

**THE  
EGYPTIANS**

YEAR 1956-1957



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## HISTORICAL SKETCH

The Egyptians, "a club for the discussion of scientific, religious, economic, and other topics pertaining to the welfare, culture and happiness of the people," was organized at a meeting of fifteen men held in the home of the late A. S. Caldwell on June 21, 1913. These men had been meeting as an unorganized group since 1911. The fifteen founders were: Charles N. Burch, A. S. Caldwell, J. B. Cannon, Elias Gates, Charles J. Haase, E. M. Markham, C. P. J. Mooney, Sanford Morison, J. Craik Morris, A. B. Pittman, J. W. Rowlett, A. Y. Scott, Bolton Smith, B. F. Turner and J. C. Wilson.

Before the organization was completed, fifteen others were enrolled as charter members, namely: Albert W. Biggs, E. C. Ellett, W. H. Fineshriber, J. R. Flippin, Thomas F. Gailor, Marcus Haase, Herman Katz, James P. Kranz, Walter Malone, R. B. Maury, H. Dent Minor, A. E. Morgan, Israel Peres, Alfred H. Stone and Luke E. Wright.

The name chosen for the organization was proposed by W. H. Fineshriber. The fact that ancient Memphis was in Egypt suggested the name. The by-laws stated that the membership should "consist of not more than thirty-three men of recognized standing, ability and influence in Memphis and Shelby County, Tennessee." It was further stated that members were to present their contributions in the form of papers and that all papers were to be issued in printed form. This clause has resulted in the largest and most significant literary production of a general nature ever made by any group of Memphians.

From the beginning, The Egyptians were guarded against internal friction by a constitutional provision that "no resolution shall ever be passed committing the club as a body to any proposition." The club is unique in the unwritten law that its name is not to appear in the press in any connection.

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## MOVING A COLLEGE

By Chas. E. Diehl

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(Read at a Meeting of "THE EGYPTIANS," October 25, 1956)

The subject of this paper prepares the reader and the listeners to expect that a good deal will be said about Southwestern, as well as the president of that college from 1917 to 1949. It is hoped that the writer does not exaggerate his part in connection with this removal.

Southwestern had its beginnings in Clarksville, Tennessee, in the 1830's when the Masonic Order played a large role in establishing Clarksville Academy, a preparatory school, which particularly after 1839 prospered and increased in reputation to the point that its Trustees sought to make it a college. Under the auspices of the Masonic Order the change was effected in 1848, and the institution was called *Montgomery Masonic College*. The college remained in the hands of the Masons until 1855 when it was purchased by the Synod of Nashville of the Presbyterian Church and renamed *Stewart College* in honor of its president, William M. Stewart, who was also professor of Natural Science, and whose untiring labor and generous financial contributions had enabled the college to exist.

During the War Between the States and the Reconstruction Period the college suffered in many ways. In 1875 the name of the college was changed to *Southwestern Presbyterian University*, and in 1884 a School of Theology was inaugurated under the leadership of Dr. Joseph R. Wilson, the father of Woodrow Wilson. The School of Theology was discontinued in June, 1917, shortly before I became president of the college.

Prior to July, 1917, the college, though small and handicapped by a constant lack of financial support, did a thorough job of educating its students, as is evidenced by many of its graduates who achieved distinction in various walks of life.

It may not be amiss or presumptuous to state here some facts about myself. I was an only child, sickly and afflicted with heart trouble, which restricted my boyhood activities, especially in the matter of normal sports. Consequently, I was prepared for college by tutors and have never ceased to be grateful to my parents for sending me to Johns Hopkins University, from which I graduated in 1896. As I pointed out in a paper I read before this group in October, 1949, entitled "Launching a University," Johns Hopkins University was the first real university in this country, measured by standards of the British, French, and especially the German universities. The opening in Baltimore of Johns Hopkins University in 1876 under President Daniel Coit Gilman was a milestone in the development of higher education in this country. The standards were high, and candidates for admission entered by examination, which included in mathematics analytical geometry. They believed at Johns Hopkins University in genuineness and excellence and practiced both.

To continue my autobiography, I graduated in 1900 from Princeton Theological Seminary and also received the master's degree from Princeton University, where one of my graduate professors was Woodrow Wilson. My first pastorate was two mission churches in Kentucky; then followed a pastorate of some three years at the First Presbyterian Church of Greenville, Mississippi, from which place I went to Clarksville, Tennessee, as pastor of the First Presbyterian Church in 1907. The First Church of Clarksville was closely identified with Southwestern. The students and members of the faculty, some of whom were officers in the church and teachers in the Sunday School, regularly attended that church.

I was then in my early thirties, was interested in the welfare of the community, was instrumental in organizing the Boy Scouts, the United Charities, the Rotary Club, and perhaps some other groups. In 1917 when I was asked to become president of Southwestern, there was no objection from the church because Mrs. Diehl and I would continue to be members of the community.

Shortly before I was approached about the presidency of Southwestern, I was visited by a committee from the Hyde Park Presbyterian Church of Chicago with a view to calling me to the pastorate of that church at a very substantial salary. Mrs. Diehl and I were seriously considering this matter when a Committee from the Board of Directors of Southwestern notified me that I had been elected president of the college. We thought very seriously about both of these overtures, and Mrs. Diehl agreed with me that the college position might be a duty, but it seemed to be a precarious undertaking. However, I had said that I would never enter the ministry, and Mrs. Diehl had said that she would never marry a minister, so, after long and careful thought and in line with our former inconsistency, we finally decided to accept the overture from the college out of a sense of duty and as a venture of faith. I, therefore, assumed my official duties on July 15, 1917.

With the entry of the United States into World War I in April, 1917, about half of the 119 students attending Southwestern dropped out of college to enter the military service. As a result, in spite of efforts to attract students and the removal of restrictions covering the admission of women, only 74 students made their appearance in September, 1917—33 former students and 41 new ones. Fortunately, a unit of the Student Army Training Corps was secured for the 1918-19 session, and the enrollment jumped to 181 students. The

end of the War brought with it the demobilization of the S.A.T.C., and in its place was secured an R.O.T.C. unit, which was discontinued after one year because, in the reaction to all things military, the students no longer welcomed compulsory drill.

As early as 1902 there was a movement started in the Synods to move the college to a large city where it might more easily attract the support of the financial leaders of the new South. However, the Board at its March, 1903, meeting opposed the removal. This opposition, though, did not put an end to the movement, and the citizens of Atlanta offered strong inducements to move the college there. The Board at its April, 1904, meeting, hoping to settle the matter, put the question of removal to Atlanta or anywhere else outside Tennessee before the courts. The Supreme Court of Tennessee ruled in December, 1904, that the college could not be moved outside Tennessee and that it must be maintained at Clarksville.

The decision of the Supreme Court seemed to settle the matter of removal, but there were those who, in view of the lack of financial support for the college, continued to believe that the survival of Southwestern depended on its being moved to a point nearer the geographical center of its four cooperating Synods—the Synods of Tennessee, Alabama, Mississippi, and Louisiana. Dr. M. E. Melvin, an alumnus of the college, pointed out to me in 1917, before I became president, the desirability of moving the college. At that time and later, I opposed its removal, for I felt that moving it from Clarksville would be breaking faith with the people of the community, who assumed that I would not want to move it elsewhere.

Undismayed, Dr. Melvin continued to advocate the removal of the college, and on May 23, 1919, sent an urgent appeal to the Board, offering his own services in an attempt to raise one million dollars for the college to be moved to Memphis.

Efforts during the two preceding years to secure financial support and students for Southwestern had made me realize that the college could not long survive, located as it was in a small town that was distant from its cooperating Synods. Consequently, though I knew that the opposition in Clarksville would be bitter, I was forced to agree with Dr. Melvin and to support his appeal to the Board.

On June 2, 1919, the Board heartily concurred in Dr. Melvin's proposition and appointed Dr. James I. Vance, of Nashville, and Dr. William Crowe, of Memphis, a committee of two to look into the legal questions which might be involved in the removal of the college to Memphis.

In the meantime, having secured from the Honorable C. H. Alexander the opinion that in spite of the Supreme Court's ruling on the removal of the college to Atlanta, the institution could be moved to some other place in Tennessee if the matter were approached in the right way, Dr. Melvin, without waiting for the opinion of other counsel, began work in Memphis.

Dr. Melvin and I soon met with Dr. Crowe in Memphis. Dr. Crowe very strongly advised calling into conference one businessman of Memphis, who in his judgment held the confidence of the city, prestige in the Chamber of Commerce, and whose counsel would be invaluable. This man was Mr. E. B. LeMaster, who gave his hearty endorsement to the plan for raising one million dollars in the Synods on condition that Memphis raise \$500,000. Mr. LeMaster aided in securing

the endorsement of the Board of Directors of the Chamber of Commerce to the proposition, and both Dr. Melvin and I felt that a good start had been made in our progress toward Memphis.

The four cooperating Synods met on January 14, 1920, and all heartily approved the plan of the removal of the institution to Memphis and the proposal for a million-dollar campaign to be undertaken within the bounds of the four Synods. At a subsequent meeting in the fall of 1920 plans were adopted for carrying out this campaign.

In the meanwhile, at a meeting of the Board on January 20, 1920, Messrs. John Bell Keeble and Currell Vance, well-known attorneys of Nashville, were authorized to prepare a bill seeking to determine the legal steps necessary to transfer the institution from Clarksville to Memphis to be filed at the February term of the Chancery Court of Montgomery County, in order that the decision of the Supreme Court of Tennessee might be obtained as speedily as possible. At this meeting the Board also took formal action accepting the proposition of Memphis, made through its Chamber of Commerce, to raise \$500,000 on condition that the Board bring to Memphis an additional \$1,000,000 and establish a first-class educational institution there.

These facts were soon known in Clarksville, especially the fact that I had changed my mind about the future of Southwestern in Clarksville, that I had joined with Dr. Melvin and the Board of Directors in believing that the future of the institution depended upon its removal from Clarksville to Memphis. Consequently, the attitude of many of the people in Clarksville changed toward Mrs. Diehl and me. Even in the Rotary Club, of which I was a charter member, there was ill-concealed coldness. The man who served as "best man" in my wedding was quite frank in his attitude. He said,

"Diehl, up to this time we have been warm friends, but from now on I will fight you to the limit." On one occasion, shortly after this attitude became so evident, I made a talk at the Rotary Club, reminding the members that as pastor of the First Presbyterian Church my first obligation was to that church and to Clarksville, but when I became president of Southwestern, which was owned and controlled by four Synods of the Presbyterian Church in the United States, my first obligation was not to Clarksville but to the four Synods whose institution Southwestern is. I also reminded them that there was no change in my relationship to the people of Clarksville, and that I was as devoted to them as I had always been. I offered to resign from the Rotary Club if that were the desire of the Club. My remarks seemed to ease the situation a bit, and I did not resign as a member of the Club. However, Mrs. Diehl and I were made to feel that in many cases the old relationship had been greatly affected. She was not well and was accustomed to sit on the lovely porch of the president's house, which was the best house either of us ever lived in, but her friends did not stop by to visit with her as they had done before my attitude toward the proposed removal became known.

That was the situation as the 1920 commencement plans had to be made. I feared that there would not be a corporal's guard out for the commencement exercises unless I succeeded in getting an outstanding speaker whom the citizens of Clarksville would come out to hear, in spite of their attitude toward us or the college. Governor James M. Cox of Ohio was in the public eye as probably the man who would be chosen on the Democratic ticket for President of the United States, and I determined to try to get him to be Southwestern's commencement speaker. He accepted the invitation.



The commencement exercises were to be held outdoors on the campus, and we planned to set the thing up for a large crowd. I had never taken out rain insurance, but decided on that occasion to get in touch with Lloyd's of London and take out insurance. It was necessary to fix the hours which were to be covered by the insurance, and I did this, giving ourselves some leeway. As I recall, the premium was about \$200.00. We had the commencement exercises, and the people of the city and the nearby country came out in force despite what they thought of me. There was no rain during the time of the exercises. There was, however, rain within the period which had been designated when the insurance was purchased. The result was that we collected, as I recall, about \$420.00 from Lloyd's. This enabled us to pay the insurance premium and to take care of Governor Cox's expenses and honorarium.

Though it had been the hope of the Board to receive from the Supreme Court of Tennessee an early and favorable ruling concerning the removal of the college, the decision was delayed and was not handed down until March 8, 1924. But the decision, when it did come, was a clear-cut one in favor of the college, permitting it to remove to Memphis with all of its assets except one gift of approximately \$50,000, which was originally made by the City of Clarksville on condition that the college should be located at Clarksville and that at all times there should be ten city scholarships.

After we had received the decision of the Supreme Court, efforts were begun to sell the Clarksville property, which consisted of a campus containing about thirty-two acres and seven buildings—the Castle Building, the oldest; Stewart Hall; Waddel Hall; Robb and Calvin Halls (dormitories); the Commons (dining hall); and the president's house. However, we did not succeed in selling the property until 1927, when the City of Clarksville purchased it for \$75,000, \$50,000

of which was returned to the City in accordance with the ruling of the Supreme Court. This meant that Southwestern at Memphis realized only \$25,000 on the sale.

There was much to be done before a college could be established in Memphis, and when it became apparent that the ruling of the Court would be delayed, arrangements had to be made that would permit the establishment of a college at Memphis, even though the Court's decision were unfavorable. These arrangements having been made, the Board turned its attention to the problems attendant on establishing a college in Memphis. There followed many busy days. The architect had to be chosen; the campus site had to be selected and purchased; and many other things too numerous to mention had to be done.

The Board appointed, to procure a suitable site for the college, a committee, consisting of Dr. James I. Vance, Mr. B. A. Patch, of Clarksville, an alumnus, whose friendly attitude toward me was never changed as the result of my connection with the removal, and me. Mr. Patch's daughter-in-law was the first woman to graduate from Southwestern, and his granddaughter is currently a student at Southwestern. A letter was received from Drs. Melvin and Crowe, suggesting that I come down to Memphis and determine upon the site. I realized that the location of the campus was of the utmost importance, that a poor building on the campus could be torn down and another one erected, but that the campus could not be moved. I insisted that there should be a minimum of one hundred acres. We could have secured one hundred acres in North Memphis or in South Memphis for nothing.

I came to Memphis and Drs. Melvin and Crowe took me out to East Memphis near what was then known as West Tennessee State Normal School, but which is now known

as Memphis State College. They probably had in mind some idea of having the institutions near each other as is the case in Nashville with Vanderbilt University and George Peabody College for Teachers. We could have gotten one hundred acres out there for about \$50,000. Drs. Melvin and Crowe were disappointed that I was not enthusiastic about their suggestion. I said to them that there must be some other site in Memphis, and they replied that that was the only place available. On the way back we drove down Jackson Avenue to Trezevant, turned down Trezevant to North Parkway. As we drove along Trezevant Avenue, I saw vast spaces, the only buildings then existing in the vicinity being the big Gage home on Trezevant and Snowden School at the corner of North Parkway and McLean Boulevard, only part of which had been built at that time. There was plenty of ground between Trezevant and McLean. There were dairy farms in that whole section. I said, "You say there is no other ground except that way out east; what is the matter with this ground? who owns it?" Dr. Crowe said, "I do not know who owns it, but I can take you to a man who will tell you." I said, "All right, let's go." He took me to the office of Mr. E. B. LeMaster. I asked him if he knew the property opposite Overton Park, between Trezevant and McLean. "Know it," he replied, "I certainly do. That is the most valuable property in Memphis." I asked him how much one hundred acres of that ground would cost. Without a moment's hesitation, Mr. LeMaster replied "\$250,000."

Later, when we got a paid, official evaluation of that property from the Memphis Real Estate Board, there was scarcely any difference at all from the figure which Mr. LeMaster had given us. I asked Mr. LeMaster whether or not he knew who owned the property and whether it could be purchased. He said, "I know who owns it, but I do not know whether or not it can be bought." One evening Mr. LeMaster arranged to

take me out to the home of Mr. R. Brinkley Snowden to discuss that property. Mr. Snowden agreed with Mr. LeMaster's evaluation of the property. He said that part of it belonged to Mr. John T. Fargason, and he knew about others who owned some of it.

The committee—Dr. Vance, Mr. Patch and I—met in Memphis to decide on the site. I had gotten them to agree to pay \$1,000 an acre for a site, \$100,000, but they would not go any further. Later, I met with Dr. Vance and Mr. Patch one evening at the home of Mr. LeMaster, which was then located across the street from Idlewild Presbyterian Church. The three of us were in the LeMaster living room. I tried to get Dr. Vance to agree to go to \$150,000. He said, "Diehl, I will not do it. You are so bent on getting that property that if you cannot get it for \$150,000 you will come back and ask for \$200,000." I said, "I will make you a sporting proposition. If you and Mr. Patch will go along with me for \$150,000, we will either get the ground for that figure or I will not bother you any more." Dr. Vance and Mr. Patch agreed to that. We were able to secure the site for \$150,000, and we now have 104 acres in the campus. Aiding in the acquisition of the site were several gifts of land: 15 acres from the son and daughter of Mr. John T. Fargason as a memorial to their father to be known as the *Fargason Athletic Fields*; 10 acres from Mr. Hein; and some ground from Mr. R. Brinkley Snowden, who was interested in the transaction and helpful throughout. Mr. Rowlett Paine, who was Mayor of Memphis at that time, was deeply interested in bringing Southwestern to Memphis. He helped tremendously not only in enabling us to secure the property by having the City of Memphis put through University Avenue from North Parkway to Jackson Avenue, but also in every way possible, including heading one of the financial campaigns.

Since it was decided to have the buildings of Collegiate Gothic, it was necessary to secure the best architect available and also to acquire stone for the buildings. After inspecting the work of several architects at a number of institutions, among them Wellesley, Rice Institute, and Princeton, we engaged as consulting architect Mr. Charles Z. Klauder, of Philadelphia, and as architect Mr. Henry C. Hibbs, of Nashville, a graduate of the University of Pennsylvania School of Architecture, who had received his practical training in Mr. Klauder's office.

To provide stone for the construction of the buildings, the college purchased a quarry at Bald Knob, Arkansas.

The first building completed on the new campus was the administration building, named *Palmer Hall* in honor of Dr. Benjamin Palmer, and provided for by the people of New Orleans. Dr. Palmer was pastor of the First Presbyterian Church of New Orleans, was a great preacher, and was well-known and loved by people of all creeds and races. He is the man who put the Louisiana lottery out of business. Other buildings included in the original plant were the science building, the dining hall, two dormitories, the residence of the College Engineer, and a temporary gymnasium, which remained temporary for more than twenty-five years.

Since the college continued to operate in Clarksville through the commencement of 1925 and since it was scheduled to open in Memphis in September of that year, the prodigious task of moving had to be accomplished in less than three months. This task was undertaken by two professors, plus a corps of student helpers. By strenuous and uninterrupted efforts they succeeded in making the transfer to Memphis, and the college opened on schedule in a not quite completed plant in Memphis on September 24, 1925, with an enrollment of 406 students, of whom 296 were men and 110 women.

Perhaps the most memorable, certainly the most colorful, event connected with the first year of Southwestern at Memphis was the Jubilee and Inaugural Celebration which took place November 26-28, 1925. The Board of Directors felt that it was highly desirable to introduce the college to Memphis in those early days. It had been just fifty years since the name of the college had been changed from Stewart College to Southwestern Presbyterian University, and it was the first year of Southwestern in its new home at Memphis; consequently, it was decided to celebrate both events in fitting ceremonies at this time. These ceremonies, dignified and colorful, impressed those who witnessed them and resulted in much favorable newspaper publicity.

It was evident from the first that we would have to borrow a large sum of money if we expected to complete the buildings necessary for the opening of the college in Memphis in 1925. Arrangements were made with the Mississippi Valley Trust Company of St. Louis for a loan of \$700,000 at six percent interest, which meant, after the buildings were erected and the college opened in 1925, that the annual interest which must be paid was \$42,000. That had to be done before a bottle of ink could be purchased. The total assets brought down from Clarksville amounted to \$341,166, which included an endowment of \$119,727, and other assets of \$221,439. Those were precarious days. The people of Memphis rallied around the college. Soon after the opening of the college in Memphis, Mayor Rowlett Paine met with the Board of Directors and pledged the support of himself and his committee, who had been in charge of the Memphis campaign, stating that they were willing to do everything in their power to provide such funds as might be necessary to keep the college going. He stated, however, that while Southwestern was an asset to Memphis, it was also a Presbyterian institution, owned and controlled by the Presbyterians in the four cooperating

Synods. He insisted that there should be raised an endowment fund approximating one and a half million dollars, and said that the four Synods should be expected to provide the endowment needs. He then requested the Board to pledge itself to see that this was done, stating that if this were done he and his committee would raise in Memphis funds necessary to cover the deficit in operating expenses for the next three years.

The six percent interest on the \$700,000 mortgage indebtedness, together with the expense of carrying on the college made it imperative for us to retire this loan as soon as possible. The Board of Directors was reluctant to approve the effort to retire the indebtedness, but finally agreed because of the pressure which was brought to bear by the president. The fact that Mr. Wm. R. Craig, of New York, an alumnus, offered to be one of four to give \$100,000; that his brother, Mr. Robert E. Craig, of New Orleans, also an alumnus, agreed to match his gift of \$100,000, and that Mr. J. T. Lupton, of Chattanooga, had agreed to give \$50,000 over a period of five years caused the members of the Executive Committee, whose Treasurer at that time was Mr. T. H. Tutwiler, to agree to put forth every effort to try to pay off the mortgage indebtedness by the commencement of 1930. Through the cooperation of Mr. T. K. Riddick, Mrs. Hugh M. Neely gave \$100,000 as a memorial to her husband, for which the Board of Directors then named the dining hall *Hugh M. Neely Hall*. These gifts were a great stimulus, and through constant and untiring efforts the remaining money necessary to retire the debt was secured, and a symbolic bond-burning ceremony was held on July 1, 1930. After the bond-burning ceremony Mr. T. H. Tutwiler, who had worked so hard, came up to me, took my hand, and said, "Now I know that the Lord's hand is in our work for this college." The retirement of this debt stabilized the college, and it has gone

forward steadily since that time. The total assets of the college in 1930 were \$2,012,250.96, of which \$438,960.25 was in endowment, and other assets amounted to \$1,573,290.71.

To revert again to my Johns Hopkins' days, where my ideals of genuineness and excellence were fully realized and confirmed, I want to state the following facts. Johns Hopkins left \$3,500,000 for the University but stipulated that none of this money was to be used for buildings. The University, therefore, was opened in temporary buildings in the City of Baltimore, and it was many years before the present buildings were erected at Homewood. During my college days there were adequate provisions for laboratories, classrooms, library, and gymnasium, but it was evident that these were not permanent facilities. In those early days there was little distinction between the undergraduate and the graduate students. Often they boarded in the same homes, met together in Levering Hall for Y.M.C.A. activities, and Clyde Furst, a graduate student, served as Secretary of the Y.M.C.A. Later he became Secretary of the Carnegie Corporation. He remembered our Hopkins' days and was a great help to me in connection with Southwestern. Despite the fact that the buildings were temporary, the ideals of genuineness and excellence were unconsciously impressed upon every student. Everyone knows that a college may be better than its buildings, but it is never better than its faculty, and it was certainly the faculty of Johns Hopkins University which gave it its standing in the educational world.

It is always interesting to know the genesis of great gifts. Johns Hopkins, who had never married, was in doubt when he grew old respecting the bestowal of his material possessions. The story is told that a sagacious friend said to him, "There are two things which are sure to live—a uni-

versity, for there will always be youth to train; and a hospital, for there will always be suffering to relieve." This germ, implanted in a large brain, seems soon to have become active.

Johns Hopkins had been very successful in business. After giving more than \$1,000,000 to his relatives, he had \$7,000,000, one-half of which he left for Johns Hopkins University, and the remaining for the founding of a hospital. This was before the days of Andrew Carnegie and John D. Rockefeller. The idea of \$3,500,000 for a university was electrifying.

Harvard University had been functioning for nearly two and one-half centuries and had an endowment in 1876 of between two and three million dollars. Yale University had been functioning for one hundred and seventy-five years, and had succeeded by 1876 in amassing a total endowment of a little less than \$1,500,000 for all of its schools and departments.

Because of the excellence of the Southwestern faculty, it would have been possible for the college to erect shabby and inadequate buildings here, but that would not have appealed to the citizens of Memphis, and it would have been difficult for them to realize the kind of institution Southwestern was intended to be and actually is.

We realized that the first importance was to get a faculty which would command the respect not only of the citizens of Memphis but of the educational world. Cecil Rhodes did a great thing when he established Rhodes Scholarships in this country, Canada, and Germany. We felt that the men who were appointed to select the Rhodes Scholars from the various states were well qualified to make these selections, and we also felt that the colleges of Oxford and Cambridge offered superior advantages. We, therefore, were interested in getting Oxford men as members of our faculty. Professor W. R.

Cooper, who had graduated from Washington and Lee University, was the first of the Oxford men on Southwestern's faculty. The second one was Dr. Robert P. Strickler. Among others were Robert W. Hartley, Gordon Siefkin, Robert Penn Warren, W. C. Watkins, C. P. Lee, W. T. Jones, J. H. Wilson, A. P. Kelso, John H. Davis, David M. Amacker, and James E. Roper, the last four of whom are still members of Southwestern's faculty. At one time Southwestern had more former Rhodes Scholars on its faculty than any other institution, except Harvard University. These men were familiar with the tutorial system of individual instruction, which system was introduced at Southwestern in 1931 and has been of great value to our students.

We have ten alumni on our faculty at this time, all of whom are good men. However, the oldest of these, Dr. M. L. MacQueen, graduated in 1919, is probably the most versatile, the most capable and dependable of any one on the faculty. He helped, together with some students, in moving the college here from Clarksville. He edited the Alumni Magazine; helps with all the college publications, has served as Secretary of the Faculty since 1945, and continues to have scholarly articles published in the two foremost mathematical journals in this country, which are published at Johns Hopkins University and at Duke University. He is Chairman of Southwestern's Department of Mathematics. We thank God for him, for his character, and for his devotion to the highest ideals. May his spirit and example be followed by all the younger members of our faculty. He was my righthand helper, and he is now serving with President Rhodes with continued efficiency and satisfaction.

It is, of course, not possible in this paper to mention and express gratitude to every individual in Memphis who was helpful in making it possible for Southwestern to move to Memphis. A few of those persons have been mentioned in this

paper, but it would require at least another half hour to express the appreciation we have for hundreds and thousands who could be named, all of whom rendered yeoman service. However, I would like to say that both newspapers in this city from the very first have been sympathetic and helpful, and have backed the college with sincerity and intelligence.

When I agreed to write this paper on "Moving A College" I expected to consider the period from 1920 to 1949 when Dr. Peyton N. Rhodes succeeded me. The period which I particularly wanted to narrate with some fervor was that which followed July 1, 1930, when the \$700,000 debt was paid off, and when some of the local ministers of the Presbyterian Church, who did not approve of me, tried to get the Board of Directors to request my resignation. However, time does not permit this. It may be of interest to note here that the total assets of Southwestern on June 30, 1949, when I retired, were \$5,193,308.59, which included an endowment fund of \$2,489,660.96 and other assets of \$2,703,647.63. This latter fund included \$377,000 which had been secured toward the erection of the Neely Mallory Memorial Gymnasium.

My successor, Dr. Rhodes, has done and is doing a fine job, is getting a lot more money out of the churches than I was ever able to get, is working harder than he ever did in his life, and the college is going forward.

Chas. E. Diehl

**THE ERSKINE TRADITION AND  
THE FREE SOCIETY**

BY LUCIUS E. BURCH, JR.

*Read at a Meeting of "THE EGYPTIANS, November 15, 1956*

Last February, I stupidly attempted to get a heavily loaded amphibian out of a small pasture field in Central Cuba. I almost made it, but not quite. My left arm was badly shattered and I was flown home in plaster for the series of operations, the pinning and the wiring which the Cuban doctors said would be required. The orthopedic surgeon in Memphis was a man of skill and patience and decided to attempt, first, a more conservative course. This involved a series of settings and constant attention over a period of several months. It would have been easier for him, and more dramatic and probably more impressive to me as the patient, to have done what other consultants said should be done and to have fixed it up with an operation. The course of recovery was slow and painful to physician and patient alike but I was conscious throughout the procedures that the physician was resolving every doubt in my favor and, in addition to being competent, he was a man of great professional integrity. When all was done and I was discharged with a serviceable arm after six months, I thought of the time that had been required in the hospital, in his office, and the almost numberless x-rays over a period of months, and began to prepare myself against the bill. When it came, I felt as if I had received a substantial legacy from some unknown relative, it was so modest.

Mentally, I reversed our positions and calculated what sort of a bill the doctor could have expected to have received from a lawyer for a matter of equal magnitude and consequence, involving similar responsibility and expenditure of time. By every measurement that I could apply, the physician could have expected to have received from his opposite number in the legal profession, a bill of not less than ten times what he had submitted to me.

We lawyers are remarkably favored as a profession. I know of no class of professionals who receive a greater financial return for an hour's work than we do. We have no capital at risk. The educational requirements to equip us for practice do not exceed those of physicians, teachers, or ministers. Best of all, we enjoy a monopoly. We have the exclusive right of audience of the courts. We, alone, can charge for legal advice. The question arises as to how we came to enjoy these unusual privileges and what we are doing to justify their continuance.

The practice of law was not always an esteemed profession. The right to charge for representation before the courts is fairly recent. The traditional red robe of the French advocate is equipped with a square pocket in the back. This is a vestigial remnant of an era in which it was thought that justice was above price and the profession of advocacy a privilege. It was, therefore, improper to charge a fee but an honorarium was permissible, so the pocket was provided to facilitate matters without affronting the advocate's sensibilities. Needless to say, in a nation as practical as the French, a custom so rich in financial naiveté could not endure forever and the arrangements are now made in advance and in front. But, I am digressing.

The esteem and prerogatives which the profession yet enjoys stems from the intuitive realization by the people of the value to them of bold and vigorous advocacy in the long evolutionary struggle of the individual versus the authority of the state. Traditionally, it has been the lawyer who took the place of the accused and required authority to justify itself and who, by advocacy and leadership, subdued excessive power where it too greatly transgressed upon the freedom of the individual. It is not to the great monuments of our liberties to which I refer. Magna Carta, the Petition of Right, the Declaration of Independence, and the Constitution, are not especially the work of lawyers. Instead, I refer to the liberty that

slowly broadens down from precedent to precedent, created by the numberless lawsuits tried by the working members of the profession.

Merely because he was an outstanding example of the type of lawyer that raised the Bar to the position of eminence and respect which it presently enjoys, I refer to Thomas Erskine. He was born in 1750 and died in 1823. It was a useful time in which to live. As now, it was a time when mighty forces were loose in the world. It was the age of Samuel Johnson and Sir Joshua Reynolds, of Edmund Burke and Sheridan, of Pitt and Fox. It was the time of American Revolution and, most important of all, of the French Revolution.

It is difficult to imagine the effect that the emergence of Bonaparte had upon the politics and thinking of England. Never, not even excepting the months following Dunkirk, has England lived in such fear. The then radical ideas that emerged were a direct threat to the British ruling classes. Moreover, Napoleon had overrun all of Europe and the specter of invasion was ever present. It is natural for any government that deems itself threatened to shape weapons for its defense. Such was the case in England, and the criminal prosecutions, indictments for sedition, for criminal libel and high treason fell on many heads whose only offense was the utterance of ideas that were contrary to those held by the majority of the citizens. The ancient liberties of the people were severely threatened and it was in these times and under these conditions that Erskine, by his defense and espousal of unpopular causes substantially strengthened the bulwark of individual liberty. It would be beyond the permissible limits of this paper to enumerate the many important cases in which Erskine was attorney for the defendant. One, which is typical, is his defense of a criminal libel which was brought against the publisher of Thomas Paine's "The Rights of Man." Indeed, it is not of Erskine that I wish to speak but rather concerning the tradition of which he was an exemplar. It em-



bodied the concept that the advocate enjoys special privileges which entail special responsibilities. Among these is the unequivocal obligation to accept any case which is within the technical competence of the attorney and for which a fee will be paid that is commensurate with the usual charges of the attorney for services requiring substantially the same time and skill. Such a man would consider it stultifying and impertinent to be accused of considering the popularity or unpopularity of the case. Likewise, whether or not the client is guilty or innocent, or whether the attorney personally approves of the position of the client were not to be taken into the slightest account. Such considerations are not related to advocacy but rather to the separate functions of judgment and legislation. It was in observance of this tradition that the Bar reached its zenith of public confidence and approbation, from which I fear it has, in this country and of late, somewhat declined.

Lest we be inclined to praise the practitioners of the Erskine tradition too highly and disparage ourselves too much, it should be noted that the conditions which surround the practice of advocacy in the English Courts are very different from those prevailing here. There, the barrister, who, alone has the right of audience of the courts, is completely insulated from his client by the solicitor. The solicitor handles the general run of business and advisory matters and it is the solicitor who is retained by the client. Then, if there is a criminal indictment against the client or a civil case which must be prosecuted or defended in court, it is the solicitor who must retain the barrister, for the solicitor has no standing before the court. Thus it is that the living of the barrister depends only upon the judgment of a relatively small cadre of men who are themselves lawyers and capable judges of the ability and professional quality of the barristers. So, to a large degree is removed one of the greatest dangers to independence in advocacy under our system which is the substantial economic connection between one's popularity in the community and the amount of business that will come into his office. As long as this is so and as long as human nature re-

mains as it is, there will be an understandable reluctance on the part of lawyers to be associated with cases that are regarded by the public as particularly heinous or which necessitate the taking of a position that is contrary to the viewpoint of a majority of the citizens. Unfortunately, this is just the sort of case that requires the best representation for almost every advancement of human liberty had its beginning in something that was extraordinarily unpopular when first conceived.

I do not mean by any of this to imply that the present day American Bar, in its work-a-day life, is not making substantial contributions to the continuing growth of individual liberty. I cite a local example to disabuse your mind, if I have thus far convinced you that we lawyers are contributing nothing to the social good.

About 3 o'clock on the morning of Thursday, June 5, 1941, Mrs. Zelma Ida Ashcraft got into her automobile at her home here in Memphis and set out on a trip to visit her mother's home in Kentucky. In the afternoon of same day, her car was observed a few miles out of Memphis, parked on the wrong side of the road which she would have likely taken on her journey. Just off the road, in a borrow pit, her dead body was discovered. She had been murdered by repeated blows on the head made by a heavy instrument. Investigation resulted in the arrest of her husband, who, after being interrogated, implicated a Negro, Tom Ware. The suspects were questioned for nearly 36 hours and both gave full confessions before some of our leading citizens, admitting that Ashcraft had hired Ware to kill his wife. In due course, they were tried, convicted, and sentenced, and judgment was affirmed by the Supreme Court of Tennessee. The case was appealed to the Supreme Court of the United States. In an opinion delivered three years later (322 U. S. 142), the Court made the important declaration that the mere fact that a suspect is held in custody without the advice of counsel and subjected to questioning to such an extent and duration is, as the Court

termed it, "inherently coercive," and that a confession so obtained is not receivable in evidence against the accused. This case was handled by a working lawyer in the usual course of his profession and whose name I would guess that very few of you have ever heard. This is a substantial advance in the liberties of the people, as it guarantees an accused immediate access to counsel and protection against being held incommunicado while an inquisition is conducted in secrecy. It protects all of us against "brain washing" techniques and provides an effective guarantee that confessions must be freely and voluntarily made.

But, on the whole, our abler and more successful attorneys are not as quick as formerly to take the risk of representation of unpopular causes. This is because of the deleterious financial consequences that flow from the association in the public mind between the lawyer as a man with the cases which he takes. This has progressed to a point where it is assuming such serious proportions as to constitute a real threat to the liberties of the people because whatever rights the people have, since lawyers have a monopoly in the courts, it requires lawyers to espouse those rights. It is perhaps more alarming that the situation has received more attention from the laity than from the lawyers themselves. In point, I quote from a writer known more for her light and perky style than for the depth of her philosophy—a lady, Inez Robb, by name:

"Are the civil liberties handed us on a silver platter by our embattled ancestors to be lost by default in this generation to creeping facism?"

"Are we, the inheritors of the proud tradition of individual liberty and freedom of conscience, so lost to reason and honor that we will stand idly by while the Bill of Rights is gutted?"

"Since World War II and the advent of McCarthyism, the very phrase 'civil liberties' has become in many quarters two of the dirtiest words in our language. The crackpots and lunatic fringe of the extreme right have transmuted that golden phrase into the base metal of subversion and equated it, in their addled heads, with communism.

"But no blow struck at civil liberties is as sinister or as asinine as that dealt by the state senate of New Jersey.

"The state Senate's Republican majority has refused to confirm the appointment of Judge John Ogden Bigelow, a distinguished jurist, lawyer and citizen of the state, to the Board of Governors of Rutgers University solely because he represented a client who took recourse in the Fifth Amendment.

"(It is completely beside the point that the 70-year old jurist assumed the defense of this controversial client at the request of the Essex County Bar Association).

"Does this incredible action on the part of the Republican majority foreshadow the time:

1. When a lawyer is to be assumed guilty of the crimes with which his client is charged?
2. When that great bulwark of Anglo-Saxon justice, the assumption of innocence until proved guilty, is denied the accused and both he and his attorney are held guilty until proved innocent?
3. When a man and his attorney in an unpopular case can be hounded from society, even before a case is settled?

"Does this predict a time in the near future when a man accused in a cause repugnant to popular opinion be unable to obtain counsel, and thus be denied justice, because the legal profession will shy from the presumption of guilt by association?"

"You say this is nonsense? Yet these are the implications plainly and boldly written in the action of the New Jersey Senate majority.

"How else can you interpret the idiotic, soap-opera statement of Wayne Dumont, Jr., president of the Senate, in these self-serving words: 'I would never have represented the type of client Judge Bigelow chose to represent. This is an issue bigger than either the Senate or Judge Bigelow.'

"This from the man who presides over the Senate on the first state in the nation to ratify the Bill of Rights!

"Communism is an ever-present danger. But so is creeping facism. They are merely the opposite faces of the same counterfeit coin."

If anyone thinks that all of this is just something to sound grim about, let us apply it to the crystallized prejudices of the community in which we live.

How many of the more capable members of the local Bar would represent a Negro attempting to gain admission to a public school? How many would represent a person bringing a suit against the Park Commission to obtain the right to make a speech in Court Square explaining and advocating communism? How many would defend the National Association for Advancement of Colored People in a suit brought by the Attorney General to oust the organization from the State? The honest answer would be, "Precious few." Yet, these are the questions which contain the very heart's blood of liberty. There is no idea so radical that it does not have the right of utterance. The progressive and even the conservative ideas of today were the radical ideas of yesterday. There is no cause the advocacy of which does not ultimately contribute to the public good. Those that have merit are ultimately accepted by the public mind and become a part of the fabric of society. Those that are erroneous are the reagents by which the wholesome ideas are tested. The right is ever revealed and strengthened by the assault of error.

I have no cure or panacea to suggest, but I do believe that if we lawyers are going to advance the profession as an instrument for the enlargement of liberty, we are going to have to make some changes. Failing, it is just possible that we may hear a cry that went up at an earlier time, "Woe unto ye lawyers." If a profession as loved and respected as medicine can be socialized over a large part of the world, I am not so sure that we have a perpetual charter to the prerogatives that we now enjoy. If we suffer, I fear that the inquest of public opinion will establish that the wound was self-inflicted.

## THE BOOKER T. WASHINGTON OF MISSISSIPPI

BY W. C. LASSETTER

*Read at a Meeting of "THE EGYPTIANS," December 13, 1956*

His inspiration came from a study of the life of Booker T. Washington. His accomplishments grew out of his dogged determination to do something for the people of his own race—to lead them out of the abyss of ignorance and poverty.

"My job in life has been to try to save human beings from the wilful waste of ignorance and despair, and to help them take their places as competent citizens in tomorrow's world."

These are the words of Laurence Jones, "the little professor of Piney Woods," in the current issue of the Readers Digest. How ardently he worked at "his job," the despair that was his in the course of it, the spirit of determination that spurred him on in the face of "insurmountable" obstacles, the heartfelt devotion to the cause on the part of his gifted wife, his wisdom in his everyday contacts with the ignorance of people whom he sought to help, and his adroitness in sparring with the prejudices of those of the other race—these are entwined in the dramatic birth and development of Piney Woods School, and speak for the sincerity of that statement.

Starting at Jackson, Mississippi, drive Southeast on U. S. Highway No. 49. On the left about 22 miles out, you'll notice a herd of beautiful cattle of a breed strange to this part of the country. They're Ayrshires, a very fine breed of dairy cattle. Looking more closely you'll see they are grazing on good pasture, rich in grass, free of weeds and brush, and adequately fenced. Then, "whose place could that be," will pop into your mind. As you drive past this pleasing pastoral scene you come immediately upon a grove of pines through which a little gravel roadway takes off up the slope. At the intersection with the highway a modest little sign, "Piney

Woods School," tells you what lies up the hill. But what is Piney Woods School? Just a little two or three room country school you muse as you drive on, even as I have done many a time.

Into our office in 1954 came a most compelling story submitted for publication. The locale was in our back yard. It was time to explore the little gravel road leading into the pines.

Could the story be true? The State Department of Education assured us it was. An appointment was made to visit the school in company with the state supervisor of negro schools. We drove down from Jackson and turned on the little gravel road through the pines. And there our education began.

As the road found its way up the hill, pines to the right of us, pines to the left of us, it began to veer to the right. Through the pines and down the slope to the right we soon got glimpses of a beautiful clear lake. Rounding the upper end of the lake we came upon a semi-circle of buildings, probably 20 in number, some small, some large, some old, some new. This was Piney Woods School.

We had happened in on commencement day. The auditorium was packed full. We were ushered to seats on the platform where we listened to valedictorians from surrounding schools and a rousing and most appropriate speech by one of the superintendents from a nearby village school.

For lunch Dr. Jones escorted us to the community house. After introductions to two or three white teachers who ate with us, Dr. Jones excused himself. After lunch he rejoined us in the visitors room where our down-to-earth questioning began. Much that follows came from Jones himself, while some was gleaned from books and numerous magazine articles that have appeared in recent years.

His great grandfather was a slave in North Carolina who "bought" his freedom and found his way into Pennsylvania.

There he married a white woman. The grandfather turned west and taught in a school in Minnesota. Laurence was born and reared in St. Joseph, Missouri, where his father was head porter in the Pacific Hotel, and owner of a barber shop. His mother was Wisconsin born. His childhood held both security and popularity. In his boyhood dreams he planned to own a chicken farm, live in a big house, and have money for parties, amusement, travel and adventure.

In 1907 he graduated at the University of Iowa. He had helped pay his way through by waiting on table, firing furnaces, and doing odd jobs. For the seminar course in Industrial Arts he chose the life of Booker T. Washington, a man of his own race. Naturally he was inspired. The climax came when the president of the University in a routine address stressed the fact that as college men they owed a debt to society. Remembering the ignorance and poverty of so many of the people of his race with whom he had come in contact in St. Joseph, he then and there made up his mind that it was his solemn duty to use his talents for the benefit of his race. As a result he refused several flattering offers of positions of trust that would have afforded the fulfillment of his dreams and set out on a path of almost unbelievable hardships.

Laurence pawned his watch and struck out for the South where he decided his people were most in need of help. He soon found that Hot Springs, Arkansas, was not the most suitable spot but it was there he received the most sage bit of advice ever to come to him. It was from an old negro woman who offered the following: "You is from up Norf. You is now in de land of de sesesses. You got yo' paw in de lion's mouf. Now don't you go rarin' and pitchin' to git it out. You jes' ease it out de bes' way you kin."

The next report comes from Mississippi where Jones was stepping off the train at Braxton. Soon he was ensconsed in the home of a negro farmer, a landowner, where he picked cotton, picked peas, and did chores, apparently for room and

board. This was hill country. Farming was on a subsistence basis—a bare subsistence at that. Even the whites had only a few inadequate schools, the negroes almost none. Ignorance and poverty reigned supreme.

Laurence found a spring of good, cool water on the place. Nearby was a cedar tree. At such times as he could he would sit in the shade of this tree and read. One morning he noticed a 16-year-old boy peeking through the brush. He invited the boy to come on over and handed him something to read. "I can't read," said the boy handing it back. "Would you like to learn to read?" asked Jones. "Oh, yes," was the reply. "Come back tomorrow about this time," said Jones, "and I'll teach you to read." Next morning the boy was back and with him two others. The doors of Piney Woods School were open.

The news spread. Almost daily new students joined "Fessor's" class on the log, in the shade of the cedar tree. Soon there were about thirty of them. The class hadn't progressed far until there was frost in the air. The pupils gathered brush and wood and built fires with which to keep warm. Knowing that colder weather was on the way Jones set out to find better accommodations. Appealing to the negro owner he asked for the use of an old log cabin nearby. The abandoned cabin had been appropriated by a flock of sheep. Permission was given, the sheep were run out, and the boys set to work cleaning it up, scouring, and whitewashing it. With mud and sticks a chimney and fire place were built. Piney Woods School had its first building.

Knowing the suspicions of the colored people and the prejudices of the white Jones had taken every precaution to set himself right with both groups. One by one he explained his purpose and intentions to as many negroes as he could reach. But he had to see that the white folks understood, too. The negroes were cautious. They had listened to promises before only to have nothing come of them. "It ain't no use,"

one told him. "We've been tryin' to get a school here for 25 years."

Special effort was made to acquaint the white people with his purpose. He had to have their approval or all was lost. The first he decided to approach was John T. Webster, a saw-mill operator. Says Mr. Webster, "This young negro walked into my office and introduced himself as Laurence C. Jones. Myself and the other office force were surprised that a colored man would introduce himself at all. He spoke fast. He outlined his plan for starting a school for colored people and said he wanted the consent of the white people and wanted my view of the matter." Webster told him the white people were not able to educate themselves and that the negroes didn't own enough property to provide the necessary tax money. And as for a tuition supported school that was out of the question. The people were too poor. Jones bowed politely and excused himself. "Did you ever see or hear such impudence?" said Miss Nanny, the office girl.

In a few days Jones was back with his best bows and most polite manner wanting to know if Webster thought the white people round about would be favorable to the school in their midst. Again Webster tried to discourage him but promised not to throw anything in his way. Jones asked for a list of the white people he should see and made note of them as Webster called their names. As he was ready to leave he expressed his thanks and asked, "Now Mr. Webster, may I have your permission to call on you again?"

Soon the proposed school was the chief topic of conversation among the whites. "Well what do you think of that nigger school?" "I don't know. Did that nigger come to see you, too?" "Yes. I think it's a good thing. He says he ain't gwine teach 'em so much book larnin'. He wants to larn 'em to do more and better work, so when we wants good work done we can git it." To get a chance to talk to the banker, Jones had opened a checking account with the deposit of

one dollar. That left him 65 cents for spending. John Webster's comment was, "Jones may be crazy, but he ain't no fool."

Piney Woods School "inched along." The largest negro landowner in the country, and thought by all to be the stingiest, was soon convinced that here was a plan that would work and a man who would make it work. He donated the 40 acres of land on which the sheep barn was located. Piney Woods School had a home.

Now business picked up in earnest. Funds had to be raised. Negroes contributed their nickels and dimes. But that wasn't enough. Jones had to go to the white folks. He started writing letters to friends of his college days in Iowa. Returns were pitifully slow. With increased numbers of students he had to have another building in addition to the sheep shed. He appealed to John Webster and no doubt was surprised to have him donate 10,000 feet of lumber and an adequate supply of nails and necessary hardware. And John Webster shuddered when he saw the crudity of the building the pupils had built. But in the eyes of negroes who came on dedication day it was pure gold. The "Fessor" has kept his word.

Now that he had something to show, something to talk about, Jones started making regular summer pilgrimages up North to solicit funds in person. Again returns were slow but one by one needed buildings were added. Students did the work. The cash went for necessary supplies. Wasn't learning how to work one of the principal objects of the school? They made the brick on the grounds, did the masonry work. They learned to be roof layers and carpenters under the guidance of an experienced carpenter. (One who had become a skilled plasterer had just left for Jackson, the morning we were there, to take a job at \$14 a day.)

Gradually the summer trips began to pay off. Two Iowa friends, finding that they owned land adjoining Piney Woods, donated 800 acres to the school. Well-to-do business men

became increasingly heavy supporters. One donor gave a small printing press. Another gave a breeding herd of Ayrshire cattle. A local negro farmer became so interested that he gave a piano from his meager funds. But the luckiest trip for Jones and probably for Piney Woods School, was that on which he met Grace Allen, a most competent woman equally endowed with the ardor of helping those less fortunate. The consecration of this husband and wife team to the cause of education among a helpless people soon began to bring benefits in increasing measure.

Grace added some new wrinkles to the business of soliciting funds. Recognizing the strong appeal of the negro spirituals to men and women of all races she organized the Cotton Blossom Singers to make appearances all over the country. First they traveled in an open car. Then they were given a closed-in truck. A final gift brought them a modern, fully equipped bus. Friends for the school were made at every stop. Donations increased in size and number. Both Jones and Piney Woods suffered their greatest loss when Grace died after an exceedingly exhaustive trip.

For those who couldn't pay, tuition at Piney Woods was free. Pupils applying brought what they could. Nobody was turned away. "Here's a sack of potatoes, Fessor," said one grown-up, taking a load off his shoulders. "It's all I got." A small boy appeared with a wriggling squealing pig in his arms. "Pappy said for you to take this pig, Fessor," he announced. And without waiting for a "thank you," he added, "Pappy said for you to take me, too." Syrup, sweet potatoes, a bushel of corn, vegetables in season, anything they had and could spare was accepted. The students worked mornings and tended to their studies evenings.

Of course, there were no graduates at the end of that first year but Jones decided they must have commencement exercises to keep interest alive. To allay suspicion about what he was up to at the school, invitations were sent out to white

people for miles around. The day came. The chapel was filled. The white section was crowded. Native curiosity had brought them out.

The exercises opened with "Onward Christian Soldiers," followed by The Lord's Prayer. Then the curtain was pulled and there on the stage was an ironing board, a sewing table, a wash tub, a work bench, and a stove. Boys and girls took their places. "One girl began mixing batter, another started cutting out a dress, a boy at the work bench started mending harness, and another worked on a wagon wheel. Two youngsters were weaving hats." One by one the students explained what they were doing and what they had learned to do at school that year.

Down the aisle came a boy with a squealing pig. He mounted the stage and faced the audience. "This here's a good pig," he announced. "An' I gonna tell y'all the diff'ence between him and an ol' razorback like we mos'ly got—the diff'ence in health, in cost of raisin', an' in the meat we gets from him." As the boy finished his lecture the cook stepped off the stage with a platter of cookies for the audience to sample. And the finished hats were passed around for the audience to see.

"Why durned if it wasn't just like that Jones said," one of the white men remarked to his neighbor. "He said he was going to learn 'em how to work, and blame me if he ain't done it." Jones was in solid with his local people.

Man's inhumanity to man! I believe the most amazing thing to be about the life's work of Laurence Jones is that he had the courage and persitence to keep going in the face of the hostility with which he was continuously met, the indignities that were thrust upon him. Insult after insult was met with a smile as his violent anger and the deep sense of injustice were concealed. On that first trip to Iowa he appeared at the railway ticket office 45 mintues ahead and took his place behind the white people in line. When the last

white person had been waited on the agent stepped away from the window and started talking and laughing with a friend. This went on for 40 minutes. When the train was whistling for the station, calling out, Laurence said he wanted to catch

this train. The agent, with the train standing in the station, handed Jones the ticket, took his money and threw the change into the far corner of the room.

Indignities suffered in the North were equally as bad, sometimes much more severe. Lodging and meals more often denied than granted. On one occasion coming into a northern town one afternoon he registered at the hotel, and was assigned a room. After a call in town he returned and asked for his key. A new man was behind the desk. "Do you have a room here?" the clerk asked. "Yes," Jones replied, "I registered and was assigned a room." "You are not on the register," said the clerk. Jones found his name had been erased. "Is this your baggage?" asked the clerk. The baggage had been brought down. A severe blizzard was raging with a heavy sleet storm. No amount of pleading would prevail even though there was no other place to go. He wasn't even allowed to remain in the lobby or sleep in the basement. Out on the streets he wandered, wondering how he would survive the night. Fortunately a good Samaritan saw his plight and provided quarters. Grace Jones encountered similar difficulties on her tours with the Cotton Blossoms. There were cases where ministers of churches where they had given concerts denied them the privilege of sleeping in the church basements on nights of severe cold. Many were the difficulties encountered. But Laurence Jones and Grace persevered.

Jones' fame in arousing farming communities to a more thrifty and industrious life had spread through the South. During the war in 1917 he was asked to help in a revival in a state west of the river. He accepted. The church was crowded. Drawing his analogies from military life, Jones told them, "Life is a battleground. We must stay on the firing line and

wage relentless battle against ignorance, against superstition, against poverty. We must marshal our faith . . . . .”

Two idle white boys riding by on horseback heard only such phrases as “firing line,” “wage battle,” and “keep firing.” To them that meant only one thing. So they dashed away to sound the alarm. “Speaker up t’ church is tellin’ all the niggers to rise up an fight the white people,” they shouted. Next morning as services were getting under way, a band of 50 white men formed a circle around the church and demanded that Jones come out. As he stepped out a rope was thrown around his neck and pulled tight. They marched to a clearing with a lone tree in it. Brush had been piled around the foot of the tree. Jones was thrown on the brush and boys soon had the rope over a limb. Jones was numb, waiting for the noose to tighten as one of the men jumped up on the pile of brush beside him and shouted, “I want to hear him make a speech befo’ we string him up.” “Yeah, let him talk.” “Let’s have a speech.” “Tell us what you told them niggers yesterday.”

Jones talked, talked as he had never talked before. He told about his school and what he was trying to do. Finally an old man climbed up and lifted the noose from around his neck. “Come on down, boy,” he said. “We jes’ made a slight mistake.” And then somebody shouted, “Let’s help the Professor with his school.” Hat’s were passed and Jones walked away with \$50 for Piney Woods School.

Today Piney Woods School, started 47 years ago on a log in the shade of a cedar tree, has an endowment fund in excess of a million dollars, a corps of 46 teachers (11 of them volunteer), a campus of some 25 or 30 buildings, 1,600 acres of land, a herd of 125 head of fine dairy cattle, 25 brood sows, ample gardens, a student body of 385 to 500 boys and girls, and a host of friends throughout the country. The inspiration came from a study of the life history of Booker T. Washington plus a personality that never knew when to give up.



## TRENDS IN FARM LAND

By GILMER RICHARDSON

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*Read at a Meeting of "THE EGYPTIANS," January 17, 1957*

In the complicated society in which we live today, under a managed economy, many changes take place right before our eyes that the average citizen sees but is unaware of. In this paper the writer will not attempt to criticise or offer any solution to problems, nor attempt to say whether a trend is good or bad, but it will be my purpose to try to unfold before this Society trends which are taking place in the farm life of this nation, that if we stop and think we can see but which are quite interesting when they are analyzed and set before us, even though we may have been conscious of the changes which are taking place.

When this country was settled by our forefathers they left Europe and other places seeking land. This was largely brought about by the fact that land in the old country was all owned by a few lords except for certain areas that were set aside as common land, and this common land had become so scarce that people were seeking a place in the sun where they could have land of their own, produce a living from it, and live on it. Therefore, the first immigrants to this country went out into the wilderness or forest and acquired land by grant from the crown through the Virginia Company and the North Carolina Company, and later by grant from the United States Government, and in the early days of this republic most of the land was settled by home farmers who produced a living from the land, raised their children at home, the land furnishing not only a home but a living.

The only exception to this type of farming was the large plantation owner who, with the help of slave labor, in a sense went into mass production and became the wealthy class. However, by and large practically every state in the union in the early days was settled by home farmers.

The gradual industrialization of the nation, beginning in the East and gradually spreading to other sections of the country, down through the years developed our cities, and the farm population began to dwindle because the younger generation went to the cities and left the farms.

However, the home farm as a unit of society continued to be the backbone of the nation up to comparatively recent times, and agriculture as a method of making a living was widely spread over the population.

Communities developed in county-seat towns and small towns as trading centers where these farmers sold or disposed of their production and purchased the things they needed, and this nation was built upon the economy developing from the tillers of the soil. Most of us here tonight and, in fact, the larger percentage of our population over fifty years of age had a background on the farm, and we can well remember when we were children, those of us who lived in the cities, of thinking of the time when we could retire on a farm, because that was dreamed of as being an ideal way of life.

In fact, when the writer went in the real estate business in 1919 and started a career of selling land, it was very definitely my idea that the suitable agricultural lands of the nation would ultimately be owned and occupied by home farmers living on the land and making a living out of the land.

In the last few years, however, in fact in the last 15 or 20 years, there has been a marked trend of the population moving from the rural areas to the cities or urban areas as the nation became more industrialized. A majority of the younger generation began moving away from the farm.

When I first went in the real estate business in 1919, many, many small farms were sold and traded to people who lived on the land and did their own work. Some outside labor was used, of course, but as a general thing most of the farming work was done by the farm family. This prevailed throughout

the nation except on the larger plantations, and even these larger plantations were limited in size, to a great extent. A farm family, even in the delta, who had as much as 320 acres, was considered a substantial farmer. Most of the land on these delta places was worked under the sharecrop system with negro labor and mules.

A very noticeable trend began, following World War I, in the at first slowly developing mechanical farm machinery, which has become accelerated as the years have gone by. Production has increased to such an extent and purchasing power during the period just prior to the great depression had been so reduced that farm life as a way of making a living became quite a problem. This in turn developed into the evolution or revolution, depending upon your own view of it, that came about in the early days of the New Deal, beginning with the plowing up of crops which the Government paid for, and even the destruction of livestock, to try to raise the farmer's income to a parity with other lines of endeavor. Finally, out of this came controlled production and guaranteed prices by the Government under the parity system, and this has streamlined our farm economy to the point where the farmer and the farm population of the country is geared to a way of life that is completely foreign to what it originally was.

Up until 25 years ago, or prior to the great depression, practically all real estate men, and most farm minded people, believed that all of the large plantations and agricultural lands all over the nation would ultimately develop into family size farms, and this was so firmly basic in the minds of the people that the United States Government, itself, during the depression, began a program of buying large bodies of land and cutting it up into small farms and selling to home farmers on long terms, at low interest rates, in order to relieve the unemployment situation and get some of the people out of the cities back to the farm. By and large, this program did not succeed, due to several reasons: first, minimum

hours and wage laws were passed, and industrial development continued to grow and grow and grow, and the scale of wages in the cities became so high that small farmers began to move back to the cities and go into public employment because they could earn more money than they could on a small farm.

Then, World War II started, and with it the mechanization of the farms. Some of the results of this trend can be called to our attention which we can notice. For instance, what has become of the market wagon that used to drive up to our front door? What has become of the Negro man or woman who used to walk down the street calling "green peas for sale," or "berries in season," or "chicken on the hoof?"

What has become of the chicken coop in front of the corner store with live chickens in it? You buy them now in cellophane containers, and such cuts as you are interested in using. Turkeys used to be sold on the hoof. They are now sold dressed through chain stores. The same thing has happened to the corner store that is taking place now in farming. The little fellow is fast drifting out of business.

It is quite interesting to notice, under our managed economy, what the farmers, themselves, are doing with mechanized equipment and under controlled production. Of course, the major farm crops are the only ones now under controls. However, every type of farming today is being done by mass production.

Adjacent to our cities, right here at Memphis, many years ago, we used to sell acreage to Italian gardeners for truck patches, and their production was sold on the Memphis market locally. These are fast disappearing, and the children of the original farmers are either lawyers, doctors or run a liquor store, or some other business occupation, for the reason that they cannot make an adequate living under existing economic conditions in competition with mass production.

Go out to the wholesale market any morning in the year, and you will see large trailer trucks loaded with vegetables and other food products; they are coming in here from all over the country. In the late winter and early spring, these vegetable crops are coming in from Florida and the Rio Grande Valley, and even from the islands of the Atlantic. In the late summer they come in from the northern states, and even from Canada. Apples, pears, peaches and other fruit crops from the Rocky Mountain areas, or from far off places, to the local markets of the individual cities, and the small truck farm has practically disappeared.

Even in the citrus growing sections of Florida, the Rio Grande and California, where oranges and grapefruit used to sell in boxes and baskets, they are now going into juices which are either frozen or canned, and over 75 per cent of the production is being sold that way. Citrus groves in Florida, California and the Rio Grande are selling their production mostly to the large canning companies, and thousands of acres of orchards, formerly owned by small producers and small farmers, are being sold to the large corporations, many of them to the canning people themselves,—Minute Maid, Libby, McNeill & Libby, and other large canning companies are not only buying citrus lands but are renting all they can get, and most of the local original juice producing plants have been taken over by them, and the value of citrus groves has more than doubled in the last few years.

In our local area around Memphis, which has always been a cotton producing area, rice growing has become a major product, and thousands of acres have been going into rice for many years to replace land originally in cotton. This has brought about a situation which has caused the Government to put rice under controls.

Beginning about 1940 and reaching a maximum in approximately 1952, the southeast part of our country in which we are located had a tremendous trend to the production of

beef cattle, and many people of money went to buying land for grazing purposes largely as a tax dodge. Many of these investors had no experience whatever in beef cattle, and because of high priced beef and the ability to increase inventories in cattle without paying a tax and the additional opportunity to buy marginal lands and improve them with tax money, went into the beef cattle business. Cattle production increased to such an extent that the cattle market broke. Many of these people have gone out of business, resulting in cattle production drifting back to the large producers who have always been in the business and are still in the business. However, land values did not react in proportion to the cattle market, and I know of no case where the purchaser of any lands for cattle cannot get more for his land now than he paid for it at any time during the last 15 years.

It has been quite interesting to watch the cotton farmer, (especially), battle to overcome controlled production.

The theory of the Government being that in order to guarantee a parity price for cotton and the other major farm products, production will have to be controlled, and this was sound in theory, so the cotton acreage was cut and the individual farmers were put under controlled production. The first thing the farmer did when his acreage was reduced was to put his best land in cotton and take out of production the worst land he had, or the inferior land, and in most cases this land was planted to soil building crops, improving its fertility. Then, on the acreage which he did plant he necessarily became more efficient, fertilized it highly, worked it better, poisoned it more often, and instead of production decreasing, it increased per acrewise all over our delta country and all over our Cotton Belt. The same thing happened to other crops in other sections of the country.

When I was a boy, if someone said that some farmer had produced a bale of cotton per acre, people rode for miles to see the man's crop. However, today, a bale of cotton per

acre is no longer a good crop. In most instances, and especially in the delta country, production runs from a bale and a quarter to a bale and a half, and in some instances as high as two bales to the acre.

Another result of controlled production in cotton, as already mentioned, brought about the growing of rice in our black land area of the delta country; the land being more fertile than the then rice countries, the production was in many instances over twice the average yield of rice grown per acre. Rice being a crop that must be watered, the farmer found that wonderful irrigation wells could be had at a very shallow depth in the delta countries. A well could be put down for five to six thousand dollars that would produce a stream of water 16 inches in diameter, pumping as high as 3,000 gallons of water per minute, and such a well would irrigate from 200 to 250 acres of rice. Prior to the rice development program in the delta, irrigation had been unknown, or practically unknown, to the farmers in our area. They had seen irrigation, some of them, in California, Arizona and other places, and they did see high production per acre because of irrigation.

Then, we had two or three years of extended drouth, and farmers suddenly became aware of the fact that if they could irrigate rice from wells, they could also irrigate cotton from wells, and today literally thousands of acres of our southern lands, especially in the delta, are being irrigated, and cotton production per acrewise has more than doubled. This has resulted, of course, in the tremendous surplus production that has taken place, largely owned by the Government under the loan program, and has caused people to do a lot of thinking about how to maintain parity price for cotton and other controlled crops faced with the continued increase in the surpluses for which there is, at the present, no market. Of course, it is hoped that higher standard of living throughout the world would bring about a reduction in these surpluses. On the other hand, because of our price support prices main-

tained by the Government, it has priced our cotton out of the world markets, and other countries are producing cotton and selling it for less than we can sell it for.

Now comes Mr. Benson's Soil Bank Deal, which goes the democrats one better, because the democrats guaranteed the price of cotton and other controlled products produced on the farm, but the farmer actually had to produce them in order to get the money.

The Government, being faced with the situation of continuing multiplied surpluses and in trying to find a way to answer the problem has come up with Mr. Benson's answer to the problem, and that is, to enable farmers to put 30 per cent of their production of the major crops under controls, or the acreage producing them, into the Soil Bank, the Government paying the farmer to take the land out of crops in order to maintain his income and, at the same time, to reduce the surpluses.

This is a comparatively new thing, and undoubtedly will be the answer to over production and the elimination of surpluses, but, as always, when a problem is answered, the answer creates other problems.

Most of the heavy producers in the richer delta lands will not go into the Soil Bank, but the small farmers largely in the hills and valley countries where their acreage is limited and where the size of their farms is so small that they are not in a position to buy the machinery to compete with the large farmer, will undoubtedly go into the Soil Bank program, and the reduction of production will probably bring about an answer to the surpluses.

However, this tremendous acreage which is going into the Soil Bank will in turn cause a dislocation of labor and practically ruin the small ginner, and will reflect on the merchants and small businessmen in the small county-seat towns and small rural towns, especially in the hill countries. This labor,

in turn, that has been dislocated, will, of course, move to the city to get employment in industry. In fact, since the beginning of mechanization of the farms, a tremendous migration of laboring class of people, both black and white, but predominantly in the Negro race, has moved off of the farms to the industrial centers, and, incidentally, in my opinion has brought about the present race situation which we are facing, which is a question not being considered in this paper but is worthy of mentioning, because the Negroes who were originally on the farms have moved to the industrial centers, joined labor unions in order to get a job, and are controlled largely by the union leadership and have become the balance of power politically in quite a few sections of our country, causing both political parties to cater to this entrenched vote and bring about a race problem that we never had before.

Another very definite noticeable trend has been that wealthy farmers and prosperous farmers in highly productive areas being accustomed to producing a certain number of acres in cotton and other controlled crops, whenever the acreage is cut they go out and try to buy additional acreage in order to get back the acreage they have lost, thus further displacing tenant farmers and making the farms larger.

One illustration in my own experience is worthy of being mentioned. A very wealthy client of mine owned some 5,000 acres of highly productive delta land in the State of Arkansas. He has four boys, all of them with families. When they first cut his acreage, I sold him another plantation for \$240,000.00, and he put one of the boys on it. The acreage was cut again sometime later, and I sold him another plantation, and he put another one of his boys on it. In each instance the people on the farm that was sold were displaced and a good deal of the labor on these farms moved to the cities.

When we worked our farms with mules, both the mule and the Negro plowing the mule became tired at the end of the day, and it took many more of them to cover the same

ground that a machine now covers. A tractor does not get tired. All that is done is that at the end of the day a new driver is put on it during the cultivating season, and in many instances during the harvesting season the tractor continues to run.

On a farm just 20 miles out of Memphis, this fall, the writer of this paper saw five two-row cotton pickers, tremendous machines, operating with one driver on each machine. At the end of the row these machines were automatically dumping the cotton in a trailer. One Negro was packing it in a trailer, and when a trailer was filled a tractor picked it up and carried it to the gin, and an empty trailer was spotted in its place. This operation was going on mechanically just like an assembly line deal in an automobile plant, and seven men were doing the same work that the ginner told me had formerly taken 750 cotton pickers to equal.

The writer, last year, saw working in the Mississippi bottom, west of Dyersburg, one machine which was operating in the field pulling corn, shelling the corn, putting it in a sack, and one Negro on the machine sewing the sacks up, and a trailer truck picking up the sacks, doing the work of what formerly took many hands to do.

I also saw a machine that was harvesting green butter beans, with one man and one machine gathering acres of butter beans in one day. And whoever thought that we would pick green butter beans with a machine? The same kind of machines are available for practically any kind of production, all of them doing the work of what formerly required many hands to do.

As you drive through the country it is obvious to anyone the number of vacant houses that you see that were formerly occupied by tenants, and we wonder why these houses are still there; most of them are in bad physical condition. The reason simply is that they are no longer needed, and the tenants that once occupied them are gone, and they are simply

left on the farm in order that the farm owner can take depreciation on the houses as a credit against his income taxes.

I sold one Western cattleman over 10,000 acres of land for a cattle ranch. I actually figured out that this 10,000 acres of land had once supported and maintained a population of approximately 2,000 people. Today, there are less than 25 people employed on this 10,000 acres.

It looks like, therefore, that the day of the small farmer is just about past, and if not actually gone, that his chances of survival are very slim, because he cannot compete by working with his own hands with mass production and mechanical farming as it exists today.

One very marked trend in our southern lands, in the last few years, has been the increasing livestock program, principally beef cattle, in a wide area of the South. This development has taken place principally in the Black Belt of Eastern Mississippi and Alabama, but has spread throughout the whole South, including certain portions of the delta country and all of the hill and valley land country, known generally as the Brown Loam section of the South. Because of cotton controls and the economic inability of hill farmers to compete in the production of cotton with the richer delta lands and large plantations, most of our hill valley land and practically all of our Black or Line Belt land is going into cattle. Whereas this has fallen off some in the last two years, there was a very active market for cattle lands for some ten years prior to that, accelerated by the continued drouth that has taken place in the western plain area of Kansas, Oklahoma, Texas, and other sections of the cattle country. Hundreds, even thousands, of cattle growers have invested in the Southeast area in grazing lands,, in land that formerly was used for row crops, until now it is quite evident that our hill and valley land and our Black Belt land will continue to be some of the leading grazing lands of the nation. It is quite true that any number of businessmen who went into cattle growing as a tax

dodge are getting out of the business; nevertheless, the cattleman who has always been in cattle, and they are mostly men of wealth, is continuing to buy southeastern lands for grazing purposes. The Black Belt of Eastern Mississippi and Alabama, which used to be a cotton growing area, is now conservatively 90 per cent in grass, and this trend definitely will continue, and again we find that in this area the acreage for grazing purposes is continuing to get larger.

Since it takes more acreage for an adequate cattle operation than it does for a row crop operation, many thousands of the small farmers have left the hill country and valley country and the Black Belt and moved to the cities, and their farms have been merged with large acreage tracts purchased by wealthy people for grazing purposes. This again has drastically affected the small merchants and ginnerers who formerly made their living off of the small farmers in these areas, and you ride for miles and miles through the hill and black land countries, seeing very few houses but all under fence and in grass.

Cattle sales barns are developing in practically every small town throughout the South, and the raising and marketing of cattle has become one of the major farming operations of our southeast country, and we can expect this to continue, and this trend, apparently, is permanent because of the fact that the cattle growers will continue to raise cows, and it is unlikely that these lands will ever be subdivided again into small farms. In fact, it is the opinion of the writer that the movement of cattle to the Southeast country has had a more stabilizing effect on land values than any other part of our farm economy; and even though we may, from time to time, have a slump in beef prices, very definitely it is a permanent operation, and, in my opinion, more and more land in the hill and valley country, as well as the Black Land area, will grow into grazing lands, and ultimately practically all of it will be in grass, which in my opinion is a good thing.

Another very noticeable thing that has happened to the farmlands, or what were formerly farmlands, adjacent to our cities, or what the real estate men call "fringe property."

Many fortunes have been made in the last few years because of the growth of cities taking in for subdivision purposes what was formerly farm land used largely for the growing of produce and products being sold to the cities by close in farmers. These have practically disappeared as farms, but many of these people have realized fortunes on the sale of their land, because as the people continue to move to the cities and go into industrial employment, the cities will continue to grow and more land will be taken in for housing purposes and also for industrial purposes, and although we have seen continuing increase in prices for land adjacent to our cities, it will continue to go higher, and, in the opinion of the writer, even subdivision lands as they are priced now will be higher in a few years, and smart money is looking for investments in acreage adjacent to cities that have always been farm lands.

Even though people have moved to cities and left the farms, there remains in all of us an urge to grow something, and it is instinctive in men to believe in the land and to be interested in producing something on it, even though he is occupied in some other line of business, and this itself has created a market for suburban lands as small homesites where people can work in the city and at the same time have some land to grow something on, mixing rural life with city life, and with the knowledge that the property they are buying, even though not economically sound as a means of producing a living, is continuing to grow in value as the city continues to grow further out.

It is also noticeable that many people of wealth all over the country, who live in cities, are buying sizable acreage, not too far out, for country estates, in order that they may also have the satisfaction of rural living and gainful employment in the city. For that reason the lands adjacent to the cities,

formerly used as farms, not only here but all over the nation, are becoming more valuable, and even though they do not pay off agriculturally, they are much in demand. As a real estate man, I am of the opinion that one of the best long time gain investments that a person can own, who has money, is good acreage adjacent to our larger cities. The small farmer in these fringe areas is gone, and it is not economically sound for him to continue, but the land actually is becoming more valuable and much sought after by people who prefer to live in the suburbs.

Controlled production of major farm crops has had a tendency to increase the demand for land from the standpoint of substantial tenants. This, in turn, has enabled the owner of productive farm land to be most selective in his tenants, and there are literally hundreds of substantial tenants today that are seeking to rent farm lands where allotments are available in price support crops, creating a demand that we formerly did not have, and an owner of farm land today can be assured of receiving an adequate income from his farm land even though he is not an actual farm operator but rather an investor, and he can be sure that he can receive his rents without any trouble, because in many cases he can get his rent cash in advance at the beginning of the year rather than at the end of the year, and even where the rental contract is made on a crop basis, such as a one-fourth rental, he can be assured of getting a nice return from his property without fear of losing his rent. This, in turn, has stimulated the demand for land, and has increased the value of land, so that land values are constantly going up. Without fear of contradiction, delta lands today are at least 50 per cent higher than they were five years ago, and in many cases even higher. Therefore, today we not only have the operating farmer seeking to increase his holdings in desirable lands, but we have the investor also seeking land to buy as an investment, on which he can get a reasonable return on his money, plus

the added gamble of the land going up in value, which has constantly been taking place for the last few years.

This demand for land from financially responsible buyers is increasing daily, and has also had a tendency to increase the size of the farms.

This writer is not going to say that the small farmer in this nation is gone forever, but it looks like the cards are stacked against him, and that mass production, or assembly line farming, is definitely the trend of the day. Therefore, farming and the trend in farm land are akin in many ways to the general tendency of business as a whole in this nation. It would seem that, predominantly speaking, the nation as a whole is tending to big farming as well as big business.

It is quite evident that the inter-dependence of people is constantly growing, because each person, in whatever field of endeavor he is occupied, is definitely dependent on all other lines of business serving him, and the farm is no different from other lines of business in that we are living in a time of specialization; each man is fitting himself in a groove, and no longer does he attempt to seek to find security by being able to produce what he needs, but rather to depend on the other person to furnish those things that he cannot furnish for himself. Whether this is good or not, we do not know.

Still another tendency to increase the size of farms is the stabilization of farm land values which has made mortgage money easier to get, and the insurance companies who make these loans prefer a farm land mortgage to any other type of security, even to bonds.

We are living in a day of big government, big business, big farming, and mass production in every field. It can easily be conceived, if this trend continues, that the day will come when most of the people, in fact it is already here, will live in the cities and the suburbs adjacent to the cities and on big farms. There is little present evidence that small farms as a way of life will continue. Of course, expressways, major high-



ways and our present day transportation have played their part in this trend. These major highways make it possible for farm products to be moved by truck from any spot in the nation to any other spot in the nation in a very short time. It is also easy to conceive that the time may come when mechanical farming will bring about the production of machinery that can even reduce the amount of labor that is now being used. We cannot say that a man may not be able to sit in a comfortable chair under the shade of a tree and direct the course of a tractor or a group of tractors in cultivating a field by push button control. This sounds fantastic, but, nevertheless, in my opinion it may develop. One man now on a tractor is doing the work that it used to take from 10 to 25 men to do, and right here in our community most farmers are using four-row equipment, with one tractor cultivating four rows at a time, where this used to be done with a mule and one man plowing one side of each row at a time. All of these influences on the operation of farms is tending toward making the farms larger. It is also easy to get any reasonable amount of credit for production purposes, either from banks or from production credit associations which are located and available in every farm community, so that the farmer is no longer concerned about getting adequate credit to make a crop.

This all adds up to the fact that farming is big business and farmers are businessmen, and more intelligence is used in farm operation today than was ever used in the past. Farmers are definitely making money, or at least those farmers who are producing price support crops. There is less land for sale than there has ever been since I have been in the real estate business, and a No. 1 farm seldom comes on the market, unless a death takes place or family relationships break up, or something happens to bring about a desire to sell other than inability to meet payments or financial distress, because I actually do not know of, nor have I heard of, any farmer who has any financial difficulties. If he should have a pay-

ment that he is unable to make, it is an easy matter to re-finance and postpone the payment of the obligation.

To sum this paper up, it would seem that the trends in farm land today would indicate that the future farmer of America is a big businessman, and this would apply anywhere in the country except in those fringe areas around cities where suburbanites live or have estates that may not be profitable from a production standpoint but definitely have speculative values. Mass production on the farm seems to be here to stay, and mass production is big operation, and big operation means big farmers. So if the present trend continues, it would seem that the little farmer is definitely on the way out, and that there seems to be little place for him in the present economy.

The question of what constitutes a small farmer is relative, depending upon who is doing the thinking and what he individually considers a small farmer; so I would like to define what I consider a small farmer.

My conception of a small farmer, as I am dealing with him in this paper, is the type of farmer that we originally had scattered all over the United States who was the head of a family unit who lived on his land and occupied same as a home, and his occupation was farming the land that he was living on and doing his own work, and who was primarily concerned with attaining security by raising what he needed and taking his surplus products to the market. The fireside in the home constituted the conference room. It is not necessarily a farmer who hired a lot of labor in connection with his operation, but in my opinion he constituted the backbone of the American way of life from the beginning of the settlement of this country until comparatively recent times.

On the plantations the sharecropper, about whom we have read so much from northern papers as a distressed individual, was also an individual farmer in the sense that he occupied, even though he was a tenant, a house on the plantation and

worked a certain number of acres of land, for which he was paid one-half of the production as a tenant. At the same time it was his home and it was his occupation. It is safe to say that the sharecropper has practically disappeared from the scene under mechanized farming, and only in a limited amount is this system of farming being continued; the present method of farming being an assembly line deal, and even the tenant farmer of today, in most cases, is a businessman working a lot of land with hired help who are paid either on a daily basis or a monthly basis, and in most cases his help is not receiving any part of the crop. There are, of course, many farms that are still rented on the basis of one-fourth production or a percentage of the crop, but as of today they are working large acreages, and these tenant farmers own their own equipment, as a rule, in which they have a large investment far beyond the means of the small farmer that we have been considering.

Therefore, present trends in farm land means: Farming is big business, farms will continue to grow in size and occupy the same position in the agricultural field that industry occupies in the production field, and our society from now on will be big government, big business and big farming, with the rank and file of the people fitting into their individual niche in the assembly line economy, doing the job assigned to him and looking forward to social security in his old age and completely dependent upon other people to do their individual jobs in order to acquire the things he needs. Finally, is the trend good, or is this trend bad? If it is good, it should and probably will continue. If it is bad, the future will probably furnish the answer as to what is done about it. Whether or not it is good or bad, I am frank to say I do not know, and I wonder whether you do.

## THE APPROACH OF NUCLEAR POWER

By THOS. H. ALLEN

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*Read at a Meeting of "THE EGYPTIANS," February 21, 1957*

The writer has undertaken the preparation of this paper without any intensive study, first-hand experience, or a working knowledge of the scientific and engineering problems involved in the development of nuclear power, and, therefore, does not speak with authority. What is here written is the author's appraisal of the accomplishments as reported in the technical press.

When the U.S.S. Nautilus put to sea on its maiden voyage, a large scale nuclear power plant was put to practical use for the first time. Without refueling, it has now cruised 47,000 miles, 27,000 miles fully submerged, at higher speeds than is possible with the diesel engine submarines.

### THE PERIOD OF DISCOVERY

Nuclear power is therefore a fact and the approach of nuclear power is a matter of history which had its beginning in 1896 with the discovery by H. Becquerel of radio activity. By 1905, Einstein had published his famous formula and had stated the equivalence of mass and energy. Slowly the discoverers uncovered the basic facts of nuclear physics. The rate of progress was at first very slow. Radio activity was studied by Pierre and Marie Curie, E. Rutherford, and many others; and these studies in the phenomena of radio activity played leading roles in the discovery of the general laws of atomic structure and ultimately proved the equivalence of mass and energy. The rate of progress was accelerated in the 1930s and set the stage for the final drive in the war years of the early 40s. Their purpose was discovery. Their hope was power. It was not until the urgency of a world-wide, devastating war made the destructive value of a super-killer a prime consideration and a desirable end result, that the

scientists set a goal for their endeavors which normally would have had no place in their thinking. The motives that ordinarily control the thinking of scientifically-minded men were lost in a drive to produce, if possible a highly destructive weapon, and the resources of the nation were made available and put to work to that end.

Enrico Fermi, in a laboratory built underneath the stands of the Stagg Stadium at the University of Chicago, constructed and put into operation the first atomic pile. On December 2, 1942, he announced to the scientific world that "the reaction is self-sustaining." The necessary chain action requisite to the construction of a bomb was accomplished. From there on, the problem was to utilize this discovery in a way that would fit into the military necessities of the hour.

The story of the atomic bomb is now well known and need not be repeated here. The scientific discoveries have gone far beyond these original endeavors, and we have now exploded a hydrogen bomb of even greater violence than the original atomic bomb, with a cobalt bomb in the making. Behind the shut doors of the Atomic Energy Commission's vast plants there may be equally startling things yet to be revealed.

In the period between 1896 and 1942, a long list of great men and great minds contributed to the discoveries that made Fermi's successful experiment possible. Only a few of these names are well known. Many lands contributed to the discovery—France, Italy, Germany, Belgium, Denmark, England and the United States.

We are accustomed to memorializing our national heroes in statutes of bronze and stone. We pay tribute largely to those men who have carried a sword. Nuclear investigations culminated in the death of thousands at Nagasaki and Hiroshima—a horrible climax to the peaceful endeavors of many men and women. The list is too long to mention here. Perhaps these men and women are entitled to a place of honor with the soldiers and the sailors.

When the war with Japan was over, the American mind, being what it is, turned its thinking immediately to peacetime utilization of what for a time seemed to have wartime usefulness only. It would, in fact, be true to say that we turned back to the original hope of the early investigators and picked up the plans we laid aside to win a war. Peacetime thinking took two very definite trends—one in the field of medicine and health and the other in the field of power. This paper is devoted entirely to power.

#### THE NEED FOR A NEW FUEL

Several days ago the population of the United States reached 170,000,000 and there is no reason to believe that the growth in population will decrease. The inventive genius of the American people is not yet exhausted. We not only contemplate greater utilization of the appliances and processes which are already accepted as common, every day uses for electricity, we look for new and profitable ways of putting electric power to work in homes, stores and factories.

In 1956, this nation used 601 billion kilowatt hours and this is twice the amount of power generated in 1949. If the present trend in consumption of power is even partially maintained, the amount of power consumed by the end of the century will be so tremendous that we can indeed well question the adequacy of the resources we have available to produce it.

In the 30s, the U. S. Government undertook river improvements for the four fold purpose of bolstering a bankrupt economy, flood control, river transportation and to develop what was then considered to be enormous blocks of untouched hydro power. But if we look at the total of all the hydro projects that have been completed we find that the total installed capacity of the hydro units is 21.6% of the total installed generating capacity of the nation and most of the really productive basins have already been largely developed. Our hope that hydro units would supply an unlimited abundance of electric

energy has been lost in the huge demand created for more and more power over recent years in the electric industry.

The oil and gas fields of the world constitute a very important source of fuel for our modern living and much of it will necessarily be used for chemical purposes and for transportation by railroad, motor cars and trucks, planes or ships. The foreseeable supplies are quite limited. Looked at from a long-time point of view, it would seem wise to conserve petroleum products for transportation alone, using those products for the production of power and heating which cannot be used for transportation and chemicals. We think of coal as being unlimited and yet the known coal beds of the world provide a very definitely limited supply that makes it perfectly plain that a time will come when the coal resources of the earth will be exhausted. If we compare these resources with the rising demand for power in all of its many phases, we can see that a time will come when we get to the end of the road in our present supplies of what we call fossil fuels.

We will continue to build dams where there is falling water, and drill for gas and oil, search for new coal beds to prolong the conventional type of power plant but the need for additional sources of power is fast becoming perfectly plain to the power engineer if he takes a long range view of the power problem. It is therefore evident to the writer of this paper that some new source of energy is a requisite and atomic power seems to be the answer to this need.

#### THE DEVELOPMENT PERIOD

The Korean debacle and concern about the Communists' plans for world wide conquest has made it perfectly plain to our government that the development of nuclear weapons must be continued at a pace that would outrun what could happen behind the iron curtain, and so plans for nuclear weapons have not and can not be set aside.

When the war with Japan was over, the manufacturing companies began to consider a peacetime program to utilize

the discoveries in nuclear physics. Its beginning is somewhat shrouded by security measures and in the early years after World War Two, the engineers were doing their thinking and experimental work which has finally led to the present adventures in atomic power plants. Quite logically, the first venture in atomic power was in the area of a weapon development. A nuclear power plant for a submarine was an inviting possibility for the sailor, the scientist, and the power engineer. The cost of operation was secondary to the effectiveness of the submarine. Human flesh in the service uniform must not shrink at new hazards. After all, a submarine is a weapon. Nuclear power had wonderful opportunities for long range operation of the submarine without refueling. The big corporations working with the Atomic Energy Commission and the Navy developed the prototype plants to try them out before putting them into the submarines.

The atomic bomb called for violent action. The power plant requires the production of useable heat energy under control. There have been no startling new discoveries since Fermi announced the successful operation of his first pile. A pile, which is now called a reactor, is the furnace in a nuclear power plant. Uranium and Plutonium are the fuels. The fuels are produced by the Atomic Energy Commission and the cost of these fuels is determined by the process used and the efficient administration of the manufacturing plants to make the fuels for those who wish to use nuclear power. The enormous demands for power by the Atomic Energy Commission and the cost of the A.E.C. plants are so great that the actual cost of producing the fuel is, to the outsider, an unknown factor that cannot be easily evaluated.

The heat released in a coal fire furnace is used to make steam and steam propels the turbine that drives the electric generator.

Similarly, heat released in the reactor is used to make steam and the steam propels the turbine that drives the electric generator.

The steam turbine with its generator and auxiliaries, including switch boards, transformers and other apparatus, is, in principle, the same whether the plant is a conventional one burning coal, gas or oil, or whether it operates on nuclear fission. The conventional coal fired plant operates at very high steam pressures and temperatures, whereas a nuclear steam plant operates at somewhat lower pressures and temperatures. The difference all lies in the equipment and apparatus that generates the heat that makes the steam.

The atom is composed of three fundamental particles. They are the proton which is electrically positive, the neutron which is electrically neutral, and the electron which is electrically negative. The nucleus of the atom is made up of protons and neutrons bound together by the electrically neutral neutrons. The protons and neutrons are the heavy particles and the electrons circle around the heavy nucleus like the planets around the sun. The exception to this statement is the hydrogen atom which consists of one proton and one electron, there being no need for a neutron as there is only one proton in the nucleus. Every atom in all the various forms of material that we know are made up of these particles in different combinations. It is the number of protons, neutrons and electrons grouped together in the atom that determines the nature of that material. The unknown secret of the atom is the manner in which the neutron holds together the positively charged proton which would otherwise fly apart. This binding force is very powerful which accounts for the stability of the atom. If the nucleus of a heavy atom, made of many protons and neutrons is broken apart the weight of the resulting fragments is less than the weight of the original nucleus and this difference in mass is converted into energy. Therefore, the break-up of the uranium atom into fragments releases tremendous energy. This is accomplished by bombarding the nucleus of the uranium atom with neutrons and the break-up of the uranium nucleus releases other neutrons that, in turn, bombard other nuclei. This process is called a chain action and if

allowed to run wild produces the terrifying explosion of the atomic bomb. For the production of power, the rate at which this bombardment takes place and the release of energy resulting therefrom must be under perfect control, and the operating personnel must be protected from the hurtful radiations resulting from the break-up of a nucleus, producing radioactive fragments.

In the reactor of a power plant, fuel in the form of uranium 235 is controlled by carbon rods which can be moved in and out of the reactor to increase or decrease the rate of bombardment. In this fashion the production of energy is controlled to meet the needs of the steam turbine that drives the generator. This explanation is over-simplified but it will perhaps suffice for the purpose of this paper.

Working with the A.E.C., the Navy, Merchant Marine, utilities, manufacturers, engineers and scientists have undertaken quite a variety of procedures by which the release of atomic energy can be accomplished safely and under perfect control.

In the Nautilus, powered by Westinghouse Corporation, the generation of steam is accomplished by circulating water under pressure through the reactor which heats the water to quite a high temperature and this water, in turn, circulating through the boiler gives up its heat in the boiler to evaporate uncontaminated water into steam, which goes from the boiler to the turbine.

In the Sea Wolf, powered by the General Electric Company, the water that passes through the reactor is converted directly into steam. This perhaps may illustrate the way in which the technical world is trying out various procedures for utilizing the heat released in atomic fission.

In the plants so far developed, the reactors and those parts of the system which could be dangerous from contamination are enclosed in steel and concrete shells sufficiently large and

sufficiently strong to hold all of the water that might be evaporated in case of a leak and prevent the area nearby the plant from being endangered.

One serious problem is the disposal of the waste, which is radioactive and, therefore, must be handled in a fashion to protect not only the people of the area, but all other living creatures and vegetation. At the present time, there is some dispute about the location of one of these plants on account of its potential hazard. The disposal of waste is not only a problem to the individual plants, but is a real problem confronting the A.E.C., who is finding it difficult to safely dispose of the radioactive waste materials.

Originally, atomic power was justified by the proposal that it be used where the cost of fossil fuels is high. Actually, some of the plants are being built in areas where the cost of fossil fuel is very low. Actually the utility world and the engineering world are of the belief that with enough experimentation in large plants, the cost of nuclear power can ultimately be brought down to a competitive basis; and if the costs of oil, gas and coal continue to rise as they have, this may not be in the too far future.

I believe the first plant to produce power for utility purposes was the prototype built for the Sea Wolf.

A review of the progress made to date makes it plain that an astounding amount of development has already taken place in a comparatively few years, but the following list will demonstrate the many different approaches now being tried in the search for the most practical and efficient way in which to build an atomic plant.

1. Pressurized Water
2. Boiling Water
3. Swimming Pool
4. Tank Type
5. Aqueous Homogeneous

6. Graphite
7. Heavy Water
8. Sodium Graphite
9. Liquid Fuel
10. Organic Moderated
11. Intermediate Fast and Fast Breeder
12. Special Types

Undoubtedly, other procedures will be considered until, by trial and error, the most effective type of plant will be discovered. There is a probability that one type might prove to be the most effective in marine work and some other type for land base power plants. But until these various processes have been thoroughly tried and both the first cost and the cost of operation determined, any venture in the field of atomic energy for power is purely experimental and soon may be discarded in favor of more advantageous solutions.

At present, it is reported that fifty-nine nuclear reactor units are under construction or under contract. Of these, twenty-nine are power type reactors and the rest will be used for marine work, experiment, or for other purposes. Of the twenty-nine, twenty installations are under design or construction for utility power generating stations and they range in size from a 500 kilowatt capacity unit for the University of Florida to one of 236,000 kilowatts being built for the Consolidated Edison Company of New York. The total kilowatt capacity represented by this list is 1,462,500 kilowatts. The dates begin in 1957 and run to 1964. They are in part financed by the Atomic Energy Commission and in part by the electric companies, with five exceptions. The plants being built for Pacific Gas & Electric Company, Detroit Edison Company, Commonwealth Edison Company, Florida Nuclear Power Group, and Pennsylvania Power & Light Company are being financed in full by the companies. The total amount of money being spent by the utilities and Government for the

construction of these plants is on the order of five hundred and seventy-five million dollars.

In nearly every case the work is being done by a group of companies to spread the risk and to share the knowledge gained in the experiment; and the equity is being so worked out that they share alike in both the cost and in the use of the project.

The cost of operation, of course, is the final test of nuclear power for utility uses. To analyze these costs is quite difficult, but published analyses indicate that the cost to generate the power in the near future will vary from 8 to 12½ mills per kilowatt hour, with the ultimate hope of bringing the cost down in the distant future to 4½ mills. (TVA generates and sells power to Memphis for 4 mills.)

Without knowing the contribution being made by the U. S. Government in the preparation of fuel and without having completed any of these plants for utility purposes, it is very difficult to assign any value to the cost of the power except that we know that due to the very high initial cost, the fixed charges will be one of the controlling factors. The fuel is being priced at what seems to be a very low figure by the A.E.C., which may be a good policy to encourage the development necessary to try out the various types of plants and to learn something of the operating problems in actual practice, and to determine the degree of reliability of the equipment.

It is also plain that the economics do not yet justify the construction of an atomic plant. The diversity in ideas as to the best way in which to utilize atomic fuel leads to the conclusion that atomic power is here to be reckoned with, but until a number of plants of some size and of many different types have been running for a few years, the answers are not going to be very plain.

The first large plant under construction is the one being built by Duquesne Light Company of Pennsylvania and is

known as the Shippingport Atomic Power Station. Burns and Roe, Inc., the engineers for the Memphis Steam Plant, is doing the construction work on this plant. It will have a capacity of 60,000 KW and is believed that it can be put into operation during the year 1957. The equipment is being built by Westinghouse and operates on the same principal as the plant in the submarine Nautilus.

While nuclear power plants are claiming the attention of power engineers everywhere, the construction of conventional coal burning plants and the development of new and more efficient types are going on at just as rapid a pace as ever. It is perfectly apparent to the utility world that for a long time to come, power plants will be operated on coal, oil and gas. For the present, nuclear power cannot compete with these plants. In Memphis, we gave serious consideration to the construction of a nuclear power plant instead of the coal and gas fired plant we are building. After reviewing the situation broadly, we reached the conclusion, and our engineers likewise approaching the problem from a more intimate knowledge decided, that it was yet a long way off before nuclear power would take the place of the modern, highly efficient, fossil fuel.

Nuclear power is a magnificent adventure, but still in its diapers.



## "JUDICIAL SELECTION AND TENURE"

THOMAS F. TURLEY, JR.

*Read at a meeting of "THE EGYPTIANS," March 21, 1957*

Much that has been recently said on this subject seems to me to conceive the problem if, indeed, it concedes that there is a problem, in terms purely mechanical, to suggest that it is largely a matter of formulae and gadgets. I say that there is definitely a problem, a serious one, and would deal but briefly with its mechanical aspects, hoping in the brief time allotted for the purpose to illumine a few, and at least touch upon a few other, of what I conceive to be its deeper and more significant aspects. To speak frankly of these matters is to raise dangerous questions and I undertake to do so with humility, more mindful than most of their ramifications and complications. It is like opening Pandora's box. And it runs headlong into the doctrine so widely accepted and fanatically supported nowadays, that "whatever is is right," ipso facto.

Formally and logically, there are five basic methods of selecting judges: 1st, by heredity; 2nd, by judicial civil service; 3rd, by executive appointment; 4th, by appointment of a legislative or other such body; and 5th, by popular election.

The Sons of Levi are perhaps the example best known to us of judges selected by heredity, but that method is a dead letter in the modern world except insofar as politicians occasionally use heredity as a predicate for an argument in favor of the candidate of their choice.

The judicial civil service method is not widely used but has much to recommend it. It provides safeguards against incompetence and favoritism on original appointment. That and the system of internal promotions tend to place younger men of greater competence and potential on subordinate benches which under other systems are too often filled by older men whose professional potential has been demonstrated to be less than outstanding. It tends to engender an esprit de

corps and has produced, notably in France, judges distinguished by learning and technical competence. On the other hand, it tends to isolate the judiciary from the society of which it is a part, to make it both conservative in outlook and excessively formalistic in method. At worst, the system could produce a judiciary, as someone once said of the court of Versailles, "exclusive, incompetent, corrupt, unteachable and unconcerned." The system's greatest weakness, however, lies in the tendency of the internal promotions system to deprive the higher echelons of the judiciary of the services of men who come to the law with a knowledge of the world outside the courts, mature men with something of a statesman's insight into the problems of law and society. Such a system could well produce judges to rival Story in learning, but could hardly produce judges with the breadth and vision of Marshall. (And to succeed at the task of adjusting law to society a judicial system must somehow be able to avail itself of the services of men like Marshall, regardless of the wails of those, mostly outside the profession, who advocate internal promotions as the only method of selecting the judges of the higher courts.)

The executive appointment system, when responsibly used, also has much to recommend it. Absent the need for confirmation of the executive appointee, however, the system tends to let motives irrelevant to fitness for judicial office enter into appointments. Too often it simply puts on the bench as a reward for political services men who have held high political office.

Appointment of judges by a legislative or other such body tends to put judicial appointments on a purely partisan basis, as was our experience with the legislative appointment system in Tennessee many years ago.

The case against the popular election of judges, especially for short terms, seems all but unanswerable, in theory at least. Qualities which make a good judge are not readily discernible by a vast and amorphous electorate. That and the necessity

for standing for re-election dissuades many capable men from accepting appointment and neither is conducive to that independence of mind without which a judge can scarcely be expected to do his work adequately and properly. (After a man gives up his practice and burns his ships he is seldom in a position to be independent of those who have it in their power to defeat him for re-election, whatever his inclination may be.) Such systems tend, however, to select and keep judges closer to the society of which they are a part and certainly tend to produce fewer martinets than some other systems. Indeed, for all the theoretical objections to the selection of judges by popular election, there is no denying that such systems, especially where extra-legal restraints on nominations are responsibly used, have produced some excellent judges.

There you have the formal and academic highlights of the five basic methods of selecting judges. Now for the same on some of the widely used variants and combinations:

Our federal judges are appointed by the President "by and with the Advice and Consent of the Senate," "provided two thirds of the Senators concur," a combination of methods three and four. (That sounds simple and sound enough, but if it is understood to mean that the selection of federal judges is conducted like Diogenes' search for an honest man, let me assure you that it doesn't work that way!)

All judges of the State courts in Tennessee are, as an academic matter, elected. As a practical matter, however, they first take office in most instances as appointees of the Governor to fill unexpired terms and thereafter stand for election, a combination of methods three and five. (It should be pointed out, however, that extra-legal restraints on the nominating process, both on original appointment and subsequent election, make the workings of the system vastly more complex than is indicated by simply saying that it is a combination of methods three and five.)

The "Missouri Plan," which is used in Missouri and elsewhere and has the strong support of the American Bar Association, is a combination of methods three, four and five. Under that plan, when a vacancy occurs in the judiciary anywhere in the state, a statewide committee appointed for staggered terms of such length that no governor is ever likely to have opportunity to appoint a majority thereof, nominates three eligibles, one of whom the governor must appoint to fill the vacancy. The appointee serves until the next general election and then runs on a ballot which asks as to him the question, "Should Joe Doe succeed himself as judge of the blank court?" No other personality is injected into the situation and the electorate cannot be certain who will succeed Judge Doe if they reject him because in such event the Committee again names three eligibles and again the governor appoints one of the three, who may or may not be who the electorate had in mind for the office. (Though I have had no first hand experience with this system, my understanding is that there again the practical complicates and sometimes overwhelms the theoretical.)

Now as to tenure: Federal judges hold office "during good behavior" and receive for their services at stated times compensation "which shall not be diminished during their continuance in office." Impeachment proceedings brought by the House of Representatives and tried by the United States Senate are the only legal procedure for depriving a federal judge of his office. Consequently, federal judges have, as a practical matter, all but absolute and certain assurance of lifetime tenure at undiminished compensation.

The terms of elected judges vary in the different States from as little as two years to as much as twenty-one years. The term in Tennessee is eight years. What security of tenure an elected judge has must, of course, be determined by the situation existing at the time and place he stands for re-election.

The "Missouri Plan" certainly eliminates for the incumbent many of the hazards attendant upon re-election under all theoretical and some practical variants of the elective system, but it does not eliminate all the hazards and the resultant consequences of peace of mind and independence.

There you have the mechanical aspects of selection and tenure, including the formulae and gadgets most widely applied to it, with only a few allusions to the deeper and more significant aspects of the problem. What of them?

I would not have you weep "for golden ages on the wane." Nor would I burden you with remote and irrelevant precepts addressed to forgotten issues. ("Distance lends enchantment to the view" and the "good old days" were never as good as some would have you believe.) But I would remind you that the Founding Fathers accepted as a basic premise that there is a law above the rulers, a law natural in the sense that it can be discovered by any rational mind, a law that is not the will and arbitrary command of the sovereign power. They conceived that law to be a necessary assumption without which it is impossible for different peoples with conflicting interests to live together in peace and freedom in one community. Then I would ask you, "What, if anything, have we substituted for that, Vox populi, vox Dei?" What is justice as we conceive it, that which is being dispensed as such at a particular time and place? Or is it simply a solemn jugglery for reconciling power and expediency, a matter to be discussed only between equals?

Next, I would suggest that in structuring institutions, in speaking about executives, legislators and judges, about men and issues, they were realists. They never once deviated from the law of which Kipling speaks these words:

"This is the law, and the law shall run  
Till the earth and its course is still  
And the ages, trickling one by one,  
The cup of time shall fill

That he who eateth another's bread  
Shall do that other's will."

What reason do we have for thinking and acting as though that ancient law has been repealed?

Nation and statewide television hookups, campaign biographies, public relations experts, full-time fund raisers and full-page ads and the other expensive modern devices used to secure election to high executive positions were not a part of the scheme of things in the early days of our republic, though they doubtless had their counterparts. Is there anything in what the Founding Fathers said or did which would indicate their lack of familiarity with the old adage, and the implications thereof, that "he who pays the fiddler calls the tune"? Could a tune that includes verses on Port Directors, Insurance Commissioners whose myopia makes twenty million dollars in over-charges too small to detect, verses on bigger and bigger trucks, et cetera, possibly include a few verses on judicial appointments? Could there be appended to the judiciary department counterparts of the "influence peddlers" and lobbyists on and in the executive and legislative departments? Have we done as much to forestall such a possibility as did the Founding Fathers to forestall a smaller and less dangerous one?

We read in books and magazines and sometimes in the newspapers—often with chapter and verse and full marginal notes and references—how those who make our laws are increasingly dependent, how lobbyists and their retainers seek by flattery, favors, political contributions and sometimes bribery to obligate a legislator if possible, to compromise him if he can't be obligated, to befriend him if he can't be compromised, and to defeat him if he can't be befriended, thereby endeavoring to secure enactment of a law partial to particular groups and interests. (Often a little gimmick scarcely perceptible even to the initiated is enough to do the trick.) If *how* the laws are written is of that much importance to some, what about this:

No society is ever static. The statutes and regulations, rules of law and even constitutions are always more or less behind the times. Moreover, they are and needs must be, *general*—that is—adaptable, but not adapted, to the particular. Hence, it follows, aside from anything else, that

"He who has in his hands the interpretation of the law is by the nature of things its master."

In other words, despite all the talk about "a government of laws, not of men," it is, as a practical proposition, the judges who interpret and apply the law, who adapt the past to the present, who apply the general to the particular, who are the masters of the law, whether we like it or not. It is they who and do, in the way in which they interpret and apply it, make bad law better and, by the same token, make the best law an instrument of iniquity in applying it to a particular situation. Is it to be supposed that those who seek partiality in *enactment* would do any less to secure partiality in *interpretation* and *application* of law, especially when it is rather obvious that while the former can be secured only by official activity attended with some risks, the latter can be obtained by official inactivity, attended with little or no risk. Indeed, passivity, complacency, intellectual timidity, or ineptitude, which are thought by many to be nothing less than the manifestation of deliberate and discerning impartiality, are usually more than sufficient.

The Founding Fathers conceived that all those exercising the judiciary department, separate and distinct from, and judicial functions should be the third branch of government, independent of, the executive and legislative departments, a department without force or will, without power or sword, with no direction either of the strength or wealth of society, devoid of power even to enforce its own judgments and with only one weapon—judgment. Indeed, they went so far as to say that,

"There is no liberty if the power of judging be not separated from the legislative and executive powers."

Now the decisions which most vitally affect the lives, liberties and property of most of us are made not by an independent judiciary department but by agencies which are actually branches of the executive department, the decisions of which agencies of the executive department frequently cannot be overturned in the courts if there is "any evidence" to support the decision, even though the agency wrote its own rules of evidence as it went along. The weapon of judgment is seen more and more of late in the hands of the legislative department, from which there is no appeal. And if you think this is significant only in the realms of utility rates and franchises, labor relations and the like, significant only to labor racketeers and big-time gamblers, you owe it to yourselves to read an article in the August, 1956, "Harper's" on what the neglect of the important principle of independent judgment is doing to justice in our juvenile courts.

How far the judiciary department has fallen since the days when it was conceived of as the third coordinate branch of the government is further attested by the fact that at least one of the federal executive departments now points to a federal statute as authority for its position that without "by your leave" from the head of that department, no employee of the department, not even a truckdriver or a broom-pusher, can come into any court, even under subpoena, and testify about anything, not even about a matter so remotely concerned with the affairs of that department as what that employee may know about an automobile accident or about his neighbor's domestic relations problems. In other words, the executive department can control the decision of the judiciary department by determining what facts it will permit the judiciary department to have as a basis for judgment.

To regain its place and prestige, to secure the personnel it needs, perhaps the judiciary department should first apply

for a divorce such as that recently granted elsewhere, according to an Associated Press dispatch from London:

"The Russian courts have today been divorced from the grip of the secret police and the armed services."

The Founding Fathers conceived of the judiciary as a sort of open aristocracy; open not in the sense that all alike are qualified but open in the sense that those with the requisite character and integrity who are steeped in the traditions of our civilization and have the necessary broad theoretical and practical knowledge of the place and function of law in the framework of democratic institutions are equally eligible for membership; aristocratic in the sense that it should be purposely placed above the "tumult and the shouting," in a position to get the perspective requisite to any just judgment, indeed, in a position where its members have opportunity at least to be "better there they are," and to grow in the process.

How far we have departed from that! We no longer so much as idealize breadth and impartiality. Certainly we do not seek and support them. Indeed, the opposite. Those selected today to wield the weapon of judgment in a wide and increasing variety of vital matters are admittedly selected not for their competence in law, with all that entails, but for their alleged expertness in limited fields, not for their willingness to vote in decisions "fairly and impartially, according to the law and the evidence," but for their willingness to tacitly forswear their obligation to do that and to decide in favor of a particular group, interest or point of view, usually of the group whose influence is responsible for their appointment. Isn't there something inherently incongruous about a tribunal whose members are known to be partisans of particular groups and whose votes in decision consistently reflect the points of view of those groups? Yet scarcely a day passes that someone isn't sounding off about turning over to the "experts" some other important judicial function.

That our judicial system turns out as fair a facsimile of justice as it does, with the imperfections alluded to above and others which could be mentioned if time permitted, is a tribute to the character and courage of many of our judges, to the integrity and competence of many of our lawyers (who despite Brother Burch's recent remarks on the subject are usually underpaid for their efforts to that end) and to the patience and determination and the strong sense of justice which ennoble so many of our citizens.

I am convinced that the first and greatest problem which arises in our, or any, judicial system is the method by which the judges are selected. Next, of course, comes the problem of the conditions under which they hold office, around which problem revolve problems of whether and to what extent a judge's judgment shall be his own or someone else's. Nowhere are the dangers attendant upon entrusting mediocrity with power greater or less immediately apparent than in the judiciary. Nowhere are the insidious consequences which can and too often do attend placing men on precarious pinnacles more risky than in the judiciary. My hope is that when opportunity comes, and it will come again and again, to do your part toward the solution of these problems, you will not pass by on the other side of the road.

## COMMUNITY DESIGN

BY GEORGE AWSUMB

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*Read at a meeting of "THE EGYPTIANS" April 25, 1957*

The Industrial revolution of the twentieth century is breaking down the communities we knew before the advance of the machine age, and has accelerated the growth of slums. With the rapid approach of unforeseen marvels in transportation, engineering and science, have come increased difficulties, congestion and confusion, approaching the nature of an epidemic.

Upon the horse and buggy town plan of a century ago, are being superimposed the structures, utilities and traffic problems of to-day, further prolonging and increasing obsolescence. Streets and buildings which served in the days of the horse car, can no longer serve the merchant, office worker or customer. Every growing city in this dilemma is showing definite signs of decay and strangulation of its central business district. This very serious situation affects the car owner, bus passenger and pedestrian, rich and poor, young and old alike; and is perhaps the best propaganda for the re-building of cities.

In the old grid town there were many vacant spaces, and nearby streets available for play, without great danger from traffic. Into this peaceful scene came the automobile to make the quiet street untenable for children. The family car, which was to enable the city dweller to realize his dream of the country, has too often become an instrument of destruction. Community life as it was, has practically disappeared, and the country is too far away even if one survives the monotony, the ugliness and the vulgarity of the weary miles to find it.

It has been said that, "until the industrial revolution man never created ugliness, and the average road towns and main streets of America don't know they are ugly and are satisfied." The industrial decentralization made possible by cheap, easily distributed electric power, seriously disrupts local relationships,

ruins the physical and social structure of the city and adversely affects the lives of its people.

We know that the formation of slum areas and dislocation of people has been a part of the industrial growth of our cities. However we have allowed present tendencies to become even more menacing for the future.

We have developed without discipline in our freedom to use the new automobile, airplane, electric power, highway engineering and other marvelous facilities. These new machines and services, rapidly becoming available to us are often used without imagination, planning or control. Too much of the city and suburban planning has been left in the hands of the speculative builder, who has no permanent interest in the area development. The idea of a community was not in his profit-making scheme. Build, borrow and get out has been his motto. The business property owner has been interested only in his tenant and his income and the future to him is too far away to worry about.

The vital question is; how can the lives and activities of people be better organized in the space available? Weak, or too late public agencies for planning and control have tried varied methods alone or in conjunction with others. From zoning laws, urban renewal, express-ways, suburban markets, etc., have come unexpected problems which call for solution. It is now apparent to students of the subject, "That planning must become a science, to test all theories advanced for the future growth of cities and development of communities."

Zoning, which attempts to control new or altered structures, has generally avoided the congested areas in which it is most needed. Adjustment boards allow changes that cancel any benefits originally intended by the ordinance. For outlying districts, zoning jurisdiction has often proved inadequate to control in-between areas without a definite plan. Toll roads, freeways and express ways with limited access, sometimes become the means of dumping crowds into large cities to further

jamb traffic. Congestion at either end of new freeways is already apparent during rush hours in some cities.

Engineering skill has planned and executed street widening and parking has canceled the advantages gained. It has designed parkways, freeways, magnificent clover leaves and overhead bridges at great cost. Already signs of slum area development in some of these neighborhoods have appeared and the number of cars are increasing year by year, to the ultimate near failure of such schemes to relieve the business center.

Urban Renewal could do much toward revitalizing the city; where tried it has been experimental and in spots only partially successful because of too little overall planning. The relocation of people, economic and racial segregation might bring problems exceeding advantages. Each city, because of its location and environment must plan and design its own future. The city is not like an industry, which can analyze its problems and finding the old plant inadequate and inefficient for tomorrow's operation, builds new in a spacious area with opportunity for future growth.

The environment of man in the city cannot be changed as easily as an industry can renew its plant. It has a great investment in streets, super traffic systems, water supply systems, sewer systems, gas pipe lines, electric power lines, telephone lines, all greatly complicated and representing heavy financial investments. Many still believe the city could remain and continue to replace the old with the new in an effort to make it work, or perhaps devise temporary piecemeal schemes to avert eventual confusion and decay. We might even try to see what could be done by starting on an entirely new plan and from this study determine what could be salvaged. It might appear that we cannot continue to increase in size, that such growth might be unwise and unhealthy. Perhaps we should plan for new units, limiting their growth to certain maximum boundaries, thus realigning the present hit and miss arrangement of streets and structures into new communities. It has been



suggested that we should, "work out a program of land and people in relation to work and play, and thus diminish by rational disposal of people and functions, the new ever growing need for movement."

Because the confusion and disorder arising fundamentally from the machine age is of the region, the new planning to create order must be regional and metropolitan. Political boundaries would be by-passed by a commission with authority to plan and execute for an entire region. The smaller city which began with a few square miles also has a planning problem and could benefit from the mistakes of the metropolis.

Planning bodies with broad scope, should be large in number and made up of diversified study groups, for the dissemination of information to the citizens of the community. They will need the bold backing and understanding of an appreciative cross section of the public, including large taxpayers, leaders in industry, business, commerce and cultural groups.

There is need for a drastic reduction of density at the city's heart where opposition will be greatest. Property owners will need to be shown the eventual benefit, even though no immediate profit can be seen. There must be new zoning concepts and a continuing policy of land acquisition, in order to plan for future open and continuous green areas separating built-up sections from each other. The monotonous, drab appearance of our business streets, calls for a more humane atmosphere that will appeal to those workers and shoppers, who are now leaving them for greener, more attractive suburban areas. In outlying areas also private developers should be held under more strict control, in the acquisition of land for markets, housing or industry. In some locations market areas are even now showing congestion and confusion to such an extent that business in the area is falling off.

A growing community must know in what direction it is going and how far. Some have already made a bold beginning

toward the eventual attainment of the new dream that will rise from the heart of the old city. Competition, from a society growing up with and wanting to use the new technology, is shortening the life of many structures. For this and other practical considerations, many buildings, while not failing physically are failing financially as profitable enterprises. Science and invention are rapidly increasing the new materials available for structure and with these the system of planning and design of an earlier handicraft society is rapidly being overhauled.

The significance of a century's advance in the knowledge of molecular structure, to quote an authority, "is simply that once the chemist understands the structure of a class of substances he not only can modify and control that structure in nature, but thru the building up of complex molecules from simple chemicals, he can ring endless changes upon structure to rival nature itself. Man is finally free from the limitations of a few materials, laboriously won over the centuries and used in much the same forms as nature first presented them to him. The full import of this chemical explosion in new materials is only beginning to be understood in this country." Likewise the great advance in mechanical and electrical marvels available for building, only await the demand of builders and architects for use in tomorrow's structure.

It appears then that technology is looking twenty years ahead, but the rearrangement of the business heart of our cities, depending as it must upon the growing interest of the public in urban renewal, cannot be stated in such definite terms.

The problem of city growth and rapid expansion over a regional space is new to our time and we have no similar experience in history to guide our planning. However, we do have examples of South American cities with shaded walks, streets and open spaces. Such combinations of structure and architecture as the Moorish Alhambra, Italian Villa gardens

and the attractive narrow streets for pedestrians only, in many Medieval cities. The county fairs of earlier America might suggest to the designer an inviting maze for the pedestrian to wander in, without interference from signal lights, automobiles and delivery trucks.

In America the first serious attempt at civic design was made in Chicago about 50 years ago. Daniel H. Burnham's grand plan for the lake front park system, and connecting thru boulevards with access drives and bridges was a magnificent beginning. Montgomery Ward was the leader in a movement that prevented the city from building on the lake front from Randolph Street to Roosevelt Boulevard. Charles H. Whacker led the successful movement to cut Michigan Avenue thru full width to the river, providing a lower level for deliveries and making a lively spaciousness along its winding embankments. Many obsolete structures were eliminated and the increase in assessed valuation of the land is reimbursing the city the cost of street changes. The new Fort Dearborn project will continue loop and river development with structures on stilts, where pedestrians may reach their objectives amid terraces and green open spaces.

New York's Rockefeller Center, first demonstrated what a city might become, when it opened a three block area in that crowded metropolis, with a magnificent plaza surrounded by office buildings, theatres, shops and all the complex needs of today's city life. Not only do the people like it, but it has been called, "the shrewdest real estate deal of the century." A fifty-seven foot front on Fifth Avenue, pointing directly into its center, a garden approach, trees, flowers and a festival atmosphere, provide an irresistible attraction for the visitor, the shopper and the business man.

Shortly after this successful venture of private enterprise, the City of New York undertook the creation of Bryant Park, which retrieved the fine Library Building, erected in 1911, from its drab surroundings. The pedestrian may now enjoy

landscaped vistas, or quiet contemplation, amid areas of intimacy and restfulness, while withdrawn from the hurrying crowds of the metropolis.

Philadelphia is making progress with a city plan that, "emphasizes design and three dimensional planning which will take time to look as well on the ground as it does on paper," says Mayor Dilworth. Albert M. Greenfield, General Chairman, is a Democrat, the largest tax payer, interested in power, hotels, retailing, real estate and show business. In 1951 he opposed Penn Center, and in 1954 he opposed a distribution center. To-day he is the most enthusiastic supporter of the plan because he knows now that it is good business.

Pittsburgh, site of the most ambitious and most advanced clearance and rebuilding job of recent years, forecasts the creation of new problems. Mellon Square, like the phoenix, rose out of the ashes of nineteenth century structure, creating a new architecture as a dynamic force in land use for a modern city. Now however, the city's planning body, having cleared the congested triangle and brought freeways to the perimeter of the city's center, is finding that partial plans are not enough. It appears that when building projects on existing parking lots are completed, traffic congestion at the point will be very great and will increase with the years.

The city really needs less congestion and more attractive mass transportation. It is not only a down-town problem but one of successful design for near and outlying communities. Future planning is in an unsettled state but there is agreement on, "A metropolitan regional plan within whose framework other cities in Alleghany County can work out their destinies, pointing toward some form of Metropolitan government; the skeleton for which exists in the Pittsburgh regional planning association." The Pittsburgh building and development boom is forging ahead, but unless control is established the remedy may be worse than the disease.

Boston has a splendid design for the redevelopment of its center into a community without traffic which is both practical and beautiful. An irregular site of 31½ acres will be cleared for occupancy by: a hotel and convention hall, office and residential buildings, shops, restaurants, open spaces, glass covered walks, basements, escalators and an underpass.

Denver-Mile-High, a two block area with hotel, department store, studios and shops over a level underground parking area, was built as a challenge to the city which would not allow a street to be closed. Now the city, the Denver architects, and the downtown improvement association are working together to replan the central area for gradual accomplishment.

Madison, Wisconsin is extending its civic center from the capitol building, thru the town, over the railroad tracks and out into Lake Monona for a recreational center.

Detroit's civic center, on the lake front and axis of Main Street now being completed, has further emphasized the very serious condition of the old streets and buildings in its immediate vicinity. The National Bank of Detroit, wishing to erect a new building, started a movement for the renewal of the downtown area with a proposed 15 million dollar building. Including its neighbor, the 1871 city hall, this proposal was to start a probable 185 million investment. The proposed plan would clear four blocks on one side of main street as far as the civic center, construct a six lane highway with a double row of trees and a 16 foot pedestrian arcade under the bank building.

For this purpose one third of the private property was donated to the city without compensation. The owners worked together with the city, avoiding politics in land acquisition and demolition, by establishing working methods beyond criticism. Owners negotiated privately for properties and then submitted to condemnation proceedings, for those parts needed to complete the city improvement plan. The demoli-

tion contract for the entire area was let by the city and it was reimbursed by private owners on a square foot basis.

Dallas and Fort Worth have given considerable study to the problems of growth, congestion and traffic. Mr. J. B. Thomas, head of an electric Power and Light Co. serving a large area, foresaw the need of planning for future power distribution in the Metropolitan area of Fort Worth. He employed Victor Gruen & Associates (Architects and Town Planners) to study and offer a solution for the civic problem that was about to choke the heart of the city. Mr. Thomas was an active and creative client and the plan worked out was given over to the citizens for approval or rejection.

The sponsorship of the plan was taken over by an enthusiastic planning committee of leading citizens, which later was made official. Mr. Thomas, highly pleased with the plan felt well repaid for his investment, for, "he would soon know," he said, "whether Fort Worth was to go forward or accept decay and then he would direct his business accordingly." To quote Victor Gruen & Associates, "The spirit of the solution is comprehensive in nature and attempts to solve the basic problem common to all our central districts; namely, the return of the central core to the function of concentrated urban activity to which it is entitled, because of its superior central location and its civic significance."

"The plan comprehending the next 25 years of growth covers a square mile of the city's center, forming a pedestrian island with access road and six garages. It proposes:

- (1) Banning auto and truck traffic from the central core.
- (2) Transformation of streets into landscaped park areas.
- (3) A system of primary and secondary roadways connecting with a loop road encircling the area.
- (4) Parking garages at intervals along the loop road from which the center can be reached within a three minute walking time.

(5) An underground traffic system for trucks and services."

This plan which seems to offer a promising solution for the average city contemplates keeping most of the modern buildings and carefully planning and rebuilding the center as over-age structures are demolished. It would do away with intervening streets as such and offer the pedestrian freedom of movement in a fair-like atmosphere for shopping or business.

From the foregoing it would appear that much of the success of any community design will ultimately depend upon the distance people will walk to or from their garage, depot or bus. If the walk is made pleasant and interesting by proper surroundings, then success should be assured. For the elderly or infirm small electric motor vehicles could be provided.

Experience is demonstrating that a business district should have all the elements of a community in order to succeed socially and economically. Swift access roads may not be able to cancel downtown traffic congestion, in the business and financial center, unless there be a large proportion of high income families living nearby or on the fringe. The future downtown community will not be a success if cultural life is not within and a part of it. All the services and professions serving a community, all people in entertainment, sports, intellectual pursuits, journalism, T.V., radio and other interests, necessary for a complete city, would be represented in this area.

The Arts of music, painting, sculpture, architecture and the drama would be encouraged by a closely knit civic minded citizenry. Such a community would be alive in the evening and the tourist and hotel patron would not be tempted to seek entertainment elsewhere. Garages would serve both day and night patrons, thereby cutting overall cost.

Such a community must have the most efficient mass transportation that can be devised, for without the people and workers in this ideal downtown community, it will fail both financially and socially.

Such a community would have a tendency to reverse the movement to the country and the long drive for thousands of single passenger cars would not clutter up the expensive freeways or the heart of the city. Finally it is now generally agreed that, "human environment and conservation of material resources is the core of the problem, and not the highway leading to the city, but congestion in the city."

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## CHRONIC ALCOHOLISM

Its Significance to the Individual, His Family and Society

By DR. T. S. HILL

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(*Read at a meeting of "THE EGYPTIANS,"* May 16, 1957)

When man first discovered that stage in the life of fruits now known as the process of fermentation and invented methods for its use, he had created the alcoholic beverage, wine. History has demonstrated that this beverage, being both a food and a drug, would sorely test his capacity to exercise wisely his God-given freedom of choice in its use. With the invention of techniques for producing other alcoholic drinks there was further introduced into his various cultures that which could be beneficial, but which also could destroy, in some, the ability to exercise that freedom of choice.

Today the significance of this loss of control during drinking, which occurs among many in our society, is being forced upon us. The problem is known as that of alcoholism. It presents, in the opinion of Karl Menninger, the largest single mental health problem in our country, taking a tremendous toll mentally, socially, and physically of those afflicted.

It is the purpose of this paper to present such information as may aid in understanding not alone the nature of alcoholism, but the alcoholic as a person, as well as the possible role which we have played and may play as members of our society in contributing to this problem. Any careful study of the effect of cultural attitudes towards patterns of drinking reveals that *we* are not without guilt as contributors to the development of the tragedy of alcoholism.

A brief history of the use of alcoholic beverages in earlier cultural groups and the reasons therefor may have value in providing some insight into the roots of attitudes toward

drinking and alcoholism which vary from segment to segment in our society today.

Fermentation was probably discovered independently in many places. However, the introduction of agriculture which produced a more constant and abundant source of raw materials, and the development of means for storage ultimately made wines and allied products of fermentation a more important item in the lives of the majority of peoples throughout the world. The raw materials utilized for fermentation in different areas did not include, as we know, just the juice of grapes. The fermented juice of many types of berries and cherries, the sap of certain trees, such as that of many palms and at least one species of gum, the juice of sugarcane, cornstalks and dandelions, are but some of the plant materials from which wine was made. In parts of Africa and in Central and South America there was wine from honey, while in central Asia, through the fermentation of milk, was made the product kumiss.

Man's drive to conquer and embellish the processes of nature were not long restrained as alcoholic beverages assumed increasing importance in his life. Hence appeared the process of brewing beers. A process in which the starch of grains, tubers and fruits was converted to sugar before the process of fermentation would occur by using the enzymes of sprouted grains and even those of human saliva to effect the conversion. The food value of such beverages aside from their alcoholic content varied from one product to another. But with the alcoholic content of wines being no greater than 16 per cent by volume, unless fortified, and that of the strongest beers being no higher and usually averaging 4.5 per cent, man was not satisfied. Thus he invented the method of distillation in his attempts to extract the ultimate from nature.

Some believe that the technique of distillation had its origin in India. Be that as it may, its use has become greatest in the Western Civilization of the old and new world. The

distillation of wines, grain tubers and fruit beers, fermented cane sugar and molasses has created an industry of immense proportions and a variety of beverages which are of especial importance to the problem of alcoholism.

The magnitude of production in the United States is reflected in the manufacturing statistics of the fiscal year ending June 30, 1956, for wines, beers, ales and distilled liquors. The total wine production was 143,000,000 gallons. Beers and ales brewed amounted to 85,537,000 barrels containing 31 U. S. gallons each. The total distilled liquors of all types bottled came to 185,389,480 "wine gallons."

Who, then, consumes that to which this production is geared? Recent statistics indicate between 60,000,000 and 70,000,000 of our adult population over the age of 15 years. Why cite the age of 15 years? Because, as we shall see, drinking begins between the ages of 15 to 19 in a high percentage of instances.

But why the evolution of the use of these beverages to the extent to which they have been put in ages past and now? In other words, why did and why do people drink? The answer to such a question may seem at first glance simple. But is it so?

Much has been written on this subject but all too frequently the approach has been so compartmentalized with each writing from an isolated framework of reference that the necessary broader view has often been lost. It is imperative to realize at this point that any comments with reference to the reasons for drinking, while they present factors which may be contributory to alcoholism, they must not be construed as *fully explaining* the reasons why a person becomes an alcoholic.

In certain attributes, effects of, and functions served by alcohol may be found some of the cogent reasons for its widespread use in primitive and modern societies. Thus economic

attributes of alcohol have been important, particularly in primitive peoples. These include its relative ease of preparation, its keeping qualities and cheapness. The first by reason of the relative simplicity of the fermentation and brewing of a large variety of raw materials. Its keeping qualities being relative to the development of suitable storage facilities. Relative "cheapness." referring to its production with a minimum amount of labor.

Physiologically alcohol possessed two qualities which pre-disposed to its use. One was the *immediacy* of the effect due to its solubility and diffusibility, and the other the *impermanency* of its physiological effect. It is, as food, that which is the most readily absorbed into the blood stream, its absorption by simple diffusion beginning in the stomach. Further, no other food is so simply and rapidly degraded or oxidized to liberate energy, and finally, form substances which have no physiological effect.

As a drug, it operates as a depressant and its effects are those of a narcotic. Like all narcotics it impedes the transmission of nerve impulses across the junctions or synapses, slows their conduction along the fiber and contributes to an oxidative interference of the respiration within the nerve cell. In temperate social drinking alcohol's effect may seem to be that of a direct stimulant but it is not. Its depressant effect appears to involve first the higher associative areas of the brain which serve the important functions of inhibition, the release from which produces the apparent stimulation. With greater concentrations of alcohol and longer exposure of the tissues thereto, in rapid succession are the discriminative intellectual and muscular functions affected, thence simpler reflexes, areas controlling sleep are affected, while in extreme narcotization, even the reflex centers controlling breathing and heart action are involved.

The psychological picture of the inebriated state with its reduction in efficiency of the intellect and the sensory and motor functions is sufficiently familiar so that it warrants no

additional portrayal. The very disorganization, dulling and ultimate clouding of consciousness thus produced has throughout history provided for many individuals an attractive reason for drinking, in fact a veritable means of escape. Drinking to willfully achieve such a state of inebriety has from earliest times served to reduce the significance of external sources of danger and worry as well as to reduce the anxieties produced by internal conflicts, hence providing easement from the stress of life. But other effects of alcohol became apparent to primitive peoples both in religious ceremonial and secular drinking. These included the release of strong sexual drives and aggression. In ancient cultures they provided, and in some present day societies they still provide strong motives for drinking. Such effects carry seeds of destruction to a culture as they may lead to the transgression of the incest taboo and to aggression carried to the point of murder. Extensive social and anthropological studies as well as the religious and secular writings throughout the ages have expressed the concerns and anxieties engendered by the awareness of the danger inherent in the release of such drives and aggressive forces.

There has been a tendency to emphasize in current thinking the motive of escapism as the predominant reason for not alone intemperate but likewise temperate drinking. But Abraham Myerson has taken issue with this emphasis even in excessive drinking. He has stated, "Men drink in celebration as well as for relief. They drink to lend ceremony, color, and fellowship to life, just as surely as to banish anxiety, dread, and frustration. They drink out of recklessness and abandon which is not at all necessarily a compensation for an inherent caution and fatigue of spirit. They drink, too, because the inhibitions of life seem at times ridiculous and often alcohol represents not an *escape* but a *revolt* against the overstressed, perhaps necessary caution, decorum, and orderliness of existence."

Since ancient times the cultural attitudes toward drinking have vacillated. They have been influenced by human

desire for the enhancement of social communion and good fellowship and the temporary escape from life's stresses on the one hand, and fears of the individual and social consequences on the other. Thus a state of ambivalence in human attitudes has helped to generate the controversies which have centered around alcohol as they have around sex. The vertible worship and seeking of pleasure and satisfaction or hedonism has been arrayed against asceticism, with its denial of the validity of pleasure in and of itself, but its acceptance of the pleasure in self-denial and renunciation. These conflicting trends, hedonism and asceticism, have brought forth diverse thinking and action on alcohol usage in religion, law, industry, medicine, and among the laity.

The Reverend Roland H. Bainton, Professor of Ecclesiastical History at Yale University, has presented and liberally documented the evolution of attitudes held by the churches on alcohol.

In Judaism he finds an affirmative religion which has avoided the ascetic renouncing of wine as an evil *per se* and also its use to foster religious ecstasy or the orgiastic practices characteristic of the cult of Baal in Canaan and the rites of Dionysius in the Hellenistic world. Moderation it commended but drunkenness it reproved. God who created the world and saw that it was good praised, for, "He causeth the grass to grow for the cattle and the herb for the service of man . . . . and wine that maketh glad the heart of man" (Ps. 104:13-15). But the occurrence of drunkenness, whether connected with ceremonial drinking or not, was severely disapproved of. Such disapproval being clearly voiced in Proverbs (Prov. 20:1; 23:31) as well as for the drunkenness of Noah, Lot and Nabal. Total abstinence was recommended by only two minorities, the Nazarites and the Rechabites.

Early Christianity is said to have inherited this Judaistic ethic and in general appropriated it. Temperance, not abstinence, was characteristic of Jesus, whereas abstinence was the habit of John the Baptist. Yet an exacting ethical rigorism

has been credited to Jesus by St. Mathew (Math. 5:27-29) and was given expression in the writings of St. Paul. In the latter instance, leading to Paul's formulation of a principle of conduct involving consideration for others, wherein he urges "Let no man put a stumbling block in his brother's way . . . . All things indeed are clean . . . . but it is good not to eat flesh, nor to drink wine, nor do anything whereby thy brother stumbleth" (Rom. 14:13-32). In the face of persecution, the safeguard of a greater rigorism was at times advocated by the early Christian church. Total abstinence, however, became obligatory only with certain so-called "ascetic heretics," numbered among whom were various Gnostics whose abstinence precluded the celebration of the Lord's Supper with wine, and using water they came to be nicknamed Aquarians.

As the state and church became reconciled, concessions were made to the heathens. These were reluctant to give up the drinking at pagan festivals so there appeared in the church the sanctioning of drinking to commemorate the martyr. Neither St. Augustine who sought to eliminate such in his African diocese, nor St. Basil who reacted strongly against the revelry at Easter celebrations, departed from the concept of temperance as contrasted to abstinence.

When the church received the patronage of the Roman Empire and Christian precepts then could have influenced secular legislation dealing with excesses in drinking within and without the church, it is interesting to note that no ruler throughout the Christian Roman Empire or during the middle ages attempted to introduce prohibition. However, regulation of both the consumption and sale of liquors was common by ecclesiastical and secular rulers. The Catholic ethic of today preserves the stress upon temperance as does that of the Anglican and the Lutheran protestant churches. This does not minimize the commendation given to the adherents of prohibition within these churches, but adherence was not required of those who failed to accept it. Such an attitude was



reflected, for example, in the approval given to Catholic abstinentes by Pope Leo XIII.

The proposals for abstention in early Protestantism cannot be ascribed to Luther, Calvin or Knox. While each inveighed against drunkenness, no one of the three was a teetotaler. Of the three, Luther was at times the most convivial. Calvin, striving to counteract both the excesses of his time and meet the criticisms of the Anabaptists, certainly did inaugurate strict discipline and regulatory measures for the sale and use of alcoholic beverages.

The modern prohibition movement has been described as stemming from the code of the Anabaptists which had its influence on German sectarian Protestantism and through the latter affected English Methodists and Quakers. The last two denominations have been considered the pioneers in the "modern temperance crusade." The trend toward prohibition was not actually adopted by Calvinism until late in the eighteenth century.

The early English and American reformers were not ascetics seeking perfection or avoidance of contamination, but rather were they motivated to rectify social evils which were being made worse by the increasing substitution of distilled for fermented liquors. In England the reforms were led by the Methodists whereas in American the Quaker physician, Benjamin Rush, was the first leading exponent. He was followed by the Quaker father Neal Dow of Maine who was to see his efforts rewarded by the passage of the Maine Prohibition Liquor Law in 1851.

The ambivalence observed in the history of the church attitudes toward drinking has been similar among other groups and in society as a whole. The daily contact with problem drinkers voluntarily seeking help, reveals all too clearly the difficulties encountered by individuals in resolving this universal ambivalence of human attitudes.

The motives for drinking as has been indicated may be

varied and multiple in any person. In terms of frequency and severity there are different types of drinkers. Several classifications have been used. For our purposes the following types may be given. First, there are those, of course, who remain total abstainers. Then there are the moderate or social drinkers. Another group may be designated as the heavy social drinkers. The next, the so-called excessive drinker, be he a regular or periodic drinker, he still has the capacity, as do the preceding types, of his own volition, to reduce or abandon his drinking if this to him seems necessary or desirable. It is this capacity which most sharply differentiates these drinkers from the next type, the chronic alcoholic.

The true alcoholic is one whose dependence upon drinking has reached such a degree that it interferes frequently or continuously with his work efficiency, his family or other interpersonal relationships, and who fails to recognize this or recognizing it is unable to control it. The alcoholic is then a "compulsive" drinker who has lost mastery or control over his drinking and with the resultant effects has certainly become a problem drinker.

Using this definition of the alcoholic, we may ask, what is the incidence of alcoholism in the United States? Out of the 60 to 70 million adults who drink there are over 4,500,000 alcoholics. Of this number of pathological drinkers, over 1,400,000 have mental or physical complications traceable to their alcoholism. The majority of these have developed such complications after at least ten years of drinking. The incidence of alcoholics is estimated as one hundred times that of poliomyelitis, five times that of cancer and three times that of tuberculosis. Comparative studies have been made in several other countries using similar statistical methods. These countries arranged in the order of number of alcoholics per 100,000 population show the United States to have the highest incidence with 4,390 and followed by France, Sweden, Canada, Norway, Australia, England, and Wales, with Italy having the lowest rate. In no instance did any other of these countries

have an incidence rising above 3,000 per 100,000 population, and this despite the fact that the incidence of drinking as well as total consumption of liquors is higher in some of these ethnic groups.

It has been well established that in our country the incidence of alcoholism in any ethnic group does not necessarily relate to the proportion of that group which drinks. The same obtains for those of different religious affiliations. Those of Jewish faith have the highest incidence of drinking, followed by those of Catholic and then those of Protestant faith. However, Jewish people are rarely alcoholics and are seldom apprehended for drunkenness in comparison to non-Jewish drinkers.

What is the economic cost of this problem? Data on such has been variously reported and to some extent fragmentary. Cost for the annual care of alcoholics in mental hospitals has been estimated at \$13,000,000. That for maintaining inebriates in prisons and for police and court procedures was listed at over \$214,000,000 by the economist Landis, based on studies made by the Federal Bureau of Investigation and other sources. Landis in 1945 estimated the annual cost to industry in terms of loss of wages to be \$432,000,000. His estimate in the same year of a total social bill of one billion dollars "paid annually by the people because of inebriety" contrasts sharply with the current estimate of \$500,000 spent annually for research on alcoholism. Such data provides some awareness of the magnitude of the problem but fails to depict the extent of human misery and suffering caused thereby.

How does an individual progress in becoming an alcoholic? The pattern of development of alcoholism varies, it is true, from person to person but a composite picture may be drawn, based on our own studies and those done by E. M. Jellinek and also Clinebell. He begins drinking between the ages of 15 to 16½. To drink is a sign of manhood and a need in becoming a part of a group where drinking is a "folkway."

Normal social drinking provides the awareness of effects produced by alcohol which serve to aid him in reducing anxieties related to his own sense of personal inadequacy and in dealing with essential adjustment problems. It becomes a social lubricant, he gains self-confidence and feels more adequate in interpersonal contacts. He becomes more dependent upon its use to combat fatigue or to aid him in sleeping. He may still do his work well. Drunkenness is occasional but he can still control the occasions and length of these. With increasing tolerance to alcohol, greater amounts are necessary to get the desired effects.

At about the age of 25 he has his first experience with a "blackout" or in "pulling a blank," wherein he cannot remember events which occurred during his state of intoxication. This is an experience which appears in ninety per cent of alcoholics and three times more commonly in the prealcoholic than those who in their drinking do not become such. Hence, it is an important danger signal and sign of prediction.

As he begins to sneak drinks, gulp them and become defensive about his drinking and shows remorse, the signs of impending alcoholism are being clearly demonstrated. He needs help but neither he nor those about him really understand the danger at hand.

Then one day when he is about 27 years old he goes into a period of extended drunkenness he had no intentions of entering into, which may be extended for several days. He is puzzled by it, lays it to excessive worry or strain, begins to take exaggerated steps to "drink like a gentleman," but he has lost control. His drinking becomes compulsive. He drinks not alone to solve his neurotic needs but to remove the pain of previous drinking. He has thereby moved into the vicious cycle of addiction. He is not without intense feelings of guilt and remorse. These too may be removed by alcohol.

He may still hold his job but his family life becomes one of increasing friction and disorganization. Hangovers are more

painful but he finds the cure, more alcohol. At, say, the age of 30 his work efficiency suffers, loss of time is more frequent, he is fired or in anger quits before he is discharged. Family and friends lecture him which serves only to enhance and perpetuate his drinking, and friends are dropped. Social isolation of the alcoholic and his family occurs. His capacity for rationalization increases.

From the age of 30 to that of 40, when he reaches his lowest point or hits bottom, a sequence of events may occur. Thus there are brief attempts to go on the wagon, arrests for inebriation occur, he seeks psychiatric advice, medical advice, or that of religious leaders. He may be admonished, an appeal made to his will power, he receives discussion about his drinking being a symptom of his emotional conflicts, all of which he cannot or is not willing to accept. His essential problem is now that of his drinking and he needs aid in withdrawal. But this cannot be accomplished until he is able to admit to himself and finally to others that he has lost control and cannot by himself regain sobriety. This is an act of surrender and the connotation of surrender has long made such unacceptable. It is as though it would reflect upon his manhood. This for the male alcoholic, who outnumbers the female alcoholic six to one.

How then is the alcoholic's family adjusting to this sequence of events? Taking the alcoholic who is married, six stages of adjustment may be depicted.

First, a stage of doubt and denial of the problem. Sporadic episodes of excessive drinking bring embarrassment to the wife. Attempts at discussion are met with either a refusal to discuss the subject or efforts to provide explanations with assurances that it will not be repeated. But repetition does occur. As the wife seeks opinions from others she is more commonly than not informed her fears are groundless. Or else a confusing array of suggestions are given which prove ineffective. The "sacredness" of male drinking is staunchly

defended by the husband. Although a barrier is forming between them, the pretense of a happy marriage is maintained.

In the second stage an increase in immoderate drinking leads to withdrawal from social contacts. This, so that family status will not be lowered in the opinion of others. The problem is pictured as one which should be solved within the family. Such, unfortunately, is the cultural dictate which an uninformed society holds, that serves to prevent the seeking of proper aid, which at this stage is sorely needed. The wife starts to cover up for his absence from work, fearing loss of income. Her own sense of failure is briefly dispelled by short terms of sobriety only to be deepened by additional drinking episodes. The wife sees herself as the sufferer. She still strives to demand respect and obedience to the father by the children, from whom she can no longer hide the true state of affairs.

This, in a third stage, is followed by more complete disorganization of relationships within the family. Pent up feelings lead to nagging, outbursts of anger and violence, or a retreat into silence. The loyalties of the children vacillate. The wife avoids sexual contacts. The husband, feeling rejected and frustrated, challenges her capacity for womanhood. She fears his scorn, violence, the damage being done to the children, the attitude of her relatives, the opinion of others, or even for her own sanity. She has become what has been called a "waverer."

A fourth stage, leading to the wife's attempt to reorganize the family, may be initiated by some act of violence, loss of adequate financial support or protracted state of drunkenness. Her obligation to her children becomes of paramount importance. She draws the children closer to her and no longer demands that they respect their father. She assumes control of family finances and planning, isolating her husband more and more. She has become the controller.

In stage five there is an attempt to escape from her

problems and reorganize. The stage may be brief if the husband deserts because he cannot stand his loss of status. It may be the wife who, having become the controller and wage earner, thinks of her husband as a luxury which she can no longer afford, and divorce may occur, leading then to her need to recover from the sense of guilt and to organize for full family support.

In stage six, if divorce has not occurred and sobriety has with outside help been regained, a reorganization of the entire family must occur. Uncertainty of success makes it difficult for the wife to relinquish her controls and the alcoholic to regain his status. If he is active in Alcoholics Anonymous she may only gradually and reluctantly accept his activities with that group. The return to more stable family relationships, even when sobriety is maintained, is slow.

Obviously variations in this sequence of adjustments by the family are many, but the foregoing is a common pattern. If aid was sought early perhaps much of the above tragedy could be prevented.

The most difficult question posed by this entire problem is why does an alcoholic become an alcoholic? Is alcoholism a disease? The latter question can be more readily answered. That which has done most to advance the understanding and treatment of the alcoholic has been the recognition that alcoholism is a disease. This view is now generally accepted by those who have worked intensively in the field. Whereas, this recognition by Alcoholics Anonymous did so much to lead to its more general acceptance, the idea was advanced long ago. For example, Dr. Thomas Trotter of Edinburgh recognized it as a disease in his doctor's thesis written in 1778. Also, in 1830 the Medical Society of Connecticut urged its state legislature to provide special hospitals for this disease.

Various theories as to the *causes* of alcoholic addiction have been advanced. First, that the alcoholic is predisposed by heredity. This has been a long standing popular belief. It

has not been proven by science. The most challenging research on this has been performed by the discoverer of pantothenic acid and Nobel prize winner in biochemistry, Dr. R. J. Williams of the University of Texas. He has drawn the following conclusions from his investigations. First, that alcoholism is a genotropic disease, which originates from an hereditary trait and a deficiency in nutrition. The predisposing hereditary trait is found in the exceptionally high requirement in the alcoholic for certain food elements. Insufficient supply of foods creates deficiencies, particularly when alcohol is consumed and addiction is developed. The conclusions which he has drawn from his studies have not been fully accepted by many other competent scientists.

James J. Smith and his co-workers at Bellevue Medical Center in their studies on certain endocrine deficiencies became convinced that the alcoholic possesses an abnormal disturbance in bodily chemistry which predisposes him to alcoholism. That endocrine disorders are produced by alcohol has long been recognized but the concept of a special "metabolic individuality," which predisposes to alcoholism, has been seriously challenged.

Research on physiological factors which may precipitate and perpetuate the alcoholic's loss of control or addiction has shown promise of providing some pertinent answers. Clinical observation strongly suggests that in those who become alcoholics some irreversible change in body chemistry has been produced by alcohol consumption. Further, that once it has occurred the alcoholic cannot again break from sobriety without again losing control. L. D. MacLeod of Britain has found suggestive evidence that in the breakdown or degradation of alcohol certain chemical systems become so adapted to the presence of alcohol that alcohol becomes necessary to maintain chemical equilibrium. However, this too requires further proof.

There appears to be little doubt that disturbed and damaged personalities and neurotic conflicts have a high rate

of incidence among alcoholics. As indicated in previous comments about reasons for drinking, they may become dependent upon alcohol to lower the tensions and anxieties which arise in such disorders. This has led some to feel that alcoholism is only a symptom of a disordered personality or a neurosis. The long history of failure in treatment wherein the disease, addiction, is not treated but only the predisposing personality factors, attests to the inadequacy of such a concept.

There have been some interesting sources of personality conflicts found among many alcoholics by Clinebell and in our own studies. These arise in reaction to certain parental attitudes which appear in childhood and serve to produce conflicts in later life. Three parental attitudes which amount to partial rejection and deprivation of love in the child's thinking and feeling have been found. They are authoritarianism, success worship and moralism. To the child the authoritarian parent is making love contingent upon acquiescence to his will. Poor relationship to figures of authority in later life results therefrom. Inordinate parental ambition for the child's success is interpreted as love being given if the child feeds the parental ego through his achievements. Distorted patterns with open revolt or passive resistance to achievement expectations become manifest later. Puritanical attitudes engender strong hostile and guilt feelings regarding normal bodily and aggressive drives which also are poorly dealt with in adulthood. But these same reactions may also be seen in neurotic states not accompanied by alcoholism.

There is left then the embarrassing question, why is alcohol selected to reduce the anxieties and bolster the ego in these neurotic and personality disturbances. Here, it would seem, socio-cultural attitudes are important determinants.

It is in the prevalent atmosphere of a baffling, confused, "crazy quilt" basic philosophy regarding alcohol that young people establish their own values and practices. In the Jewish culture there is less of this confusion. The introduction to

alcoholic beverages occurs at an early age. In one study of Jewish children, 91% were reported to have been introduced to them between the ages of five to seven. Yet, as has been stated, alcoholism is uncommon. Their use, ceremonially and as a food, leads to the acquisition of strong inner controls and the awareness of their proper role in living. The existence of strong sanctions against drunkenness has also contributed toward the development of these controls. As Myerson has stated, "To be a drunkard is to cease being a Jew." Imanuel Kant held the idea that the danger of venting pent up feelings of hostility during drunkenness by an individual of an oppressed group led also to strong sanctions against drunkenness.

In contrast, within the largest segment of non-Jewish population drinking begins in adolescence. Here, drinking becomes a symbol of entrance into manhood for the boy, and one of emancipation for both sexes. The adult cultural attitudes which they see and emulate lack unity and present confusion. They find the attitude widespread that to drink is a sign of sophistication, gracious living and prestige. They see those of lower social and economic status imitating those in higher stations. They are aware of the smiling, winking at, and even encouragement of states of intoxication which is prevalent among adults. The confusion and even conflict of attitudes within the churches weakens the controls which they might otherwise exert. The ready availability of alcohol is all too apparent. These attitudes among others, plus the positive suggestions obtained through direct experience and the influence of advertising that alcohol is a means of relieving inner tensions, serve as cultural determinants for the selection of alcohol.

However, our present state of knowledge still fails to explain *fully* why, in the course of their drinking, some become alcoholics and others do not.

The influence of Alcoholics Anonymous, The Yale School for Studies on Alcoholism, and the National Com-

mittee on Alcoholism has been great in advancing our understanding of alcoholism. Medical science has begun to make its contributions to the knowledge and treatment of this disease, albeit belatedly. But to do so there had to come the recognition that alcoholism was a disease, that the alcoholic could be helped and that it was a public health problem. However, even today this recognition is not universal. This is revealed in a survey of attitudes by Rutgers University made among doctors, community leaders and the general public. It was found that only one in five considered the alcoholic a sick person. Fifty per cent believed he could stop drinking if he wanted to. Fifty-eight per cent saw no difference between an alcoholic and a person who gets drunk frequently.

The 1955 report of the National Committee on Alcoholism, however, does reveal progress in understanding. For, since the opening of the Yale Clinics in 1944, the first such in the country, over 90 clinics have been established. More than 3,000 general hospitals are now accepting acute cases. Some 30 or more states have inaugurated state programs. Fifteen of the largest industries have internal programs or use community treatment programs. Whereas in 1944 there was no public acceptance of alcoholism as a disease, this concept has been accepted by the American Medical Association, some industries, the World Health Organization, labor unions, the press, Federal and state governments and large segments of the public.

It has not been the purpose of this paper to present methods of treatment. Yet in closing one cannot avoid referring to one essential element necessary in applying medical and psychological therapies. This is the ability to sincerely convince the alcoholic that he is accepted as a human being with understanding and without judgment. To do this the fetters of old cultural attitudes toward alcoholism must be broken. The haunting memory of an admonition voiced centuries ago—"Judge not, that ye be not judged" (Math. 7:1)—aids in doing so.

# THE EGYPTIANS

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## PROGRAM

YEAR 1957-1958

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1957

Oct. 17—Arbitration of Union-Management Disputes

DR. RALPH HON

Nov. 21—The Profit Motive and Deeper Motives

DR. McDONALD K. HORNE, JR.

Dec. 12—Some Food Fallacies

HUBERT GARRECHT

1958

Jan. 16—On the Trail of Lewis and Clark

DR. MARSHALL WINGFIELD

Feb. 20—The American Trade Association

JOHN MOLONEY

Mar. 20—Inflation; Its Price and Terms of Payment

WILLIAM A. WOOTEN

Apr. 17—Living to Enjoy Your Social Security

DR. W. LIKELY SIMPSON

May 15—Some Comments on the Costs of Higher Education

ARTHUR McCAIN

# THE EGYPTIANS

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## OFFICERS AND MEMBERS

YEAR 1956-1957

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### Officers

Dr. McDonald K. Horne, Jr.....President  
Arthur W. McCain.....Vice-President  
Hubert Garrecht .....Secretary-Treasurer

### Honorary Members

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Rabbi W. H. Fineshriber  
Alfred H. Stone  
Dr. R. B. Maury  
Bishop Thomas F. Gailor  
Sanford Morison  
Dr. Charles E. Diehl

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### Members

Major Thomas H. Allen	Arthur W. McCain
Walter P. Armstrong, Jr.	John F. Moloney
George Awsumb	I. L. Myers
Lucius E. Burch, Jr.	Dr. Peyton N. Rhodes
Dr. John E. Farrior	Gilmer Richardson
Frank Faux	Willard W. Scott
Hubert Garrecht	Dr. T. M. Simpson
Wesley Halliburton	Dr. W. Likely Simpson
Charles C. Henry	Dr. Neuton S. Stern
W. R. Herstein	W. C. Teague
Dr. T. S. Hill	Thomas F. Turley, Jr.
Dr. Ralph C. Hon	Dr. James A. Wax
Dr. McDonald K. Horne, Jr.	Dr. C. B. Weiss
Dr. A. P. Kelso	Dr. Marshall Wingfield
Dr. W. C. Lassetter	W. A. Wooten



# CONSTITUTION AND BY-LAWS

As Amended to May 31, 1957

## ARTICLE I.—Objects.

Section 1. The subscribers hereto associate themselves for the purpose of discussing, at stated times and in a social way, such topics as pertain to the welfare, culture and happiness of the people, particularly of our own locality, state or nation. No resolution shall ever be passed committing the club as a body to any proposition.

## ARTICLE II.—Name and Membership.

Section 1. This organization shall be known as THE EGYPTIANS, and shall consist of not more than thirty-three regular contributing members, who shall be citizens or residents of Shelby County, Tennessee, of recognized standing, ability and influence in the community, with other associates as provided in Section 2.

Section 2. Honorary membership may be tendered only to non-resident persons distinguished in the walks of education, literature, science or art; and such associates having no votes, shall be exempt from payment of all dues and assessments.

Section 3. Any member may nominate an individual for membership, submitting a brief statement of the candidate's qualifications to the officers of the club. If by majority vote of the officers, the candidate is acceptable, the officers shall circularize these qualifications to the members of the club at least one week prior to the following meeting. A secret ballot shall be cast by mail, with the minimum number of affirmative votes for election equalling at least two-thirds of the total membership, and if not more than two adverse votes be cast by the members, it shall be the duty of the secretary to invite such person to become a member.

## ARTICLE III.—Officers.

Section 1. The Officers of the club shall be a President, Vice-President and Secretary-Treasurer, each to be chosen by ballot at the last meeting in May, to serve one year, or until a successor shall be elected.

Section 2. As a compensation for his services, the Secretary-Treasurer shall be exempt from the payment of all dues, charges and assessments.

## ARTICLE IV.—Meetings.

Section 1. Regular meetings of the club shall be held at 6:30 p.m., the third Thursday in each month, between October 1st, and June 1st, beginning the third Thursday in October, except as provided in Section 2.

Section 2. The club may, at any session, change the date of a succeeding meeting, or the President, with reason therefor, may change the date of the next meeting or call a special meeting as may be required.

Section 3. In the event of change or call for special meeting, as provided in Section 2, the President shall direct the Secretary to notify members thereof.

Section 4. Any member who shall fail to attend at least three meetings during a season without excuse shall be conclusively presumed to have resigned and such implied resignation shall become effective without action of the club. He shall, however, be sent the publications of the club for the full period for which he has paid dues.

Section 5. The time consumed by any paper shall not exceed thirty minutes and in the discussion which follows, no member shall speak more than once and not exceeding ten minutes, until all other members present shall have had the opportunity of speaking.

## ARTICLE V.—Dues and Assessments.

Section 1. The annual dues shall be nine dollars and ninety cents, payable in advance, provided that a member admitted after February 1st shall be required to pay only one half the annual dues for the balance of the year.

Section 2. A special assessment, if necessity arises, may be levied at any regular meeting by an affirmative vote of a majority of all the members of the club.

Section 3. Failure to pay dues or assessments within sixty days of notice shall be considered as forfeit of membership.

## ARTICLE VI.—Quorum.

Section 1. Eight members shall constitute a quorum for the transaction of business.

## ARTICLE VII.—Amendments.

Section 1. This Constitution and By-Laws may be amended at any regular meeting, provided the proposed change has been announced at the previous meeting and is adopted by an affirmative vote of a majority of those present; and provided, that not less than eight affirmative votes shall be necessary.

Section 2. Article II may be altered or amended only at the annual meeting (last meeting in May), previous notice of proposed change having been given.

### **ARTICLE VIII.—Papers.**

Section 1. Any member of the club who shall fail to present a paper or deliver an address on the date assigned him, without an excuse that shall be satisfactory to the Officers, shall thereupon forfeit his membership. The Secretary shall give each member, to whom a paper or address is assigned, at least three months notice of the date assigned to such member. The subject of any paper or address shall be selected by the writer with the advice of the Officers and the Secretary shall announce topics for discussion not less than two months in advance.

### **Addendum.**

On January 10, 1922, the following rule was, on motion, unanimously adopted and recorded: That out of town guests brought by members of the club be welcome; That members introducing guests who are residents of Memphis, be charged \$2.00 (or such an amount as shall be determined from year to year) per meeting for each guest.