" of an adequate number of potential customers, but people hesitate to come into an area where no stores are available to meet their

needs—or where the number of stores is so small that there is no competition to hold down prices. School authorities are reluctant to spend funds to provide schools for children who are not actually on hand, particularly where there has been insufficient development to provide adequate taxes to pay for new schools, but parents don't want to bring their children into a community which lacks adequate schools. Central government authorities, hard-pressed for funds, have been reluctant to authorize expenditures for "extras" such as community centers while there were still pressing needs for "essentials" in the way of housing, but incoming residents of the New Towns very strongly feel the need for such facilities, which had gradually been provided over many years by public and private sources in the towns from which they came.

Unfortunately, there is no such thing as an "instant city" with "instant residents," so the planner must do his best to make a schedule for meeting needs at approximately the times they are expected to arise—not too soon and not too late. Since residents, businesses, and manufacturers will all come to the town on a voluntary basis, there can be no assurance that this schedule will work in practice.

Some of the problems of this type seem to have been less difficult where a New Town site included one or more existing villages, since they contained businesses and community facilities which could serve the new population initially. On the other hand, in some cases these villages presented difficulties in physical planning and in other cases there were social difficulties between the old residents and the newcomers.

Physical Plans

Perhaps an American may be forgiven for expressing some disappointment at the general absence of fresh planning ideas in the physical lay-outs of the New Towns. For the most part they represent the ideas which have been conventional lore among planners for at least two or three decades, and the end results might be characterized as pleasant but unexceptional.

In general the towns are planned as a group of neighborhoods, ranging in population from 5,000 to 10,000 or so. In the latter case there may be sub-neighborhood groupings as well. The neighborhoods are separated by major thoroughfares, and in some cases by open areas. Conventionally, each neighborhood possesses a small shopping center, a public house, one or more schools, and perhaps a church. Variations on the "Radburn plan" are most in evidence.

Residential neighborhoods are built at rather high densities, by American standards, although there has been criticism

in Britain that they are so open as to lack "urbanity." In general, they range from 8 to 17 dwelling units per acre including streets and minor open spaces, with a few units, mostly for sale, at lower densities.

There has been a conscious effort to avoid monotony, through differing housing types (although there is a high proportion of two-story row housing), some blocks of high-rise apartments as visual focal points, a wide variety of house plans produced in part by deliberate hiring of a number of different architects, and a variety of placements on the site—some units on cul-de-sacs, some in groups about open spaces, some at varying distances from and orientations toward the streets, etc.

Planning of the "city centre" (central business district) has also been in more or less conventional terms. The most popular scheme is to circle the business district with an inner ring road, with parking on the periphery, and with limited vehicular circulation through the shopping area itself, which is designed for pedestrians. There is apt to be overhead cover for pedestrians similar to that found in the better American shopping centers, signs are restricted, and there is a more or less common facade for the various establishments.

One town, Cumbernauld, has a multi-level design for the town center which provides for vehicular access and parking at ground level and pedestrian circulation on a deck above.

Many of the towns have a technical college and perhaps a governmental center close to the shopping area, and several have rather large office blocks.

To meet criticism that the New Towns "lack character" — not unexpectedly, since they are all built in a very short time-span—most have attempted to provide some distinctive features at the centre. Several have attractive town squares, with features such as an unusual clock tower at Stevenage or a Victorian bandstand at Crawley. Considerable attention is devoted to pattern effects with the pavement, or sculpturing of building facades, or provision of statuary.

Industrial plants are customarily grouped in "industrial estates," properly located with respect to rail and highway access. These are apt to be well landscaped, and in most cases the best contemporary architecture to be found in the New Towns is that of the industrial buildings and the schools.

Two aspects of property acquisition in the course of carrying out these plans perhaps should be mentioned. The first, in retrospect, might be regarded as a mistake. Disregarding the experience of the Welwyn Garden City Corporation which managed to secure for itself the

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INVENTORY VALUATION BASED ON TRADE LEVELS:

The Assessor's Viewpoint

BY ROBERT P. ALEXANDER

Editor's Note: At the 1963 conference of the International Association of Assessing Officers held in Chicago, Robert P. Alexander, Tax Supervisor of Mecklenburg County, presented the paper which follows, and it has been published in the proceedings of that conference. See Assessment Administration (1963), pp. 120-122. In the April 1964 issue of Assessors' News Letter Mr. E. R. Welhaven, Supervisor of the Auditing-Appraising Division of the County Assessor's Office, St. Paul, Minnesota, published an article on the same subject reviewing arguments put forth by advocates and opponents of using the trade level basis in inventory appraisal. In the course of his article, Mr. Welhaven quoted at length from Mr. Alexander's paper as a valuable expression from an advocate. We feel that Mr. Alexander's paper is of sufficient interest in North Carolina to warrant its publication in full. Both he and the International Association of Assessing Officers have given their consent. It is our hope that someone who opposes trade level valuation will prepare an article of comparable quality and length which we might also publish.

* * *

I have been asked to discuss briefly the Assessing of Inventories at Trade Level from the assessor's viewpoint.

The legal concept of value is usually construed to mean what the property can be sold for to a willing and informed buyer in the normal course of business, neither of the parties being under compulsion.

State laws concerning the assessing of property vary, but all make some provision for uniform and equitable assessments. In establishing the value of property, all assessors must ask themselves, "Is the value uniform, is the value equitable, with similarly situated property?"

Value and equity are often elusive in assessing inventories. Most property is held by the ultimate consumer or final user. However, inventories are an exception to this situation. Inventories by their very nature may be at either the manufacturing, wholesaling, or retailing level of trade. The value will vary depending

on the trade level. This is so because value is added to the product as it progresses through the various trade levels to the consumer. The value of property is at the trade level in which it is situated and is not determined by its ownership.

The marketing practices of various industries can be described in terms of levels of trade. Many industries make use of three such levels. The manufacturer sells at his manufacturer's sales price to a wholesaler or distributor. The distributor then sells at a marked up distributor's sales price to a retailer who in turn sells at a still higher retail price to the ultimate user. As the inventory moves through the levels, the selling price of the previous level determines market value to the buyer. As each sale is made, value has been added in the form of markup to move the inventory to the next level, the lowest market being the manufacturer's, and the highest the retail level.

Markup may include freight, handling, display, warehousing, sales commissions, profit, etc., which are normal business expenses in merchandising. A refrigerator at the manufacturer's plant has its lowest value at that level, the trip through the channels of trade begins when the refrigerator leaves the manufacturer's plant. The same refrigerator has enhanced in value to the retailer since it has reached the end of the line in its trip through trade channels.

Some manufacturers step out of their role as manufacturers and develop their own marketing trade channels. Examples of this are major rubber companies' retail stores, business machine sales offices, paint and chemical manufacturers' wholesale outlets. In these instances, the inventories are no longer at the manufacturing level, but have moved to the wholesale or retail level. Equity in assessments requires that the assessor add value to the inventory as it moves to the next level regardless of ownership.

The stand is often taken by industry that the profit taking is not accomplished until the inventory is sold to the consumer or user. Perhaps the full profit is not realized until the final sale, but certain overhead expenses have occurred at

each level of trade, and in the normal course of business, profit taking is reasonable at each level. Equity to other wholesalers and retailers requires that this manufacturer's inventory be valued at the trade level where it sits, including the added value of overhead expenses and normal profit taking.

Replacement cost with appropriate adjustments is the usual yardstick the assessor uses to determine value. The trade level concept of inventory value does not violate this premise. To the contrary, replacement cost, in the manner in which such property is usually sold or purchased, is emphasized.

Replacement Cost to the Manufacturer—is cost of material plus labor and burden.

Replacement Cost to the Wholesaler — is the manufacturer's sale price plus freight in.

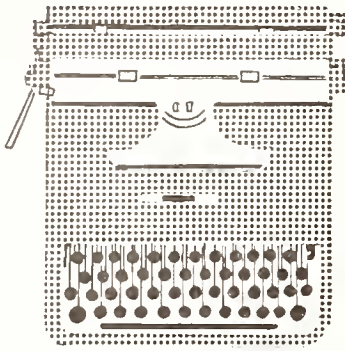
Replacement Cost to the Retailer —is the wholesaler's sale price plus freight in.

Cost in each instance represents the seller's market at each previous level of trade, in the manner in which such goods are usually sold.

The markup at each level is a recognized and legitimate business practice. The spread of markup between the manufacturing level and the retail level is justified by the expenses incurred at each trade level, regardless of whether the inventory has been sold or not. When the inventory leaves the factory, the equivalent of a sale has taken place.

Some manufacturers with wholesale and retail outlets maintain that their replacement cost should be at the value that the manufacturer could replace the inventory for, and that they do not in practice charge their own outlets the full marked-up cost of inventory. Therefore they would have us assess their wholesale or retail inventory at manufacturer's cost. Our answer to this should be NO. They have voluntarily entered into another trade level in the business world and are subject to the laws and merchandising practices prevalent at that level. They are no longer competing with other manufacturers, but are now com-

(Continued on page 22)



● NOTES FROM . . . CITIES AND COUNTIES

Airports

Ground has been broken for improvements at the *Anson* County airport which will result in two runways, north-south and east-west. The main runway will be around 3,800 feet and the secondary approximately 2,000 feet.

* * *

Annexation

Washington will gain one hundred residents with the annexation of two small areas north of the city, involving some 32 acres of land.

* * *

Celebrations

Diamond Jubilee celebrations in *Wallace* were high-lighted by a 115-unit parade and a speech by Undersecretary of Agriculture Charles S. Murphy. The four-day event also included musical, athletic and social events.

* * *

More than 12,000 people turned out in *Halifax* to commemorate the 188th anniversary of the signing of the Halifax resolves. The day-long program included tours of historic sites, church services, picnics, speeches, and a business session of the Historic Halifax Restoration Association.

* * *

Rocky Mount is anticipating its 100th birthday in 1967. Centennial committees and plans are being drawn up now. An unusual part of the proposed celebration is the idea of a permanent commemoration such as a civic center, auditorium, stadium, or other tangible asset for the benefit and enjoyment of the community at large.

* * *

Central Business District

Plymouth has a uniform canopy regulation for its central business district. Canopy support posts will be used as downspouts and to mount parking meters.

* * *

Parking and traffic flow are primary considerations in the central business district plan being worked out for *Albemarle*.

* * *

Community Improvement

Spring has brought a massive clean sweep program as numerous Tar Heel

communities have joined in clean-up, paint-up, fix-up campaigns. Among the participants in such programs are *Faison*, *Warsaw*, *Kenansville*, *Benlerville*, *Rose Hill*, *Wallace*, *Newton*, *Jacksonville*, *Perquimans* county, *Smithfield*, and *Mooreville*.

Postscript: Garbage Trains

A progress report on the revolutionary garbage train system of trash collection comes from *Raleigh*. The system, as it is used in *Winston-Salem*, was pre-viewed in the February-March *Popular Government*.

Warren Mann, Raleigh public works director, who started the jeep-and-trailer train on its experimental route a few weeks ago, believes the wagon train is proving itself.

Critics of the program have been few and savings are increasing. *Durham* and *Winston-Salem* have found the program effective and the latter expects to save \$100,000 a year in sanitation expenses.

Education

Lenoir County's bid for a community college has been approved by the State Board of Education. Plans call for a three-pronged educational establishment including the Industrial Education Center, a technical institute and a community college.

* * *

It's official now. The name will be *Rockingham* Community College and the president will be Dr. Gerald B. James, State director of vocational education and associate director of the Department of Community Colleges.

* * *

Seven *Lenoir* County schools will be consolidated into two high schools as the result of a county board of education decision. *Contentnea*, *Wheat Swamp* and *La Grange* schools will form one unit; *Southwood*, *Moss Hill*, *Pink Hill* and *Deep Run* schools will form a second unit at Deep Run. Consolidation is old hat for *Lenoir* County—25 years ago the county

pioneered the first school district merger in the United States.

* * *

Consolidation lost out in *Halifax* County when voters agreed to retain the present school structure for *Scotland Neck* and *Enfield* high schools.

* * *

Rutherford County's application for a state supported comprehensive community college has received State Board of Education approval. A fall bond election for funds is being planned.

* * *

Elections

Johnston County has completed a new county-wide registration of voters which began April 25 and ended May 16. The loose-leaf registration is the permanent type and eliminates the need for new registrations in the future.

* * *

Fire Protection

Seven volunteer fire departments in the *Winston-Salem* area have agreed to a mutual aid pact with the city to augment fire protection after large areas are annexed June 1. Taking part in the transitional arrangement are fire companies from the suburban areas of *Griffith*, *Mount Tabor*, *City View*, *Mineral Springs*, *Forest Hills*, *Triangle*, and *South Fork*.

* * *

Highways and Streets

Lewiston and *Oak City* will be joined by a bridge across the Roanoke River, assured by a grant from the U.S. Bureau of Public Roads.

* * *

A countywide major thoroughfare plan has been proposed for *Durham* County. County Planning Director George Jackson hopes to get started on the thoroughfare program "by the end of this calendar year."

* * *

Historic Preservation

Three Tar Heel restoration groups have been honored by the Historical *Halifax* Restoration Association for their "outstanding service to North Carolina colonial history." They are Old Salem, Inc., in *Winston-Salem*; the Tryon Palace Commission at *New Bern*; and the Historic *Bath* Restoration Association.

Veteran historical writer Manly Wade Wellman of *Chapel Hill*, currently preparing a bicentennial history of *Salem*, says of writing local history: "You have to touch all the bases and there are more than four." The task of researching early local records isn't easy, according to Wellman, but it isn't impossible.

Libraries

Expansion of the *Mooresville* public library has been assured through a \$15,000 gift. The 15-year-old building, a model for small libraries, has become severely over-crowded.

Granville County's new Richard H. Thornton Library in *Oxford* was dedicated May 10. The single story building was a two-year project financed by funds from Dr. Thornton, a \$90,000 federal grant, gifts, and subscriptions.

Several hundred people attended the formal opening of the J. Walter Lambeth Jr. Memorial Reference Room at the *Thomasville* Public Library.

Plans for a four-county regional library have been revived for *Camden*, *Pasquotank*, *Currituck*, and *Dare* counties. The regional plan will allow counties to combine bookmobile service, purchase and share books, and combine administrative services now duplicated.

Municipal Bond Elections

Troutman residents have approved a \$310,000 sewer bond issue by better than a two-to-one majority.

Hayesville voters endorsed a water-sewer bond proposal in a nearly unanimous vote, solidifying plans for construction of the facilities to begin May 5. The town voted \$30,000 in bonds to be added to a federal grant which will supply the balance of the \$104,000 needed for the project.

Water and sewer system improvements for *Valdese* were assured when voters agreed to issuance of up to \$1,550,000 in general obligation bonds. The voting ratio was nearly five-to-one in favor of the expenditure.

Voters backed a water system bond proposal at *Lake Junaluska* by a margin of 172 to 4. The water district now has \$275,000 available to install a water system for some 400 families. Water will be purchased from the town of *Waynesville*.

Parking

Construction bids on *Durham's* planned multi-deck parking garage fell

below initial estimates and the parking facility is assured.

Fayetteville is attacking its parking problem with diversity. The city has 1,141 metered municipal parking spaces including 427 in lots and 714 on the streets. Private lots add another 650 parking spaces. Although parking spaces seem adequate at present, *Fayetteville* is looking ahead to future solutions—possibly meter removal, the addition of parking garages, and above all, a better distribution of parking areas according to consumer needs for both short-term and long-term parking.

Hickory shoppers are being served by an additional parking lot in the central business district, recently opened by the *Hickory* Parking Authority.

Success Story: Welcome Visitors

Out-of-town visitors to *Lumberton* are finding greeting cards slipped under their windshield wipers when they return to their parked cars.

In part the message reads, "This card entitles you to park free in the metered zones of *Lumberton*. We extend you a warm and cordial welcome. . . . We invite you to stay as long as you can and return as often as possible." Cards are signed by the mayor and chief of police.

Greetings go to cars bearing out-of-town tags and are doing exactly what they were intended to do: improve the *Lumberton* image in the mind of the visitor.

Planning and Zoning

Albemarle ranks above average in the condition of its housing, but it does have problems connected with zoning and growth. This is, in brief, the general import of the preliminary land use survey report made recently to the *Albemarle* Planning Board by the state Department of Conservation and Development.

Public Buildings

Renovations and additions to the *Hali-fax* County courthouse will cost \$170,000. The project will include renovating jail quarters and an addition for county offices.

When the new city office is completed in *Roanoke Rapids*, the police department will move into the present city hall. New floors, ceiling and wall renovations for the police department will come to \$1,800.

Public Health

Nash County commissioners have given tentative approval to an allocation of \$6,000 in the 1964-65 budget to help finance a proposed two-county mental health clinic at *Rocky Mount*.

Five thousand dollars has been added by *Duke University* Medical Center to help support the regional Health Planning Council for *Durham*, *Orange*, and *Wake* counties.

Winston-Salem ushers in a new era of medical service for city and county residents with the opening of the new *Forsyth* Memorial Hospital. Nearly three decades were spanned between the initial idea of the modern health facility and its final execution.

Newton aldermen have approved a *Catawba* hospital request for a release from city taxes over a five year period. Pending since 1959 the action involved more than \$11,000.

Public Housing

Racford has begun an investigation of low-rent housing after hearing an *Atlanta* architect explain the mechanics of such a project.

Members of the housing authority and city officials were on hand for groundbreaking ceremonies for the *Selma* low-rent housing project, termed "a milestone in town progress" by Mayor *Edmond Attayek*.

Wadesboro is initiating a federal housing project and has awarded tentative contracts.

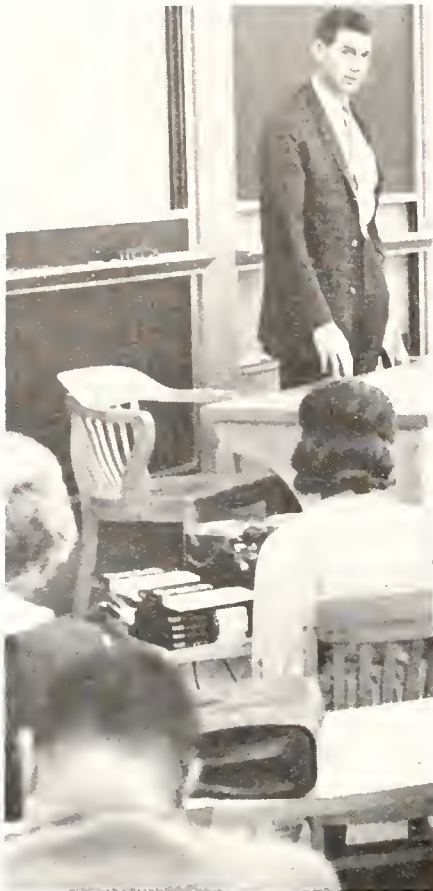
When the *Liberty* Town Board refused to create a housing authority for the town, chances for getting Federal aid for low income, low rent housing ended.

Despite opposition from a Negro citizen's group, *Chapel Hill's* Housing Authority will go ahead with a \$900,000 low-cost housing program. Sixty units will be built and opposition is centered around the site location in a predominantly Negro neighborhood.

Low-rent housing is rising in *Whiteville*. Duplex all-electric homes are being constructed and rent will repay federal and state funds used in constructing the project.

Recreation

Mooresville has decisively rejected the idea of levying a special tax in support of community recreation. In a special referendum the tax was slapped down by
(Continued on page 22)



J. Ben Rouzie, Jr., AIP, Director of Planning for the City-County Planning Board in Winston-Salem, talks to a planning conference session.



Delegates to the 7th Annual North Carolina Planning Conference register at the Knapp Building. Sponsors for the meeting were the Institute of Government and the North Carolina Section, American Institute of Planners.



Planning conferees listen to one of six panel discussions held during the two-day meet.



Robert Stipe, Assistant Director of the Institute of Government, chats with Mrs. Josephine Rowland, Kinston, out-going president of the North Carolina Planning Association. Stipe is secretary-treasurer of the organization.

INSTITUTE SCHOOLS, MEETINGS, CONFERENCES



F. Gaither Jenkins, left, Chairman of the Winston-Salem Forsyth Planning Board receives a certificate of recognition for his outstanding contribution to the local planning program. Presenting the award is Bill Hesse, manager of Sears-Roebuck, Raleigh.

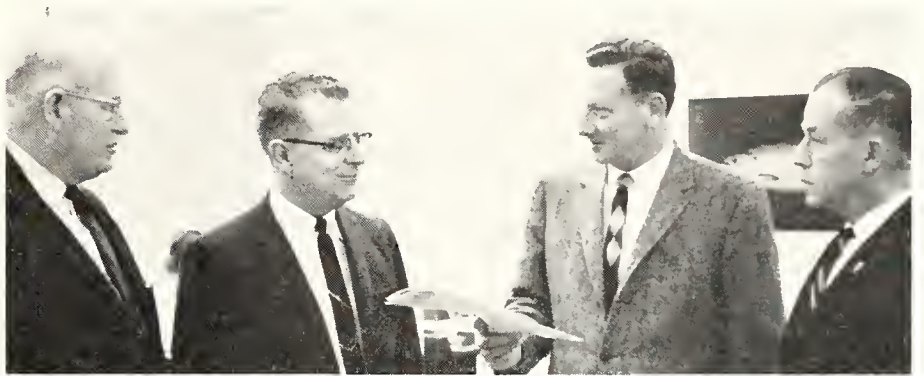


Public welfare directors from some of those counties large enough to have at least one casework supervisor meet at the Institute of Government.



Three county directors of public welfare listen to Institute Assistant Director Elmer Oettinger, just out of camera range, discuss oral and written communications. From left to right are Mrs. Dorothy Crawford, Macon county; Miss Georgie Hughes, Carteret county; and Mrs. Christine Corpening, Graham county.

Meeting at the Institute of Government to coordinate the training program of the American Association of Motor Vehicle Administrators are, left to right, Dean Gurth Abercrombie, Northeastern University, Boston; Dr. Marland Strasser, San Jose State College, California; Elmer Oettinger, Institute of Government Assistant Director; and John Kerrick, Director of the driver license program of the AAMVA. The Institute of Government conducts with the AAMVA the southeastern regional training school for motor vehicle administrators.



Pictured below are four of the speakers during the 7th Annual North Carolina Planning Conference. At left is Leslie N. Boney, Jr., AIA, member of the Wilmington Planning Commission, who participated in a panel discussion, "Historic Preservation: Problems and Perspectives." Second from left is George H. Aull, Jr., Greensboro city manager, and second from right is Robert W. Conner, AIA, member of the High Point Planning and Zoning Com-

mission. They took part in a panel discussion on the role of government in community appearance. At right is Warner Karl Sensbach, Associate AIP, Director of City Planning for Roanoke, Va., who delivered the annual conference address on "What Next for North Carolina Cities?"



Inventory Valuation

(Continued from page 17)

mercial business establishments. Their merchandising costs are similar to non-manufacturers', their sales prices are competitive, their inventories are just as valuable as their non-manufacturing competitor's at the same trade level. Giving a manufacturer's sales outlet a break on his assessed value would be inequitable and would give him an unfair advantage over his competitor. He expects to comply with zoning requirements, insurance regulations, privilege license laws, etc., as a commercial enterprise; why not expect to be assessed on the same basis as

his competitor?

Records, bookkeeping procedures, and trade practices vary. Those who assess inventories must examine the records, reduce inventory to unit costs and compare these costs between competitors. Any great variation may indicate manufacturer's cost instead of trade level cost. Check consigned goods accounts; these are frequently listed for taxes by the manufacturer at manufacturer's cost rather than consignee's cost. Leased equipment accounts sometimes carried as inventory also reflect a lower than list cost. In all of these instances the owner is in disguise; he has the appearance of a wholesaler or retailer, but is a manufacturer at heart.

Over the years the trade level concept

of valuing inventories has been discussed at our national and state meetings. A good many taxing jurisdictions are using this concept. Some local and state manuals require its usage; but as a whole, this concept has not been used as it should be. In my own jurisdiction we only started using the trade level concept three years ago. We were astonished at the massive resistance industry moved in with. We stuck to our guns and the resistance melted away. We have had no cases appealed beyond our own local appeal level. The trade level concept has been upheld in appeals to review boards and in the courts. Its usage is widespread enough to give it respectability. In my opinion it is the only way to assess uniformly and equitably.

NOTES FROM CITIES AND COUNTIES

(Continued from page 19)

an almost three-to-one majority by 40 percent of the registered voters.

* * *

Longview citizens are making use of a new community center which includes a 5,160 square foot building with adjacent playing fields, picnic area, and children's playground.

* * *

Sanitation

Use of natural laws to purify sewage waste will get full testing in *Goldsboro*, *LaGrange* and *Kinston*. After exhaustive investigation and on-the-spot inspections, this trio of eastern Tar Heel communities is trying the lagoon system of disposing of sewage.

* * *

Whiteville has begun a \$300,000 sewer improvement job to update present

facilities which were almost condemned by state health officials.

* * *

Water

Beulaville water rates went up May 1 as a result of town council action.

* * *

After many months of thought and study, *Catawba* county commissioners have adopted a guide for policy in county construction of water lines to industrial areas outside the corporate limits of municipalities.

* * *

Wildlife Resources

Carteret County has received a \$36,000 federal grant to explore new opportunities in the fishing industry. The county will add \$4,000 to make a total of \$40,000 available for the project.

Christmas . . . In April

Boiling Springs volunteer firemen were so excited about getting a new fire truck for Christmas that they completely forgot about taking down the Christmas lights this year.

Usually lights are taken down in January during the firemen's weekly Friday night meetings, but this year the sessions have been devoted to practice in extinguishing fire and driving the new truck.

Just before Easter the firemen came down to earth and using the new fire truck, of course, removed the Christmas decorations—a little late.

The North Carolina Fund

(Continued from page 5)

committee, select a full-time, professional project director, and re-examine its proposed action program with the help of the project director and special consultants furnished by the Fund.

"Announcement letters today are in the mail to these seven community-action committees. This week we will begin a series of conferences with the community representatives, to make specific plans for helping them get their programs underway.

"The Fund will make a small initial grant, for organizational and administrative costs, to each selected community. This will finance a project director and his office, plus the consultants who will provide special advice on specific phases of the community's program.

"Once the community's specific program plans have been decided, and a firm budget has been agreed upon, the initial grant will be followed by a four-year grant for organizational expenses only.

"As each community, on advice of its consultants and director, adopts a specific program, the Fund will examine each part of the program to determine whether money or other

support for it is available, from local, state, federal, or private sources. These other sources must be used to the maximum if we are to have truly comprehensive programs.

"If no other support is in sight for a needed part of the program, the Fund board will consider requests for grants to finance these portions.

"To show you what we mean by support from sources other than direct Fund grants, let me point out that each of these seven communities, by having been chosen for initial projects, is eligible for three programs—the pre-school nursery program being sponsored by the State Board of Education, the reading-writing-arithmetic experimental program also administered by the State Board, and the North Carolina Volunteers program, in which a team of college students will be made available for summer work in these communities' poverty-fighting projects.

"When the Fund was born last year, the original grants made to it were called 'seed money.' This has proved to be an apt term. The Fund's money will be used to help our communities take advantage of all of the resources available, inside and out of the state, to help our people help themselves."

Legal Aspects of Water Pollution

(Continued from page 11)

For example, Allen Kneese has recently written in glowing terms of the effectiveness of regional cooperative water resource associations or Genossenchaften in the Ruhr Valley of Germany as a means of conducting multi-purpose water programs, including pollution abatement.²¹ He reports that these associations have made possible multiple-purpose uses of a comparatively small water source in the most heavily industrialized area of the world and at relatively modest cost. In comparison with our typical institutional arrangements, in the Ruhr Valley there is apparently less emphasis on regulation and much greater stress given to collective abatement measures, to stream specialization, to highly effective operation and maintenance, and to spreading the cost of abatement and inducing reduction of waste loads by means of effluent charges.

Our next point concerns standards of evaluation and objectives. Like most subjects in the field of water resources, standards or objectives have three facets—a technical aspect, an economic aspect and an aspect that involves law and political institutions. Our concern shall be only the latter two areas.

First, let us make a generalization about objectives for water pollution abatement and control. In his excellent book concerning the history of stream sanitation efforts in Wisconsin,²² Professor Earl Murphy of Temple University Law School cites the Director of the Wisconsin Committee on the trend of waste treatment in that State—in 1930 one million pounds of wastes left to enter the streams untreated; in 1954, 900,000 pounds of untreated wastes; and by 1980 at present rates of improvement, they expect to cut the amount of untreated wastes to 800,000 pounds. This would represent an improvement of 14 percent from 1930 to 1980, and in the face of much larger increases in total potential wastes. But, in the words of the Director:

This is not enough. We have got to increase our margins of improvement or we will really lose.²³

Without addressing myself to the particular techniques of measurement used here, I commend to you the approach, the attitude that this represents as a point of departure for everyone involved in this endeavor—every industrial plant,

every municipality, and every state, federal or interstate agency. If you think that I am using a common platitude, ask yourself: is it now the guiding aim of each of these affected interests to seek this improvement in efficiency wherever it may be found? It is my hunch that, if this were the prevailing philosophy or if the prevailing direction of things were toward an unrelenting reduction of overall pollution loads, there would be some changes made.

Of course improvements in the efficiency of pollution abatement and control may mean different things at different times and places. In one sector the "highest rate of return" may be forthcoming for investments in new treatment plants; in another area, to improved maintenance; in another, to research; elsewhere, to river control measures; elsewhere, to strengthened laws, or to some combination of these. Moreover, the answers may vary from one year or from one decade to another. All of this leads me to the area of economics.

There was possibly a time when suggestions to consider the economics of water pollution control measures could legitimately be viewed with a fishy eye and dismissed as some species of red herring. That is, there was a time when the level of pollution control efforts was so low that any objections to water quality improvement recommendations were plainly unjustified, on almost any cost assumptions. Perhaps this is still true in some places, but elsewhere it plainly is timely to ask: What will it cost? What will it produce? What are the alternatives? It is one of the marks of our era that water is becoming an economic resource nationwide, and correspondingly that alternative investments in water resource development require careful economic appraisal.

Here lies to my mind the most glaring weakness in the water quality picture. Neither the tools and raw materials for economic analysis nor the experts to use them are available in adequate supply to the public agencies responsible for stream sanitation programs. For example, where can one find reliable and comprehensive unit cost data concerning the effects of various pollution abatement measures and levels on the industries and municipalities involved? The answer is probably "nowhere." How many economists in public or semi-public or university life are there today who devote all or most of their attention to the economics of water quality control? I know of one such person, a real expert,²⁴ but after that you have to scratch to find the next one. This is a very disturbing state of

affairs which, if not soon remedied, will give us enduring cause for regret.

Turning to the significance of standards for laws and political institutions, we need look no further than Senator Muskie's bill. S. 649 spotlights the role of standards in water quality regulation laws. As it illustrates, workable statutory standards go to the heart of a pollution control program. It is little wonder that this is a prime focus of the debates on the bill.

One result of S. 649 has been to focus attention on the relationship between federal and state pollution control programs, and how this relationship will be affected by the bill. There is a noble tradition of resolving these issues in terms of the philosophy of federalism, or states rights, or local home rule. However, I am obviously disqualified to take my stand in any of these lists, since I have served in the ranks of state government, of Washington federal government, of regional federal government and (through the Institute of Government) of local governments. Nobody would believe me—so I must turn to the other ground.

Recently the Chairman of the Federal Power Commission addressed the American Power Conference. Among other things he stressed the pluralistic nature of the American electric power industry today with its elements of private enterprise operating under public regulation alongside municipal, cooperative and federal programs. It was his observation that most people are not greatly interested in the public versus private power fight, but will judge this industry rather by its performance—whether it maintains good service, low rates and effective use of resources.

I see a strong parallel with the situation in water quality control. The road to providing and maintaining water quality has many approaches—by research and experiment, by regulation, by construction of treatment projects and sound maintenance; through state action or federal action, municipal efforts, interstate agreements and private undertakings. There is no single answer. In fact the problem is so large, so diverse and so constantly expanding that it takes the combined and cooperative efforts of all to stay with it. The ultimate test will be the results that are achieved in terms of the abatement of water pollution. In this spirit it seems to me most vital, for example, that, in connection with the comprehensive basin surveys of the Public Health Service, the state agencies take pains to supply information relating to their needs and problems while the surveys are in process. When an occasional recalcitrant industry professes its love for state regulation in the face of a threat to strengthen federal regulation, it is not the time for the state

21. Allen V. Kneese, "Water Quality Management by Regional Authorities in the Ruhr Area with Special Emphasis on the Role of Cost Assessment." Regional Science Association Meeting, Pittsburgh, December 1962.

22. Earl F. Murphy, *Water Purity—A Study in Legal Control of Natural Resources*. University of Wisconsin Press, Madison, 1961.

23. Id. at p. 127.

24. Allen Kneese of Resources for the Future.



Delegates to the Traffic Court Conference listen to one of the noted speakers on the agenda.

Traffic Court Conference Held at Institute of Government

BY ROBERT L. GUNN
Assistant Director, Institute of Government

Judges and solicitors concerned with administration of the traffic laws of North Carolina met February 27 at the Institute of Government for a three-day conference to discuss ways of saving lives through better traffic law administration. The conference was jointly sponsored by the North Carolina Bar Association, the North Carolina Traffic

Safety Council, and the Institute of Government.

The program included several noted speakers headed by James P. Economos, Director, Traffic Court Program, American Bar Association, who spoke on such subjects as "The Traffic Court Judge in the Community," "Correcting the Violator," and "Model Court Facilities."



Above are some of the 50 judges and solicitors in the Traffic Court Conference.

agencies to say: "How can we beat those feds?", but rather: "How delighted we are at your new spirit of cooperation. Now let's get down to business!" By the same token it is essential that the federal agencies be receptive to state, local and private needs and problems. Fortunately the Public Health Service is traditionally a leader in this regard.

One further suggestion occurs to me regarding the state programs and their relationship to the federal ones. Maybe my ignorance is showing, but I am unaware of any published source to which one can turn for a meaningful appraisal and comparison of the workings and effectiveness of the various state water

pollution control laws and programs, or a fair sample of them. It seems to me that studies of this nature would be invaluable at this juncture and should be given a high priority. They could furnish an avenue for mutual comparisons and improvements of state programs; for pinpointing their problems; and for developing and applying needed standards of evaluation, and bringing to bear in this connection the skills and techniques of the economist.²⁵

25. I am grateful for the patience and time expended by Edward Cleary, James Flannery and Allen Kneese in attempting to educate me in preparation for this paper, but of course they bear no responsibility for my remarks.

Also participating in the program was Robert L. Donigan, General Counsel for Northwestern Traffic Institute. Mr. Donigan discussed several subjects of interest to traffic court personnel including "Evidence Problems in Traffic Cases," "Trying Reckless Driving Cases," and "Traffic Offenses and Laws of Arrest."

More than fifty conferees, most of whom were judges and solicitors of courts trying traffic cases, and representing all sections of the state, took part in the program. As indicated by the title, the event was more of a conference, with all participants working together to achieve the stated goal, than it was a school. A good example was the panel discussion conducted on the final day of the conference on the subject of "Correcting the Violator" in which participants discussed ways of insuring that a violator's appearance in court would help him to be a safer driver. Suggested ways of accomplishing this objective included attendance at a driver improvement clinic, emphasis by the judge in his opening remarks on the objectives of the traffic laws and their enforcement, use of the suspended sentence, and insuring that the punishment imposed is commensurate with the seriousness of the violation.

A highlight of the conference was a dinner on Friday evening sponsored by the North Carolina Bar Association. The speaker for the occasion was Senator Lindsay C. Warren, Jr., Chairman of the North Carolina Courts Commission. Senator Warren discussed the composition, objectives and progress of the Courts Commission, which was created by the 1963 General Assembly "to prepare and draft the legislation necessary for the full and complete implementation of Article IV of the Constitution of North Carolina."

After the completion of the official program on Saturday, February 29, the judges present met separately and organized an association to be known as "The Association of Municipal and County Court Judges." Judge Byron Haworth of High Point Municipal Court was elected President. The following judges were elected to positions as indicated: Judge H. J. Hatcher, County Criminal Court of Burke County, President-Elect; Judge Marshall Smith, Recorder's Court of Orange County, Vice-President; and Judge A. R. Wilson, Recorder's Court of Durham County, Secretary and Treasurer. Membership is open to judges of all courts below the superior court and interested parties are invited to correspond with any of the elected officers.

Planning in Great Britain: New Towns and Expanded Towns

(Continued from page 16)

benefits of rising land values as development took place, the government refused to provide funds to the "first wave" New Towns for acquiring all the land in the designated area in advance of development. Instead, it rationed out these funds at the rate required to purchase land shortly in advance of actual construction of particular neighborhoods. The result of this approach was that in the later stages of the towns' development, the Development Corporations were forced to pay greatly inflated prices for land. The government has learned from this mistake, however, and now encourages advance acquisition.

In defense of the government's early policy, it must be noted (a) that the government was generally short of funds during this period and (b) under the original Town and Country Planning Act of 1947, all "betterment" in land values resulting from development was taken over by the government, so that theoretically there should have been no added costs later. It should also be noted that the policy of retaining the freehold of most land and merely renting or leasing it means that the government does achieve longer-term benefits from rising property values in any case.

The other problem has to do with whether or not the New Town should actually acquire the land needed for its own Green Belt. This had been done in the case of both Letchworth and Welwyn Garden City. East Kilbride and Glenrothes are the only New Towns which have followed this policy. The remainder have relied upon preservation of Green Belts by ordinary planning authorities (as described in the third article in this series, *Popular Government*, May 1964, p. 8 ff.).

In theory, ownership of the Green Belt by the Development Corporation should be a much stronger means of preserving it than relying upon planning controls. In practice, the reverse may be true. Most of the pressure for expanding a New Town comes from the Development Corporation itself and from the Ministry, which is currently urging the New Towns in the London area to see what they can do about accommodating additional population, for example. Where the Corporation owns the land, there is little brake on this expansionist tendency. Where the land is left in the hands of others, however, quite effective brakes may be thrown up by private property owners, local planning authorities, and others—as has proved to be the case at Stevenage this spring.

Social Planning

One of the major lessons learned from

the New Towns is the extent to which planning must be in social terms when a self-contained town is to be built from scratch.

An initial decision which must be made is how large the population of the town shall be. Obviously there is a minimum size which a "self-contained" town must have if it is to have adequate social and cultural facilities and a strong local economy. There is probably also a maximum size beyond which governmental costs, particularly for such matters as traffic-carrying facilities, rise unduly and "livability" and "amenity" begin to drop off. The New Towns Committee suggested that the range should be between 30,000 and 50,000 (if including the population of a related district, between 60,000 and 80,000) but that in certain circumstances it might be less. Obviously, the nature of the region of which a town is a part will have some bearing upon this. The physical characteristics of the town site may also impose limitations.

It was realized that the total population of a town should not be made up of immigrants, because that would mean their children, "the second generation," would have to move elsewhere as they reached maturity, unless they were fortunate enough to secure the home of an original inhabitant who had died or moved away. For that reason, two targets were established: the first, the population to be achieved through immigration, and the second, the population to be realized eventually as a result of natural growth beyond the first figure.

Current targets for the 17 operating New Towns many of which have been adjusted upward from the time of their original designation follow. The first figure is the first goal, and the figure in parentheses is the ultimate goal:

London Area

Basildon: 86,000 (106,000)
Bracknell: undecided (60,000)
Crawley: 62,000 (70-75,000)
Harlow: undecided (80,000)
Hatfield: 26,000 (29,000)
Hemel Hempstead: 68,400 (80,000)
Stevenage: 60,000 (80,000)
Welwyn G. C.: 42,000 (50,000)

Scotland

Cumbernauld: undecided (70,000)
East Kilbride: 70,000 (100,000)
Glenrothes: 55,000 (70-75,000)
Livingston: 70,000 (100,000)

Others

Corby: 55,000 (75,000)
Cwmbran: 45,000 (55,000)
Newton Aycliffe: 45,000 (undecided)
Peterlee: 25,000 (30,000)
Skelmersdale: 60,000 (80,000)

It is interesting to speculate as to what

will happen as these targets are achieved. At the first population level, for example, it is presently anticipated that local industrialists will be told that they should not plan on bringing any new workers from outside the town. Any plans which they might have for local expansion will be dependent for workers upon the local population. Is this realistic? Secondly, pressures have already built up even within the Ministry, as we have indicated, for expansion of these towns to handle a rapidly growing population—particularly in Southeast England. Such expansion, of course, may well negate all the planning which originally went into the towns.

Once population targets have been set, it is next necessary to determine the nature of the immigrants who will be permitted to move to the New Towns. This is a decision which depends upon the purposes of a particular town. In the London area, for example, most of the towns require that immigrants come from metropolitan London, except for key personnel for local industries who cannot be found in the London area. In many cases it is required that the immigrant already have secured a job with a local employer.

The net effect of such policies as these is to create a rather homogeneous population, made up of persons who are generally of the same age and economic status. New Town parents are apt to be rather young, perhaps a basis of their willingness to move, and they have many more children than the general population. This means that there are extraordinary demands for schools and recreation facilities for the young, which gradually shift to a need for jobs for the children finishing school and eventually may produce towns with the characteristics of St. Petersburg as the original inhabitants grow old.

Recognition of the disadvantages of this type of unbalanced population has led the New Towns to make special provisions to attract older people—primarily the parents of residents, but also including other retired people—and people of other social classes, primarily professional and managerial. Through providing a mixture of housing types in each neighborhood, the towns have also attempted to create a greater intermixture of social classes, but their general experience seems to have been that there must be definite portions of neighborhoods reserved for better-type housing before the wealthier classes will move in.

Most of the people moving into the New Towns have come from relatively close-knit communities with a strong set of customs and relationships to guide in-

dividual conduct. Moving into unstructured new communities apparently created difficulties for many of the newcomers, which were widely reported in the press as "New Town Blues." Sociologists made much of the problems of the young wives in particular, and reported that there was a high incidence of psychiatric difficulties. More recent studies have demonstrated that this was just a myth—the incidence of neurosis is virtually identical with that of the population at large, while there has been an unexpectedly sharp reduction in psychoses.

Nevertheless, the initial absence of adequate social facilities such as community centers, churches, youth centers, and commercial entertainment created a real problem in many of the New Towns. To meet this, most of them have appointed community development staffs to assist all sorts of community groups. The major problems seem now to have been solved in most of the towns.

Economic Planning

The economic aims of the New Towns may be simply stated: an adequate number of jobs for their residents in a diversified group of industries. In most cases the towns have had less difficulty than expected in attracting industries, possibly because of the living quarters which were available for their employees, and most of the towns in the London area in particular have had to restrict industrial development from time to time in order to catch up with the necessary housing for employees.

In the cases of Hatfield and Corby pre-existing industries were so large as to cause undue concentration, but in most of the towns there has been a reasonably broad range of industrial diversification. Some of the towns have made special efforts to attract industries employing women, to balance those with heavy concentrations of male employees.

As the post-war "baby boom" children have finished school, several of the towns have made special efforts to attract offices of various types, so as to make available a satisfactory range of employment for these young people. The government has assisted this effort by locating a number of regional offices and laboratories in New Towns.

No particular inducements of the types common in the United States are offered to new industries. However, the New Towns have constructed a number of small industrial buildings for new, small industries, and they have also constructed larger plants for particular companies, which are made available on a rental or lease basis.

Other Governmental Arrangements

No account of the New Towns would be complete if it failed to mention two other governmental arrangements through which much the same ends have

been achieved. One is through use of the Town Development Act of 1952, and the other is through normal county planning powers designed initially for use in projects similar to urban redevelopment in America.

Because of criticism by some local government authorities that they were being by-passed in the employment of *ad hoc* Development Corporations, particularly where these "outside" corporations built a town within the jurisdiction of such an authority, the Town Development Act was put forward as an alternative approach. Essentially, it authorizes a major city needing space in which to house excess population—either that displaced in the course of redevelopment or the results of normal growth—to contract with a smaller local unit for a major expansion of the smaller unit. In return for accepting "overspill" from the major city, the smaller unit may receive financial or material help in planning and constructing such expansion. The Ministry actively supervises such arrangements and makes additional financial help available.

Although this approach has been criticised as slow and cumbersome since it may involve extended negotiation among the parties, agreements have been made to relocate more than a quarter of a million people under such schemes—along with industry to support them. The London County Council has been particularly successful with such arrangements, having constructed houses in 16 communities—the most noteworthy being in Swindon and at Blethley. Over 100 industrial firms have moved to these expanded towns. Other major cities using this technique are Birmingham, Wolverhampton, Manchester, and Glasgow.

The other approach is a more recent development. In 1961 the Northumberland County Council proposed and the Ministry later agreed to designate an area near Killingworth as a "comprehensive development area," which it could thereby acquire and lay out into building sites complete with roads and services. Subsequently it modified this proposal to include the construction of buildings, and then followed the same approach on a

larger scale with what will truly be a New Town at Cramlington.

The London County Council sought to follow this approach with a New Town at Hook, but failed in the end to secure ministerial approval. Hampshire County Council is currently making plans to undertake such a project.

All of these efforts by local governmental authorities to construct New Towns are probably more in tune with the approach under the 1964 American Housing Bill than that of the Development Corporations appointed by the central government. It remains to be seen whether they will be as effective.

Conclusion

The proof of the pudding is still in the eating. Probably the most significant factor relating to the New Towns is that they have proved to be by far the most popular of all planning measures undertaken in post-war Britain. Election literature of all three major political parties points to them as appropriate and desirable solutions to many of Britain's development problems. Regardless of the governmental arrangement used, there seems little reason to doubt that Britain will continue to build New Towns for many years to come.

Whether this approach will prove equally popular or feasible in America is hard to tell. For one thing, obviously it is most effective when coupled with determined use of the Green Belt technique to prevent further sprawl of major cities. In addition, the major responsibility undertaken by both the central government and local governments to provide housing in Britain is undoubtedly a contributing factor to their eagerness to build such towns. If the housing has to be built anyway, it might as well be built where land is cheap rather than in congested urban areas—particularly when better living conditions can be produced.

Perhaps as America's great conurbations continue to spread, we shall begin to see at least some self-contained new towns in their vicinity, although it may be doubted that there will be as much central government control of their planning as in England.

Ideas, Space and Money

Recent North Carolina governmental news has ranged from the world of ideas to the worlds of space, from high finance to presidential gestures.

* * *

Sneed High of Fayetteville was sworn in as the new Commissioner of Revenue. High served in the 1963 General Assembly.

* * *

Two University of North Carolina faculty members were among 27 men selected to bring fresh ideas to the na-

tional scene for the Johnson Administration. The two are Law School professor Dan Pollitt and author John Ehle, associate professor in the Department of Radio, Television and Motion Pictures and idea man for the Sanford administration.

* * *

North Carolina's "formal and deliberate entry into the space age" was hailed by Governor Terry Sanford as a result of a contract between National
(Continued inside back cover)

● BOOK REVIEWS ●

THE WITHERING AWAY OF THE CITY. By York Willbern. University: University of Alabama Press, 1964. 139 p. \$3.95

York Willbern is one of a relatively few political scientists who has been a close student of the city both in the classroom and in city hall over the entire period of a long professional career. Into this little book, consisting of five lectures delivered to students of the Southern Regional Training Program in public administration at the University of Alabama, he compresses much of the wisdom and insight which can only be found elsewhere in works of much greater physical extent. For the official or student without the time to read a full-scale municipal textbook, the Willbern lectures provide a lucid, concise, and interesting substitute.

The major contribution of the book, however, is not in its description of municipal government. It lies in the description of the panorama of *changing urban governmental institutions*. We can all observe change, without seeing the broad outlines which are emerging, and the developing trends. Briefly, the Willbern thesis is that the traditional governmental institutions associated with the municipal corporation are slowly yielding to a new form. He says, "Instead of a tight corporate community providing definite services and functions for its own membership, the city is now a somewhat fuzzy and indefinite association, supplying a mixed and indeterminate range of services to an amorphous and indeterminate constituency." (p. 91)

The plight of the cities is described in such terms as the loss of population in central cities, the loss of business from the center, the dispersion of development over the landscape, blight, the irrelevancy of municipal boundaries, the losses of leadership to the suburbs, and similar ailments. The reform movements so familiar today, are evaluated. None of these are halting the changes, in any basic way, and the reasons are listed. We may note, however, that attention is given to the fact that North Carolina is in one of three areas of the country where the annexation device seems to be working.

The book describes what *is* happening as the traditional city institutions "wither away." The vital power of local administration is moving to larger units of government. The reasons for this, and the techniques through which it is achieved, are carefully noted. An increasingly important place is predicted for the county. More important, however, local affairs will more and more be in the hands of a wide variety of gov-

ernmental units, associations, arrangements, constituencies, bureaucracies, and interests. The formal governmental pattern will be pluralistic rather than unitary.

What will interest many readers the most is the final chapter. Here the author relates the new trends to political power and to democratic control, suggesting some of the implications of change. This is a book which will stir controversy for some time to come. It will be rewarding reading to anyone who either hopes to halt the withering of the city, or to help build the local democracy of the future.

* * *

THE LIGHT THAT SHINES, by Robert B. House. The University of North Carolina Press, Chapel Hill, 1964. \$5.

Those who love Chapel Hill and its University of North Carolina will want to add this book by the beloved former Chancellor to their shelves. There it should join earlier works by such other devoted Tar Heels as Louis Round Wilson, Archibald Henderson, Robert W. Winston, Thomas Wolfe, Phillips Rus-

sell, and William Meade Prince.

The author has purposely narrowed his sights to the years when he attended the University as a student—1912-16—and to the figures, student and faculty, who came to mean something to him during those years. It also happens that many of those persons have significant names in the history of the University and the State of North Carolina: Frank Porter Graham, Edward K id d e r Graham, Edwin Greenlaw, Horace Williams, Archibald Henderson, Kemp Plummer Battle, Charles Woollen, Louis Round Wilson, Preston Epps, Collier Cobb, Charles Mangum, I. H. Manning, Wilbur Royster and Dr. Billy McNider, among others. Chancellor House's book is warm, reminiscent, and understanding. In simple prose it recalls an era in which a classics-oriented generation of teachers and students brought to the village, heart of southern intellectual ferment, a growing realization of its potential for integrity, leadership and greatness. To all who would better understand and cherish the tap roots of Chapel Hill's charm and "Carolina's" meaning and character, this book will be a rewarding experience.

(Continued inside back cover)

BOND SALES

From April 28, 1964 through May 19, 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>			
Chapel Hill	45,000	Town Hall	2.00
Charlotte	4,600,000	Water, Sanitary Sewer, Airport	3.05
Davidson	334,000	Water and Sewer, Electric Light	3.46
Hendersonville	1,050,000	Water	3.69
Mount Airy	108,000	Water, Refunding Water and Sewer	3.11
Norlina	210,000	Sanitary Sewer	3.50
North Wilkesboro	200,000	Sanitary Sewer	3.43
Rose Hill	90,000	Sanitary Sewer	3.81
Wadesboro	148,000	Water	3.52
<i>Counties:</i>			
Chatham	70,000	School	2.97
Duplin	64,000	Refunding Road and Bridge, Refunding School	3.34
Graham	360,000	School	3.80
Jackson	55,000	Street Improvement, Sanitary Sewer, Water	3.91
Pender	185,000	County Hospital	3.93
Randolph	100,000	School	2.99
Stokes	750,000	School	3.63
Watauga	1,000,000	School	3.63

THE INSTITUTE

In the News

Wilmington News, March 18

Representatives of the Institute of Government, at a meeting in Wilmington, outlined some of the ways in which consolidation of city and county government could be effected. No recommendations were made as to what might be the best plan, if any, for New Hanover County.

JOHN SANDERS, director of the Institute of Government, pointed out that he and his staff members were present only to help people get a better understanding of the issue involved.

* * *

Charlotte News, March 24

Three more reports on governmental functions jointly financed by Charlotte and Mecklenburg governments have been delivered by the Institute of Government in Chapel Hill.

The studies concern the tax supervisor's office, the tax collector's office and the elections office. The three reports were prepared by HENRY W. LEWIS, assistant director at the Institute.

When the Institute delivered these reports, it completed a series of studies done at the request of the City Council and the Board of County Commissioners. Garbage collection, public health, the juvenile and domestic relations court and planning were covered in earlier reports.

Dillard S. Gardner

Dillard S. Gardner, State Supreme Court librarian and marshal for the past 24 years, died April 15 at Chapel Hill, following a lengthy illness.

Gardner was one of the original staff members of the Institute of Government under Director Albert Coates. He conducted a series of studies on the use of photographs as court evidence and the effects of insanity and intoxication on criminal guilt. As an Institute staff member, he also prepared a proposed State Constitution pointing up desirable changes, and worked with State and local officials in such matters as courts and court administration.

In the September issue of *Popular Government*, Institute founder Coates will present a tribute to Gardner.

Durham Herald, March 27

Democratic and Republican state party leaders fell into argument over literacy tests, loyalty oaths and full-time voter registration at a League of Women Voters-sponsored panel discussion recently.

Centered around "North Carolina Election Laws Under the Two-Party System," the discussion drew around 100 league members and local political officials.

Panel participants Hubert O. Teer, Jr., Durham, state Young Republicans Federation president; Tom Gilmore, Julian, state Young Democratic Clubs president; Charles Dameron, Greensboro, Republican Party Sixth District chairman; and Tom Davis, Raleigh, State Democratic Party executive secretary, all joined HENRY W. LEWIS, assistant director of the Institute of Government in Chapel Hill, in discussing possible revisions of the state's voting procedures.

Lewis acted as a "neutral" member of the panel.

* * *

Elizabeth City Advance, March 28

Juvenile court judges, school superintendents and school attendance counselors will attend a one-day conference on the relationships between judges and attendance officials, at the INSTITUTE OF GOVERNMENT in Chapel Hill.

Sponsors for the conference are the North Carolina Department of Public Instruction, the North Carolina Juvenile and Domestic Relations Court Judges Association, the North Carolina Conference for Social Services, and the Institute of Government.

Aim of the conference is better understanding between juvenile court judges and school guidance officials. A common point of view will be sought so that judges and school personnel may help the student overcome his problems rather than merely penalizing him for them. [This Conference will be the subject of articles to appear in upcoming issues of *Popular Government*.]

* * *

Spruce Pine: *Tri-County News*, April 9

County elections officials from across the state attended the conference for election board members held at the Institute of Government April 2-3.

Under sponsorship of the State Board of Elections, the conference was designed to consider administration and legal prob-

lems bearing on preparation for and conduction of the forthcoming primary election.

Greensboro Daily News, April 25

A rebirth of the public's needs and desires in community planning programs was urged yesterday as the seventh annual North Carolina Planning Conference opened at the INSTITUTE OF GOVERNMENT in Chapel Hill.

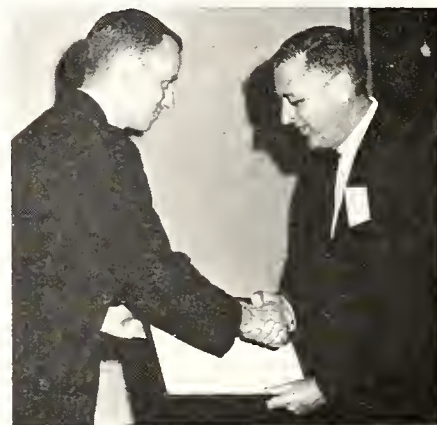
Planners and architects on panel discussions emphasized the tendency of their fellow professionals in the field of community development "to ignore or soft pedal what the people want in order to strive for the most expedient solution."

* * *

Hickory Daily Record, April 25

Three North Carolinians have been honored for their achievements in community planning by the North Carolina Planning Association and the North Carolina Section of the American Institute of Planners.

Awards were given Longview Mayor Arnold D. Frye; Gaither Jenkins, chairman of the Winston-Salem and Forsyth County Planning Board; and Gregory Peeler, chairman of the Salisbury-Spencer-Rowan County Planning Board. Presentation was made at the seventh annual North Carolina Planning Conference at the INSTITUTE OF GOVERNMENT in Chapel Hill.



Frank Warren, left, receives the planning award from Bill Hesse, Raleigh.

* * *

High Point Enterprise, April 25

Frank Warren, former member of the High Point *Enterprise* news staff and now Sunday editor of the *Goldboro News-Argus*, has received an award for a series of articles on High Point's urban renewal project.

The prize winning entry was selected by the North Carolina Planning Association and the North Carolina Section of the American Institute of Planners and the award was given at their conference at the INSTITUTE OF GOVERNMENT.

LOOKING AHEAD at Schools for City and County Officials

The following have been selected from among the schools to be sponsored by the Institute of Government from September, 1964, to June, 1965. Exact dates and more detailed information will be released to interested officials later.

OF INTEREST TO CITY OFFICIALS

N. C. Public Libraries Workshop	Sept. 9-11, 1964
Municipal Administration Seminar begins	Oct. 29-31, 1964
Police Administration Course begins	Oct. 5-8, 1964
Municipal Finance Officers	March 3-4, 1965
Public Utility Management School	Winter 1964-65
City Managers Seminar	Winter 1964-65
Purchasing School	March 4-5, 1965
Personnel Officers	Spring 1965
Municipal Attorneys	Spring 1965
N. C. Tax Collectors Association	March 1965
N. C. Planning Association	Spring 1965
New Tax Collectors School	April 26-30, 1965

Librarians, Workshop on State and Local Documents	Sept. 9-11, 1964
Members of County Boards of Elections, Conference on General Election Procedures (Asheville)	Sept. 20-22, 1964
Hospital Administration School	October 1964
School for New Tax Supervisors (and other assessing personnel)	Oct. 12-16, 1964
North Carolina Association of Assessing Officers (county tax supervisors), Annual Conference	Nov. 18-20, 1964
School for Registers of Deeds	Early 1965
School for Personnel Officers	Spring 1965
School for Purchasing Officers	March 4-5, 1965
Eighth Annual North Carolina Planning Conference	April 1965
School for New Tax Collectors (and other collection personnel)	April 26-30, 1965
School for Coroners and Medical Examiners	May 1965

OF INTEREST TO COUNTY OFFICIALS

County Directors of Public Welfare: Workshops on Administrative Planning (one week; followed by six one-day seminars)	Throughout 1964-65
County Public Welfare Casework Supervisors: Advanced Training Workshops (one week; followed by six one-day seminars)	Throughout 1964-65

Book Reviews

(Continued from page 27)

THE RULERS AND THE RULED: POLITICAL POWER AND IMPOTENCE IN AMERICAN COMMUNITIES. By Robert E. Agger, Daniel Goldrich, and Bert E. Swanson. New York: John Wiley & Sons, 1964, 779 pages. \$7.95.

As the subtitle indicates, the authors are concerned with the effect of "political realities" on "traditional democratic ideals in both community and national life." Through analysis of the political power structure of four real but fictionally-named communities—two in the southern, two in the western United States—the authors reach some interesting and possibly significant conclusions on such questions as the existence and emergence of developed democracy, the impact of governmental structure on the type of power structure, and the formation and internal organization of political leadership groups. The approach is scholarly. If such place names as Farmdale, Petropolis, Metroville, and Oretown don't bother you and such terms as "Community Conservationists" and "Consensual Mass" become meaningful for you in the authors' context, this bulky book will provide some useful insights into local government and its relation to the national scene.

STATES IN CRISIS: POLITICS IN TEN AMERICAN STATES 1950-1962. By James Reichley. Chapel Hill: University of North Carolina Press, 1964, 264 pages. \$6.00.

The author had the assistance of ten newsmen in preparing the case histories of ten American states and their

patterns of politics which comprise this volume. The states are Virginia, Michigan, Arizona, Pennsylvania, Nebraska, New York, Texas, Ohio, Massachusetts, and California. The subject matter includes the rules of the political game (as played in those states), the conditions of play, and the areas of maneuver. The book will be of considerable interest to political scientists and those concerned with the study of the development and handling of some current crisis in state government.

JUSTICE ON TRIAL: THE CASE OF LOUIS D. BRANDEIS. By A. L. Todd. New York: McGraw-Hill, 1964, 275 pages. \$6.50.

Louis Dembitz Brandeis is remembered as a distinguished and courageous Justice who served on the United States Supreme Court from the times of Woodrow Wilson to Franklin D. Roosevelt. This volume reminds us that great men usually are controversial and often achieve the office or position in which to demonstrate their greatness only by the skins of their teeth. The author limits his inquiry into the nomination of Brandeis by President Wilson for a seat on the high court and the subsequent bitter battle over his conformation. Using letters from prominent political figures of the time, including Josephus Daniels, author Todd shows convincingly how narrowly faith, courage, and dedication to justicial liberalism and freedom triumphed over racial and religious bias, complacent conservatism, and man's inhumanity to man.

Time, Space and Money

(Continued from page 26)

Aeronautics Space Administration and the Science and Technology Research Center. The contract brings a \$100,000 grant to the Center and makes available NASA's scientific discoveries to private industry. According to the Governor: "This program at the Research Triangle opens up large new avenues for putting

North Carolina in the role of leadership in space age industry."

The inclusion of the sequence of pictures on page 8 showing President Johnson and his many and varied gestures during his Rocky Mount speeches was not without purpose. Editor Elmer Oettinger teaches oral and written com-

munications to public officials in Institute of Government courses. Henceforth, in addition to demonstrating gestures used effectively by such public figures as Presidents Roosevelt, Truman, Eisenhower and Kennedy, he can show the montage in this issue to illustrate his point that appropriate physical action is essential to good speaking.



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