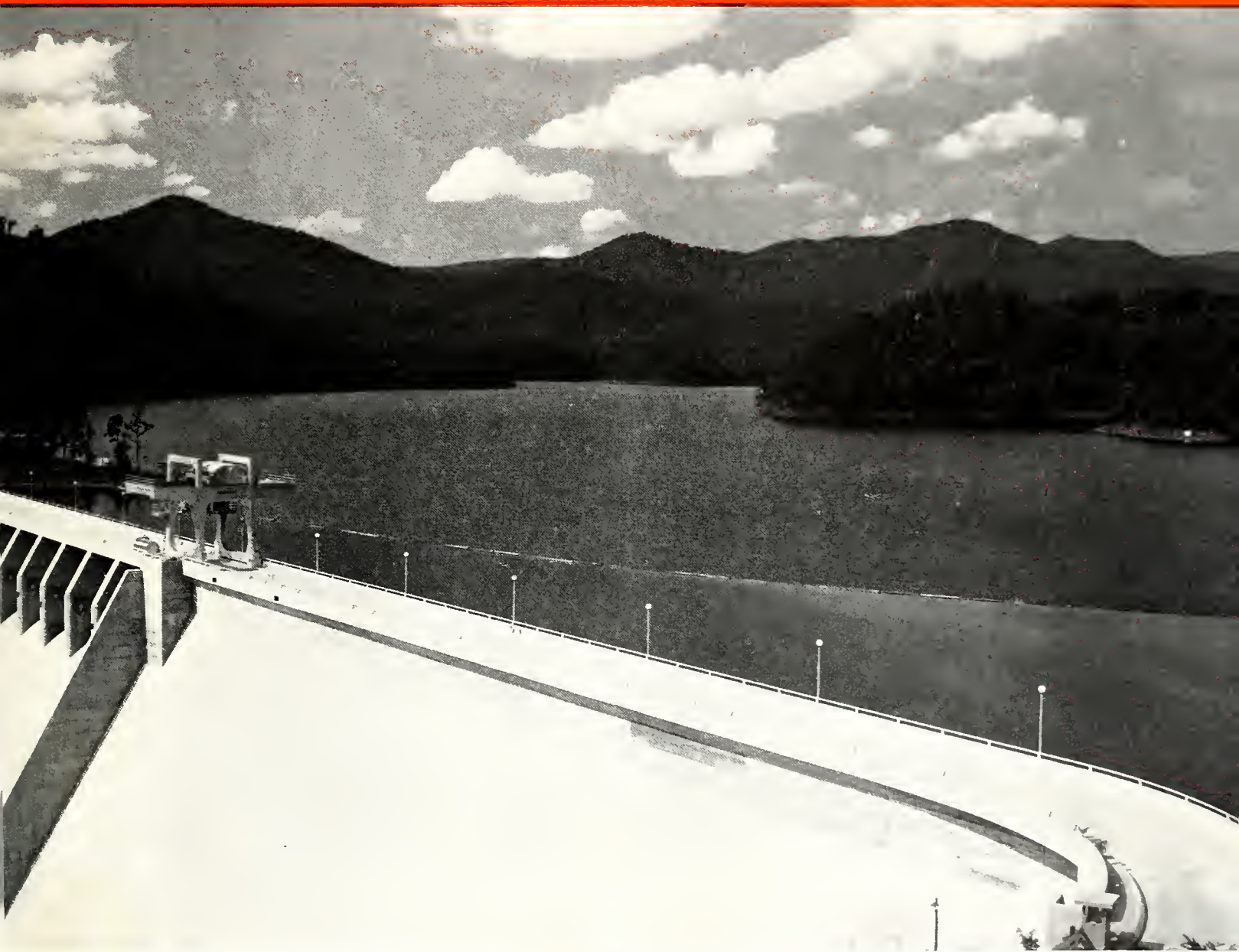


# Popular Government

*September 1956*



*Hiwassee Dam*

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UNIVERSITY OF NORTH CAROLINA  
Chapel Hill

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### COVER

*With the coming of fall, fish and fishermen in North Carolina become active after their hot weather doldrums. One of the more popular, as well as scenic, spots for fishermen is Lake Hiwassee in Cherokee County. Photo courtesy of News Bureau, Dept. of C. & D.*





# COUNTY GOVERNMENT

By JOHN ALEXANDER MCMAHON

Assistant Director, Institute of Government

## County Commissioners and Accountants Convention

The State Association of County Commissioners and the State Association of County Accountants held their annual convention in Winston-Salem from August 12 to August 15. More than 300 people registered for the convention.

Among the speakers were Dr. Charles Carroll, State Superintendent of Public Instruction, who discussed developments in the public schools, and Paul Johnston, Administrative Assistant to Governor Hodges, who discussed the Pearsall Plan and the constitutional amendment affecting the schools to be voted on September 8. Harry Moore, City-County Planning Director of Winston-Salem and Forsyth County, discussed the value of planning to a county; N. E. Cannady, North Carolina Insurance Department, discussed the value of electrical inspection; General Edward F. Griffin, State Director of Civil Defense, discussed the value of civil defense; and Dr. Richard Ford of Harvard University explained the value of medico-legal post-mortem examinations. State department heads who appeared to discuss aspects of their agencies of interest to county commissioners were: A. H. Graham, Chairman of the State Highway and Public Works Commission; Edward Scheidt, Commissioner of Motor Vehicles; Dr. Ellen Winston, Commissioner of Public Welfare; and Dr. J. W. R. Norton, State Health Officer. At special sessions, attended by individuals particularly interested in the subjects concerned, Henry W. Lewis of the Institute of Government discussed revaluation programs recently completed and underway in a number of counties and Donald Hayman of the Institute discussed classification and pay plans and other personnel problems.

The following resolutions were adopted at the closing session: (1) Commending the proposed constitutional amendment affecting the public schools to the people of the state for their earnest consideration, and

encouraging all voters to express themselves at the state-wide election on September 8; (2) Requesting boards of county commissioners who have not done so to appoint a civil defense director, and expressing the wish that all boards of commissioners would do whatever is necessary to insure an adequate civil defense program in their respective counties; and (3) Expressing appreciation to the medical society for its special intensified program during the summer to obtain more complete immunization of children against polio.

### Commissioners' Legislative Program

The legislative program adopted at the closing session of the convention includes the following proposals: (1) Repealing the statute providing for the organization of the State Association of County Commissioners, in order that the association may govern its own affairs; (2) Authorizing boards of commissioners to designate the names of roads and streets in unincorporated areas; (3) Authorizing boards of commissioners to provide for the use of signature machines or signature stamps in connection with the signing of county checks; (4) Authorizing boards of commissioners to mark county-owned cars with a replica of the seal of the county, instead of the three-inch letters now required; (5) Requiring justices of the peace to use pre-numbered warrants and pre-numbered receipts issued to them by the clerks of superior court, and requiring audits of records of justices of the peace; (6) Amending the kennel tax provision of the dog warden law to provide for a tax of \$1.50 per dog, instead of the flat rate now provided for kennels of various sizes; (7) Authorizing service by publication in tax foreclosure actions, where the record owners of property have disappeared, or can not be located, or are unknown; and (8) Providing \$20,000 for each year of the 1957-1959 biennium to the Commissioner of Insurance to enable him to undertake a program of training for rural and other volunteer firemen.

The commissioners also included in their legislative program a statement that the state of North Carolina should be asked to pay the counties for office space used by state departments in county courthouses and county office buildings. They also concluded that steps should be taken, whether through legislation or other means, to obtain more accurate information on the merchandise inventories of non-domestic mercantile corporations, in order that the inventories of such corporations may be listed for taxation in a manner comparable to other mercantile establishments.

After hearing the legislative programs of the State Board of Public Welfare, the State Association of County Accountants, the Tax Supervisors Association, and the Tax Collectors Association, the commissioners decided to endorse those programs.

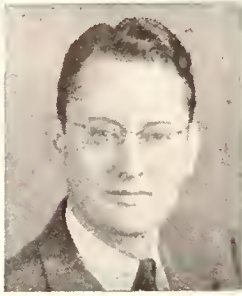
### Officers Elected

Officers of the State Association of County Commissioners elected for the coming year are:

D. L. Alford, Jr., Nash County, President; J. M. Pleasants, Moore County, First Vice-President; J. Vance Perkins, Pitt County, Second Vice-President; and J. Henry Vaughan, Nash County, Executive Secretary-Treasurer.

Members of the new board of directors are: S. G. Baugham, Northampton County, First District; Moses Howard, Carteret County, Second District; Raiford Trask, New Hanover County, Third District; R. P. Holding, Johnston County, Fourth District; J. E. Wilson, Vance County, Fifth District; Carson Bain, Guilford County, Seventh District; R. B. Jordan, Jr., Montgomery County, Eighth District; Wally Dunham, Forsyth County, Ninth District; Frank L. Marbry, Stanly County, Tenth District; Stuart Lingle, Caldwell County, Eleventh District; Rodney Sherrill, Lincoln County, Twelfth District; J. Arthur Blanton, Rutherford County, Thirteenth District, and E.

(Continued on page 3)



# PUBLIC PERSONNEL

By DONALD B. HAYMAN

Assistant Director, Institute of Government

## Wage Survey

The North Carolina Employment Security Commission has just completed a comprehensive wage survey for the State Personnel Department. The results of the survey will be analyzed carefully by the State Personnel Department and will serve as the principal basis for recommendations of the State Personnel Council concerning future revision of the state pay plan.

In collecting the data the representatives of the local offices of the Employment Security Commission visited 748 different firms and collected salary data concerning 43 different classes of positions. The salaries of 37,138 employees were included in the tabulation. Although the data is now being tabulated by the different areas of the state, only the state averages are listed below.

Table I lists the average weekly wages paid employees working in classes of positions for which data was collected in 1952, 1954, and 1956. The increase in wages paid since 1952 and since 1954 is also indicated in separate columns.

As the jobs surveyed over the three years were not always the same positions and as private employers filled in the questionnaires, some of the averages for a particular title may not be completely accurate. For example, increases are larger for the I or entry level than for the III or higher skill level. In many instances the higher level increase is only half of the entry level increase. This may be the true picture, or on the other hand it may result from the employer not adhering to the definition in allocating positions. Employers may have included by mistake the salaries of some employees at the II level or intermediate level in reporting the salaries of employees at the highest level.

In spite of the need for all persons using the data to analyze it carefully,

TABLE I  
Comparison of Weekly Wage Scales for Selected Classes  
of Positions for 1952, 1954, and 1956  
Employment Security Commission

Position Titles	Average Weekly Wages			Percentage Change Since 1952	Percentage Change Since 1954
	1952	1954	1956		
Clerk I	40.00	43.40	47.16	+ 17.9	+ 8.7
Clerk III	48.00	59.55	64.83	+ 35.1	+ 8.9
Typist Clerk I	43.00	45.51	47.68	+ 10.9	+ 4.8
Stenographer Clerk I	44.50	50.49	52.23	+ 17.4	+ 3.4
Stenographer Clerk III	55.50	59.83	62.72	+ 13.0	+ 4.9
Stock Clerk I	48.25	53.77	54.46	+ 12.9	+ 1.3
Stock Supervisor I		72.63	74.66	---	+ 5.8
Accounting Clerk I		54.71	57.01	---	+ 4.2
Accounting Clerk III		71.96	74.79	---	+ 3.9
Accountant II	85.50	105.15	107.64	+ 25.9	+ 2.4
Duplicating Mach. Operator II		50.31	57.07	---	+ 13.4
Graphotype Operator	46.25	43.38	51.50	+ 11.4	+ 18.7
Addressograph Operator	45.25	48.63	49.57	+ 9.5	+ 2.0
Bookkeeping Mach. Operator II		50.88	51.24	---	+ 0.7
Key Punch Operator II	45.25	47.87	51.81	+ 14.5	+ 8.2
Key Punch Unit Supervisor	53.25	59.67	68.27	+ 28.2	+ 14.4
Tab Equipment Operator II	55.00	57.92	68.19	+ 24.0	+ 17.7
IBM Supervisor I		90.05	108.56	---	+ 20.6
Nurse I		51.71	51.71	---	---
Laboratory Technician I (non med)	52.25	61.48	63.17	+ 20.9	+ 2.7
Attorney I		91.90	112.40	---	+ 22.3
Architect II		116.16	132.28	---	+ 13.9
Civil Engineer I	74.50	93.56	103.13	+ 38.4	+ 10.2
Civil Engineer III	123.00	121.21	129.64	+ 5.4	+ 7.0
Draftsman I	72.75	88.18	73.50	+ 1.0	- 16.6
Engineering Aide II	68.50	79.00	87.45	+ 27.7	+ 10.7
Machinist II	65.25	68.65	73.78	+ 13.1	+ 7.5
Mechanic II	65.00	68.41	72.21	+ 11.1	+ 5.6
Mechanic Foreman	79.25	87.77	94.44	+ 19.2	+ 7.6
Automotive Parts Clerk I		67.31	65.23	---	- 3.1
Chemist I	71.75	76.30	83.94	+ 17.0	+ 10.0
Chemist III	108.75	97.20	116.72	+ 9.2	+ 22.1
Janitor	38.50	41.67	44.59	+ 15.8	+ 7.0
Maid	28.50	25.48	32.03	+ 12.4	+ 25.7
Laborer	38.75	41.87	45.61	+ 17.7	+ 8.9
Labor Foreman	69.00	72.56	77.24	+ 11.9	+ 6.4
Maintenance Man		61.51	68.77	---	+ 11.8
Truck Driver		62.05	58.13	---	- 6.3
Carpenter II		67.56	63.04	---	- 6.7
Sheet Metal Worker		66.23	72.68	---	+ 9.7
Welder II			73.58	---	---
Radio Dispatcher		59.01	64.72	---	+ 9.7
Grounds Maintenance Man	41.25	51.27	52.73	+ 27.8	+ 2.8
Average (non-weighted) Increase				17.8	9.5

it should prove valuable to administrators and officials in reviewing their pay plans.

## Classification Survey Completed

The analysts of the Occupational



Analysis Section of the Employment Security Commission have recently completed classification surveys for Lincolnton, High Point, Wilson, Greenville, Fayetteville, Morganton, Carteret County, the R. E. A. of Carteret County, and the Raleigh Housing Authority. The classification studies in Fayetteville included both the city of Fayetteville and the Fayetteville Public Works Commission. The Greenville study excluded employees of the Public Works Commission.

Commission representatives are now preparing a classification survey for the city of Statesville. They have been asked to make classification studies for Burke County and the cities of Mooresville and Jacksonville, and to restudy the classification plan of the city of Burlington which was prepared by the Employment Security Commission in 1950.

The Public Administration Service has just completed a restudy of the classification plan of the city of Winston-Salem.

### Retirement

As has been noted in the article on the 1956 amendments to the Social Security Act, more employees retired from state government during July, 1956, than during any other month in the history of the state. The State Highway and Public Works Commission on August 3rd adopted a resolution of commendation and appreciation for the long and valuable years of service of the 47 veteran engineers and employees who retired during July. The Commission recently adopted a resolution requiring the retirement of employees over 65 years of age unless they are retained in a special consulting capacity.

### Pay Increases

The Institute's annual news item on pay increases granted by the various city and county governing bodies must be postponed this year because the job of moving to the Institute's new home has interfered with the marking and clipping of the many daily and weekly newspapers which we receive from all over the state. The following are the few pay plan revisions which have been noted. It is hoped that a more complete account can be published after we are settled in our new home.

**Kinston** increased laborers \$.05 an hour to \$.95 an hour. Monthly em-

ployees in Kinston were given a \$10 a month increase.

**Shelby** granted city employees pay raises that will average five per cent across the board.

**Southern Pines** revised its pay plan to give all employees a salary increase. Laborers were increased \$.10 an hour to \$.80 an hour. Most employees received approximately a five per cent increase. Clerical, maintenance, and public safety personnel received approximately \$10 a month more. Department heads received \$20 a month increases.

**Gastonia** has brought up to date the city's position classification plan which had not been used since it was prepared in 1951. After making a salary survey of salaries paid to 30 classes of positions in five comparable North Carolina cities, a new salary plan was adopted. The revised pay plan adjusted the salary ranges of engineers and fire and police personnel. Members of the police department were given six per cent salary increases, and members of the fire department were given eight per cent salary increases. Under the new pay plan rookie firemen will receive \$227 a month and rookie policemen will receive \$234 a month. The new pay plan also provides that all employees will be given a Christmas bonus of two per cent of annual earnings, which has not been included in the above salaries.

The **Raleigh** City Council has adopted a pay plan to implement the classification plan prepared in 1952 by the Employment Security Commission. The installation of the pay plan resulted in numerous adjustments in salary ranges of the several classes of positions. The total cost of installing the pay plan and giving all employees at least a \$10 a month increase for the 1956-57 fiscal year will be \$77,868.

The **High Point** City Council has recently adopted a pay plan prepared by the Institute of Government based on the classification plan prepared by the Employment Security Commission.

### Personal Notes About Personnel

Jesse James, who served with the State Bureau of Investigation before entering military service, has been appointed chief of police in Burlington effective August 1.

Richard Mauney, administrative officer for the State Treasurer, will become an industrial development

engineer in the Department of Conservation and Development.

Howard Hepler, paroles inspector, has been appointed administrative assistant to the 3-member State Board of Paroles.

Earl Crump, personnel director of the State Highway and Public Works Commission, has been appointed fifth division engineer. Sam Badgett, assistant personnel director, has been appointed personnel director.

### County Government

(Continued from page 1)

E. McBride, Henderson County, Fourteenth District. There is a vacancy on the board for the Sixth District.

Officers of the State Association of County Accountants elected for the coming year are: Hugh L. Ross, Guilford County, President; J. D. Potter, Carteret County, First Vice-President; Max Hamrick, Cleveland County, Second Vice-President; and Mrs. J. C. Spencer, Caldwell County, Secretary-Treasurer.

### HOW MUCH TIME IS SAVED BY SPEEDING?

Take a 50 mile trip.

Using 55 as top speed, under normal conditions on the open road, you will average 50, and your travel time will be 60 min.

To average 55, you must travel many miles over 60, your travel time being—

54½ min.

**By Speeding, you save 5½ min.**

### BUT

**By Speeding, over 55**

—not only are you violating your state's law, but

You are not "keeping step" with traffic.

You must overtake a great many vehicles which are "in step."

Whenever you overtake, you set up a situation dangerous to many drivers, including yourself.

And you build up nervous tension which causes driver fatigue; and you are ready to do something foolish!

and **INCIDENTALLY:**

What do you do with those 5½ minutes you saved?

Why not use them to "keep in step"?

# GENERAL ASSEMBLY ADOPTS PEARSALL PLAN IN SPECIAL SESSION

North Carolina's first General Assembly to hold a special session since 1938 convened in Raleigh on July 23, received a total of 32 bills and resolutions pertaining to the problems raised by the school segregation decisions of the United States Supreme Court, heard a wide range of views expressed in two days and nights of public hearings, and adopted a total of 16 bills and resolutions before adjourning July 27.

The major part of the legislation enacted consisted of the so-called Pearsall Plan, named for the chairman of the North Carolina Advisory Committee on Education. This committee submitted seven bills (one a constitutional amendment) and one resolution, all of which were adopted. Other legislation adopted consisted only of resolutions of a more-or-less routine nature.

## The Pearsall Plan

The Pearsall Plan was embodied in (1) a proposed constitutional amendment authorizing the education expense grants and local option school closing acts outlined below; (2) an act providing for a general election on September 8, 1956, on this constitutional amendment and those proposed by the 1955 General Assembly; (3) an act providing for payment of educational expense grants for private education of children under certain circumstances; (4) an act providing for local option elections to suspend the operation of public schools under certain conditions; (5) an act making amendments to the compulsory school attendance law; (6) an act authorizing use of funds from the state's Contingency and Emergency Fund to pay for education expense grants; (7) an act amending the school assignment law in certain particulars; (8) a resolution of protest and condemnation concerning the actions of the U. S. Supreme Court in the school segregation and other recent cases.

The plan was described by Governor Luther Hodges, in a special address to the General Assembly, as not a program for defying the Supreme Court but rather a program for using "every legal means we can devise to insure that the effects of what we feel is an erroneous decision by the Supreme Court are not forced on our State in a fashion which could de-



By  
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Government

prive us of one of our dearest possessions, namely our public schools."

It was a package plan, to be submitted to the voters as such. The acts providing for education expense grants and for local option closing of schools, amending the compulsory school attendance law, and providing funds for education expense grants were all made effective only as of the date that the proposed constitutional amendment becomes effective. If that amendment fails in the September election, none of these acts will go into effect.

## Constitutional Amendment

Chapter 1 of the Session Laws of 1956 (H.B. 1) submits to the voters at the next general election a proposed amendment of Article IX of the North Carolina Constitution. This amendment would add provisions authorizing the General Assembly to do two things. First, it could provide for payment of educational expense grants from state or local funds for private education in a non-sectarian school of any child (a) for whom no public school is available or (b) who is assigned against the wishes of his parent or guardian to a school attended by a child of another race, where it is not reasonable or practicable to reassign such child to a school not attended by a child of another race. Secondly, it could provide for a uniform system of local option under which a local option unit may elect, by majority vote, to suspend or authorize the suspension of one, more, or all of the public schools of the unit. However, such action could not affect the obligation of the state or its political subdivisions or agencies with respect to any indebtedness.

## September Election

Chapter 2 of the Session Laws (H.B. 2) provides for the holding of a general election on September 8, 1956, at which the people will vote on

four proposed constitutional amendments. The first of these is the amendment described above. The remaining three were proposed at the 1955 regular session of the General Assembly. One (Sess. Laws, 1955, chapter 1169) would increase the maximum number of days for which members of the General Assembly may be paid during a regular session from 90 to 120 and would authorize payment of travel and subsistence allowances to them. The second (Sess. Laws, 1955, chapter 1253) would change the convening date of the General Assembly from January to the first Wednesday after the first Monday in the February following its election. The third (Sess. Laws, 1955, chapter 1245) would authorize a married woman to execute powers of attorney conferred upon her by her husband.

Of the amendments proposed in 1955, the first is designed to meet the situation posed by lengthening sessions of the General Assembly, in the latter days of which members have been accustomed to working without pay. In addition, it would help meet their expenses connected with the session. The second is designed to permit the General Assembly to have a clearer picture of anticipated revenues for the forthcoming biennium. The postponement of income tax collections from March 15 to April 15 meant that the revenue situation did not become clear until late in the session; for this reason, it was felt that starting the session later would result in less wasted time for the legislators while they awaited reports on collections. The third amendment is designed to make less vague an area in the law pertaining to the rights of married women.

The major question involved in this act was whether a general election could validly be held on any other date than in November. To clarify this situation, the Governor secured advisory opinions from the Attorney General and from the North Carolina Supreme Court prior to the opening of the special session. They agreed that the election would be valid.

## Education Expense Grants

Chapter 3 of the Session Laws (H.B. 3) would add Article 35 to Chapter 115 of the General Statutes providing for a system of education



expense grants from state funds and authorizing supplemental grants from local funds under certain conditions. Briefly, the grants would be made only to a child (a) for whom no public school was available or (b) who is assigned against the wishes of his parent or guardian to a school attended by a child of another race, where it is not reasonable and practical to reassign such child to a public school not attended by a child of another race. Such grants are made available only where education is in a private non-sectarian school which has been recognized and approved by the State Board of Education under the provisions of Article 32 of Chapter 115 of the General Statutes.

The state grant is to equal the per-day, per-student amount of state funds expended on the public schools throughout the state during the preceding school year, including debt service on state school bonds. This amount (estimated during the hearings at \$135 during the current year) could be supplemented by an appropriation of local tax levying authorities, on recommendation of the local board of education. However, the total grant to a child could not exceed his actual expenses.

The act provides that applications for grants are to be made upon forms prescribed by the State Board of Education, on oath of the parent or guardian. False swearing by such person is made punishable in the same manner as any other perjury (a fine not exceeding \$1,000 and imprisonment for from four months to 10 years). If an application is denied, procedures are provided for a hearing before the local board of education and for an appeal to Superior Court.

Procedures for payment of the grants are spelled out in the act. It is made a felony, punishable by five years' imprisonment and/or a \$5,000 fine for any parent or guardian or any official or employee of a school to accept a payment under the act, knowing that he is not entitled to such grant.

#### *Local Option School Closing*

Chapter 4 of the Session Laws (H.B. 4) provides a system under which the board of education of any administrative unit may, after an election, suspend the operation of one or more or all the public schools under its jurisdiction.

Actions taken under this act are to be taken in terms of so-called local option units. In the absence of action by the local board of education, each county and city school administrative

unit shall be a local option unit. However, the board of education may create a number of different types of local option units. It may subdivide the administrative unit into two or more local option units, or it may constitute (by agreement with other boards of education) a local option unit containing part or all of two or more administrative units. It is possible for two or more local option units to have the same or overlapping territorial boundaries; e.g., an elementary school local option unit, a junior high school local option unit, and a high school local option unit. No public school may be included in more than one unit, but the elementary division of a union school or of a junior high school may be treated as a separate school from the high school division.

The local board of education may by resolution of a majority of its members call an election within a particular local option unit on the question of closing the public schools within that unit; it must call such an election on the petition of 15 per cent of the resident registered voters of the unit. The same provisions apply to an election on the question of reopening the public schools in a local option unit in which they have been closed. The board of education may, but is not required to, call a second election on the same question during the same school year.

On a vote to close the schools, the board of education must suspend the operation of all the public schools in the local option unit. Such suspension must be in an orderly manner, and care must be taken to preserve and protect school property during and after the closing. On a vote to reopen the schools, the board of education must proceed to reopen at the earliest practicable date.

If the schools of a local option unit are closed pursuant to the act, no child living within the unit may as a matter of right attend any other school, but he will be entitled to an education expense grant pursuant to the provisions of Chapter 3 of the Session Laws. Principals, teachers, and supervisors under contract at the time of suspension are to continue to receive salaries and benefits for the duration of their contracts or until such time as they secure "suitable and adequate employment" prior to the expiration of the contract term.

No action taken under this act may affect the obligation of the state or any political subdivision or agency

thereof with respect to its indebtedness.

#### *Compulsory School Attendance*

Chapter 5 of the Session Laws (H.B. 5) amends Section 115-166 of the General Statutes so as to exempt a child's parents (or guardian) from compliance with the compulsory school attendance law under certain conditions. These conditions are a finding by the local board of education that (1) the child is assigned against the wishes of his parents or person having control of him to a public school attended by a child of another race and (2) that it is not reasonable and practicable either (a) to reassign the child to a public school not attended by a child of another race or (b) for the child to attend a private, non-sectarian school.

#### *Funds for Education Expense Grants*

Chapter 6 of the Session Laws (H.B. 6) directs the allocation of funds from the state's Contingency and Emergency Fund to the State Board of Education during the 1956-57 fiscal year for payment of education expense grants and administrative expenses incident thereto.

#### *School Assignment Law*

Chapter 7 of the Session Laws (H.B. 7) amends the school assignment law adopted by the 1955 General Assembly (Article 21 of Chapter 115 of the General Statutes) in several ways. First, it directs local boards of education to provide for the "assignment" to public schools of all children residing within their administrative units, rather than for the "enrollment" of such children as might apply for enrollment in a particular school. Second, it makes clear that the provisions of G.S. 115-163 authorizing assignment of a child residing in one administrative unit to a school in another administrative unit (with or without tuition payment) are not superseded by this law. Third, it authorizes the local boards of education either (a) to give notice of the assignment of individual pupils on their report cards or by other written notice to the parent or person having control of the child or (b) to give notice of the assignment of groups or categories of pupils, by newspaper publication. Fourth, it specifies procedures for the hearing by the boards of education of appeals from the assignment of any individual child.

#### *Resolution of Protest*

Resolution 4 of the Session Laws (H.B. 8) is a resolution of protest and condemnation against the "usurpa-

(Continued on page 12)

# URBAN GROWTH AND MUNICIPAL SERVICES: A SERIES OF ARTICLES



By  
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## Introduction

From 1930 to 1950 the urban population of North Carolina, that is the population living in cities or in densely-populated communities of 2,500 people or more, increased from 25.5% to 33.7%, from 810,000 people to 1,368,000. That percentage and that number is on a steady increase, for every city in the state is bursting at the seams with new people, new homes, new business enterprises and new industries. The state is formally embarked on a program of industrialization which must, by its nature, bring more and more people into cities and towns—old and new. The face of the state is changing from farm and village to supermarket and smokestack. With all the advantages that industrialization can bring, problems also come along with it, and none so great as the problem of adjusting local government to new duties, new responsibilities, and new growth.

## The Pattern of Growth

There is no need to be selective about describing growth and its signposts. Every city in the state fits, in general, this description.

First of all, **there is the city.** It may be an industrial center; it may be a retail and wholesale center; it may be a governmental community; it is in any case a densely-populated community serving as an economic center for surrounding territory. At its heart is a central business district—the center for retail trade, for offices, for some industry. Spreading out from the central business district are factories and homes, churches and schools, neighborhood shopping centers and more homes. Densely-developed outward from the central business district, this development begins to thin out on the edges. It tends to stretch out in long ribbons along the major highways leading into the city.

## How Will Our City Grow?

As North Carolina continues along the road toward industrialization, as more and more of the population settles in the dozens of rapidly-growing cities and towns, the people of this state face a problem of local government that is at once a threat and an opportunity.

This problem can be stated in both simple and complex terms, because it is at once simple and complex. Here it is stated simply.

### The Problem

Population in and around North Carolina cities is growing by the tens of thousands each year. As more and more people build more and more homes in urban areas, as more and more commerce and industry are established in urban areas, more and more governmental services become necessary. Because new population in the automobile age tends to sprawl out from existing cities in terms of miles rather than blocks, the cost of providing these services tends to rise far out of proportion to the ability of the cities to provide sufficient revenue. There can be but three results: either the cost of government rises; or the quality of services in the city or the suburban area or both becomes inadequate; or action is taken to coordinate new development in line with the fiscal capacity of the area. Where the quality of government is inadequate, future generations will bear the consequences.

Thus the problem is this: How can our communities grow soundly, secure the quality of local governmental services that is needed at a cost that is reasonable, develop their land resources in a way that promotes prosperity, and avoid becoming the slums of the future.

### Institute Research

For the past several years, the Institute of Government has been aware of this problem, studying this problem, and seeking an approach to a solution that is practical for North Carolina communities. There can be

no one solution uniformly applicable to all cities and towns; there can be no absolute answer to all the questions which are faced in every community. There must be some hard thinking, however, and the time to begin thinking, the time to begin working out solutions, is now.

During the past year and a half a team from the Institute has been doing special research on this problem. Most of this research has been done in Greensboro and surrounding suburban areas, under a contract with the city council but collateral information has been secured, and is still being secured, from other cities in the state. On the basis of this research, a comprehensive report has been given the city of Greensboro and several special studies on various topics are being written for publication during the next year. To supplement these reports, to give them wider coverage, and to set forth in simple fashion the problems and their possible solutions, the Institute is going to run a series of articles in *Popular Government* for the next year. This series is described in the accompanying article.

It should be emphasized again that these articles do not set forth recommended solutions on a take-it-or-leave-it basis. They raise, discuss, and, where possible, answer questions that are uppermost in the minds of city officials and citizens throughout the state. They raise some additional questions that in the judgment of the Institute staff should be considered. They try to bring together all of the complex factors that must be considered if North Carolina cities are to weather the present and future stages of expansion and emerge as soundly-developed cities—attractive, livable cities with a good supply of homes that people can afford and with the governmental services that people require.

Reprints of these articles will be available from the Institute of Government. At the end of the year the articles will be revised and published in a single volume.

Here and there a large new subdivision rises out of the fields, or a new factory is being built. On these

fringes of the city it is hard to tell where the city leaves off and where the country begins, for clumps of



houses may be surrounded by undeveloped land, communities may be slowly growing around the store and the filling station at each crossroad, corn and tobacco may be growing side by side with grocery stores, houses, and schools.

Every city has its legal boundary, of course. This imaginary line described in a legislative act or in a city clerk's office separates the city, in a legal sense, from the country. But this line cannot easily, if at all, be picked out on the ground. To the untrained eye, the city begins at the center and eventually merges into the country at its outer edges.

There are differences, however. In the older part of the city, the impact of governmental services can be seen. Even in run-down parts of the city, the effect of municipal services is apparent. In the outer fringes of cities on the other hand, the signs of inadequate governmental services are easy to spot, even though these newly-developed areas ideally should have no deficiencies.

. . . . In areas not served by sanitary sewers, septic tanks cannot always handle the load and sewage overflow constitutes a continuing danger to the public health.

. . . . In many areas, densely populated, there is no adequate fire protection despite the efforts of volunteer fire departments in some counties.

. . . . Frequently storm water, once harmlessly absorbed into the topsoil of farm and forest, is washing away lawns and roadways having no curb and gutter or drainage system and is flooding basements and damaging property.

. . . . Many densely-populated areas have no other police protection than a phone call to the sheriff's office, perhaps miles away.

. . . . Square mile after square mile of land is being cut up into lots so small and is being covered with shacks and sub-standard housing so poor that land values throughout the whole area are being drastically lowered.

. . . . In areas not served by a public water supply, the local water supply is often insufficient during dry seasons.

. . . . In areas desirable for industrial development, land is frequently no longer available

for such use because it has been prematurely subdivided and occupied in part by a mixture of homes and small businesses.

These signs constitute the so-called "fringe area" problem, but the name may be confusing. What is actually involved is not concern over the future of the area just outside the city itself; **it should be concern over the effect that development just outside the incorporated city will have on the incorporated city itself, and on the urban area as a whole.**

#### Two Definitions of a "City"

It is just this latter point that this series of articles is going to explore. In the process, it should be remembered that we are thinking of the word "city" in two separate and distinct ways. First, we use the term to refer to the **entire developed area constituting the community as an economic and social unit**—the outer limits of the urban area or the metropolitan area. In the Greensboro study, for example, the area studied in determining the governmental problems and their possible solutions included 90 square miles of land. The incorporated city has about 20 square miles. The same relative ratio is found in Durham where a similar study of the suburban area and its relationship to the incorporated city is underway, and in other cities throughout the state where the question of city boundaries is being studied. Secondly, we use the term to refer to the **incorporated city** whose boundary probably includes the older and more densely-developed part of the entire urban area.

To what extent, then, is the incorporated city interested in the development of the entire urban area? What are the measures of its responsibility for development outside its boundaries? What are the consequences of its actions or failure to act in providing services to adjacent areas?

#### Meaning of the Corporate Boundary

One thing is clear at the outset. It is principally for governmental purposes that the corporate boundary has meaning. For economic, social and cultural purposes, a majority of citizens look at the entire urban areas as one community. This is true in most North Carolina cities. For example, the people living outside the cities of Winston-Salem or Greensboro but working in those cities clearly think of themselves as living in Winston-Salem or Greens-

boro. Whatever may happen in the future when some of our cities grow together, today each North Carolina city serves as a hub or center of development for trade areas of varying size.

Nor does the incorporated boundary line hold in or keep out common problems or benefits as between the incorporated city and its adjacent suburbs. Vice and crime, bred in one neighborhood (inside or outside the city), can spread its effects over the whole community. If the city's water supply is contaminated through unwise development on the watershed, the whole community suffers. Mad dogs, wherever they are, do not respect the city limits sign.

Similarly the good name of the community cannot depend on city limits signs. If visitors must drive through a poorly-developed, unsanitary and unsightly area in the suburbs to reach the city, that area is just as damaging to the city's reputation as a similar area inside the city, even though the city has no responsibility for the outside area. Or the reverse may be true, and an attractive suburban community may lose appeal because of bad conditions in the city.

#### The Suburbanite—Part of the City or Not?

Too often problems of local government are considered outside the context of economic development in the entire urban area. There is a tendency to put blinders on and forget that suburb and city depend upon each other.

Take for example where people live and work. Population studies both in North Carolina cities and elsewhere establish that people in a community move more or less at will across city boundary lines. In some of our North Carolina cities, for example, almost the entire increase in population from 1940 to 1950 was due to births alone, while the much larger increase in population in the suburban areas outside corporate limits was based on movement of families from the cities to the suburbs. Why?

Families move into new suburban homes for a variety of reasons. They build their homes where they can best afford to buy land and still be able to pay for the kind of house they want to build. They want to live near friends and families with similar backgrounds and interests. Convenience to places of work—to schools and to other facilities is im-

portant, as is the lure of open space, freedom from regulation, and escape from the congestion normally associated with city life. The availability of necessary governmental services will also, in part, determine the choice of a home site.

But in moving to the suburbs, these families are not leaving the community. Largely they hold jobs within the city and travel into the city to work. This is demonstrated by the fact that there are many more jobs in the average city than there are resident workers to fill them. They also depend on the city for shopping and entertainment facilities. They join clubs in the city, go to church in the city, and consider the city as the center of the community. They cannot participate in city government, however, and they receive city services at home only on agreement of the city.

#### City and Suburb—One Economic Unit

But there is a more significant link between the two areas. **Economists have long pointed to the fact that the whole urban area has a basic economic unity**—a unity that must be understood if the whole community is to prosper.

In studying the problem of local government in North Carolina today, we must and do assume that most of our cities and towns over 5,000 are growing and will continue to grow. Some will grow more rapidly than others, but none exist in a stagnant economy. Such continued growth depends on continued economic development. New people do not come into a town unless there are new jobs to be filled, and there must be new industry and new commercial development to provide those jobs.

Future growth in every city does not necessarily depend upon the familiar cycle of new industry providing new jobs for new people who want new homes and services to those homes, leading to further commercial development with an emphasis on services. Commercial growth may come to the city which is strategically located as a retail and wholesale center and which has a good transportation system, if, as well, its residents also have a high average income. That city may attract new stores, new businesses selling personal services, business services and repair services without a significant increase in new manufacturing jobs. Furthermore those new services make

life in a community more interesting, more varied, more effortless—and—they bring in more sales dollars.

So we can see that both new industry and new business mean more jobs. More jobs mean more people. More people mean more homes. More homes mean more schools and local governmental services. And the reverse is true for if a community has an ample labor supply and enough good and well-located homes to accommodate industrial workers, then new industry may be attracted to the community because of that situation. The cycle begins all over again in a new way.

#### What Does Industry Look For?

If, however, industrial development is one of the principal keys to further growth, what does industry look for in a community and how do our cities measure up? Certainly, these seem to be standard industrial objectives.

1. Good vacant land in the vicinity of a good highway and railway system.
2. A good source of skilled labor.
3. Plentiful electrical power.
4. Easy access of raw materials.
5. Good local governmental services that can be extended to the proposed site, including an ample supply of water and a means for waste disposal.
6. A fair tax structure.
7. An attractive, livable city as a location, with a high quality of civic and business leadership.

Different communities meet these objectives in different ways. Some have geographical advantages that others lack. Some may be deficient in one criterion, but very strong in others. But wherever the city, there are objectives which local government can affect and where local action is of paramount importance.

In growing cities, unless the city has been progressively annexing land suited for industrial development, there is generally an absence of sufficient vacant land which can be used for industrial purposes. That land is generally available in quantities just outside the city. But land outside the city is not often served by the character of governmental services desired, and probably required, by industry. **The job of the local community in seeking further development is to bring together vacant land and services through broad-based community action so as to**

- (1) Attract good industry, indus-

try that will become a stable asset to the community, and

- (2) Guarantee that the whole urban area will become and remain an attractive, livable city with a good supply of homes that people can afford, and with the governmental services that residential areas require.

It is when land and services are not brought together in this fashion that we find development which harms, rather than benefits, the entire urban area. For example,

1. Once land suitable for industrial and commercial development has been used, in part or in whole, for residential purposes, its value for industrial purposes is destroyed.
2. Once nuisance industries are established, the community is blighted for years to come.
3. Once fly-by-night industries are permitted to settle, there is the ever-present danger of hardship to individuals and the community when those industries pull up stakes and travel on to other cities.
4. Once suburban slums with sanitation problems, or unsightly mixed commercial and residential development are allowed to grow up, it is difficult and expensive to bring them up to standard.

**Unhealthful development is an effortless process.** Even with the best of efforts, it may be impossible to undo the damage that such growth brings. The city government can help forestall these complications.

The role of the city government in the development of the metropolitan area can then be stated. **The city has a responsibility to help guide and encourage sound development of the urban area and the city has the resources to help achieve that development.** It has the physical plant, the working force and the organization to insure that land and services are brought together to attract "good" industries; to provide healthy, attractive residential areas; to forestall unsound development.

This does **not** mean that the city government must have jurisdiction throughout the entire urban area. It does not mean that the city must annex all land adjacent to the city. It does mean that the city and the suburban area must have some dependable basis on which to plan for the future. There must be some good



idea of where new development will take place, and when, so that adequate services can be provided at the time they are needed.

This is looking at the problem of community growth from the point of view of economic development. The problem, then, is to determine whether city government in North Carolina can fill this role and the circumstances under which it can do so effectively.

That determination is not an easy one to make. Whether services of the quality provided by the city are needed in the outlying areas must be balanced against such questions as the cost of extending the services and the probable revenues which can be derived from taxpayers in the outlying areas. The effect of extending services on the financial structure of the city must be balanced against the benefits to be derived by the city and the whole community. The cost of extending services must not fall too heavily on any group of taxpayers. Questions such as these must be explored at length, and each of them will be explored at length in one or more of the following articles.

#### **What Municipal Services Are Needed? When? Where?**

As farm land becomes city suburb, and sparsely developed suburb becomes fully developed, municipal services become essential. In the vicinity of cities, all land eventually makes this transition. At what point does the change come? At a particular density in population? At a particular stage of land subdivision (as for example, when land is subdivided into lots of five acres or less)? When a particular type of building is erected? When land is logically situated for industrial or commercial development?

There are no precise answers to these questions—but some sort of answer must be found. Answers will follow from a consideration of the kinds of services required and the standard or level at which each of these services must be provided.

The first article will take up these questions and attempt to determine just when and where different types of developed land require the different types of municipal services and at what level or quality. It is obviously impractical to give an isolated residential community several miles from the city limits the same quality of police and fire protection needed in the central business district. But where should the line be

drawn? What types of areas do need the quality of police and fire protection offered by the city? Does density of population help determine when a given service is needed? Can standards be fixed which would help determine when and where municipal services should be provided and when such services are not necessary for the health and welfare of the entire community? Are there services or functions which should be provided at the same quality throughout the entire urban area as distinguished from the high quality needed principally in the more densely developed portions of the city?

These questions will be examined from the point of view of relative need, and not from the point of view of the city's ability to finance them. Perhaps services needed in different parts of the urban area should not be provided by the city alone. It is not until we have some idea of the pattern or services required throughout the urban area that we can examine the governmental structure necessary to provide and finance such services.

#### **How Can Growing Cities Finance Expanding Services?**

But adequacy of service is not the only problem. If we determine the relative standards of service that should be made available in different parts of the urban area, the practicality of that pattern of service must rest upon its financial feasibility. If taxes are too high, taxpayers will demand a reduction. If costs are too high, the city council or other local governing bodies will hesitate to go along with desirable projects. Any plan for extending municipal services, for improving municipal services, must be sound.

In judging or attempting to judge the ability of North Carolina cities to grow, we must first look at the existing tax structure of cities and what can be done under that structure. Later, then, attention can be given to changes in that structure which would be needed for more effective distribution of tax loads and for more effective production of revenue.

**Do Residential Areas Pay for Themselves?** One of the most intriguing questions in city government today is the relative cost of serving different types of property. Because homes take up relatively more space in urban areas, there is particular concern over the question of servicing new residential areas and subdivisions. Can the city afford,

at present costs and under existing tax structures, to provide municipal services to new residential areas without incurring an excess of costs over probable revenues?

It has always been assumed that residential areas do cost more to serve than they contribute in revenues to the city, and that therefore the city should go slow in extending services to large new residential areas. The second article in the series will examine that assumption and give examples of actual cost to a selected number of cities in North Carolina of new residential areas—fully developed and sparsely developed, developed at a density of around four houses to an acre (standard in low and middle value homes) and at two and one houses per acre, and built adjacent to the city and removed from the city.

In order to get at the answer to this question, other questions must be examined.

1. What portion of municipal costs can logically be allocated to residential property? Is the average cost of servicing residential property roughly the total of all city costs divided by population or by number of houses, or is it more or less? Each service must be analyzed to determine what portion of the cost of that service has been incurred for the benefit of residential property and what additional costs must be incurred to service land newly developed for residential purposes.

2. How can the cost of servicing new property be determined as a practical matter? Can we estimate the costs of providing police protection or fire protection or new streets to new areas of land or new property in a simple manner for planning purposes? Can we take expected new population over the next five or ten or fifteen years and put a dollar figure for planning purposes on the cost of servicing that new population without knowing exactly where that population is going to live?

In the discussion of residential costs, we shall come up with two answers that lead to further articles. The first is the relative importance of subdivision and utility extension policies in permitting the city to expend its services at a reasonable cost. The second is the portion of municipal costs which is incurred for the benefit of commercial and industrial property. When these costs are compared to the portion of the tax load paid by that property, the result will

be of help in determining the most desirable tax structure for the city.

**Subdivision and Utility Extension Policies: Are They Sound?** The third article will examine subdivision and utility extension policies as they establish a pattern for sharing the costs of new facilities—streets, drainage, water and sewer lines—between the taxpayers of the city as a whole and the residents of property receiving new services, whether the property served is being used for residential purposes or for commercial and industrial purposes.

As the article in the May issue of *Popular Government* demonstrated, there is no uniformity in the policies now being followed by cities in paving new streets, installing storm drainage, and installing new water and sewer lines. What effect do the different types of policies have on the financial structure of the city? What will be the long term effects of the basic types of policies, ranging from those where the city pays the full cost of new installations to those where the property owner pays a substantial part of the cost of new facilities? What will be the effect on new home construction? What will be the effect with respect to encouraging new developers to connect to city services or to be annexed? What will be the effect on the ability of the city to finance both these local improvements and other projects needed by the city as a whole? What will be the effect on the taxpayer not specifically benefited by the new development? Is the city now subsidizing new development? Inside the city? Outside the city? How can these costs be kept at a minimum consistent with an adequate level of service?

**The Municipal Tax Structure: Is It Fair and Equitable?** In the fourth article, then, these elements of municipal finance will be brought together in an examination of the adequacy of the municipal tax structure today and the changes which might be made. Does the city tax structure today, with its emphasis on taxation of property inside the city limits, spread responsibility for financing of municipal services in an equitable fashion? Are all those persons receiving benefits from city services contributing to the cost of municipal services? Is any one class of taxpayers paying more than its fair share of the tax load? What is the effect of the state tax structure on local government? Are cities re-

ceiving sufficient revenues for the services they must perform? These are serious questions which cannot be precisely answered, but they can be approached in a new way that sheds new light on the plight of the cities.

**Must City Boundaries Continue to Grow—the Problem of Annexation**

Against the background of careful analysis of the services required in different parts of urban areas and the cost to the city of providing those services, the fifth article will examine the growth of cities in the state and the effect on those cities of failure to expand their corporate limits to keep pace with growth in the entire urban area. What will be the effect on the incorporated city and on property and economic activity in the incorporated city and in the suburban area if the city

1. Sits tight and refuses to extend its services, either through annexation or sale of services? This alternative is important not only as a long-range question but also with respect to the city which, in the absence of plan or policy, fails to extend services to new development outside the city for a period of years.
2. Becomes a service center and agrees to sell any or all of its services at a price to areas outside the city but refuses to consider annexation of those areas?
3. Attempts to keep up with growth in the area by annexing all developed territory in need of municipal services?
4. Attempts to keep ahead of growth in the area by annexing both developed territory and territory not now under development but where development is anticipated in the next few years?

**Experiences in Other States—What They Tell North Carolina**

There is always interest in what is being done in other communities in other states, communities which face the same problems faced in North Carolina. The Institute of Government has done intensive research into many of the solutions suggested or tried in other states to meet the problem of growing cities, and in one or two articles in the series, the principal solutions will be examined and application will be made to North Carolina. For example,

1. Is Virginia's system of (a)

separate cities and (b) annexation under judicial procedure practical for North Carolina?

2. Does the idea of city-county consolidation have meaning for North Carolina cities and counties?
3. Should federated government be tried in North Carolina?
4. Should more use be made of special districts in suburban areas?

These and other devices will be examined based on the experience of cities throughout the nation.

**A Plan for Growing Cities in North Carolina**

On the basis of these preliminary discussions, an approach can be made to the problem of growing cities in the state. Keeping in mind

1. The economic interdependence of city and suburb,
2. The relative need for municipal services throughout the metropolitan area,
3. The cost of providing different types of municipal services of the quality needed in different parts of the metropolitan area,
4. The revenue which can be expected from residential, commercial and industrial development, at different densities of development, from taxes, from service charges, and from assessments,
5. Changes which should be made in the tax structure to provide a more equitable distribution of the tax load and to insure adequate revenues to meet service demands, and
6. The different types of governmental organization which are available to provide municipal services in growing urban areas.

Then it is possible to suggest a plan or method by which city governments, in conjunction with other governmental agencies, can expand local governmental services to new development in the most effective fashion. The fifth article will set forth a suggested plan as a point of departure, a plan which would permit sound new development at a minimum cost for governmental services and would be adapted to the special problems of North Carolina cities and towns.

**Municipal Home Rule in a Period of Urban Growth**

Whether or not cities should have constitutional or legislative power to make their own laws concerning the organization and administration of

(Continued on page 12)





# PUBLIC PURCHASING

By WARREN J. WICKER  
Assistant Director, Institute of Government

Perhaps the least known North Carolina statute regulating purchasing by counties, cities, and towns in the state is G.S. 14-249. That the statute is not well known is probably due to the fact that it is codified in the Criminal Law chapter rather than in the local government chapters or Chapter 143, which contains the major provisions with respect to public purchasing. Because it is so frequently unknown, it is probably also the statute which is most often ignored. The section limits the amount which a local unit of government may spend for an automobile and reads, in part, as follows:

It shall be unlawful for any officer, agent, employee or department of the State of North Carolina, or of any county, or of any institution or agency of the State, to expend from the public treasury an amount in excess of fifteen hundred dollars (\$1,500) for any motor vehicle other than motor trucks; except upon the approval of the Governor and Council of State: . . .

[G.S. 14-252 makes the section applicable to cities and towns.]

This statute was enacted in 1925 (cities and towns were added in 1931) when the limit of \$1,500 was quite reasonable. Under current conditions, of course, most local governmental units find that they must pay more than \$1,500, even for the lower priced automobiles. Faced with the present market and in the absence, in many cases, of any knowledge of the particular statute, many local governments have accepted bids above the limit without securing approval of the Council of State.

The question then arises as to how serious a violation of 14-249 is. The answer is found in 14-251 which reads in part:

Any person, firm or corporation violating any of the provisions of §§ 14-247 to 14-250 shall be guilty of a misdemeanor, and punished by a fine of not less than one hundred dollars (\$100), nor more than one thousand (\$1,000), or imprisonment in the discretion of the court.

(Continued on inside back cover)

APPROVAL OF PURCHASE ) BEFORE THE GOVERNOR  
OF MOTOR VEHICLES ) AND COUNCIL OF STATE  
BY GUILFORD COUNTY )  
PETITION OF THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY, L. C. AMOS, CHAIRMAN.

Your petitioner would respectfully show:

1. That Guilford County was in need of nine automobiles for the Sheriff's Department of said County, and of a station wagon for the use of the County Commissioners, the County Manager, and the County Attorney when they were compelled to make trips together to attend to official business of Guilford County and for other County purposes.
2. That accordingly the Board advertised for bids as required by law, and sent letters requesting bids from fifteen automobile and motor vehicles dealers.
3. That the following firms or corporations submitted bids:  
Ingram Motor Company of Greensboro, N. C., North State Chevrolet Company of Greensboro, N. C., and Lyles Chevrolet Company of High Point, N. C.
4. That the lowest bid was submitted by the Ingram Motor Company and was as follows:  
Nine Fords at \$1565.00 each less the price of seven used Chevrolets traded in at \$650.00 each, or net of \$9535.00.  
One station wagon, \$2,090.00.  
Total net amount of bids, \$11,625.00.
5. That the above prices were as low as could be obtained or expected, and substantially less than the prices charged private individuals for motor vehicles of like size and quality.
6. That Guilford County has accepted the bid of Ingram Motor Company, and the Statutes of North Carolina require the approval of your Honorable Body. Wherefore your petitioner respectfully prays that you approve the purchase of the automobiles and station wagon from Ingram Motor Company at the prices shown in this petition.

THE BOARD OF COUNTY COMMISSIONERS  
OF GUILFORD COUNTY

By \_\_\_\_\_  
Chairman

NORTH CAROLINA )  
)  
GUILFORD COUNTY)

L. C. Amos, being duly sworn, deposes and says that he is the Chairman of the Board of County Commissioners of Guilford County; that he has read the foregoing petition; and that the same is true of his own knowledge, except as to matters of things stated on information and belief, and as to these he believes it to be true.

\_\_\_\_\_  
L. C. Amos

Sworn to and subscribed before me this the 12th day of December, 1955.

\_\_\_\_\_  
Notary Public

My commission expires December 8, 1957.

[Since the statute requires approval of the Governor and the Council of State, the petition should be mailed to the Governor.]

## Books of Current Interest

### State Government

**AMERICAN STATE POLITICS: AN INTRODUCTION.** By *Valdimir Orlando Key, Jr.* New York 22: Alfred A. Knopf, 501 Madison Avenue. 1956. \$4.50. Pages 289.

The author states that the purpose of this work is "one of opening up the discussion of some of the major problems, of suggesting modes of investigation, and of stimulating further inquiry." Because the study is limited to only those states with at least the rudiments of a two-party system, the states of the South, which possess their own peculiar political practices, are not included except for comparative reference. The book is, in effect, a re-examination, in the light of experience, of the tenets of the Progressive movement for the reform of state government during the twentieth century.

### Intergovernmental Relations

**INTERGOVERNMENTAL RELATIONS AT THE GRASS ROOTS.** By *Paul N. Ylvisaker.* Minneapolis 14: The University of Minnesota Press. 1956. \$3.00. Pages 186.

"... there is no such thing as an intergovernmental relation; there are only relations among people who govern." Dr. Ylvisaker, in his study of the 300 units and agencies found in Blue Earth County, Minnesota, assumes a new approach to the complexities of problems and agencies representing the simultaneous interests of federal, state, and local governments in community government. This volume is not an exhaustive work on reorganization at the local level, but it does comprise an effective basis for such a study. Agriculture, health, highways, and finance receive concentrated attention.

### Evidence

**SOME PROBLEMS OF PROOF UNDER THE ANGLO-AMERICAN SYSTEM OF LITIGATION.** By *Edmund Morris Morgan.* New York: Columbia University Press. 1956. \$ . . . Pages 207.

The series of lectures published in this slim volume was given as the annual James S. Carpenter lectures of Columbia University Law School. Professor Morgan first discussed "The Relation of Pleading to Preparation

for Trial" and then "Judicial Notice." The third lecture, "Functions of Judge and Jury," seems an appropriate and natural prelude to the definitive discussion of the hearsay rule which constitutes the last three lectures. Thoughtful practitioners as well as professors of law and students would find a study of this work to be an enjoyable and enriching experience.

### Urban Growth

(Continued from page 10)

local governmental functions has been argued for more than seventy-five years, and there are now more than half the states which have constitutional provisions granting to cities some measure of "home rule." Whether North Carolina cities should be granted home rule powers has been discussed for about thirty years. In an article not strictly connected with this series but which will follow this series, the problems of municipal home rule will be examined, and the various systems of home rule will be analyzed to determine if any one of them would be of practical advantage in North Carolina.

### Conclusion

As stated at the beginning of this exploratory article, the Institute of Government does not intend to provide definitive answers to the questions posed, for there can be no definitive answers universally applicable to all cities. It is believed, however, that careful examination of the complex issues involved will lead to better understanding of the problems faced by our growing cities and will provide the basis for better overall planning for the growth that is with us today and will increase with each succeeding year.

### Pearsall Plan

(Continued from page 5)

tion of power" by the U. S. Supreme Court. The resolution declares that in overruling longstanding decisions in certain areas and by encroaching upon the powers reserved to the states and the people under the Ninth and Tenth Amendments to the federal

Constitution, the Supreme Court has in effect assumed the power to amend the Constitution and usurped the powers of the states and the people. It calls upon the Congress and the other states to bring to an end this "tyrannical usurpation" of power by the Supreme Court and to prevent any further encroachment, "to the end that constitutional government shall ever be preserved." Copies of the resolution are to be sent to the Governor and Legislature of each state, to the presiding officers and North Carolina members of both of the houses of Congress, to the President of the United States, and to the judges of the U. S. Supreme Court.

Efforts made to convert this resolution into one of interposition were defeated in both the House and the Senate.

### Other Legislation

The other legislation adopted consisted of resolutions (1) informing the Governor of the convening of the General Assembly and inviting him to speak before it (Res. 1); (2) providing for the printing of 3,000 copies of the Governors' address (Res. 2); (3) commending the Advisory Committee on Education for its efforts (Res. 3); (4) commending the Governor for his leadership (Res. 5); (5) providing for the printing of 25,000 copies of the laws enacted at the special session (Res. 6); (6) providing for inclusion of the acts, resolutions, and journals of the session in the similar publications for the 1957 regular session (Res. 7); (7) expressing sympathy at the passing of former Senator H. B. Perry (S.R. 2); and (8) providing for adjournment (Res. 8).

### Bills Which Failed

Of the bills which failed to pass, eight were the Senate bills embodying the Pearsall Plan, which were identical with the House bills which passed. Two (H.B. 10 and H.B. 11) submitted the proposed constitutional amendment in separate parts—one part authorizing education expense grants and the other authorizing local option school closing elections.

Two identical bills (H.B. 9 and S.B. 12) embodied the so-called Lake Plan (named for former assistant Attorney General I. Beverly Lake). These bills would have amended the state Constitution by (1) deleting the requirement of "a general and uniform system of public schools,

(Continued on inside back cover)



# THE CLEARINGHOUSE



Jail Management Course, July 11-13

## 111 Officials Attend Jail Management Course

One hundred eleven persons from eight states and the District of Columbia attended the course in Jail Management held in Chapel Hill July 11-13 under the joint sponsorship of the National Jail Association, the State Board of Public Welfare, and the Institute of Government. In addition to jailers and matrons, participants included city councilmen, city managers, chiefs of police and other police officers; county commissioners, county managers, county physicians, health officers, sheriffs and their deputies; heads of state prison, welfare, and health departments and other officials of those departments; prison wardens, superintendents, stewards, and other prison officials; state and federal jail inspectors; judges of juvenile and superior courts; newspapermen; university professors; officers and members of citizen organizations working for jail improvements.

## North Carolina Cities Receive Housing Grants

Local Housing Authorities in eight North Carolina towns have received planning loans and entered contracts with a view to placing new low-rent public housing projects under construction this year. The low-rent program approved for North Carolina involves 1,492 dwellings.

The Congress, in adopting the Housing Amendments of 1955, authorized the Public Housing Administration to enter into Annual Contribution Contracts for 45,000 low-rent units in the United States. It is upon the basis of the Annual Con-

tributions Contract that a Local Authority is advanced funds to purchase the site and construct the project. Approximately 10,800 of the 45,000 low-rent units are scheduled to be placed under contract in 143 towns in the southeastern states under jurisdiction of the Atlanta Regional Office of the Public Housing Administration.

Following are the North Carolina towns whose Authorities have received planning loans, upon approval of Public Housing Commissioner Charles Slusser, and the number of units scheduled for construction in each town:

Asheville, 238 units; Concord, 60; Durham, 113; Greensboro, 236; Laurinburg, 52; Raleigh, 300; Rocky Mount, 200, and Winston-Salem, 293.

## BIRTH REGISTRATION PUBLICATION OFFERED

"Delayed Registration of Births" was one of the subjects presented and discussed at the 1956 annual conference of Registers of Deeds held in Chapel Hill in June. Additional copies of the material used as the basis for discussion may be obtained without charge from the Institute of Government. It contains a brief description of the problem, a step-by-step suggested procedure, information on fees allowed by law, and a complete set of forms filled out for a typical case. In addition, a summary of the proof-of-age requirements of state and federal agencies is contained in the appendix, plus other information of value to those concerned with delayed registration of births.

## Public Purchasing

(Continued from page 11)

Even though it is not known that any public official has ever been prosecuted under this section, it would seem advisable for local officials to secure the approval of the Governor and the Council of State when it is necessary to purchase automobiles which cost more than \$1,500 each.

Last December, Guilford County officials were faced with such a necessity. The petition which Guilford presented to the Governor and the Council of State (and which received their immediate approval) is reprinted on page 11 for the information and assistance of other local governmental officials who may wish to follow a similar procedure.

## Pearsall Plan

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wherein tuition shall be free of charge," and the requirement that children of the white and colored races be taught in separate but equal schools: (2) adding a requirement that the General Assembly provide for the education of all children aged 6-21 in the state; (3) making it discretionary rather than mandatory for counties to maintain public schools; and (4) authorizing the General Assembly to provide for the education of children aged 6-21 either by maintenance of tuition-free public schools, by granting state or local funds for education expense in public or private schools, or by a combination of the two approaches.

One bill (H.B. 12) would have required the closing of Negro colleges in the state following admission of Negro students to corresponding white colleges. Another (H.B. 13) would have based teacher certificates upon examination grades rather than upon college degrees. A resolution (S.R. 13) would have provided for printing 10,000 copies of the transcript of the testimony offered at the public hearings concerning the problem. Another (H.R. 15) would have softened the language of the resolution of protest and condemnation concerning the Supreme Court's action.



# Sgt. BILKO and Doberman meet Aunt Mary!

WATCH PHIL SILVERS AS SGT. BILKO ON "THE PHIL SILVERS SHOW" CBS-TV

PULL IN YOUR STOMACH, DOBERMAN—GIVE YOUR CHEST A CHANCE! LOOK SHARP!

WHAT FOR? YA GOT ME A DATE WITH YOUR GIRL'S AUNT. THIS AIN'T GONNA BE NO BEAUTY CONTEST!

LOOK, THEY'RE GONNA GIVE US DINNER. YA WANT BEAUTY, TOO?

FOOD TASTES BETTER WHEN YA GOT SOMETHIN' TO LOOK AT!

HI, ERNIE! OH, GOOD—CAMELS! GLAD YOU COULD COME, PRIVATE DOBERMAN. C'MON IN AND MEET MY AUNT MARY

HELLO, BOYS. HOW NICE OF YOU, SERGEANT BILKO, TO BRING SUCH A CHARMING FRIEND! WE'LL GET ALONG BEAUTIFULLY!

SURE, WELL, UH—LET'S ALL GET ACQUAINTED!

PRIVATE DOBERMAN, YOU SIT RIGHT HERE WITH AUNT MARY. ERNIE, YOU COME HELP ME IN THE KITCHEN. I NEED YOU FOR K.R.!

OH, PRIVATE DOBERMAN YOU'RE SO MUCH FUN! AND YOU SMOKE CAMELS — MY FAVORITE CIGARETTE!

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