

The Chapel Hill Weekly

Chapel Hill, North Carolina

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Student Demonstrations Began Long Ago

Appropos the recent rioting of Georgia Tech students, in the course of which they burned the Governor in effigy, some student riots of the past are recalled in an article by Fred M. Hechinger in the New York Herald Tribune:

"In 1848 the liberal students of Germany rioted against dictatorship, oppression, and feudal injustice. . . . "In 1948, when Czech democracy was buried together with its human symbol, Dr. Eduard Benes, I watched students of Prague's ancient Charles University march in protest against the Communist regime. During that same year students at the old Humboldt University in East Berlin protested against government interference with academic freedom."

"In the summer of 1954 I watched the students of the University of Athens, led by their president, riot against British rule in Cyprus." Student demonstrations have varied from sober and peaceful declarations to bloody violence.

In a statement upholding the student legislature's right to express its opinion freely on any subject, Chancellor Graham of the Woman's College in Greensboro said last week: "Students have been taking stands on controversial issues for 800 years, and when controversial issues are ruled off the campus or ruled off the academic scene it will mean not only that our campuses have become very dull places but also that we shall no longer have colleges and universities. We shall have something different."

No doubt there are many people who do not know that student demonstrations began centuries ago, in the earliest days of universities in Europe, but it is a fact that has been chronicled again and again in books of history. Mr. Graham's statement reminded me of a passage I had been reading a little while before in G. M. Trevelyan's "England in the Age of Wycliffe."

"The University," he wrote of Oxford in the latter part of the 14th century, "was now struck down, for her noble treason against obscurantist ideals, by a conspiracy of Church and King. Her liberty was taken from her, and till the new age came the history of the schools was 'bound in shallows and miseries.'"

"If the University had been united within itself, this invasion would not have been easy. But it was split into two parties. The 'seculars', who regarded themselves as the University proper, consisted of secular clergy for the most part, priests like Wycliffe, or deacons and clerks in lower orders. These men were academicians first and churchmen second. They were as jealous of Papal and episcopal interference as of royal mandates or of the powers and privileges of the town. Their rights were protected against all aggression by the countless hosts of turbulent undergraduates herded in the squalid lodging houses of the city, who, when occasion called, poured forth to threaten the life of the Bishop's messenger, to hoot the King's officials, or to bludgeon and stab the mob that maintained the Mayor against the Chancellor. The medieval student, although miserably poor and enthusias-

tically eager for learning, was riotous and lawless to a degree that would have shocked the silliest and wealthiest set that ever made a modern college uncomfortable." (Editor's note: Trevelyan didn't know, when he wrote that, how close some student demonstrations in modern colleges on this side of the Atlantic have come to the violent outbursts at Oxford in olden times.) "The ordinary undergraduate, as well as the ordinary townsmen, possessed a sword, which he girded on for protection of a journey or for any other special cause, so that the riots in the streets of Oxford were affairs of life and death, and the feud of 'town and gown' a blood-feud."

The records of our own University bear witness to much rebelliousness and violent conduct by students. Many pages of the first volume of the history of the University by Kemp P. Battle, graduate in the class of 1849 and President of the University from 1876 to 1891, are devoted to these episodes.

An example: at the opening of the 1840 fall term the faculty sought to prevent the levy of assessments upon freshmen for a celebration called the Fresh Treat. "Under the plea that it was an established institution and it would be niggardly of the new students to refuse to pay the two dollars demanded of each," says Battle's history, "a bountiful feast, principally alcoholic liquors, was prepared. The result was disorder and riots during which the windows of tutors were shattered, stones were thrown at members of the faculty, and classrooms and laboratories were nearly destroyed."

On another occasion, in protest against certain disciplinary measures, "a holocaust was made of all the blackboards in the institution." In November 1828 about thirty students, who for some reason had become angry at the University preacher, were tried by the faculty for being absent from religious services. In 1816, when the Rev. Robert H. Chapman was President, forty-six students who engaged in a rebellion on behalf of a fellow student who had been, as they declared, unfairly disciplined, were summoned before the faculty. Several were suspended.—L.G.

Speeder in the Heavens—A Lesson

(By Morris Bishop in the New Yorker) Apollo through the heavens rode in glinting gold attire . . . His car was bright with chrysolite, his horses snorted fire . . . He held them to their frantic course across the blazing sky . . . His darling son was Phaethon, who begged to have a try . . . "The chargers are ambrosia-fed, they barely brook control . . . On high beware the Crab, the Bear, the serpent round the Pole . . . Against the Archer and the Bull thy form is all unsteeded!" . . . But Phaethon could lay it on; Apollo had to yield . . . Out of the purple doors of dawn Phaethon drove the horses . . . They felt his hand could not command, they left their wonted courses . . . And from the chariot Phaethon plunged like a falling star . . . And so, my boy, no, no, my boy, you cannot take the car.

Estimate of Churchill—35 Years Ago

From "Contemporary Portraits," by Frank Harris, 1920: "As an administrator Winston Churchill has been cautious to excess and followed his chief war adviser, Admiral Lord Fisher, very closely. No great or original stroke of genius need be expected from him in any place. He reads only to prepare his speeches and has no other artistic tastes. But, on the other hand, he is easy of approach and his heart is in his work; he listens to everyone, even though he cannot grasp all that is said to him; in fine, he is an excellent subaltern: capable, industrious, and supremely courageous, but not a pathfinder or great leader of men."

Flying Tanks and Artillery Predicted

The semi-official Pentagon magazine, Armor, devoted to the activities of the Army's armored division, has an article in which tanks and artillery are pictured as taking to the air in future wars, in what the writer, Lt. Col. Robert B. Rigg, calls "three-dimensional battles." The article is illustrated with some Jules Vern pictures: Sherman tanks and tremendous cannon floating about in space, defying gravity, and blasting enemy communications.

"A duty dodged is like a debt unpaid; it is only deferred, and we must come back and settle the account at last."—Joseph Fort Newton.

30 Years to Go . . .

Patrolman Amos Horne Says His Job Helps Him Meet 'A Lot of Nice People'

By Lyn Overman "I could shut my eyes on the bus from Durham to Chapel Hill and tell from every bump on the road that I was on the way home," said Patrolman Amos Horne. The trip Patrolman Horne was ending was one extending from the South Pacific to the North Atlantic which he took with the Navy during World War II. Two years, he indicated, was too long to be away from Chapel Hill and Carrboro where he is now building a home for his wife and two young children. "This is the only place I wanted to go when I got out," he said. "It's home." Chapel Hill and Carrboro have been home to Patrolman Horne since he was born in Carrboro in 1926. "I've been here 30 years, and I hope to be here 30 years more," he said. Shortly after his return in 1946, Mr. Horne married Lucille Ellisor of Carrboro, a schoolmate at Chapel Hill High School. Their two children are six-year-old Robert E. Horne and four-year-old Debra K. Horne. It was also evident that the patrolman likes his job, and the people he meets and serves. "I get to know a lot of nice people," he said. "And the job



—Photo by Lavergne AMOS HORNE

is varied, not monotonous when you're working on the outside." Mr. Horne has been with the Chapel Hill Police Department for about two years. Before going with the force, he did construction work at the University. At present, he said, he and his wife are caught in the chaos known only to home builders. "We wait only for the day we can move in," he said. "The next time I want a house, I won't build it, I'll buy it ready-made."

This Is the Law

By Robert E. Lee (For the N.C. Bar Association) BOUNDARY TREES Black and White are adjoining landowners. The trunk of a tree is wholly on the land of Black, but its branches overhang on the land of White and the roots of the tree penetrate the soil of White's land. Is White entitled to the fruit on the branches which extend upon his land? No. The tree and all of its fruit belong to Black. White is liable to Black if he takes any of the fruit without the consent of Black. The ownership of the entire tree as a unit is determined by the location of the trunk. The law recognizes the practical difficulties which would be involved in giving to each of the adjoining landowners an undivided share of the tree in proportion to the degree of nourishment supplied to the tree by the land of such owners. Ownership of the tree carries with it one of the rare instances of a license, arising by law irrespective of consent, giving to the owner of the tree the right to enter on the adjoining land and to gather the fruit growing on such overhanging branches. The trunk of a tree is wholly on the land of Black, but its branches and roots extend upon the land of White. Is White liable to Black if he cuts off the branches and roots which have extended upon his land? No. White may cut the branches and roots to the line without liability for any resulting damage to the tree. The owner of a tree has no easement of natural right to have his tree continue to draw nourishment from and to shade

I Like Chapel Hill

By Billy Arthur My thoughts of having recovered from the pneumonia received a setback when Bob Bartholomew telephoned. He had no sooner started talking than I began a coughing spell. "Huh," he huffed, "you don't sound well yet. You still got the Oteen giggles."

Take it from me, if you want attention and consideration, don't pay your bills. While confined at home, I phoned and propositioned Bob Cox that if he would come by the house, pick up and make a bank deposit, I would pay him what I owed him. You guessed it. He never ran so fast on the gridiron. Then this week, my account settled, I asked for a ride down town in the early morning. You guessed it again. He drove right by the house without stopping, as if he didn't know who lived there. So from now on when I want anything done, I'm going to hang folks on the arm, and keep them there.

If you were lucky some weeks back, you could have entered Eubanks' Drug Store and been entertained by some melodious singing. The music came from Miss Joyce Nelson, the young and pretty pharmacist on the premises. Miss Nelson didn't sing all the time. It was only when the store was empty of customers. When a customer entered, she would stop. So you had to be lucky enough to steal into the establishment. Now it's different. I've sneaked in several times trying to get an earful of music, but she's not singing any more. The other day I asked why. "Well Billy," she said, "I quit singing for good when they invited Norman Cordon instead of me to lead the Christmas carols."

Jake Connors says he knows the man in Texas "who claims to be the world's champion barbecue artist. He says he can barbecue anything except the Word of God and sunset tomorrow."

Getting a Christmas present for the missus always has been a laborious task so oftentimes I try to trap her into revealing what she would like. The other evening I read an advertisement and then started putting questions. "Lookit this—a mink trimmed petticoat. What would you do with one of those?" I asked. "If I had a mink trimmed petticoat," she confessed, "I'd wear it outside of my dress."

Chapel Hill Chaff

(Continued from page 1) she now did all her writing on the typewriter. This has enabled her to solve her misspelling problem in a way I never heard of before. "I have always been a poor speller," she said, "and what's given me more trouble than anything else is the question of which comes first, the 'e' or the 'i', in words like 'receive' and 'believe' and 'thief' and 'siege'. When I wrote with a pen or a pencil, I had to put it down one way or the other, and of course often I'd get it wrong. Now I write it both ways. I tap 'ie' and then over the top of that I tap lightly 'ei'. This makes it look as if I know how to spell the word but have just made a mistake on the first try by tapping the keys in the wrong order."

by virtue of overhanging branches the adjoining land of a neighbor. The cut branches and roots belong to the owner of the tree, not to the neighbor who cuts them. If the roots of trees extend across the boundary line into the premises of an adjoining owner and cause damage, as by the clogging of a sewer line, there may be a recovery of damages for any injury sustained. The injured property owner may also get a court order in the form of injunctive relief against encroachment of such roots upon his property.

Green and Blue are adjoining property owners. The trunk of a tree is directly on the boundary line between the adjoining owners. Who owns the tree and what are the rights of the parties in respect to the tree?

Where the trunk of a tree is growing directly on the boundary line, the tree belongs in equal shares to the two adjoining owners as tenants in common. Each has an equal interest in every part of the tree whether on his or the adjoining land.

If either destroys or injures the tree without the consent of the other, he is liable to the other for one-half of the damage. The peculiar result of this doctrine is that the tenant in common of the tree has less right to cut off its branches than he would if it belonged wholly to the adjoining owner.

The only way a landowner can get rid of a tree growing directly on the boundary line without the consent of his neighbor is to cut it down and then be prepared to answer in damages for one-half of the value of the tree. If you have angered your neighbor, the chances are that he will place a higher value on the tree than you. If he sues you, the value of the tree will be determined by a jury.

This is the last of a fall series of articles that have appeared weekly during the past three months. They have been written for the non-lawyer as a public service of the North Carolina Bar Association.

"The Tools of My Trade" "There's that word 'stated' I'm always encountering in print. Somehow it's one of the printed words, for one never hears it in speech save from the lips of some bombastic speaker of the type that's going to give you a thought to take home with you. The people I talk with just say things. They don't state them. "While we're on the subject of words, I make a motion we throw one in common usage smackdab out of the language. The word is "located." Once in a blue moon it fills a useful purpose. For example, if the police have been looking high and low for some character and finally find him, then you can properly say he was located. But to say that a store is located at such and such an address is to say that no one knew where it was, but by George the fellow who wrote the copy finally found it, even if the merchant did try to keep his 'location' a secret. I suppose I like to talk about words for the same reason a carpenter likes to talk about a new saw. After all, words are the tools of my trade."—C. A. Paul in the Elkin Tribune

"R. B. House, Chancellor of the University, preached the Laymen's Day sermon at the First Methodist Church. He has the amazing knack of generating a wonderful warmth inside you as he speaks. This is a talent possessed by few men. It is difficult to describe. I suppose it is the sincerity of the man coupled with a simple, friendly tone that makes what he says so pleasurable. It is a blessed gift."—E. A. Resch in the Chatham News of Siler City.

On the Town

By Chuck Hauser

Last year's model of the family car limped along with 180 horsepower. This year's buzzed out with 200 horsepower and more. By next year, the automobile manufacturers promise, we will be able to buy a regulation model sedan with a cool 250 horses throbbing under the hood. What a boon to the man who must drive back and forth between his office and his home every day!

Few voices are heard asking, "Why do we need all this horsepower?" Few dare question the practice of making each year's model more powerful than the last. The reason? Increases in power represent Progress, and the consumer has been told he is living in an Age of Progress.

And colors! Colors to dazzle a sultan and awe a king! We have finally reached the four-tone stage, and the designers are happily mixing untold numbers of combinations for the future. A recent ad in Life magazine pictured a popular model car with a white top, a body colored half and half charcoal gray and red, and a bright orange-yellow panel swept back over the rear wheels to set off the pattern.

The consumer is truly the Man of the Hour, and he has Progress thrust upon him by the snowshovel-ful. He gets more powerful engines, even though he has no earthly need for them. He gets more length, in spite of the fact that he has trouble parking his 1955 jalopy between the white lines the police department painted back in the days when cars were made in normal sizes. He gets more colors, though he secretly would prefer a nice conservative black or dark blue (but his neighbors have just taken delivery on a simple three-tone sedan—canary yellow, shocking rose, and aquamarine).

What else does he get? Power steering, power brakes, power windows and power seats (four-way). Electric-eye headlight dimmers, electronic station selectors for the hi-fi radio, and taillights as big as fishbowls and getting bigger. Gimmicks, gadgets and gewgaws in ever increasing numbers.

Alfred North Whitehead once mentioned the love of Americans for things "vivid, and red, and swift." He was talking about fire engines, but his words could easily be carried over to a broader field of reference. The American love for the noisy, speeding machine of mercy illustrates a pattern of behavior that is evidenced in our race to build bigger and faster and brighter automobiles.

Whether this fascination with speed and power is merely a temporary upturn on a cyclic wheel or a blind rush toward inevitable oblivion, we cannot yet tell. For America is a young country, and it is shaking itself loose from slowness and caution and conservatism with a great burst of energy, as a giant shatters his chains and then, fascinated with the realization of his power and intoxicated with the appreciation of his new freedom, destroys everything around him.

There is no thought of turning back. We have passed the 200 horsepower mark, and we have set our sights on 300 by 1957! And we are still employing wasteful internal combustion engines to propel our vehicles!

There are varieties of color yet unmixed, and we will splash them around in four and five-tone combinations until we weary of such simple efforts and start painting each door and fender skirt a different hue.

We will lengthen and widen our car bodies until two-lane roads will have to be legislated into one-ways, and curbs will have to be repainted to indicate room for two or possibly three parallel-parked automobiles to the city block.

We will add electronic gadgets until the driver will be able to push a destination button on the control panel, settle back in the comfort of his mobile parlor, enjoy a cocktail (mixed by an electronic shaker). (Continued on Page 7)

Advertisement for Orange County Building and Loan Association. Features an image of a silver lining and text: "There's a Silver Lining . . . to your future". Text describes the benefits of saving regularly and mentions "R. B. House, Chancellor of the University".