

Memphis, Sunday, September 26, 1971

The White Knights And Overton Park

By THOMAS BEVIER

THE curtain rises slowly as the house lights dim. A cove of gnarled trees stands symbolically in the half light at stage center. Dawn is breaking. Bird sounds are heard. As the scene brightens, a neatly lettered sign, barely discernible before, becomes readable. It says:

Protect Our Heritage
Stop The Expressway
—Citizens to Preserve Overton Park

From the wings at stage right, the audience hears a diesel engine roar to life with consumptive power. A huge, yellow bulldozer with brightly honed blade rumbles onto the stage, up to the trees and stops. A bugle sounds a challenge from stage left. A horse snorts and then, in a staccato of hooves, the white stallion with its rider charges to the side of the trees opposite the bulldozer.

THE RIDER LOWERS his shield, salutes the audience beyond the footlights, and opens the dialogue of the play. He says:

"I'm a biologist. I do a lot of my work outside . . . We've been emphasizing the condition of the environment . . . People don't realize that what happens to the animals and plants is soon going to happen to us . . . That's one of the main reasons I'm against the building of an expressway through Overton Park . . ."

The words were actually spoken during an interview by Dr. Arlo I. Smith, president of Citizens to Preserve Overton Park, Inc. The fictive circumstance through which they have been presented here was prompted by a gift given to Dr. Smith by a wry colleague, who sought to portray him as a 20th-Century knight errant.

THE GIFT, which receives prominent display in Dr. Smith's Southwestern office, is a framed copy of a New Yorker magazine cover. It shows a white knight attacking a toothsome earthmover. The friend pasted a photo of Dr. Smith's face over the knight's.

Though the portrayal errs in pursuit of levity, it does touch on one of the several qualities which characterize the organization Dr. Smith heads.

Also, by its very failing at accuracy, it serves to expose a more persistent effort to identify and categorize the personalities and motivations of the group which has aligned itself, in one of the nation's landmark conservation lawsuits, against nearly all of the traditional forces which make things happen, or not happen, in a community.

A list of defendants in the lawsuit reads like a Who's Who of political and economic power: John A. Volpe, secretary of the United States Department of Transportation; Robert F. Smith, commissioner of the Tennessee Department of Highways; the City of Memphis (brought into the case at the direction of Mayor Henry Loeb); the Memphis Area Chamber of Commerce; Future Memphis, Inc., and the Downtown Association of Memphis.

Tomorrow, before United States District Judge Bailey Brown, hearings are scheduled to begin in yet another round in the case which already has been all the way to the United States Supreme Court, where a prior decision by Judge Brown which was unfavorable to Citizens to Preserve Overton Park, was reversed and remanded.

The effects of that decision have been national in significance. Opinions delivered last March in the Memphis case by the Supreme Court have been at least twice cited in other locales (San Antonio, Texas, and Harrisburg, Pa.) in court orders granting stays on construction of expressways through parks.

WITHOUT DECLARING oneself on either side of the cause of Citizens to Preserve Overton Park one cannot help but be impressed by their almost naive persistence and to wonder how and why they are fighting this battle.

When Dr. Smith considers what the opposition thinks about CPOP (pronounced "SEE-pop" by members), he says, "They think we're just a bunch of nuts." Obviously, he does not share that opinion. Dr. Smith prefers to characterize the organization as the effort of "the little man."

After meeting and talking with the people on whom CPOP depends, few would feel justified in calling them "a bunch of nuts." But neither would anyone striving for objectivity feel comfortable granting Dr. Smith's claim to common stature.

AND SO THE question remains: Who are these self-appointed protectors of Overton Park?

They are, first of all, the people who have taken up with a movement which began when intentions to build an expressway through Overton Park were first revealed. CPOP was preceded by the Committee for the Preservation of Overton Park, founded in 1957.

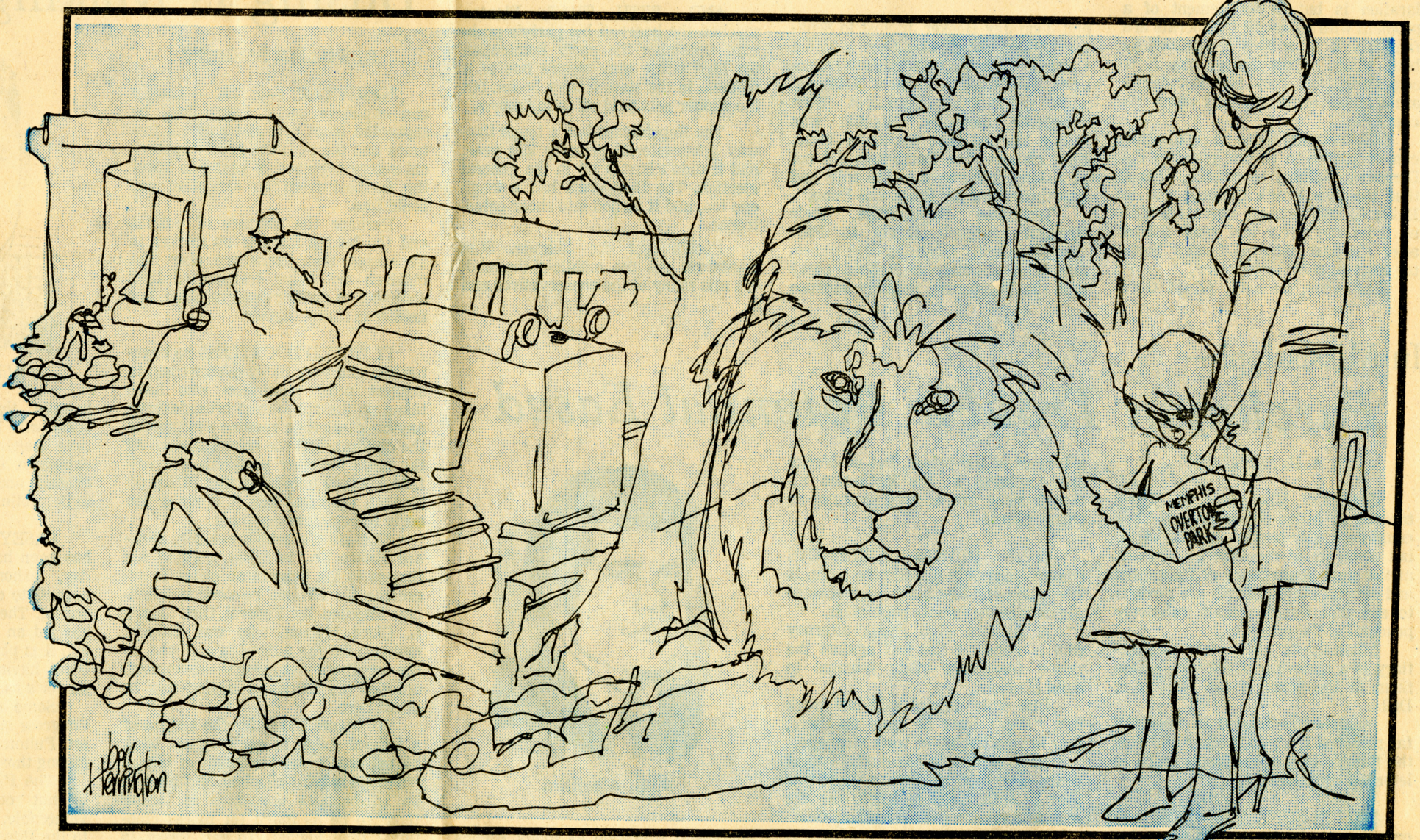
The organization has a strong matriarchal tendency. Of the nine persons on the governing board, six are women.

Few are known for social or economic prominence, but neither are they the sort who worry from paycheck to paycheck or feel uncomfortable in country club surroundings.

Politically, the dominant philosophy is conservative. In some of the mail CPOP leaders have received, it was obvious the writers viewed them as radical scalawags. Their average age is somewhere in the vicinity of 55.

*'They Think We're Just
A Bunch Of Nuts'*

THE ONLY PERSON still active from the 1957 group is Mrs. Lou Packer, treasurer of the parent group and now of CPOP. ("I'm a treasurer without money," she says. From reliable sources, The Commercial Appeal learned that previous reports of CPOP's financial resources have been exaggerated. Although the organization has the support of such national conservation groups as the Sierra Club, Audubon Society and the National Wildlife Federation, there has been a marked lack of financial aid.



CPOP's total expenditures have been something less than \$10,000 and there are indications that they have not been much more than half that amount.)

Mrs. Packer, wife of Dr. Henry Packer, chairman of the department of preventive and community medicine at the University of Tennessee Medical Units, recalls that by 1961 the organization had faltered for lack of interest.

"They met at my house and they scrapped," she recalls. "Nobody would take the responsibility of leading."

Part of the reason for lack of interest was that there was no immediate threat to the park; the matter was not much a matter of public discussion. But, by 1964, Overton Park was again at issue.

IT WAS about then that one of the most intriguing personalities in what one CPOP observer calls "a most remarkable group" came on the scene. That person is Mrs. Anona Stoner.

"Without her, it couldn't have been done," says Dr. Smith. She is, says another CPOP board member, Mrs. Martha Lackner, "a mandarin of some 80 pounds of tenacity, precision and awesome WASP certitude who has sat at her desk for 14 to 15 hours a day since 1964 laboring for the park." Says Mrs. Packer: "They call her the bird woman, but really she is a professionally trained ornithologist."

Officially, she is secretary of CPOP. But she is more than that. This little white-haired bespectacled lady with a small voice is the quintessence of Citizens to Preserve Overton Park. The traits she brings to CPOP—caution, an overwhelming regard for punctilious procedure and an almost restrictive attitude about membership—are at once the organization's strengths and weaknesses.

HER ATTITUDES have been under constant challenge and several persons have left the organization because they felt fettered by the guidelines of her personality. But even her greatest detractors concede that she has been the indefatigable force behind the effort.

It is impossible in print to reflect the resolve in her voice, the total rejection of contrary view, when she says: "It (Overton Park) is our priceless heritage of rare natural beauty and should be protected. Therefore, I am unalterably opposed to the construction of any kind of throughway or expressway through, or encroaching on, Overton Park."

MRS. STONER'S sentimental home is Dayton and Yellow Springs, Ohio. She came to Memphis in 1962. Her husband, F. F. Stoner, who is now in semi-retirement, came here for business reasons. They have no children.

Mrs. Stoner brought with her the memory of another fight, a successful effort she had been a part of to protect from an expressway a primitive wooded area known as Glen Helen adjacent to the campus of Antioch College in Yellow Springs.

Another influence had been her association, as private secretary, with Dr. Arthur E. Morgan, who is perhaps best known as the first chairman of the Tennessee Valley Authority. He also is a former head of Antioch College and for more than a half century has been a leading spokesman in the conservation cause. Coincidentally, Dr. Morgan, who has lived in Yellow Springs for a number of years, had a private engineering firm in Memphis between 1910 and 1913.

WHEN SHE CAME to Memphis, one of the first things she and her husband did was join the Tennessee Ornithological Society in which Dr. Smith and his wife are active. (Mrs. Smith is the current hike chairman.) In January, 1964, she was invited to speak to the Shelby Forest Council about the Glen Helen fight. She urged a similar fight for Overton Park.

"The fight only lasted about six months in Yellow Springs," she says. "I didn't think this one would take much longer."

CITIZENS to Preserve Overton Park was founded on June 9, 1964. Dr. Smith has been the head of it since January, 1965. In November, 1969, Secretary of Transportation Volpe gave final approval of the park route and in the same month CPOP was incorporated in anticipation of filing its lawsuit, the one which is still at issue. The suit was filed on Dec. 2, 1969.

Until the fall of 1969, CPOP functioned mainly as an

information gathering group. Much of it was valuable to their attorneys later.

And so the topic of discussion—whether to institute legal action—at a meeting that fell at the home of Mrs. Sunshine K. Snyder represented, for some, a fearful departure from previous operating procedure.

THERE IS SOMETHING frightful about attaching your name to a lawsuit. It invites controversy, places one automatically in the forefront of battle, easy target for the opposition's flak.

The group's attorney, John W. Vardaman Jr. of Washington, had said, according to W. W. Deupree, CPOP vice president, that it would be wise to have named plaintiffs, rather than just filing as Citizens to Preserve Overton Park. Volunteers for that suggestion were not quickly forthcoming.

"I guess it had been my idea in the first place," Mrs. Snyder recalled. "I told them they could use my name." Mr. Deupree also consented to having his used.

MRS. SNYDER was the only one of the group who had had any active prior political involvement. Her home, on Kenilworth is directly across from the park, although it would not be taken by the expressway.

She had been active in Republican politics and ran for the legislature in 1964 and the County Court in 1966, unsuccessfully both times. She said the idea for filing the lawsuit came directly from United States Representative Dan Kuykendall (R-Tenn.). Mrs. Snyder is no longer active in GOP politics and claims disenchantment with both major political parties.

She did not become active in the Overton Park dispute until sometime in 1963 but then, she says, "I really became aggressive and adamant."

ANYONE WHO HAS ever seen Mrs. Snyder being aggressive and adamant has witnessed the most that those qualities suggest. She is, to quote an acquaintance, "a real gut fighter."

She dropped out of CPOP last year because she felt constrained by the dictates of the group. It was not an angry split and she still works closely with the members.

"I was for getting out and doing more," she says. "I was for rallies. I wanted to get out there all the way. I believe you have to take advantage of the moment. Detail drives me up the wall."

THE OTHER NAMED plaintiff, Mr. Deupree, is still with the group. Mrs. Lackner describes him as "our anchor, our pole star, our gentleman unafraid." He also is the member with the most money and he has donated liberally.

Mr. Deupree, 70, of 1730 Glenwood Place, shares with the others an emotional commitment to the park. ("We lived on Buena Vista about two blocks east of the park for about 30 years," he says. "We raised our children in that park.")

But he shares another sentiment which has been every bit as much responsible for the tenacity which has held CPOP, with all its divergent characters, together. Mr. Deupree is angry, "greatly angered," he says with emphasis.

"MY WIFE HAS been involved in this fight much longer than I have," he says. (Mrs. Deupree, also a board member, was in the hospital when this story was prepared.) "It was through her that I became convinced of the injustice being done the City of Memphis."

"I used to be a member of the Chamber of Commerce and Future Memphis, but I got out because of this. All my friends think I'm crazy. Most of my friends are members of the Memphis Country Club. At the Cotton Exchange, they call me Mr. Overton Park." He is a retired vice president of Anderson, Clayton & Co.

SOcially, the Deuprees are close to only one of the other CPOP board members, Mrs. Sara N. Hines of 1396 Carr.

It was through Mrs. Deupree that Mrs. Hines, a tall, striking woman whose family has been prominent in Memphis for more than a century, became interested in the Overton Park fight. Her great-great-grandfather, Sylvester Bailey, was mayor of South Memphis in 1846 when the city was split. Her father, Millard Nail was a

Realtor and was credited with doing the work which led to the formation of the city's first planning commission.

And yet, until she became involved with CPOP, Mrs. Hines had never even been to City Hall. "I was never involved in anything except those things women were supposed to be involved in," she says. The energy she brings to her CPOP duties is sometimes startling. Mrs. Lackner says Mrs. Hines is "perhaps the conscience of the group" and countless politicians, journalists and just plain folks have learned that consciences can sometimes be nagging. She is convinced that the press and politicians have been less than candid over the issue of Overton Park.

THE MEMBERS of CPOP, whatever their individual personalities, display a common persistence of purpose which is difficult for the outsider to understand. None of them receives any compensation and a few have reaped much obloquy.

"I'm sure we all must seem obsessive to you about this," says Mrs. Lackner, "but it's taking so much of our lives now. It's a magnificent obsession, I think. All of us are convinced that, in the vernacular of the kids, an expressway through the park would be a bad trip."

Mrs. Lackner, who characterizes some of the others so well, deserves some attention herself.

SHE IS THE cosmopolite come home. Of the CPOP stalwarts, she is the youngest, a girlish 40 and smashing in bell bottoms. She is informed on almost everything; even feels comfortable criticizing Norman Mailer's latest ego trip.

She was born in Memphis and recalls a girlhood in Overton Park which included friendship with an albino raccoon, birdies on the second and third holes of the golf course and concerts at the Shell. She left in 1957.

She and her husband, Michael Lackner, a computer consultant and an attorney, returned in 1969. In the interim, they lived on both coasts of the United States and abroad, traveling extensively in Asia and Europe.

*'It Is Our Priceless
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"I THOUGHT I HAD returned to a 'fait accompli' as far as the park expressway was concerned," she says. She found it wasn't and became involved. She organized a Council for a Greener Memphis, which has been active in raising money for the court battle. She became a member of the CPOP board.

Mrs. Lackner is one of those within the organization who wishes support were broader based. She thinks a greater effort should be made to enlist other support, from the young and from blacks, for instance.

But she also recognizes that a smaller group is more manageable and gives full credit to those who have served longer than she with holding things together.

"I believe we're right," she says. "It was a joy to me to find something in which the opposition was so clearly wrong."

"I feel righteous indignation. I'm a little frightened of an organization that feels they have an absolute truth. But here I am."

(Thomas Bevier is a member of The Commercial Appeal Staff.)