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June 18, 1974

**Court Delays Final Rule  
On N.J. Parochial Aid Law**

WASHINGTON (BP)--In a 6-3 vote, the U.S. Supreme Court upheld a lower court ruling that a New Jersey law providing aid to nonpublic schools cannot be implemented pending legal action against it.

Chief Justice Warren E. Burger and Associate Justices Byron R. White and William H. Rehnquist stated that they would have granted jurisdiction and set the case for oral argument. A minimum of four of the justices, however, must agree that a case merits hearing before oral arguments can be scheduled.

A number of groups and individuals brought suit before the United States district court for the district of New Jersey challenging the constitutionality of that state's nonpublic elementary and secondary education act of 1971.

The three-judge district court then issued a preliminary injunction prohibiting the statute's enforcement pending full litigation of the issues in the case.

The case, *Marburger v. Public Funds for Public Schools of New Jersey*, involves a New Jersey law which provides for cash reimbursements to parents of nonpublic school pupils for the purchase of textbooks of "secular nonideological subjects."

The statute provides also for a wide range of so-called "auxiliary services" in nonpublic schools, including remedial and corrective instruction in reading, mathematics, speech and physical education, guidance counseling and testing services, psychological testing and diagnostic services and school nursing and health services.

In written briefs urging the Supreme Court to hear the case, the state of New Jersey argued that its assistance programs for nonpublic schools "do not impermissibly advance religion because their benefits are restricted to secular uses." It further argued that the programs "create no impermissible entanglement between government and nonpublic schools because their administration requires minimal contact between government and schools."

Such programs, the state claimed, do not advance or inhibit religion and are based on the "child benefit" theory, rather than consisting of direct aid to the nonpublic schools.

In addition, New Jersey argued that nonpublic schools should not be required to relinquish educational materials already received in the state's programs of aid because "the cost to the state of repossessing the materials may exceed the present worth of the materials."

The high court declined to rule on the issues raised by New Jersey, choosing instead to affirm the lower court's ruling that until those questions are confronted in litigation, the state may not continue to provide such aid to nonpublic schools.

Among the groups which objected to New Jersey's law and subsequently brought the suit in district court were Public Funds for Public Schools of New Jersey, the American Civil Liberties Union of New Jersey, The New Jersey Education Association, Americans for Democratic Action, American Jewish Congress and New Jersey Council of the Union of American Hebrew Congregations.

New Jersey must now decide whether to drop legal efforts or to begin a new appeals process in an effort to have its nonpublic school aid law declared constitutional. Or, the state could choose to have its legislature draft a new law which meets constitutional standards.

Virginia Baptists Plan  
Center for Aging Research

CULPEPER, Va. (BP)--Virginia Baptist Homes, Inc. will open a gerontological research center here at the general office of the homes some 50 miles southwest of Washington, D. C.

Action by trustees of the institution, operated by Baptist General Association of Virginia, approved immediate implementation of a proposal by Charles E. Neal, according to the Religious Herald, Baptist state paper for Virginia.

Neal, executive director for the homes, said the facility is "a first for Southern Baptists and will seek to purchase everything in print on the subject of gerontology.

"In keeping with action by the trustees," Neal stated, "we will make the center available to any student of the phenomenon and problems of aging."

An initial gift of \$10,000 by Werter H. Hurt, a retired Culpeper businessman and longtime trustee, will be used to begin purchase of research materials. The center will be named Hurt Gerontological Center for Advanced Study.

Neal said long range goals include seminars and lectures by distinguished gerontologists, gathering of films, filmstrips and tapes on the subject, employment of student interns and conferences for the middle aged which would be designed to prepare them for old age.

Virginia Baptist Homes, Inc. has approximately 500 residents in total care facilities at Culpeper and Newport News. Baptist Village, being developed adjacent to the Culpeper home, consists of two bedroom cottages with all outside and structural maintenance by the homes.

The Culpeper and Newport News facilities, supported annually by a \$110,000 subsidy from the Virginia Cooperative Program unified budget, admit residents regardless of financial condition.

A new home, to be constructed in Richmond, will admit retirees on an "entrance fee--maintenance charge" basis. It will have a capacity for 300 in a variety of accommodations.

Neal told The Herald, "We cannot know the full import of what we are about to do. The rapidly growing population segment over 65 needs the knowledge that will be gained. Our own residents will be both directly and indirectly served."

Neal has made arrangements to do an on-site study of a similar research facility at the University of California at Los Angeles. That center was established by the American Association of Retired Persons.

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Pearson Named President  
of Foundation Executives

6/18/74

KANSAS CITY, Mo. (BP)--Cecil J. Pearson, executive secretary of the California Baptist Foundation, was elected president of the Association of Baptist Foundation Executives in its annual meeting here.

Pearson succeeds Thomas E. Carter, executive secretary of the Oklahoma Baptist Foundation.

Other officers elected by the association are Grady Randolph, vice president, and Glen Bryant, secretary. Randolph is the executive secretary of the Kentucky Foundation and Bryant the executive secretary of the Louisiana Foundation.

Pearson has served the California Foundation for 8 years prior to which time he was pastor of the First Southern Baptist Church of San Diego for 14 years.

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University of Richmond Gets  
\$100,000 For Adams Memorial

RICHMOND (BP)--A gift of \$100,000 to establish a Theodore F. Adams Memorial Lecture Room in a new addition to its Boatwright Library has been announced by the University of Richmond.

The gift was presented by the First Baptist Church Endowment Fund which now has given to the University of Richmond approximately \$385,000 since its first gift in 1946 toward the construction of Boatwright Library.

Adams, pastor of First Baptist Church in Richmond for 32 years until his retirement in 1968, is a long-time member of the University of Richmond board of trustees and now serves as an emeritus member of the board. He is a former president of the Baptist World Alliance.

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Curry, Freeman, Rogers To  
Teach in New Orleans

6/18/74

NEW ORLEANS (BP)--Trustees of New Orleans Baptist Theological Seminary have approved the employment of three new faculty members, Bradford Curry of Ft. Pierce, Fla., Carroll Benton Freeman Sr. of Hattiesburg, Miss., and William B. Rogers of Alexandria, Va.

A native of Mercer, Tenn., Curry will serve as director of the doctor of ministry (D. Min.) program and as coordinator of continuing education, with the rank of associate professor.

Freeman, who will assume the position of associate professor of psychology and counseling, is area coordinator for the Mississippi Council on Aging and a professional therapist for the West Alabama Mental Health Association.

Rogers, minister of education at First Baptist Church, Alexandria, will assume duties as assistant professor of religious education.

Presently superintendent of missions for the Indian River Baptist Association in Florida, Curry has served as pastor of churches in Kentucky, Texas and Illinois.

He holds the bachelor of arts degree from Union University, Jackson, Tenn., and the master and doctor of theology degrees from Southern Baptist Theological Seminary, Louisville, Ky.

Freeman, a Petal, Miss., native earned his bachelor of arts degree at Mississippi College, Clinton; his master's in religious education at Southern Baptist Theological Seminary, Louisville; and his doctorate in education at New Orleans Seminary.

He has served as educational director for churches in Alabama, Kentucky, Tennessee and Mississippi, and as supervisor in clinical pastoral education at Southeast Louisiana Hospital in Mandeville, La.

A native of Birmingham, Ala., Rogers earned the bachelor of arts degree at Baylor University, Waco, Tex., and the master of religious education and doctor of education degrees at Southwestern Baptist Theological Seminary, Fort Worth, Tex.

He is a U.S. Marine Corps veteran and has served as minister of youth at First Baptist Church, Longview, Tex., and as minister of education at Western Hills Baptist Church, Fort Worth.

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