

Popular Government

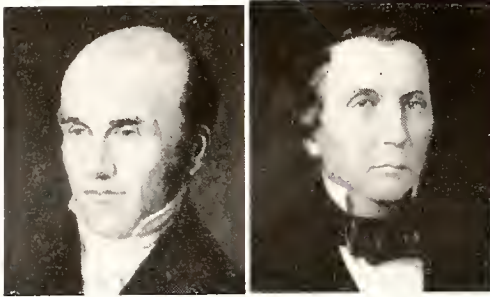
March 1950



PUBLISHED BY THE INSTITUTE OF GOVERNMENT
UNIVERSITY OF NORTH CAROLINA
Chapel Hill

University Presidents

1795-1950

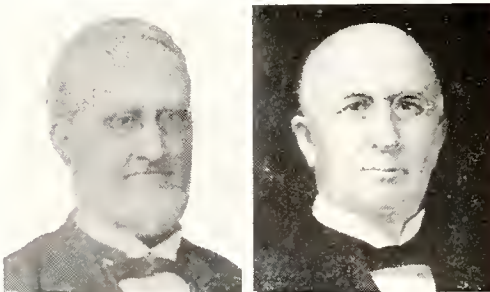


CALDWELL

SWAIN

JOSEPH CALDWELL. Born in Lamington, New Jersey, 1773. Attended academies in Princeton and Newark directed by Dr. Witherspoon and Dr. McWhorter. Entered Princeton College in 1787, at the age of 14. Graduated in 1791, ranking high in his class. Spoke the Latin Salutatory. Studied for the ministry and became tutor at Princeton in 1795. Professor of Mathematics at the University of North Carolina in 1796. Presiding Professor. On motion of Judge William Gaston elected first president of the University of North Carolina in 1804, at the age of 31.

DAVID LOWRY SWAIN. Born in Buncombe County, 1801. "Meager education" in neighborhood schools. 1821 attended the University of North Carolina for four months, withdrew to study law in Raleigh under Chief Justice Taylor. 1822 returned to Buncombe to practice law. Elected to the General Assembly in 1824 and served five terms. Expert in statistics and taxation. Elected solicitor of the Edenton Circuit in 1829, served for one year. 1832 elected Governor. Re-elected in 1833 and 1834. Led movement for constitutional reform while Governor and publicly favored public education. Elected President of the University of North Carolina in 1835, at the age of 34. Served until 1868.



BATTLE

WINSTON

KEMP PLUMMER BATTLE. Born in Franklin County, 1831. Attended Louisburg Female Academy, Raleigh Male Academy from 1839 to 1843, and a school in Chapel Hill in 1843. 1845 entered the University of North Carolina. President of Dialectic Society. Graduated in 1849 with first honors in every examination. Delivered Vaedictory address. 1849 tutor of Latin at the University. 1850 tutor of Mathematics. 1852 received Master's degree and completed law course. Practiced law from 1854 to 1876. Director of Bank of North Carolina 1857. President of Chatham Railroad Company 1861. Trustee of the University 1862. Elected Treasurer of North Carolina 1866. President of State Agricultural Society 1867. President of State Life Insurance Company 1870. 1875 helped to re-open and reorganize University. Elected president of the University of North Carolina in 1876, at the age of 45. Served until 1891.

GEORGE TAYLOE WINSTON. Born in Bertie County, 1852. Graduated from the Horner School at Oxford with the highest honors. 1865 entered the University of North Carolina. Left the University when reconstruction administration took control in 1868,

and entered the Naval Academy. Ranked first in a class of 70. 1871 entered Cornell. Won medal for Latin scholarship. Became member of Phi Beta Kappa. During senior year was selected to replace an assistant professor of mathematics who was on leave. Graduated in 1874 with highest honors. 1875 assistant professor of Literature at the University of North Carolina. Assisted in reorganization of the University. 1875 elected secretary of the faculty and made a full professor. 1889 elected president of the North Carolina Teachers' Assembly. Elected president of the University of North Carolina in 1891, at the age of 39.



ALDERMAN

VENABLE

EDWIN ANDERSON ALDERMAN. Born in Wilmington, 1861. Attended Burgess Military School and the Catlet School in Wilmington, and Bethel Military Academy in Virginia 1876 to 1878. Made an excellent record. 1878 entered the University of North Carolina. Won the Mangum medal for oratory. Graduated in 1882 with honors in Latin and English. 1882 taught in Goldsboro graded schools. The same year became superintendent of Goldsboro city schools. 1886 president of North Carolina Teachers' Assembly. 1891 helped to establish Normal and Industrial School for Women, became professor of history there in 1892. 1893 returned to the University of North Carolina as supervisor of the library, later taught education, history, English. Superintendent of summer school for teachers from 1894 to 1896. Elected president of the University of North Carolina in 1896, at the age of 35.

FRANCIS PRESTON VENABLE. Born in Prince Edward County, Virginia, 1886. Attended high school in Charlottesville. Graduated from the University of Virginia in 1877 with highest honors. Taught at New Orleans high school 1878. Took postgraduate work in Chemistry at the University of Virginia. 1879 completed two semesters at the University of Bonn. 1880 professor of Chemistry at the University of North Carolina. 1881 received doctor's degree, *magna cum laude*, from the University of Gottingen. While a professor at the University of North Carolina published 60 papers, was chemist to State Board of Health, lectured throughout the state. 1895 elected chairman of the southern section of the American Association for the Advancement of Science and council member of the American Chemical Society. Later became president of the society's southern section. Helped to promote the University Press. Established the University Record. Permanent secretary of the Elisha Mitchell Society. 1900 elected President of the University of North Carolina, at the age of 44.

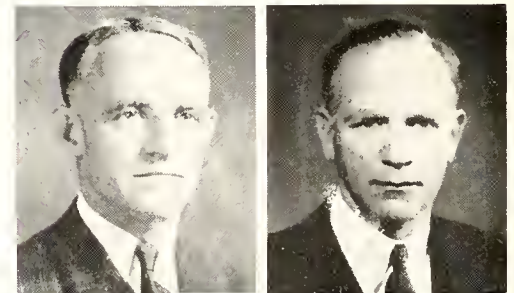


GRAHAM

CHASE

EDWARD KIDDER GRAHAM. Born in Mecklenburg County, 1876. Attended city schools and the Carolina Military Institute in Charlotte. 1894 entered the University of North Carolina. Undergraduate honors. Senior oratorical prize. 1898 graduated second in his class. 1898 taught at a private school in Charlotte. 1899 returned to the University of North Carolina as librarian. Instructor of English from 1900 to 1902. 1902 assistant professor. 1904 professor. 1909 dean of the college of liberal arts. 1913 acting president of the University. 1914 elected president of the University of North Carolina, at the age of 38. Served until his death in 1918.

HARRY WOODBURN CHASE. Born in Groveland, Massachusetts, 1883. Entered Dartmouth College 1900. Member of Phi Beta Kappa. Graduated in 1904. 1908 received master's degree from Dartmouth. 1910 received doctor's degree from Clarke University. Taught high school from 1905 to 1909. Directed educational clinic at Clarke during 1909-1910. 1910 professor of education at the University of North Carolina. 1914 professor of psychology. Acting dean of the college of liberal arts during 1918-1919. Chairman of the faculty for six months during 1919. Elected president in 1919 at the age of 36.



GRAHAM

GRAY

FRANK PORTER GRAHAM. Born in Cumberland County, 1886. Attended school in Fayetteville, Charlotte, and Warrenton. Graduated from high school with honors. 1905 entered the University of North Carolina. Active in athletics, twice elected president of his class, member of honorary societies and Dialectic Senate. Secretary of Phi Beta Kappa. Graduated in 1909. Studied law for one year. 1911 received master's degree from Columbia. 1911-12 taught school in Raleigh. 1912 secretary of Y.M.C.A. at the University of North Carolina. 1914 instructor in the history department. 1915 did graduate work at Columbia. During World War I joined the Marines as a private and was mustered out a first lieutenant. 1919 returned to University as assistant professor of history and dean of students. 1921 associate professor. 1922 did graduate work at the University of Chicago. Won fellowship for study abroad 1923. Attended the Universities of London and Paris, and Oxford. 1927 full professor at the University. Elected president of the University of North Carolina in 1930, at the age of 44.



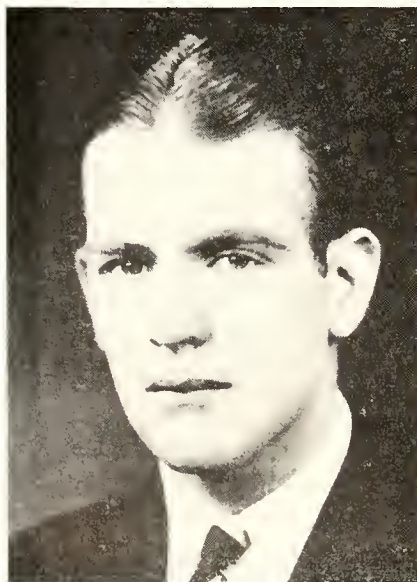
Three years old

Company, and a member of the Board of Trustees of the Winston-Salem Teachers College.

1938—President of the North Carolina Young Democratic Clubs, and of the Winston-Salem Community Chest. On June 11, married Jane Boyden Craige.

1939—Represented Forsyth County in the North Carolina State Senate. Member of the State Banking Commission, and the Advisory Council of the State Unemployment Commission. Chairman of the Senate Committee on University Trustees.

1941—Served a second term in the

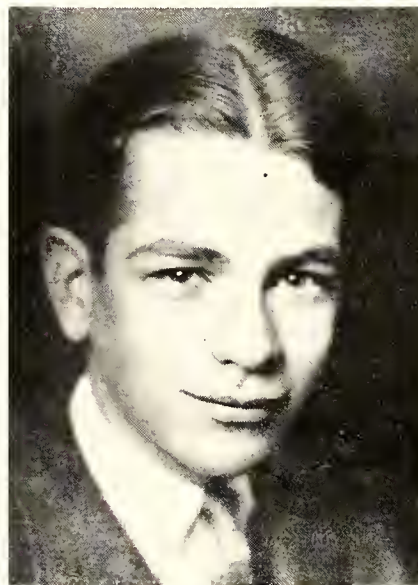


At the University of North Carolina

State Senate. Chairman of the Senate Committee on Banks and Banking. Chairman of Defense Bond and Stamp Sales in Forsyth.

1942—Inducted into the army as a private on May 16, at Fort Bragg. Scored the highest mark on the army I. Q. test ever scored at Fort Bragg. Took infantry basic training at Camp Wheeler, Georgia.

1943—Attended Officer Candidate School at Fort Benning, graduated and commissioned a second lieutenant on February 24. Became Intelligence and Public Relations Officer at Fort Benning. Attended Counter Intelligence School in Chicago where he was outranked by 90% of his classmates but graduated at the top of the class. Promoted to first lieutenant.



At Woodberry Forest

1944—Became Assistant Executive Officer at the Infantry School at Fort Benning. Promoted to captain in March, attended Staff Officer School, and went overseas in September. Served on General Bradley's staff at Twelfth Army Group Headquarters during the Ardennes offensive.

1945—Discharged from the army in May.

1947—Served a third term in the State Senate. Chairman of the

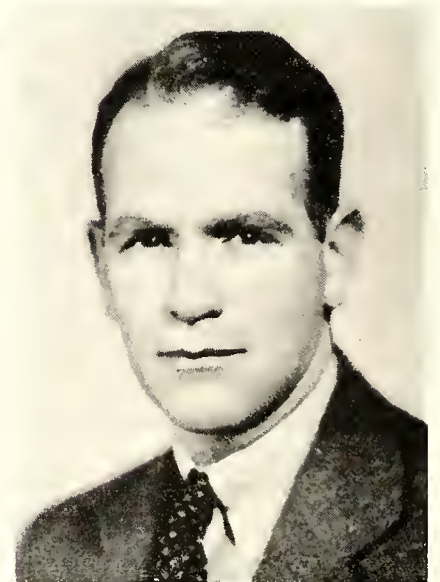


Six years old

Senate Finance Committee and member of the Advisory Budget Commission for 1947-1949. President of the Winston-Salem Chamber of Commerce. On September 24, sworn in as Assistant Secretary of the Army. Became Chairman of the Committee on Civilian Components and Chairman of the President's Committee on Equality and Opportunity in the Armed Forces.

1949—Appointed Secretary of the Army on June 20.

1950—Elected President of the University of North Carolina on February 6.



As State Senator, 1939



With his son, Gordon, Jr., born 1939



As a private in the army, 1942



As an officer, 1943



Jane Craige Gray

Born and brought up in Forsyth County, attended local schools, the National Cathedral School, and Vassar College. Her family came to North Carolina in 1750. Members of her family served in the Revolution, the Civil War, World War I and World War II, in the U. S. Congress, in the state legislature, and on the N. C. Supreme Court. Six generations of her family attended the University of North Carolina. She was married to Gordon Gray in 1938 and is the mother of the four boys pictured on the cover.



With William K. Hoyt, general manager of the Winston-Salem Journal-Sentinel, 1946



Sworn in by Kenneth Royall as Assistant Secretary of the Army, 1947



Sworn in by Louis Johnson as Secretary of the Army, 1949



Gordon Gray, 1950

The Underpinning

By

ALBERT COATES

Director

Institute of Government

The story of Gordon Gray from his birth in 1909, through preparatory school, college, law school, law practice, newspaper business, army, secretaryship of the army, to the presidency of the University of North Carolina, is outlined in this issue of POPULAR GOVERNMENT.

The transcript of his scholastic record is symbolic of other records written by the same man before and since. It is presented here as part and parcel of the underpinning of Gordon Gray against the background of records written by his predecessors in the office of the President of the University of North Carolina up to the time of their selection—in scholastic training, practical experience, and personal acquaintance with the problems of North Carolina and the University of North Carolina.

Scholastic Training of University Presidents. David Lowry Swain went to "neighborhood schools," to college four months, and then read law in a private office long enough to get his license. Joseph Caldwell, George Tayloe Winston, and Edwin Anderson Alderman went to good preparatory schools, and to college four years. Kemp and Plummer Battle, Edward Kidder Graham, and Frank Porter Graham followed college training with one or more years of graduate work leading to the master's degree. Francis Preston Venable and Harry Woodburn Chase followed college training with three years of graduate work leading to the doctor's degree.

Caldwell, Alderman and Chase stood "high" in their classes. E. K. Graham and Frank Graham stood second in their classes. Battle graduated "with first honors in every examination," and Winston and Venable "with highest honors."

Gordon Gray went to the public schools of Winston-Salem six years, Woodberry Forest five years, the University of North Carolina four years, and Yale University Law School three years. He stood second in his class for one year at Woodberry Forest and first in his class for four years; first in his class at the University of North Carolina for four years, graduating as president of Phi Beta Kappa; in the front

ranks of his class at Yale Law School, winning editorship on the Yale Law Journal.

While he was getting acquainted with his books he was getting acquainted with his fellows. While leading his classes at Woodberry Forest he wrote for the school paper, played on the varsity basketball team, edited the school yearbook, and served on the student governing board. While leading his classes at the University of North Carolina he served as business manager of the Carolina Magazine, manager of the varsity baseball squad, president of the Order of Gimghouls, president of the D. K. E. fraternity, president of Phi Beta Kappa, and president of the Golden Fleece. While in the front ranks of his class at Yale he served on the editorial board of the Yale Law Journal and as president of Corbey Court.

It is thus apparent from the record that Gordon Gray measures up to the high traditions of scholastic training achieved by his predecessors.

Practical Experience of University Presidents. Seven of the University presidents taught in high school, college, or both, on their way to the presidency—Caldwell, Winston, Alderman, Venable, the two Grahams, and Chase. Two of them came from the practice of law and the public service—Swain and Battle. Swain served for one term as Solicitor of the Superior Court, one term as Judge of the Superior Court, five terms as member of the General Assembly, and three terms as Governor. Battle served as bank director, railroad president, insurance company president, agricultural society president, Treasurer of North Carolina, and Trustee of the University of North Carolina. Frank Graham served as private, second lieutenant and first lieutenant in the United States Marines in World War I.

Gordon Gray practiced law, published newspapers, directed radio stations, served as bank director, participated in local civic affairs—serving in the Junior Chamber of Commerce and the Red Cross, as president of the Chamber of Commerce and the Community Chest, and as chairman of the Defense Bond and Stamp Sales drive. He served for one year as president of the North Carolina Young Democratic Clubs; three terms in the General Assembly—acting as chairman of the Senate Committee on University Trustees, Banks and Banking, and Finance; and served on the Board of Trustees of the Winston-Salem Teachers College, State Banking Commission, Advisory Council of the State Unemployment Commission, Advisory Budget Commission. He served in the United States Army three years—as a private, second lieutenant, first lieutenant, captain, became Assistant Secretary of the Army in 1947 and Secretary of the Army in 1949.

He has made a distinctive go of his newspaper publishing ventures, radio broadcasting ventures, and civic ventures in the eyes of those equipped to judge him. Newspaper reporters covering the General Assembly during his sessions as a member voted him one of the three most valuable members for each of the three terms he served in the Senate. Army records give him the highest mark ever scored on the army I. Q. test at Fort Bragg. In the Army Counter Intelligence School in Chicago in 1943 where he was outranked by ninety per cent of his fellow students he graduated at the top of his class. His work as Assistant Secretary of the Army won his promotion to Secretary of the Army where men who know his record say that in the whirl and confusion of competing army, navy and air corps aspirations he has found his footing, kept his head, demonstrated the capacity "to see things clearly and to see them whole." According to the Army Chief of Staff he has brought the army to its "highest peak since the postwar demobilization, and distinctively advanced the principle and practice of unity and cooperation in the armed services—calling forth the accolade of Wash-

ington newspaper men who through long years of service have seen of officials come and go—"Gordon Gray is the kind of public servant the political science books say the government needs more of."

It is thus apparent from the record that Gordon Gray measures up to the highest traditions of practical experience achieved by his predecessors.

Personal Acquaintance with Problems of University and State. Presidents of the University have come from families of physicians, farmers, lawyers, school teachers, laborers, and business men. Three of them were born and brought up in other states—Caldwell in New Jersey, Venable in Virginia, and Chase in Massachusetts; and six were born and brought up in North Carolina—Swain, Battle, Winston, Alderman, E. K. Graham, and Frank Graham. Two of them came direct from public life—Swain and Battle; and seven came direct from academic life—Caldwell, Winston, Alderman, Venable, E. K. Graham, Chase, and Frank Graham. Three of them—Swain, Battle, and Alderman, received all of their academic training at the University of North Carolina; two of them received their undergraduate training in North Carolina and their graduate training elsewhere—E. K. Graham and Frank Graham; one of them—Winston, received part of his undergraduate training in North Carolina and continued it at Annapolis and Cornell; three of them received none of their academic training here—Caldwell, Venable and Chase.

But whether they were born, brought up, and trained in this state or out of it, all of them became native sons by taking root, growing, and flourishing in this soil and grappling with the problems of this state and section, and all of them found their way through the ranks of colleagues and contemporaries to University leadership. Caldwell served a faculty apprenticeship of eight years on his way to the presidency; Winston, sixteen years; Alderman, three years; Venable, twenty years; E. K. Graham, fourteen years; Chase, nine years; Frank Graham, sixteen years. Swain served a state apprenticeship of thirty-four years in the life of North Carolina on his way to the presidency, and Battle forty-five years. Caldwell was elected president at the age

of thirty-one, Swain at thirty-four, Battle at forty-five, Winston at thirty-nine, Alderman at thirty-five, Venable at forty-four, E. K. Graham at thirty-eight, Chase at thirty-six, and Frank Graham at forty-four.

Gordon Gray was brought up in North Carolina, as were his father and mother before him and their forebears reaching back for 200 years to 1750 and beyond. He has lived here all his life with excursions outside for schooling, apprenticeship in law office, military service, and administration of the army; and comes to the presidency at the age of forty in the tradition of David Lowry Swain and Kemp Plummer Battle.

His academic interest is no less than that of Swain who withdrew from an unusually successful political career to become President of the University in 1835, and no less than that of Battle who withdrew from an unusually successful career in business, law and politics to become President of the University in 1876.

Like Swain and Battle his basic interests have drawn him to the field of educational leadership and administration against the pull of other bright and beckoning horizons. Battle tutored at the University for a year or more while studying law; Gordon Gray's first thought of a career was the study and teaching of history in his alma mater; his latest utterance was that he intended to devote the rest of his life to the public service and that he would rather devote it to the public service in North Carolina and the University than anywhere else.

Like Swain and Battle his personal, business, professional, and public service interests and activities have brought him to grips with the problems of this state and section and carried him beyond sectional lines to grips with problems no less local, state and sectional because they are national and international in their reaches.

It is thus apparent from the record that Gordon Gray measures up to the highest traditions of personal acquaintance with the problems of this state and section achieved by his predecessors.

Traditions and Opportunities of the President's Office. It was the task of Caldwell and Swain to sink the roots

of the University of North Carolina deep into the soil and build it into the life of this state and section. It was the task of Battle, Winston, Alderman, and Venable to rebuild it into the life of a new civilization growing up in the framework of the old state and the old south out of the ruins of the civil war and reconstruction. It was the task of Edward Kidder Graham, Harry Woodburn Chase, and Frank Porter Graham to strengthen its roots in the life of the people, extend its campus to the limits of the state and lift its vision and extend its work to the horizons of the south and of the nation.

During the early 1930's Frank Graham took on the further task of unifying the administration of the University at Chapel Hill, the North Carolina State College of Agriculture and Engineering at Raleigh, and the North Carolina College for Women at Greensboro.

It will be the task of Gordon Gray to develop the resources of these three institutions and correlate their activities under the name and in the spirit of the Greater University of North Carolina, in the service of the state, the south, and the nation in a world predestined to be one world or none. Here is a task calling for prophetic vision, inspiring leadership, and equally inspiring administration. No President of the University of North Carolina from its opening in 1795 through the hundred and fifty-five years of its history to the present hour has ever faced a greater opportunity or a greater challenge.

Gordon Gray will need all of his native ability, academic training, practical experience, personal insight, and the help of all the people who love and believe in North Carolina and the University of North Carolina, in his efforts to measure up to these responsibilities. Men who have known him all his life believe, and men who have studied the record of his life believe, that the boy who worked his way to the top of his class at Woodberry Forest, worked his way to the top of his class in the University of North Carolina, worked his way to the top of his class in the Law School of Yale, worked his way to the top of the United States Army, will work his way to the top of his job as President of the Greater University of North Carolina with all its traditions and opportunities. God helping him he will do no other.

The Committee On Selection Recommends

TO HIS EXCELLENCY, THE GOVERNOR OF NORTH CAROLINA, EX OFFICIO CHAIRMAN OF THE BOARD OF TRUSTEES, AND TO THE MEMBERS OF THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES FOR THE UNIVERSITY FOR NORTH CAROLINA:

His Excellency Governor Scott, on April 20, 1949, appointed the following to serve as a nominating committee for a President of the University of North Carolina:

Mr. John W. Clark, Greensboro; Mrs. Julius W. Cone, Greensboro; Mr. O. Max Gardner, Jr., Shelby; Mr. Hugh Harris, Oriental; Mr. Spencer Love, Washington, D. C.; Mrs. Paul P. McCain, Southern Pines; Major L. P. McLendon, Greensboro; Mrs. Charles W. Stanford, R. F. D., Chapel Hill; Mr. Victor S. Bryant, Chairman, Durham.

The Committee held its first meeting on the 6th day of May, 1949. At this meeting the Chairman was authorized and directed to notify the faculties of the three branches of the University, through their respective Chancellors, that the Committee would hold meetings on the campuses of the three institutions, in order that anyone who desired to do so might appear and bring to the attention of the Committee any matter in connection with the nomination of a President for the University. At these meetings, which were held after proper notice, some of the faculty members and students appeared and made helpful suggestions to the Committee, both as to the qualifications desired in the new President and as to names to be considered.

Later the three faculties selected from their own ranks committees consisting of nine members from the Raleigh unit, nine from the Chapel Hill unit, and ten from the faculty at the Woman's College, making a total membership on the Faculty Committee of twenty-eight. This Committee was requested by us to prepare a list of all those candidates who should be considered for the presidency. (Wherever the term "candidate" is used in this report, it should be understood as meaning a person whose name was suggested by someone other than the prospective nominee, as we know of no instance in which anyone on our preferred lists has personally sought to influence the Committee in his own behalf.)

As a result of this request to the Faculty Committee, a comprehensive

list of all persons suggested by individual members of the faculties of the three units of the Consolidated University was prepared and delivered to the Trustees' Committee. The Faculty list contained a total of ninety-three candidates.

In addition the Committee wrote to each member of the Board of Trustees of the University inviting suggestions both as to the type of man to be selected and as to the names of any persons the Trustees wished to consider. Letters containing similar inquiries were also written to Presidents and faculty members of a number of universities and educational foundations. Furthermore, publicity was given to the fact that the Committee would welcome suggestions from the alumni or from any other source. As a result, a total of two hundred and six names were ultimately presented to the Committee. An original alphabetical master list was prepared, to which names were added from time to time as received by the Committee.

We also asked the members of the Faculty Committee to advise us what they considered the more desirable qualifications for the new President. Based upon their advices and our own studies, the Committee on general principles determined that it was highly desirable, if not essential, that the new President possess, among others, the following qualifications:

1. He should be a man of distinction in some field of learning.

2. He should be an intellectual leader with a clear and practical concept of current social needs.

3. He should be familiar with the University-State relationships, and if possible should have some knowledge of problems in North Carolina, or at least should be native in thought in dealing with North Carolina's problems, particularly those of an educational nature. The South, just as every other section of the nation, has a distinct culture, the preservation of which we consider highly important. Without losing sight of the dangers of provincialism, we feel that the preservation of our State's traditions should naturally be a matter of concern to the head of the State's highest educational institution, and the custody and protection of the traditions should be placed in safe and sympathetic hands. At no time, however, in the discharge of our duties, have we felt that our search should be circumscribed by our State's boundaries.

4. He should have executive ability coupled with sound common sense, and should be a keen judge of men.

5. He should be capable of expressing the purposes and problems of the University in writing and in speaking.

6. He should be sympathetic with those principles of academic freedom and democratic procedure which are traditional in the Greater University. His emphasis on scholarship, his devotion to freedom of research, and his zeal for the pursuit of truth both for himself and his faculty associates, wherever such a search may lead, should be such as to attract to the faculties teachers of the highest order, and to the student bodies young men and women seriously interested in securing a sound education.

7. He should be sufficiently mature to be rich in experience, but sufficiently young in years to have time to plan and administer to fruition a long range program before reaching the retirement age of 65. If this requirement were not met we would in effect be turning over the administration of the University to a mere caretaker for a short number of years.

The Committee also felt it wise to anticipate the nature of the more important duties of the new President in order to better enable it to determine the type of man to be selected. These duties seemed to group themselves under four main heads:

1. The heart of any university is its faculty. We have noted with apprehension the loss of some of our outstanding faculty members. A discussion of the causes is not germane at this point. The first and most important task of the new President will be to recruit and maintain at top level outstanding faculties at each of the three institutions. The new Medical School at Chapel Hill and the expanding programs at all three of the institutions will require the careful selection of men and women for these new positions. These and vacancies in established positions must be filled with trained and capable men and women who will emphasize and re-emphasize scholarship.

A new Chancellor must be chosen at once for the Woman's College. Another Chancellor will soon reach the retirement age, and search for his successor should be initiated before the vacancy actually occurs.

2. Although consolidation has become an established fact, there is still much to be done by way of internal organization. The Committee was impressed with the importance attached to the problem by both the Faculty Committee and the student representatives.

3. In the field of public relations the new President must not only be one who can represent the University effectively in the presentation of its budgetary requests to the Legislature and its proper committees, but also one who can assume the duty of

interpreting and explaining the meaning, usefulness, and needs of the University to the people of North Carolina. Our people want to be and should be kept informed about their University.

The University is the capstone of public education in North Carolina. Its welfare and that of the public school system are interdependent. This will constitute an important phase of the new President's duties in public relations.

4. While the recently provided building program of the University

has been started, there still remains a great deal to be done administratively. Much of this, of course, has been and will continue to be done by the Controller and other administrative officials. The new President, however, will have important duties to perform and decisions to make in connection with this program . . . January 21st, 1950.

Respectfully submitted,
(Signed)

VICTOR S. BRYANT,
For The Committee

Chairman Victor S. Bryant Presents

If we make a wise choice of a new president today, and if in the future we are able to continue to command the services of highly competent chancellors, State College should become, if indeed it has not already become, the Massachusetts Institute of Technology of the South and one of the leading technological schools in the entire United States. The Woman's College, with gradual and steady but wholesome development, should rank with Smith or Vassar, or any of the other leading colleges for women in the country.

Chapel Hill with its academic, graduate, medical, law, and other professional schools, should also make sure that from its ancient buildings and broad campus go out future citizens recognized for soundness of intellect, excellence of scholarship, and honesty of purpose — citizens who are defenders of the right of men and women to think and act as free people.

Mr. Gray is ready to undertake this tremendous task, and would approach it with the dignity of a gentleman, the intelligence of a scholar, the courage

of a battle-trying soldier, the enthusiasm of a young man, the mature wisdom of an experienced administrator, the simplicity, sympathy and tolerance of one who from conviction rather than expediency practices democracy in his daily life, and the humility of a Christian.

Your Excellency, and Members of the Board of Trustees of the University of North Carolina, I take pleasure in making this report for your Executive Committee, and in nominating Mr. Gordon Gray for the Presidency of the University of North Carolina.

The Press Greeted The President

News and Observer

The Earlier, the Better

The unanimous election yesterday of Gordon Gray as president of the University of North Carolina was a foregone conclusion in view of the general approval which had been accorded his nomination for the position.

Mr. Gray has accepted and has indicated that he will take office as soon as he can be released from his present duties as Secretary of the Army and that the effective date of his acceptance will not be later than September 1.

Of course, Mr. Gray has obligations to the administration which he cannot disregard. However, his successor as Secretary of the Army should be named as soon as President Truman can find a successor.

The job of president of the University of North Carolina is a job demanding every particle of the time and attention of any man holding it. The sooner the change can be made, the better it will be for all concerned.

The new president will have to familiarize himself with the details of administration of three institutions, not one. He will have a large job as an administrator. He will also

have an even more important job. The people of North Carolina have always looked to the president of the University for leadership and inspiration in matters affecting the educational affairs of the State as well as those affecting directly the three institutions which make up the Greater University of North Carolina.

Greensboro News

The Business of a University

In connection with the recommendation of Gordon Gray as president of the University of North Carolina, we have noticed in some of the North Carolina newspapers an editorial tendency to proclaim the theory that a university is a big business and that therefore it is likely to be run better by a businessman than an educator because the businessman has had to take the product of the university and so is a better judge of how it fits into the business and professional needs of the state.

The trouble with this theory is that it is based on an approach to higher education that is entirely too limited.

The University of North Carolina is a big business but it is far more than that. It is engaged in turning out young men and women to take their places efficiently in the business and professional life of the state, but that is only part of its great task.

Anyone fitted to be president of the university—and we believe that Gordon Gray is—will have a firm conviction that the university is something more than a factory turning out products to keep the business and professional wheels rolling.

What is that something more? The question is not an easy one, but it has been answered. Edward K. Graham during the early part of his short but most fruitful presidency, attacked the problem again and again until he achieved a realistic vision of what the University of North Carolina could mean to its state and region in the fullness of its opportunity.

Thus in his inaugural address in 1915 he said:

"Culture as learning, science as investigation, and work as utility, each has an eternal life of its own, and to perfect each of them for the performance of its special work will always be the aim of the university."

Then he went on to say that there was more to a university than that, and that a university was "more than an aggregate of parts."

"The real measure of its power will be whether, discarding the irrelevancies of the past and present, it can focus, fuse and interpret their eternal verities and radiate them from a new organic center of culture. This let it tentatively define as achievement touched by fine feeling—as truth alive and at work in the world of men and things. . . ."

The American state university of the 20th century is an organism of the productive state, striving to express in tangible realities the aspirations of present democracy, as it adjusts itself to the liberations of a new humanism."

What did this mean? For one thing it meant that "the university would hold to the truth of practical education that no knowledge is worth while that is not related to the present life of man; it would reject its error that only knowledge of nearby things has such a relation . . ."

The purpose of the curriculum, he thought, was to create "a whole free man." The university he looked on as "a living unity, an organism at the heart of the living democratic state, interpreting its life, not by parts . . . but wholly—fusing the functions of brain and heart and hand. . . ."

The products he hoped for were "masterful, intelligent men, eternally and invincibly loyal to their highest natures," and the whole function of education, as he saw it, was to "make straight and clear the way for the liberation of the spirit of men from the tyranny of place and time, not by running away from the world, but by mastering it."

The question which Edward K. Graham conceived of the nation asking the American university was this: "What in the way of clear guidance have you to offer, or must we look to another?" The question is as pertinent as ever, and probably more so with the cumulation of the problems of our time.

The University of North Carolina, among others, is continually obligated to answer it, and its new president will have no light task in supplying the requisite leadership, inspired by a broad conception of the true function of the university. It is because we believe Gordon Gray capable of doing this that we think the committee made a wise choice.

Greensboro News

Many handsome encomiums have been passed upon Gordon Gray, almost president-elect of the University of North Carolina, whose selection for that honor seems now to have had a predestined fitness. But not everything has been said.

One very important omission is worth mentioning. Not a professional pedagogue as the two Grahams, Chase, Venable, Alderman, Winston and Battle successively were before him, it is said for Mr. Gray that he brings the highest scholarship from the classrooms, that he loved the learning which the schools provided, and will be no alien to the academicians, nearly all of whom he would have excelled had they been students synchronously with him at Chapel Hill. And in addition, he will take to the presidency an organizing ability and a business technique which none of those predecessors pretended to have.

Mr. Gray is a scholar and a reasonably "liberal" thinker in his own name; but he also is one by marriage. In his courtship and in the practice of his profession he had uncommon privileges as the prospective and later the actual son-in-law of Burton Craige. Mr. Craige was also a Phi Beta Kappa president. Often in the twilight zones of liberalism and conservatism, the friends of Mr. Craige had to settle the arguments of the debaters. Whenever liberal or conservative was asked if Burton Craige should be regarded a liberal, there was no dissent. Everybody knew that he was. He was a liberal as the leader of the class of 1897, as the best man at the University throughout most of his academic career; he was a liberal when he was a poorly paid lawyer in a small city, and he was most a liberal when he had acquired the competency which most contemporaries regarded as riches.

And he was so much the sort of man who can be liked by his own children, that he had no difficulty transmitting his love of the classics to his daughter, Miss Jane Craige, now Mrs. Gordon Gray. She wished to be a scholar also, and she is. President Gray will have in the executive mansion on the Hill one of the best schooled of all the women who have lived there. She discovered that her father lived in the classics and loved them; so does she, and if she had not regarded it a duty to be like him, she knew it would be an adornment, and there probably is no present duty in this world of ours greater than the need to dress learning, religion and democracy in the garments of captivating character. In a solitary word, Burton Craige made scholarship attractive and he did it without any pedantry. President Gray has done it and having him at the University will lure many a laggard into study. Having Miss Jane and the four younger Grays around isn't going to hurt.

Just a postscript to the reams of writing so far done about new President Gordon Gray, who is a scholar by inclination, by work and by marriage. As St. Paul has observed that the unbelieving husband is sanctified by the believing wife, and vice versa; so would an unscholarly husband have been redeemed by the well-schooled wife, had there been any such need. All scholars, all great learners have to be horn again; but Mr. and Mrs. Gray were born right the first time.

Incidentally, Mrs. Gray is also the daughter of beautiful and brainy Jane Carolina Henderson Boyden, and some occasional politics creeps into the presidency. Mrs. Jane Boyden Craige's daddy, General Archibald (Baldy) Henderson Boyden left enough to the family for any ordinary emergency.—Tom Bost.

Winston-Salem Journal

Our University and Its New President

The action of the full board of trustees of the University of North Carolina in unanimously electing Gordon Gray, Secretary of the Army and publisher of *The Journal and Sentinel*, as President of the University of North Carolina came as a surprise to nobody. Neither did Mr. Gray's acceptance.

Since the announcement a few weeks ago by Governor W. Kerr Scott, chairman ex officio of the University board of trustees, that the selection committee of the board had recommended Mr. Gray and that the latter had agreed to allow his name to go before the board, the formal action taken by the board had been widely anticipated.

So eminently appropriate and fitting was Mr. Gray's

election to the post of highest prestige in the State educational system that in the scores of editorials appearing on the committee recommendation we have not seen a line of adverse criticism. On the contrary, the press of the State and Southeast hailed his prospective election with high commendation and enthusiasm. The same has been true regarding the comment of leading educators and civic leaders.

This attitude is based upon the record Mr. Gray has made and the reputation he has established as a hardworking executive, as a sane, liberalminded, constructive social thinker, and as a dedicated public servant of high ideals.

Under Mr. Gray the University of North Carolina, we are confident, will steadily move forward to greater accomplishments in all fields of higher education. It will maintain the great traditions of sound scholarship and sane liberalism which have been the glory of its past, and its scientists and other scholars will labor in the light of free inquiry to discover new paths leading to the richer fulfillment of the promise of democracy.

Charlotte Observer

Gordon Gray for Prexy

The nominating committee of the board of trustees of the University of North Carolina, in deciding to recommend Gordon Gray for president of the University, has, in the opinion of this newspaper, made a selection that will meet with widespread approval.

Apparently it is following what seems to be a trend of the times to put the management of great universities in the hands of men who have proved their executive ability in business or in public affairs.

The objection that Mr. Gray is not an educator by profession can be met by citing Dwight Eisenhower as president of Columbia, Harold Stassen at Pennsylvania, and Pat M. Neff at Baylor University, all of whom are good practical executives, but none of whom is a professional educator. A number of other colleges and universities have followed this same practice of appointing proved executives as their presidents, and in practically all cases the men of affairs have been making fine records as chief executives of universities.

There is good reason, in fact, that the practical executive makes a better college president in some cases than the professional educator. The businessman has had to take the product of the universities. He has hired that product, tested it in the everyday rough and tumble of business, and has found out its good points and its shortcomings.

Just as any consumer is often a better judge of the product that he buys and uses than is the producer himself, so the business executive may be a better judge in many cases of the product of the colleges than the educators are themselves.

Such executives, therefore, may be able to put their fingers on a point at which the colleges are failing to fit their graduates for the business or professional world where the professional educator would never see it.

Besides, a modern university is a two- or three-million-dollar business requiring a grasp of financial matters and an organizing ability that the greatest of scholars might not possess.

Gordon Gray, we believe, has proved himself in these fields. A recital of his career should not be necessary to prove his fitness, because his successful practice of law, his service in the State Legislature, his adaptability in the publishing business, and his service in the Department of National Defense have qualified him to manage a far-flung university.

Moreover, his right to wear the Phi Beta Kappa key marks him as a scholar as well as a practical man of affairs. His fine personality and his popularity with the students are other assets that should make him as adaptable in this new work as he has shown himself in the others.

Durham Herald

New President for University of North Carolina

The committee entrusted with the choice of a new president for the Greater University of North Carolina has done its job well.

This is said without any knowledge of the list of men from which Mr. Gray was picked for this job. Regardless of the eminent names that might have been on that list, this newspaper still would say that the choice of Gordon Gray is a good one.

At the beginning of the search for a new president the hope was expressed that the committee would be able to find someone as nearly like Frank P. Graham as possible. One does not think of Gordon Gray as the Graham type, but as you begin to think of him as president of the University, as you appraise his qualifications, as you begin to think of the sort of administration that Mr. Gray will bring to the University, you realize that he is going to make the University a good man.

Mr. Gray will bring to the University a fine mind and a broad experience in administration and in public service. He will bring to it a sincerity and earnestness of purpose that will insure that the qualities that have made the University great will be cherished. His administration, if his past career is any indication, will be a quiet and efficient one (at least as quiet as such a job can be). And once again the University will be headed by a native Tarheel and a son of the University.

Upon Mr. Gray's appointment as Secretary of the Army, a newspaperman reported that "a hard-bitten Army press agent" said that Gordon Gray is "the kind of public servant the political science books say the government needs more of."

Under his administration it may be expected that the Greater University of North Carolina and the individual institutions of which it is composed, will continue to progress, perhaps less spectacularly but as steadily.

It is this newspaper's conviction, also, that under his administration the University will demand the increased support of all the people of North Carolina.

The Asheville Citizen

After a 10 months search through a field of more than 100 possible candidates, a presidential nominating committee has recommended the name of Secretary of the Army Gordon Gray to the trustees of the Greater University of North Carolina.

The choice of Mr. Gray comes, of course, as not a surprise. He has been a leading candidate with powerful backing ever since the trustees committee began its task of finding a president for the Consolidated University upon the resignation of Frank P. Graham. The Citizen believes it will meet with general approval in North Carolina. Mr. Gray is a young man of very broad gauge. He literally came up through the ranks to serve as civilian head of the army. He is a newspaper publisher and a former State legislator and an alumnus of the University at Chapel Hill. Public honors have not turned his head any more than public responsibilities have bowed it. If the trustees approve his election, the old University will be turning once again, as in the case of Frank Graham 20 years ago, to youthful leadership.

A university presidency in these days is not an easy berth to fill or an easy one to occupy. The trustees committee presumably combed the academic field without results. It had then the ultimate choice of recommending a man who combined administrative ability and a practical knowledge of North Carolina. Within these specifications it made the best of all possible choices.

The three units of the Greater University are growing rapidly. Growth presents many problems. In a few short

years the University has attained a place of immense distinction in the South and in the whole educational world. In growing it has preserved also a distinct climate of freedom in the quest for truths—a quest which to our mind is the greatest justification for higher education. Those who know him best believe that Gordon Gray would measure up to such a charge.

Charlotte News

Mr. Gray Fills the Bill

The special committee of trustees could hardly have arrived at a more popular decision than the recommendation that Secretary of the Army Gordon Gray be appointed president of the Greater University of North Carolina.

Governor Scott's announcement that Mr. Gray's name would be presented to the trustees on February 6 was not a surprise. Much of the recent speculation had centered upon the quiet, modest Tar Heel who has distinguished his family name and his native state in several official capacities.

If there was any element of surprise, it was that Mr. Gray was willing to forego a promising career in public life in order to serve his state in a less spectacular, though equally important, manner. His many friends had hoped that he would seek the governorship of North Carolina a few years hence, and perhaps go on to the Senate or some other high administrative or diplomatic assignment.

His whole life has been marked by this willingness to forego certain reward in order to strive for what he considered to be more important objectives.

A profitable career with the R. J. Reynolds Tobacco Company was his for the asking after Mr. Gray graduated from the University of North Carolina with high scholastic honors. Instead, he entered Yale Law School, choosing Yale because he had heard it was a tough school. He made an excellent record there, too.

Later he joined a leading New York law firm, and doubtless could have enjoyed a lucrative practice there, but decided to return to his native Winston-Salem and open his own law office. Eleven years ago he purchased the two Winston newspapers, the *Journal* and the *Sentinel*. Drawing around him the most competent associates he could find, he turned the newspapers into vigorous public service organs in the best tradition of the U. S. press.

He was serving as State Senator from Forsyth County when war broke out. Once again he chose the hard way, enlisting as a private in 1942. He had reached the rank of captain with service in Europe by the time he was discharged in 1945.

He served another term in the senate, and had been re-elected to a third when President Truman appointed him Assistant Secretary of War in September, 1947. He became Undersecretary in May, 1949, and succeeded another North Carolinian, Kenneth Royall, as Secretary last June.

Mr. Gray's record as Secretary is the brightest spot in an otherwise dark picture of haggling and hostility in the armed services. His quiet dignity, his honesty and integrity, and his tremendous capacity for work have stamped him as an unusually competent administrator, and have earned for him the respect of Congressmen and military men alike.

Last April, when the search for a successor for Dr. Frank P. Graham was just getting under way, *The News* outlined in these columns a "Blueprint for a President." There was no attempt to arrange the qualifications in order of importance, nor to make the list all-inconclusive. Said *The News*:

1. He must be a man of learning . . . not necessarily a scholar or even a professional educator, but certainly a man whose learning is such that he would have the proper respect for scholastic endeavor and in turn command the respect of faculty, students, and other educational leaders.
2. He must be a good executive in the broadest sense, capable of selecting able assistants, delegating authority to them, and inspiring loyal service, but willing to make major decisions on his own initiative without vacillation.

3. He must be a combined diplomat-politician in order that he may maintain harmonious relations among the three branches of the University, with the faculty and students, and with the general public; and so that he will be able to extract from the Legislature such funds as may be necessary to operate the institutions. At the same time, he must act as a buffer between politics and the University so that it will never become an instrument of any political group.
4. He must be a firm believer in academic freedom, with a deep understanding of all it implies, and with sufficient courage to stand his ground in the face of any attack from those who would limit or destroy this very basic American principle.
5. He should be a student of the South—a Southerner by birth, preferably—but not a provincial Southerner. He should know the South thoroughly: its mentality, its economy, its history, its problems, its virtues. Yet he should be cosmopolitan enough to see the South in respect to the whole.
6. He must be a man of physical and mental vigor—young in years, if possible, so that the State may expect long years of service from him.
7. He must be a humanitarian, devoted to the welfare of all the people, and willing to work in their behalf.
8. He must be a man with a strong Christian code of ethics and morals.

We can say with complete honesty that Mr. Gray meets every one of those qualifications, and we are gratified, as the people of North Carolina are gratified, that he has been selected by the committee.

Durham Sun

In Tune

Selection of Gordon Gray as president of the University of North Carolina will be a popular choice and, assuredly, it is an intensely practical one. It is in tune with the new note—in Chapel Hill and in a great many educational centers.

Gordon Gray is a young man as age goes in our day. He is in the full strength and flower of his intellect and energy. A good student (Phi Beta Kappa), a lawyer, publisher, a soldier and an executive, he also is a man of exceptional means. He is not an educator; but neither is President Eisenhower nor President Stassen.

Indeed, college and university presidents are faced with other problems as well as administration of an educational plant. They must be good public relations men, good contact men. They must attract to their institutions the financial support so vital in this expensive age.

The University of North Carolina is establishing foundation after foundation, the Business Foundation, Pharmaceutical Foundation, Journalism Foundation, Medical Foundation; all charged with presenting vital university phases to the public and securing for each substantial financial support.

Gordon Gray, as president, himself a wealthy man, can speak the language of dollars and donations with others of means. He will be able, with complete understanding, to present the values and objectives of the University and its educational endeavors to North Carolina's people; and the tangible participation of North Carolina's people is needed in our modern day.

Tar Heel

Views of Elder Statesman

The University of North Carolina will, I believe, profit by the selection of the Hon. Gordon Gray as president. To be chosen from more than one hundred and fifty men of high character and reputation is a distinction in itself. His career, of unhalting advance to the high and extremely

responsible post he now holds in the government, gives promise of even greater accomplishment, for the future, in the field of educational leadership.

There are various schools of thought regarding the proper qualifications for a college presidency. It is, in general, desirable that a college president should be a scholar of eminence, as so many of his duties are concerned with problems of scholarship, which require culture, knowledge, and learning. But it is by no means always true that the great scholar possesses executive ability of a high order or even exceptional skill as a teacher. It is imperative, however, that a college president should be a leader, with broad human understanding, a knowledge of men, and the faculty of working effectively with men and women of such diverse tastes, dispositions, and temperaments as those which go to constitute a representative university faculty.

Furthermore, it is highly desirable that a contemporary American university executive should be a man of affairs accustomed to deal courageously with grave decisions and endowed with the capacity to handle effectively matters of large economic and financial gravity. Again, it is of great advantage, for one in a position of such crucial importance in our civilization as the presidency of a state university, to be au courant with the mores—the manners, customs, and social and racial psychology—of the people of the region wherein he is to serve. Grave problems, not only of educational, but of social and racial progress, adjustment and adaptation, confront all Americans in the immediate future and the long years ahead. Someone from far away, unfamiliar with the Southern way of life and alien to Southern modes of thinking, feeling and acting, however good a scholar or however patriotic an American he might be, could well prove to be a tragic misfit.

Mr. Gray is "one of ours"—native and to the manner born, an alumnus of the University, a soldier who demonstrated his courage, capacity, and patriotism in World War II. The name he bears is written on one of the athletic facilities of the University, in token of the love that he and others of the name entertain for Alma Mater. As a man of wealth and affairs, he has demonstrated business ability in the conduct of one of the leading state dailies. In an era which will probably be known in history as the "era of the cold war," it is almost supererogatory to mention that the high posts of national defense—Secretaries of Defense, Army, Navy, and Air Force—have rapidly developed beyond computation in significance, gravity, and responsibility. The successful filling of such an exacting post, in times of doubt and uncertainty, attests more convincingly than any collocation of words the character, capacity, and trustworthiness of the incumbent.

To one who has served the University as a faculty member for fifty years, about one-third of the University's life, and has personally known all but two of the University's presidents in its entire history, it seems abundantly clear that Gordon Gray, although not from the ranks of the professional scholars, possesses many of the qualities indispensable to the making of a successful and effective college president. He gives great promise of making a first-class Secretary of the Army of youths and maids who ceaselessly enter our gates to battle for education, culture, and the higher life of the spirit.

Chapel Hill Weekly

The New President

Gordon Gray, Secretary of the Army, is to be President of the University.

The newspapers have already published biographical sketches of Mr. Gray. I will not repeat the details given in these but will set down here only the main facts about his career.

He was born 41 years ago this coming May 30, the son of the late Bowman Gray, who was president of the R. J. Reynolds Tobacco Company, and Nathalie Fontaine (Lyons) Gray. He attended the Woodberry Forest School from 1921 to 1926. He was graduated from the University here in 1930 after leading his class and becoming president of Phi Beta Kappa. He took the LL.B. degree at the Yale University law school in 1933. He became (and is now) the publisher of the Winston-Salem morning and afternoon papers, the Journal and the Sentinel. He served as State

Senator in three terms of the legislature. He enlisted in the U. S. Army as a private in 1942 and rose to be a captain. He became Assistant Secretary of the Army in 1947 and Secretary of the Army in 1949.

When Frank P. Graham resigned as President of the University last March to accept the appointment to the U. S. Senate, there were a good many persons who expressed the hope that the trustees would not "go outside" the academic world in quest of his successor but would choose a professional educator. For example, Acting President William D. Carmichael, Jr., in his statement removing himself from consideration for the office, declared that the "next President of the University should be an experienced educational administrator." Today nobody is rejoicing more than Mr. Carmichael over the choice of Mr. Gray. Mr. Carmichael and all the rest of us have learned something in the last ten months about the difficulty of finding a President.

"Other things being equal," certainly it would be best for the head of a university to be an experienced educational administrator. But other things rarely are equal. The experienced educational administrator who would be, by general consent, an excellent man for the office may not be obtainable, and the one who is obtainable may be lacking in qualities that would make him an effective representative of the University in activities not connected with educational administration—in appeals for popular support, in the quest for endowments, in appearances on public occasions, and in relations with the public in general. Here in North Carolina, where the University is so closely associated with the people of the State, it is transcendently important that the President have a good understanding of the State's history and character and conditions of life.

It has often happened that persons have done well in exalted posts in fields other than those in which they have been trained. Some of the best railroad presidents have been lawyers and bankers. Elbert H. Gary, lawyer and judge, was eminently successful for many years as head of the United States Steel Corporation. There have been capable cabinet members who never before had anything to do with government, and capable military leaders who had no military training before they went to war. Benjamin Franklin, a printer, was also a splendid chief of the postal service; distinguished himself as a diplomat; and, though he had no formal schooling, came to be, by any reasonable and proper standard, one of the best educated men America has ever known.

To cite these cases is not to deny the value of special training for a special task. It is merely to say that a person of exceptional ability may perform well in a field that is new to him.

Educational administration will lose none of its dignity and high importance in the University because the President has not been trained for it. Each of the three divisions of the University is a large institution in itself, and at the head of each there is an educational administrator in the person of the Chancellor. This officer, besides being a constant associate and adviser of the President, is to a great degree autonomous in his province. The President is a coordinator, a formulator of policies, a chief spokesman, an over-all director. There is a parallel in Gordon Gray's present situation. He would not pretend that he is able to take over the job of a general, nor would he seek to curtail the authority of a general, yet as Secretary of the Army he is the commander over all generals.

It is pertinent to recall that two men who were successful in the presidency of the University of North Carolina had not had, when they came to the office, any experience in educational administration: David L. Swain (President, 1835-1868) and Kemp P. Battle (President 1876-91). Swain was a lawyer, a judge, a member of the legislature, and Governor of the State. Battle was a lawyer, a bank director, a railway president, and State Treasurer.

It has often been said, and of course it is an obvious truth, that the excellence of a university depends upon the excellence of its faculty. From which it follows that a man's success as a university president is to be judged mainly by his success in maintaining a faculty of a high order. That experience in educational administration is not essential for that achievement is proved by the record of Kemp P. Battle. It is probable that there has never been a head of an educational institution, with resources as slender as he had at his command, who did better than he in assembling and holding an able faculty. He brought here Francis P. Venable (student at Bonn and Berlin; Ph.D.,

Goettingen), whose eminence as a chemist led to his being elected president of the American Chemical Society; Charles W. Dabney (Ph.D., Goettingen); H. V. Wilson (Ph.D., Johns Hopkins); Richard H. Whitehead, the medical scientist who later went to the University of Virginia; Collier Cobb, who took his M.A. degree at Harvard and came here after being a member of the Harvard faculty; and William Cain, the mathematician who won fame by his writings on the stresses on bridges, arches, and retaining walls. I am mentioning the scientists because I desire to emphasize that President Battle understood the University's need not only for cultured gentlemen as teachers but also for scholars of the research type. Remember, the faculty in those days had only about a dozen members, so that these men I have named, and two or three other scientists, constituted more than half of it.

I believe that this excerpt from the record is a conclusive answer to anybody who asks, doubtfully, if a President who has not been an educational administrator can maintain an excellent faculty and so keep the University on a high level in scholarship.

New York Herald Tribune

The University of North Carolina is to be congratulated upon its acquisition of a new president. The armed services are not. The higher levels of the military establishment and Defense Department are not so loaded with ability and administrative talent that they can afford to lose the services of an official like Mr. Gordon Gray, the quietly effective Secretary of the Army. Mr. Gray, who enlisted in the Army as a private in 1942, left it as a captain in 1945 and was back within four years as head man, has refrained from splashing about in the headlines with some of his colleagues. There has been nothing ostentatious about his work, but in those Army problems which have come to its notice in recent months the public has always sensed a sure hand in the background.

He has served less than a year as Secretary, but in that time he has not only dealt skillfully with such various issues as the "5-percenters" and racial segregation but has also helped to bring the ground forces into sounder relationship with the other services. He has infused a better sense of military statesmanship into the Defense Department and he will leave the Army, according to its Chief of Staff, at its highest peak since the post-war demobilization. He is precisely the kind of able younger official whom government must recruit and hold if it is to discharge the monumental responsibilities which history and the centralized state are piling upon it.

New York Times

The board of trustees of the University of North Carolina has chosen a distinguished alumnus, Secretary of the Army Gordon Gray, to succeed Frank Porter Graham as the University's new president. Mr. Gray, like President Stassen of the University of Pennsylvania and President Eisenhower of Columbia, has been better known in the halls of statesmanship than in the groves of the academe. But he graduated at the head of his class at the University in 1929, and then took an LL.B. at the Yale Law School.

The president-elect of a state university that in some respects is unique in the South practiced law in New York for a time. He returned to North Carolina to serve in the State Legislature, to acquire two of the state's principal newspapers—The Winston-Salem Journal and The Sentinel—and to begin his Army career as a private at the outbreak of the war. He was a captain when the war ended, but one might almost say that he rose from the ranks to become the Army's civilian head under the unification program.

The uniqueness of the University of North Carolina lies in the genius with which it has infused its state with its own spirit of progressivism. For more than a score of years President Graham (now the junior Senator from North Carolina by appointment of Gov. Kerr Scott), helped the South to get at the root of its problems by fostering at Chapel Hill research in the social sciences that has shed

its light over the whole region. Academic freedom at the University meant freedom to publish facts that were not always palatable. But the candor helped North Carolina to march along to its present position of leadership in the South.

Mr. Gray, with his feet already firmly planted on the national stage at 40, has chosen to return to his alma mater for his career. One may be sure he has already established a rapport with its past, and that its future will be safe in his hands.

Time Magazine

Third Chance

Twice in his life, quiet, forthright Army Secretary Gordon Gray just missed an academic career. As top scholar in his class ('30) at the University of North Carolina, he planned to be a history teacher, reluctantly postponed it when his father, Tobacco Tycoon Bowman Gray of the R. J. Reynolds Co. (Camels) persuaded him to tackle Yale Law School first.

After law practise in New York and North Carolina, Gray took over Winston-Salem's two newspapers and radio station, bought part interest in the Charlotte *News*. In 1942 came another change of sky: declining commissions, the 32-year-old Gordon Gray went off to World War II as a private. He came out a captain, and was later appointed Assistant Secretary of the Army. Last spring Gordon Gray decided to resign, move his wife and four boys back to North Carolina and accept the deanship of his alma mater's up and coming business college. President Truman scotched his plans by persuading him to stay on as Secretary of the Army.

Last week it looked as though Secretary Gray, at 40, might end up a schoolman yet. He had given Governor William Kerr Scott permission to put his name before University of North Carolina trustees as candidate for the vacant university presidency. There was no doubt what Gordon Gray wanted to do: "I have decided to devote the rest of my life to public service, and I would rather do it in North Carolina than anywhere else."

* * * * *

The newspapers of North Carolina have extended, for the people, a hearty welcome to the newly-elected president of their University. The unanimity of opinion that the University trustees made a happy choice in electing Gordon Gray has been reflected in editorial columns from the coastal plain to the western mountains, in country weeklies and metropolitan dailies. The editorials printed above are illustrative of the published expressions of approval. The roster of newspapers which found themselves in almost unprecedented agreement includes, in the east: the Wilmington Star, the State Port Pilot, the Wilson Times, the Washington Daily News, and the Kinston Free Press; the Raleigh Times, the Smithfield Herald, the News of Orange County, the Bladen Journal, the Lexington Dispatch, the Roxboro Courier-Times, and the Hickory Record, of the Piedmont; and in the west: the Forest City Courier, the Skyland Post, the Shelby Star, the Newton Observer, and the Lenoir News-Topic.

The editorial agreement is not surprising, on analysis, in view of the three major qualities which the writers found and singled out from the background and pedigree of Gordon Gray: wide experience and therefore broad outlook, proven success at jobs from which lesser men would have shied away, and love and knowledge of North Carolina. These attributes brought forth such phrases as: "whatever has been his task he has entered into it with energy and understanding," in the Hickory Record; "[his] broadness of view and catholicity of spirit will grace him well as head of one of the freest institutions in America," in the Shelby Star; "he is a proven executive, a leader, a successful business man," in the Newton Observer; and in the Lexington Dispatch, "Mr. Gray embraces all of North Carolina in his vision and in his sincere interest in education." An editorial in the Kinston Free Press concluded with a terse statement which perhaps most adequately expressed the tenor of opinion: "The outlook is most encouraging."

The Attorney General Rules

Digest of recent opinions and rulings by the Attorney General of particular interest to city and county officials.

Municipal Corporations

Regulation of Plumbers. G.S. 160-200(15) authorizes municipalities "to regulate and control plumbers and plumbing work and to enforce efficiency in the same by examination of such plumbers." Under this section may a municipality require that plumbers obtain a license from the State Board of Examiners of Plumbing and Heating Contractors before a municipal license will be issued?

To W. F. Morrison.

(A.G.) It is our opinion that under G.S. 160-200(15) the governing board of a town could, if it should see fit to do so, adopt an ordinance requiring plumbers and heaters to obtain the state license before engaging in business in the municipality.

Zoning Ordinances. A city council is voting on an amendment to the city zoning regulations, and a protest against the change has been signed by 20% of the adjoining property owners. Will a three-fourths vote of the members of the council be required to pass the amendment, as required by G.S. 160-176, or will the provisions of the city charter requiring only a majority vote on all motions, resolutions, and ordinances permit passage by a majority vote?

To B. M. Boyd.

(A.G.) The N. C. Supreme Court has held that statutes which are apparently in conflict should be reconciled if this can be reasonably done. The city charter, however, contains no provisions authorizing the city to enact zoning ordinances, and the city derives this power from the comprehensive provisions of G.S. 160-172 *et seq.* It would seem that the voting provision of G.S. 160-176 and the voting provision of the city charter are not in conflict since the charter does not purport to deal with the subject of zoning and the statute deals with the subject completely. It follows that if any action were taken under the zoning law, it must be done as provided in the statute. While there is no case directly in point as to whether a zoning ordinance would be invalid if not passed as provided by the statute, a Louisiana decision invalidated a zoning ordinance that was passed without holding a public hearing as provided by the general laws of Louisiana. *State ex rel Chachere v. Booth*, 196 La. 598, 199 So. 654 (1940). The principle announced by the Court in that case should apply to the question which you have presented, and it is the opinion of this office that a three-fourth vote of the city council is necessary to change a zoning regulation where a protest has been signed by 20% of the adjoining property owners.

Donation to Attract Private Industry. A town is trying to persuade an industrial concern to locate a new plant within the municipality, and pri-

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vate citizens are contributing to a fund to help purchase a site to be turned over to the new business. Does the governing body of the town have the authority to appropriate any amount of its general fund to help purchase the site? Does it have the authority to exempt such industry from municipal taxes for a specified period as an additional inducement to locate within the municipality?

To J. D. Eakins.

(A.G.) I do not think that a municipality may use public funds to acquire a site to be donated to an industrial concern or relieve such industry from the payment of taxes for any period of time. It may be that your purposes might be achieved under G.S. Ch. 158 which authorizes the levying of a tax for the location of various businesses, if the levy is approved in an election.

Supplementing Retirement Funds. Since municipal employees cannot draw benefits from both the Local Governmental Employees' Retirement System and the Law Enforcement Officers' Benefit and Retirement Fund, is it legal for a municipality to supplement retirement pay from either of these two systems?

To C. L. Barnhardt.

(A.G.) In my opinion a municipality cannot make such a supplement. I do not know of any general law which allows a municipality to pay funds to a person unless he is on the payroll and is performing services. Of course, a city may have its own retirement system under a special act, but this would be an exception. A mere supplement would be a gratuity, would not be a public purpose, and is not authorized by law.

Financing Public Buildings. A town is preparing to build a town hall on a lot owned by the town. Does the town have authority to give the party constructing the building a deed of trust on the property to secure the cost of construction?

To John Kerr, Jr.

(A.G.) I do not find any statute which authorizes municipalities to encumber their public buildings by mortgages or deeds of trust. An examination of G.S. 160-59 and G.S. 160-200 (2), (5) reveals that municipalities have power to sell property and power to construct and maintain necessary public buildings. It has been held, however, that the power to sell did not give a county power to execute a mortgage on a courthouse site for the purpose of securing the cost of construction of the courthouse. *Vaughan v. Commissioners*, 188 N. C. 636. While a similar case involving a municipality has not arisen, in my opinion the rea-

soning of this case makes the decision applicable to municipalities.

Assessing Cost of Property. A town wishes to open an alley, install electric, water and sewer systems, and provide a back entrance for the loading and unloading of merchandise for the abutting stores. It wishes to know if it can assess the cost of the improvement, including the purchase price of the land needed for the alley, against the abutting property owners.

To Wesley Chesson, Jr.

(A.G.) A municipality has the right to open streets and alleys. G.S. 160-200. G.S. Ch. 160. Article 9, provides for assessing the cost of local improvements against abutting property owners, but these improvements do not include the cost of acquisition of the right-of-way for a street or alley. Furthermore, the ownership by the city of a street or alley is a prerequisite to the power of a city to levy assessments for street improvements against abutting property owners. *Efird v. Winston-Salem*, 199 N. C. 33. Thus, unless there is a special act permitting such a procedure, a town has no authority to assess abutting property owners for the cost of purchasing the land.

County Powers And Duties

Office Buildings. A county has some surplus and unallocated funds in its general fund. The county commissioners want to use this money to build an office building for the use of county officials and employees. Is this permissible?

To C. W. Jones.

(A.G.) G.S. 153-9(8) authorizes the county commissioners to erect and repair necessary county buildings and to raise the monies therefor by taxation. The erection of a courthouse and of a jail has been held to be a necessary county expense. *Vaughn v. Commissioners* 117 N. C. 432; *Haskett v. Tyrrell County*, 152 N. C. 714. I think you would have the constitutional and statutory authority to use the surplus for the erection of necessary county buildings, and if the county commissioners determined that the proposed building is necessary for the conduct of county business, they could use the money for this purpose. All that must be done is for the board of county commissioners to pass a resolution making an appropriation for this purpose.

Fire Departments. At a time when considerable interest is being shown in the development of fire-fighting facilities in rural areas in North Carolina, one county has become interested in

furnishing financial support to volunteer fire departments operating in the county and has raised the question of the constitutional and statutory validity of such financial aid. Would an appropriation be for a necessary expense? Would an appropriation be for a governmental purpose so as to justify payment from public funds other than tax funds? Would the expenditure, if authorized by the legislature, be a special purpose for which a tax could be levied without a vote of the people?

To C. D. Taliaferro.
(A.G.) G.S. Ch. 69, Article 3, does not seem to be applicable. G. S. 153-9 (39) gives counties the power to provide for the organization, equipment and maintenance, as well as the government of, fire companies and departments, and in its discretion to provide for a paid fire department. It also provides that the county commissioners may make the necessary appropriations for the expenses thereof and levy annual taxes for the payment of these expenses as a special purpose. It seems possible to me that the present volunteer fire departments might be brought within the first part of this statute if the county would provide for the organization of fire departments by a proper resolution in such a way that would conform to the type of departments which you have in your county. If this is done, the statute provides authority for appropriations and for the levy of special taxes for this purpose.

The N. C. Supreme Court has held that provision of water works systems, construction of sewerage systems, fire alarm systems, fire stations and sites therefor are necessary *municipal* expenses. *Fawcett v. Mt. Airy*, 134 N. C. 125; *Kinston v. Security Trust Co.* 169 N. C. 207; *Briggs v. Raleigh*, 166 N. C. 149; 18 N. C. Law Review, 97. These cases would indicate that the court would so hold as to the *county* but this does not necessarily follow. Assuming that it would hold the expenditures to be both for a necessary expense and for a public purpose, there would, of course, be much less opportunity for an attack on the appropriation if it was made from funds other than tax revenue and if no special tax was levied for this purpose.

In view of the provisions of G.S. 153-9 (39), I believe the county would be justified in making an appropriation for carrying into effect one of the purposes there outlined.

Premium on Bond of Public Administrator. G.S. 28-17 et seq. authorizes counties to appoint a public adminis-

trator and to require him to post a \$4000 bond. If the bond is obtained from a surety company, may the county pay the premium on the bond?

To L. C. Allen.
(A.G.) G.S. 109-4 provides that where county officers are required to give bond and are paid a set or fixed salary, then the county is authorized to pay the premiums on the bonds of such officers. Since public administrators are not paid a fixed salary, it would not seem that the authority contained in this section extends to premiums on the bond of public administrators.

Office Hours of Welfare Employees.
Can the county commissioners fix the office hours and designate the holidays of employees of the county welfare department or does the fact that such employees are under the Merit System Council give the Council that authority?

To C. H. Leggett.
(A.G.) I am inclined to think that under G.S. Ch. 126, and in particular G.S. 126-14, the Merit System Council, in cooperation with the State Board of Public Welfare, would be the authority to fix the working hours of employees of the County Board of Welfare under the Merit System.

Clerk of Superior Court

Filling Vacancies. The term of office of the clerk of Superior Court is set at four years in Article IV, Section 17 of the N. C. Constitution. Section 29 of the same article provides that vacancies in the office of clerk occurring otherwise than by expiration of the term shall be filled by appointment of the judge of the Superior Court for the county. This provision was construed in the case of *Rodwell v. Rowland*, 137 N. C. 617, to mean that the appointee of the judge holds office only until the next election at which members of the General Assembly are chosen. Now suppose a clerk is elected for a regular 4-year term in 1946 and the office becomes vacant in 1947. The vacancy is filled by an appointee of the Superior Court judge who holds office by virtue of the appointment until the next general election, in November, 1948, when he is elected to the office. The question has arisen as to whether the 1948 election entitles the clerk to a full 4-year term in office or only to the unexpired portion of the term that began in 1946.

To S. D. Martin.
(A.G.) We have expressed the opinion that the election in 1948 was for the unexpired term of the former clerk and that a clerk must be elected at the election in 1950 to fill the regular 4-year term. I am unable, however, to point to any decision which conclusively settles this question. It is my view that G.S. 163-4 fixes the times for the election of clerks of the Superior Court



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for the regular terms on quadrennial periods following the first Monday in November, 1906, which would make the next regular term begin following the election in 1950.

Lis Pendens. Does the clerk of the Superior Court have the duty to pass on the right of a litigant to file a notice of lis pendens under G.S. 1-116?

To K. W. Lawrence.
(A.G.) I very much doubt that it is the duty of the clerk to pass on the right of the litigant to file a notice of lis pendens. If, in a particular case, lis pendens is authorized by the statute, the plaintiff certainly would have a right to file it. If it is not authorized, the filing of the lis pendens creates no lien and would seem to be harmless. If the filing of an unauthorized lis pendens appears to place a cloud upon the title of the owner of the real estate involved, the owner may take appropriate action or, if a party, make appropriate motion to have the notice of lis pendens cancelled. See *Threlkeld v. Land Company*, 198 N. C. 186. I am of the opinion, therefore, that the clerk should receive and file the notice, leaving it to the party affected to take such action as he may be advised to have the notice cancelled.

Property Taxes

Statute of Limitations.

To K. C. Ramsay.
(A.G.) The filing of an answer by one taxing unit, in an action to foreclose property for taxes in the nature of an action to foreclose a mortgage instituted by another taxing unit under authority of G.S. 105-391 (j), will stop the running of the statute of limitations (G.S. 105-422) with respect to the right of action of the answering taxing unit. Nor does there seem to be any reason why the answer of the answering unit need be served on the taxpayer and the lien-holders to insure that the statute of limitations is stopped. There is no such requirement in G.S. 105-391 governing tax foreclosures. By filing its answer, the answering unit is protecting its lien against foreclosure in the action of the other taxing unit and is seeking equality in the distribution of the proceeds of the sale. Since the statute of limitations, G.S. 105-422, bars any action "to enforce any remedy provided by law for



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the collection of taxes or the enforcement of any tax liens held by counties and municipalities," one such remedy being that of answering in the foreclosure suit initiated by another unit [G.S. 105-391 (j)], it may be that the answering unit would have to file its answer before the expiration of ten years from the due date of the tax claimed in its answer.

Bonds Issued

Extension of Time for Issuance of Municipal Bonds. The people of a town by vote approved a bond ordinance which provided that bonds should be issued within three years after the ordinance took effect, as provided by G.S. 160-398. The General Assembly subsequently amended this statute to provide that bonds author-

ized prior to July 1, 1948, but not issued before July 1, 1949, may be issued at any time prior to June 30, 1951. In view of the fact that the ordinance contained the three-year limitation, would the bonds be invalid if they were issued more than three years after the ordinance took effect?

To R. S. Jones.

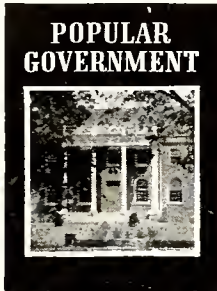
(A.G.) It is the opinion of this office that the bonds in question could be issued at the present time. Conceding that the Legislature may authorize the issuance of these bonds and prescribe the time within which they must be issued, it follows that the Legislature may also alter the time limitation.

The only objection would seem to be that the people voted on an ordinance which contained the three-year limitation as one of its provisions. Since this election was authorized under Article 28 of Chapter 160 of the General Statutes, the provisions of the Article would be incorporated in the ordinance whether they were set out therein or

not. Thus, even if the three-year limitation had not been in the ordinance, its effect would have been the same—i.e., to limit the time to three years—and the inclusion of the limitation in the ordinance was only a recital of the statutory provision which added nothing to it. Since the Legislature could undoubtedly amend this statute at any time, the bonds may be issued at the present time or any time before June 30, 1951.

Our Court has held that, "The Legislature may ratify and confirm any act which it might lawfully have authorized in the first instance where the defect arises out of the neglect of some legal formality and the curative act interferes with no vested right." *Star-mountain Co. v. Hamilton Lakes*, 205 N. C. 514. See also *Kinston v. Trust Co.*, 169 N. C. 207.

As the Legislature may validate irregular bonds, as it did in the above cited cases, it would seem to follow that it may correct a defect before the bonds are issued.

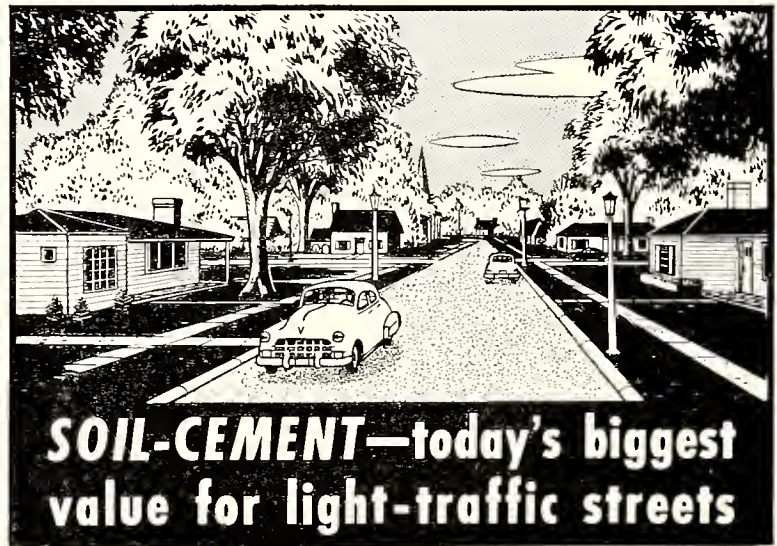
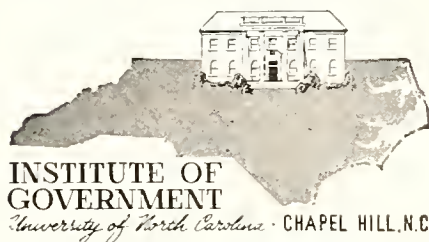


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POPULAR GOVERNMENT is published monthly, except July, August, and September, by the Institute of Government, the University of North Carolina, Chapel Hill. Editor: Albert Coates; Associate Editors, W. M. Cochrane, Claude R. Edwards, George Esser, Philip P. Green, Jr., Donald B. Hayman, Henry W. Lewis, Ernest W. Machen, Jr., J. A. McMahon, Clifford Pace. Editorial, business and advertising address: Box 990, Chapel Hill, N. C. Subscription: Per year, \$2.00, single copy, 25 cents. Advertising rates furnished on request. Entered as second class matter at the Post Office in Chapel Hill, N. C. Copyright, 1949 by the Institute of Government. All rights reserved.



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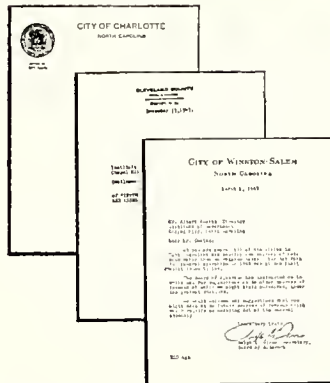
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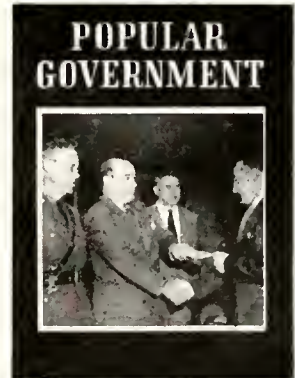
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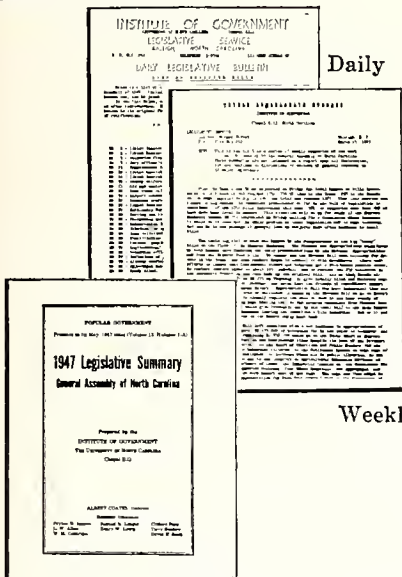


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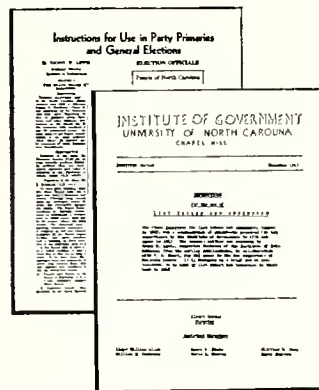


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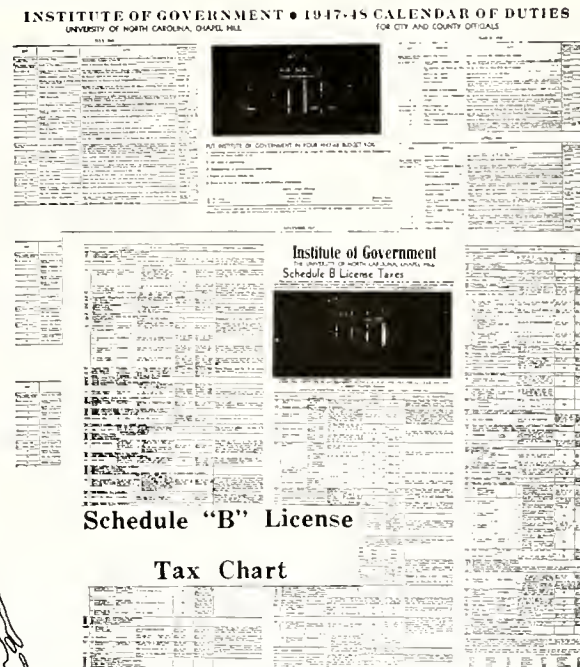
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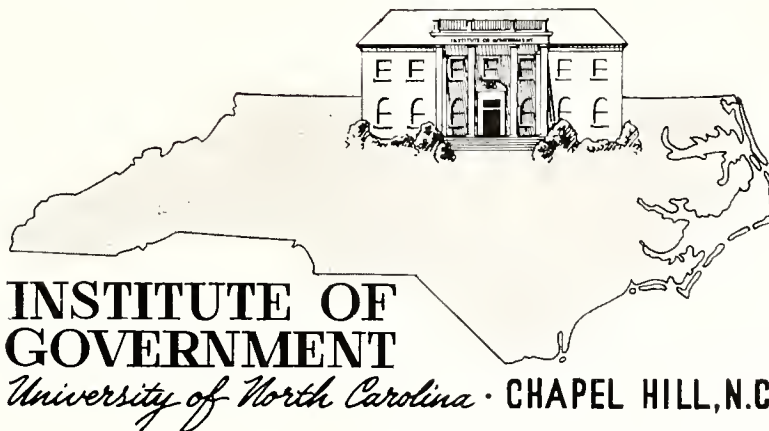


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