

July 13, 1958

Leaders Concerned Over Court Sentence

NASHVILLE--(BP)--Tennessee Baptist leaders have expressed concern over a sentence for contempt of court handed down against a minister who refused to give as testimony information he received while counseling persons in marital difficulty.

James Glisson, a student at Baptist-operated Union University in Jackson, Tenn., and pastor of McLemoresville Baptist Church in west Tennessee, was fined \$50 and given a 10-day, suspended jail sentence.

The presiding judge, John F. Kizer, dismissed the suit for divorce between the parties before sentencing the minister. He said he felt Glisson's testimony was so vital, he could not settle the case without it.

When cited for contempt, Glisson told the court: "I have no desire to act contrary to the ordinances of the court or to the laws of our land. However, my conscience being my only guide available, and there being conflicts I cannot reconcile, I most respectfully, humbly submit myself to the mercy of this court in refusing to answer the questions propounded to me in this case."

Gene Kerr, Nashville, administrative assistant at Tennessee convention office, said the judge's action troubled other ministers, who realized they may be in the same spot themselves at some time.

He said he was interested in what could be done to enact a law granting immunity to ministers.

Tennessee law protects attorneys in their dealings with clients, certified public accountants in auditing records of a firm, and life insurance agencies in their reports to the state after they have dismissed an agent in their employ.

The Tennessee Baptist Convention office here asked its legal counsel, Andrew D. Tanner, of Nashville, for information on cases of this nature. Tanner said there is no law in Tennessee---nor indeed in most other states---protecting ministers.

He said, however, there is some difference in a court's outlook on a divorce proceeding and its attitude toward a minister who counsels a person who comes for spiritual help after committing a crime.

There appear to be only a few divorce cases on record in which ministers have refused to testify, or have sought immunity, and been cited for contempt of court. This is due to the fact that often ministers are not called on as witnesses in such cases, or that judges---who have a great deal of discretion in what testimony is allowed---permit them to avoid questions which they feel their consciences won't let them answer.

Tanner said that in the absence of laws protecting ministers, each minister must decide for himself how he will act when asked to make public information received while counseling.

Commenting on the case in an editorial, the Nashville Tennessean said:

"There is no legal right of privileged communication between ministers and those who come to them for counseling. The minister is thus handicapped in dealing with problems and those in need of counsel must risk having their private problems revealed in court should events go wrong. . . .

"A solution would be for all judges to respect ministers' feelings about revealing personal information obtained through counseling but (this) case makes it obvious that it isn't always workable.

"Religious and marital counseling is needed more and more in the world these days and if society is to attach any great value to such efforts by ministers it seems only fair they should be extended a measure of legal protection."

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Minister's Home
Explosion Scene

DURHAM, N. C. --(BP)--A Southern Baptist minister's home here was the scene of an explosion, caused by an object apparently thrown into the yard by a passer-by.

Neither the minister, Warren Carr, nor his wife was injured. Carr is pastor of Watts St. Baptist Church and chairman of the inter-racial human relations committee in Durham.

A military munitions expert said the explosive was an Army training hand grenade, used to simulate actual battle conditions. It consisted of a paper tube holding about an ounce of powder.

The explosive bounced off a window screen and exploded on the ground below. The explosion occurred shortly after midnight.

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