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CONSERVATIONISTS DISCUSS OVERTON PARK CONTROVERSY

Three members of Memphis' Citizens to Preserve Overton Park discuss the case with Harry Rice, a former Interior Department official, prior to his testifying in yesterday's hearing in federal court here. From left: Mrs. Sara Hines, Dr. Arlo Smith, Rice and Mrs. Anona Stoner.

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X-Way Route to Depreciate Land Values, Says Witness

By KAY PITTMAN BLACK AND TOM JONES
Press-Scimitar Staff Writers

A city and highway planner said today that if the Interstate-40 expressway bisects Overton Park it will depreciate the land values of neighborhoods north and south of the park.

Ian McHarg, chairman of the department of landscape and city planning at the University of Pennsylvania and partner in a New York City-based planning firm, took the witness stand at mid-morning as the Overton Park trial in federal court went into its second day.

McHarg said his private firm has done the planning for the central business districts of Washington, D. C., Los Angeles, Buffalo, N. Y., and transportation studies for Staten Island, the Denver region and the Delaware state highway department.

He told U. S. Chief District Judge Bailey Brown who is hearing the case brought by persons seeking to block the construction of the expressway through the park. He is a member of the President's

Science Advisory Council and a consultant to the Senate Committee of Public Works.

McHarg characterized the two alternate routes projected by the state highway department as "malevolent." The alternate routes to the Overton Park expressway run immediately north and south of the park. The northern alternative would take such areas as part of the Southwestern campus and Snowden School while the southern alternative would take the B'Nai B'rith Home for the Aged and the First Baptist Church.

"The social disruption of either one of these alternatives (to the park route) would be incredible," said McHarg. He added, "If you wanted to pick two alignments that could be worse than the route through Overton Park these would be the ones to pick."

The attorneys have been stating that the government selected these two routes north and south of the park "on purpose" to silence critics of the Overton Park

route and have accused the government of overlooking more feasible alternatives.

McHarg testified that parks contribute to the "prestige" of an area, saying, "Rents around Central Park in New York run about \$300 a month while they decrease in value farther from the park."

"If the quality of the park is lessened, the result will be a decrease in property values," he said. He maintained that an expressway through the park would "depreciate the value of the neighborhood" on both sides of the park route.

Donald R. Robinson, an assistant city planner with the architectural firm of Gassner, Nathan and Browne, was today's first witness. He presented an aerial map showing five alternatives to the route as now proposed. The map also detailed the present route.

Included among the changes were the widening of three existing traffic arteries — Hollywood, Trezevant and Avalon with Treze-

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Freedom of Press Strongly Defended

WASHINGTON, — (UPI) — With a sense of the right of the press to put forth "thoughts and ideas which we hate and Sen. Sam J. Ervin Jr., D-N.C., today opened examination of the status in this "general crisis" of freedom of the press in America.

Ervin, who observed his 75th birthday Monday with a cup of coffee with his staff, said three weeks of hearings by his Senate constitutional rights subcommittee would examine four areas where the press' freedom of operation has been diminished or challenged by government in recent years:

- The government's attempt, the first in American history, to obtain court injunctions to prevent newspapers from publishing stories, a reference to the "Pentagon Papers" dispute.

- The issuance of subpoenas by grand juries and congressional committees of reporters and their notes.

- The widespread use of false press credentials by government investigators.

- And the "new fears about government control and regulation of the broadcast media."

Ervin opened the hearing with a quotation from Jefferson: "No government ought to be without censors and where the press is free, no one ever will."

The senator contrasted that view with "sharp and angry attacks upon the news

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X-Way Route Foes Are Being Heard

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vant and Avalon being widened to six lane interchange feeder streets to the Overton Park expressway.

J. Alan Hanover, attorney for the defendant state highway department, told the court the map was "fairly accurate" but questioned Robinson about the scale he used which showed the present route and the alternates as being 200 feet wide.

"The narrowest width of the expressway through the park is 250 feet," said Hanover, pointing out to Robinson that "the standard size for an average expressway is 300 feet wide, exclusive of interchanges."

Robert H. Mattlin, director of the Overton Park Zoo who testified yesterday, returned to the stand this morning to bring bear breeding records to court. Mattlin said yesterday that the expressway at the zoo's southern fence line would be "very detrimental" to the animals and interfere with the breeding of the bears and antelopes.

The records showed that no bears born since Mattlin took over the zoo in 1964 have lived. Mattlin credited one death to a mother killing her young cubs "because of noises from the bus" that runs in front of the park and said the bus noise makes the bears "nervous."

Noting that he had pored over six pounds of studies, McHarg testified under cross-examination that he had seen no evidence that a serious study of the effects of the expressway had been undertaken.

"No such studies have been made and any opinion that is expressed is anecdotal," he said. "The opinions are those of a lot of amateurs expressing their opinions. If there has been no study, there can be no opinion." McHarg said he could not evaluate the alternate routes because of this lack of studies of the areas involved.

McHarg said that the alternate route which the government offered to the Overton Park expressway ran

through all the "prestigious" buildings and institutions near the park. He said the highway planners had not considered the social values of the park route.

McHarg said that his method of highway planning only "involves common sense. It is quite widely used by planners in this country."

Thomas F. Turley, U.S. attorney representing the federal defendants, asked Mattlin yesterday if it was not true that other zoos in the country were located near expressways.

The Overton Park plan, said Mattlin, "is not comparable to any other case in the country. The St. Louis expressway is a good distance from the zoo and a buffer zone has been created with trees between it and the expressway. The San Diego expressway is considerably lower than the rest of the zoo. And in New York I know of cases where animals have died of lead poisoning caused from the automobile fumes. It has resulted in the death of many zoo animals.

"I don't know of any zoo being in the same situation as we are with the expressway ganging up against our fence," Mattlin said.

Under examination by Charles F. Newman, one of the attorneys for the conservationists, Mattlin said he preferred a route suggested by Memphis philanthropist Abe Plough that would go along the northern area of the zoo, parallel to North Parkway.

Hanover pointed out that the northern section of the zoo contained many buildings, including the new elephant house.

"Yes, that's true. But buildings can always be replaced and it takes 200 years to grow trees like we have in Overton Park," Mattlin said.

Plaintiffs in the case are Citizens to Preserve Overton Park and Memphians Mrs. Sunshine Snyder and William Deupree and the National Audubon Society of New York City and the Sierra Club of San Francisco. Defendants are U.S. Secretary of Transportation John A. Volpe and state highway department officials.