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December 7, 1971

**Missionaries Gather in Dacca
As Indo-Pakistani War Mounts**

RICHMOND (BP)--Southern Baptist missionaries in East Pakistan have gathered at the mission compound in Dacca as hostilities mount between the armed forces of India and Pakistan.

Missionaries now in East Pakistan are the James F. McKinleys (Ky.), the Troy C. Bennetts (N.C. and Va.), and the Thomas E. Thurmans (Miss.).

J. Howard Teel (Ala.) arrived in Dacca on Nov. 26, but his family is staying in Bangkok, Thailand. Dr. John D. Freeman (Tex.), missionary to Thailand, arrived in Dacca on Dec. 3 to visit the McKinleys and help in any way possible. He was later unable to leave.

John D. Hughey, the Southern Baptist Foreign Mission Board's secretary for Europe and the Middle East, received information on the missionaries' whereabouts from William W. Marshall, field representative for the Middle East, on Dec. 6.

Marshall, in Dacca from Dec. 2 to Dec. 4, was evacuated to Karachi, West Pakistan, and then to Teheran, Iran. From his home in Cyprus, he reported that there had been no bombings in Dacca up until the time he left.

East Pakistan has been torn by civil strife since last March when clashes erupted between troops of the West Pakistani-dominated government and supporters of an independent Bengali state, Bangla Desh.

In early December, India, long-time enemy of Pakistan, openly accused Pakistan of "a new kind of aggression" by forcing millions of refugees into India. By Dec. 6, India had formally recognized the secessionist government of Bangla Desh as the government of East Pakistan, and full-scale attacks were underway.

Currently only one missionary couple and three journeymen are working in India; they are all located in Bangalore, far removed from the scene of any fighting. Those missionaries are Dr. and Mrs. Richard H. Hellinger (Fla.), Geri Sullivan (Miss.), Cindy Huffman (Fla.), and Marilyn Hatcher (Tex.).

Three other couples are assigned to India but are not in the country.

Marshall told Hughey that all the missionaries were fine although they were tense and tired. All had moved into the mission compound in Dacca, he said, except possibly Thurman and Teel. They had planned to leave Dec. 5 for a three-day trip to Faridpur. Hughey and Marshall agreed that in view of the turn of events, the trip had probably not been made.

Marshall said that missionaries were regularly keeping in touch with the American consulate and the 40 to 50 other Americans in Dacca.

A U. S. State Department spokesman told Hughey that an evacuation flight had gotten within 30 miles of Dacca on the morning of Dec. 6 when the Pakistani army asked that it be called off due to damage to the Dacca airport.

Another evacuation flight was planned for Dec. 7, the spokesman told Hughey, but meanwhile other attacks were made on the Dacca airstrip.

Marshall said the missionaries have a two-to-three week food and fuel supply. The gasoline supply is already exhausted in Dacca, he said, and other fuel would probably be gone within a few days.

If the missionaries do decide to leave East Pakistan, Marshall continued, they will want to do so all together and not one by one.

In a letter dated Nov. 6, Thurman had reported resuming work on a limited scale at the Christian Industrial Center in Faridpur. No new students had been accepted for the year, but 14 of last year's class of 35 returned to complete work lost during the last session.

Although greatly limited in their work since fighting began last March, the missionaries have continued to act as friends and counsellors to individuals and through the Pakistan Baptist Churches which continue to function, Hughey said. "This has been their primary reason for remaining," he added.

Three of the four missionary families assigned to East Pakistan do not have re-entry permits, Hughey said. "If they leave the country, they must stay out. The missionaries have been assured repeatedly of Foreign Mission Board backing in their decision to stay or leave," Hughey added, "but their courage and devotion have not faltered."

Through the Foreign Mission Board, Southern Baptists have appropriated \$20,000 for East Pakistan. Missionaries have been permitted by authorities to become actively involved in only a limited amount of relief operations.

The Thurmans reported that \$1,115 of the money supplied by Southern Baptists has been used by churches in the Faridpur District. During November, 250 blankets were to be purchased in preparation for the forthcoming cool season.

An additional \$10,000 has been earmarked for a cholera treatment program. Hughey says that the missionaries still have on hand funds supplied by the Foreign Mission Board, individuals and other groups. They also understand that they can request other funds when they find they can be used effectively, Hughey said.

Missionaries report that Australian and New Zealand Baptists are underwriting most of the expenses for 200 low-cost houses. "Whether or not the work is completed immediately is questionable but at least it has been begun," reported James McKinley.

"The dimension of the tragedy of Pakistan is the greatest I have witnessed anywhere," Hughey said. "We do not know what lies in the immediate future but there will, without a doubt, be great need in that part of the world for a long time. Southern Baptists must be ready to do what they can to help," he added.

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NOTE TO EDITORS: Because of the fluid situation in East Pakistan, Hughey suggests you check with Foreign Mission Board press office for update just before your last deadline.

Suit Filed to Halt Release
Of Houston Baptist Hospital

12/7/71

HOUSTON (BP)--A suit has been filed by a member of Baptist Temple Church here to halt the release of the Baptist Memorial Hospital System of Houston from Texas Baptist ownership.

J. B. Bumgardner, operator of a ready-mix cement business in Houston, said fellow Baptists had encouraged him in filing the suit.

Bumgardner's plea for a temporary injunction will be heard in the 125th District Court on Dec. 13. Judge Lewis Dickson denied a restraining order, which if granted, would have been in effect until the temporary injunction hearing on that date.

At the annual Baptist General Convention of Texas in Houston Oct. 28, Bumgardner spoke against releasing the system, which includes four hospitals and related facilities. However, messengers voted to give Baptist Memorial independent status shortly after they had turned down a hospital study committee's request to permit their institutions to accept federal grants and loans.

It was the second major effort in five years to alter the Convention's traditional stand against federal funding for its institutions.

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W. Wilson Turner, president of the Houston hospital, told convention messengers that, without government aid, the system would have to cut back on badly-needed expansion in medical care services. Last summer, Baptist Memorial announced plans to build an \$80 million complex on a 38-acre tract off Houston's Southwest Freeway.

Legal arrangements for severance of convention control were expected to be completed by the hospital's trustees about Jan. 1.

Bumgardner claimed in his petition that the vote authorizing release of the hospital was taken so as to deprive convention messengers "of an opportunity to express their opinion or to protect their interests." He charged the vote was "manipulated by the managers of the hospital system, the board of trustees of the system and the leadership of the convention."

"They did it during the lunch hour when many of the delegates had gone to lunch," Bumgardner said.

The suit, said the Houston man, seeks to protect the gifts by himself and other Baptists. He added that donations of individual Baptists built the hospital to a worth of more than \$40 million.

"I just feel like we need to make certain that members of Baptist churches have a chance to exercise control over their own assets," he said.

Hospital President Turner and Texas Baptist Convention leaders declined to comment on the suit.

Among 12 ways that he claimed the vote was manipulated, Bumgardner charged that the convention failed to:

- notify its churches of the proposal until September before the October meeting;
- make an in-depth study of the value of the assets of the system;
- set out precisely the time and place that the question of transferring the hospital system would be considered.

The petition claimed that the hospital's board of trustees presented a financial statement "which failed to meet acceptable accounting practices" and which was "intentionally misleading."

Also the petition claims that the leadership "falsely and fraudently" made it appear that the hospital was "insolvent and in desperate financial condition and that the assets could not be sold, when, in fact, it had a net value of "no less than \$40 million" and could have been sold. The annual Convention Book of Reports for 1971 showed the hospital's assets to be less than \$20 million.

The Bumgardner petition attempts to block divestiture of the hospital by the convention until authorized to do so "by a majority of the messengers" to the convention by a vote taken in a manner "whereby all the members of the Baptist churches" at the convention have an opportunity to express their judgment as provided in the by-laws.

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Church Raises \$100,000
In Foreign Missions Push

12/7/71

HOUSTON (BP)--First Baptist Church here has raised more than \$100,000 for foreign missions causes through what was billed as "the world's first mission telethon."

The missions effort, a part of Southern Baptist's annual Lottie Moon Offering for foreign missions, was attributed by the church's pastor, John Bisagno, with encouraging "almost every Baptist church in Houston to set a higher offering goal than ever before. It's climatized our community," he said.

First Baptist Church spearheaded a city-wide missions appeal, Operation HIM (Houston Involved in Missions). Three 90-minute programs featuring missionaries, well-known Christian

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musicians and the church's choirs and orchestra were broadcast live from Houston Baptist College for three nights on KHTV, Channel 39. People were invited to call in their pledges.

"The live broadcasts," said Bisagno, "let Houstonians see the missionaries and hear them describe the needs of the people they serve."

Beforehand, teenagers with proper identification from the church went door-to-door, raising more than \$10,000 for missions. Also, a team of men from the church, called "the 12 disciples" contacted Houston businessmen for gifts.

"The public in general received us very well," said Bisagno.

He described the final minutes of the last broadcast as "the most exciting of my life." The offering was still about \$10,000 short of the \$100,000 goal when the movement started snowballing. People kept calling in their pledges. The television station carried the program overtime, and before it was over, gifts had reached \$104,667.

Five days after the final telecast, the church had counted \$84,370 in cash payments on the pledges.

Church leaders hope the offering will reach at least \$118,000 so they can send \$100,000 above expenses of the effort for foreign missions.

Contributions in the Houston telethon came from a broad cross-section of people, including one American couple in Arabia who gave \$200 after reading about the telethon in a church publication. Several persons described by church officials as "near poverty stricken" contributed, including one who gave \$5 from \$11 saved to buy a washing machine.

Meanwhile, in Joplin, Mo., the First Baptist Church sponsored a similar telethon, going over their goal of \$10,000 with pledges of \$11,000, most of it pledged during the last few minutes of the telecast.

An editorial in the Illinois Baptist questioned whether a Baptist church should seek to raise money from the general public.

"No doubt this will raise a lot of money for the Lottie Moon offering," said the Illinois Baptist editorial. "But what about our emphasis through the years on Baptists not going afield for financial help? Because a method is successful, does this justify its use?" the editorial asked.

Bisagno, however, was optimistic about the use of prime time television to raise mission funds. The church is considering a goal of \$250,000 next year, and by 1976, they hope to raise \$1 million at Christmas time for missions around the world.

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21 Baptist Evangelists
Die in India Tidal Wave

12/7/71

NELLORE, India (BP)--Twenty-one traveling Baptist evangelists perished with 30,000 residents of Chandpara near Nellore when tidal waves swept the city recently. All were affiliated with the Seventh Day Baptist Conference of India.

Three teams of seven evangelists each were working in Chandpara when the storm hit, according to B. John V. Rao, secretary of the Seventh Day Baptist Conference of India. They were engaged in distributing evangelistic tracts and personal witnessing.

The teams included 12 men working on a full-time basis, and nine who were engaged part time for special projects.

Special funds were being sought in Seventh Day Baptist churches in both India and America to assist the families which were left fatherless.

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Court Hears Baptist
Parking Lot Case

By W. Barry Garrett

WASHINGTON (BP)--A case that could have a wide effect on tax exemption for churches has been argued before the U. S. Supreme Court and awaits a decision possibly early in 1972.

Two Florida taxpayers, Florence Diffenderfer and Nishan Paul, challenged the tax exemption allowed by Florida law on the parking lot of the Central Baptist Church, Miami.

Both a three-judge district court in Florida and the Florida Supreme Court ruled that the tax exemption for Central Baptist Church's parking lot is allowable under Florida law and the U. S. Constitution. The case was appealed to the U. S. Supreme Court, which agreed in March of this year to hear the case. It was argued before the high court on December 6.

The parking lot owned by and adjacent to the Central Baptist Church of Miami is used for parking purposes for the church and its activities. In addition, during the week the church rents approximately 290 parking spaces to people coming into the surrounding business areas. The income derived from the parking lot is used by the church for religious and educational purposes.

The church has been involved in court cases since 1965 in attempts to place the parking lot on the tax rolls.

The Baptist parking lot case could become a landmark decision affecting a broad area of tax exemption for churches, or it could fade into insignificance, depending on the decision of the Supreme Court.

For instance, Diffenderfer and Paul contend that this is the case of a commercial parking lot owned and operated by the Central Baptist Church for profit. They further contend that the use to which the profits are put is of no significance in deciding the tax status of the property.

The question that arises, according to Diffenderfer and Paul, is this: "Do the First and Fourteenth Amendments to the U. S. Constitution forbid governmental tax exemption to extend to church-owned commercial enterprises?"

On the other hand, the Central Church denies that its parking lot is a commercial enterprise and holds that the questions raised by the appellants are not the proper questions to be considered by the Supreme Court.

The church claims that the property involved is a parking area that is both contiguous with the church and is a functional, physical, essential and necessary part of the overall facilities of the church.

The questions that the court should decide, according to the church, are: May a state include churches on an equal footing with other charitable nonprofit organizations for tax exemption purposes, and may a state exempt from taxation property owned by such organizations if it is indispensable and used every day for their exempt purposes and that is partially used during the business hours of the week for the production of income to be used for tax exempt purposes?

The case is further complicated by the repeal of the Florida law under which the case originally arose and the enactment of new legislation that affects tax exempt property.

The attorney general of the state of Florida filed a suggestion with the Supreme Court in this case in which he stated that a decision by the court would be "substantially inapplicable to the future administration of the Florida law in this area."

The attorney general further said that a decision by the Supreme Court would be "without practical effect" because Florida law prohibits the collection of back assessments in a case like this. Therefore, he said, the case should be ruled moot.

A number of interesting "twists" have developed in the Baptist parking lot case. Originally, its significance did not extend beyond the bounds of a local tax case. But when it was accepted by the U. S. Supreme Court, Florence Diffenderfer employed Leo Pfeffer, the renowned church-state attorney from New York in addition to Howard J. Hollander, a Miami lawyer.

On the other hand, Attorney Herbert S. Sawyer, who represents the Central Baptist Church, asked Charles M. Whelan to assist him in defending the church before the Supreme Court.

Father Whelan is one of the editors of America Magazine, a National Catholic public affairs publication. He is also a professor at Fordham Law School and a specialist in church-state matters. So far as is known, this is the first time a Catholic priest orally has argued a case before the Supreme Court. It is interesting that he defended a Baptist church.

In addition, Americans United for Separation of Church and State filed an amicus brief against the position taken by the Central Baptist Church. The Central Church is a member of Americans United, and its pastor, Conrad Willard, is a long-time supporter of the organization.

In spite of its connection with the church, Americans United took the position advocated by Diffenderfer and Paul against the church. It takes the position that commercial enterprises owned by churches should not be tax exempt.

Other income producing activities of churches that might be affected by a ruling of the Supreme Court that the Central Baptist parking lot should be taxed could include passive income, income, such as dividends, interest, etc., income from picnics, dinners, dances, bazaars, pew rents and seat-offerings.

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INSERT

On Page-1 story this mailing headlined, "Missionaries Gather in Dacca As India-Pakistani War Mounts," please insert the following graphs after graph 13 of story. These later developments occurred after copy deadline for the story:

A second United Nations evacuation flight attempting to reach the airstrip in Dacca was thwarted Dec. 7 when a four-hour cease-fire went unheeded.

According to Hughey, Southern Baptist missionaries remaining in Dacca probably would have no means other than the United Nations flight of being evacuated at this time.

Hughey added that he and Baker J. Cauthen, the board's executive secretary, had sent a cable late Dec. 6 to the missionaries in Dacca, advising them to consider evacuation if possible.

(pick up with graph beginning "Marshall said the missionaries have a . . .")



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