

**VOICES OF THE CAPE FEAR
INTERVIEW WITH WALLACE C. MURCHISON**

JUNE 9, 1995

INTRODUCTION

This is Sam Bissette on the morning of June 9, 1995 at home on Live Oak Parkway and Wallace Murchison has consented to come over this morning and talk with me a little about his lifetime here in Wilmington, his legal career, and other things that I think would be something that should be made a record of. So, we are going to start to talk with Wallace in just a moment and see if we can have a worthwhile recording of information.

INTERVIEWER: Wallace, I wanted to see if we could start out with you telling me just a little about your background. I am not asking your age, but tell me a little about how you happened to be in Wilmington and your early days.

MURCHISON: Okay, I don't mind telling my age; I am thankful to be here. I was born October 27, 1919 which incidentally was my mother's birthday and my nephew, Reid Murchison, also, has the same birthday. Anyway, my father was a physician who graduated from the University of North Carolina. It was not then called at Chapel Hill, as it is now. He was in undergraduate school and then went on to John's Hopkins University in Baltimore. He got out just a little before World War I. He had only one eye, so he couldn't get in the military. He joined the Red Cross and went over to Europe in that capacity. When he came back, he started practicing medicine in the company, of course of his wife and one child, my older brother David in Richmond, Virginia. So, that was where we were living when I was born. I lived there about two years and then my father moved back to Wilmington to practice and I have lived in Wilmington ever since. My sister Lily, who was the next of the children in line, was also born in Richmond, but the others were born in Wilmington including my older brother.

INTERVIEWER: Who were the other two?

MURCHISON: My brother William, called Bill Murchison, and my brother John Reid Murchison II, was named for my father's brother John Murchison who had no children. We lived in Wilmington on South 3rd Street between Ann and Nun.

INTERVIEWER: Is that the house on the east side of the street?

MURCHISON: That is correct. You painted the old family home. Actually, I think my father and mother first started housekeeping in Wilmington at the house immediately next door at 317 Nun Street. But then, they lived in 315 South 3rd from my early days until my mother died at age 94.

INTERVIEWER: That is remarkable.

MURCHISON: So, they lived in that very house a very long time, then the house was sold and is of course still there.

INTERVIEWER: Well, you were here for about three or four years before you got to school age?

MURCHISON: Right. Going to school, I went to Tileston School which was just a block and a half from our house. Tileston is located on Ann Street between 4th and 5th. When I grew up, 3rd Street was a very wide street with a wide plaza in the middle. The paved portion on each side was only really two lanes.

INTERVIEWER: Was that brick paving by any chance or do you know?

MURCHISON: I don't believe it was brick paving. There were a number of brick streets around, including, I think, Ann Street where I walked down to go to school. But, I think, my earliest recollection was that 3rd was paved, but if you parked cars on each side, you only had one lane of traffic. We in the neighborhood, fought for years to keep that as a nice wide plaza and a beautiful tree planted middle of 3rd Street. It was wonderful.

INTERVIEWER: There was a watering trough there.

MURCHISON: But, eventually the heavy traffic and the fact that it was a state highway overcame our objections and they cut down the plaza and made it into two lanes on each side.

INTERVIEWER: Let's move over just a little bit from Tileston to high school and college.

MURCHISON: Okay. I went to New Hanover High School which is the oldest high school still in existence in Wilmington. Well, I didn't graduate from New Hanover High. That wasn't because I flunked out, but in the very beginning of my senior year, a cousin of mine, Ms. Lucille Marvin, who had no children and was a very close family member and friend of my father and mother, had already decided that some of our family members needed a little better education than we might get in public schools. So, she had paid for my brother David to go to prep school in Connecticut called Kent School, and only five miles south of it, I went to South Kent School, a small school. So, the beginning of my senior year in high school, we made a rather quick decision to actually go up there and I didn't spend just one year there, which would be the normal thing, I was there for two years which really put me a year behind my classmates in high school. I would have been in the class of 1936 but ended up graduating in 1937.

INTERVIEWER: Did you have 11 years of public schooling then in Wilmington?

MURCHISON: I think we had 11, seventh grade at Tileston and...

INTERVIEWER: You jumped the change to twelve years with your own method.

MURCHISON: Yes, absolutely. Then, I graduated from South Kent School in 1937 and went to Princeton University and stayed there the whole four years, graduated in 1941, and then entered law school at Chapel Hill and stayed there until December of 1942. In January of 1943, I went into the Navy and came back to law school in the summer of 1945 and finished up in the class of 1946. Then, I had some more GI bill benefits, so I decided to take an extra year of law and went to Harvard Law School in Cambridge, Massachusetts and got an LLM degree, a Masters of Law, and then came back and opened an office for solo practice in Wilmington.

INTERVIEWER: Well, you have had a good long career because you didn't retire when people normally retire. How long were you in practice in Wilmington?

MURCHISON: I practiced from 1947 to the end of 1994 which was over 47 years. I was 75 and I decided it was time to quit. I started practicing law on my own. That seemed to be the pattern in the earlier days. There weren't so many large firms with associates. There were some firms, but I decided whether rightly or wrongly to open up my own office. There was a building at the corner of 3rd and Princess on the northwest corner called the Odd Fellow's Building and it was owned by Odd Fellow's Lodge and it was a two or three story brick building.

INTERVIEWER: I.O.O.F.

MURCHISON: I.O.O.F. was up on the top of the building and so I got a very small office there about twice as big lengthwise as this room we're in and divided the room in half with a partition so there was

room for a secretary up front and a chair or two for clients to wait in and a very small office in the back for me. We did have an assortment of odd fellows in that building.

INTERVIEWER: Who were some of the characters? Was Col. McClelland in there?

MURCHISON: Oh, yeah. Col. McClelland, Addison Hewlett, and Marsden Bellamy practiced law and also had a savings and loan in that building, Citizen's Saving and Loan and then we had Winfield Smith who was a court judge.

INTERVIEWER: Winfield was quite a character, wasn't he?

MURCHISON: Oh, he really was. He had a little bit of private practice. He had an office in that building and then there was Solomon Sternberger, Bill Rhodes, and old G.C. McIntyre.

INTERVIEWER: Who was the one who started the law school here in Wilmington?

MURCHISON: Well, that was H. Edwin Rogers, but he didn't have an office in our building. He had an office in another building.

INTERVIEWER: As I understand it, he actually maintained a law school, he and his wife.

MURCHISON: Oh, yes, they did, absolutely. He was a character if ever I saw one. He had been quite a star athlete at his college up in Pennsylvania, may have been the University of Pennsylvania, I'm not sure. His wife was a short homely woman and she would sit in the back of the big car and he would drive. I remember one time, I was riding...

INTERVIEWER: She was an attorney too, wasn't she?

MURCHISON: She was an attorney and teacher. They both had some practice of law, but the law school was a source of income and a number of quite good lawyers in Wilmington graduated from that law school.

INTERVIEWER: Wasn't Jim Swails one of them?

MURCHISON: Jimmy Swails, Anne Goldberg, Bill Rhodes, and there were others. But, his wife was giving him all this chatter as a back seat driver and he turned to me and said, "Don't ever marry a lawyer!"

INTERVIEWER: Well, I knew some of them when you said they were characters. They were and some of them had court room antics that they were known for.

MURCHISON: Yes, Elbert Brown, who just died this year, who practiced was in the Wallace Building. Elbert, was probably one of the Wilmington Law School products.

INTERVIEWER: Well, all the lawyers in Wilmington just about were between 2nd and 3rd Street on Princess, weren't they?

MURCHISON: Oh, yes. They used to call it Robber's Row on Princess Street. But, I remember one time, Elbert Brown was trying a criminal case and the DA was introducing some evidence and Elbert objected to the evidence and the judge instead of just ruling as they frequently did said, "What is the basis for your objection, Mr. Brown?" Elbert said, "Because I'm afraid it'll hurt me!" Well, that was a truthful statement. Elbert had a good sense of humor.

INTERVIEWER: One of the old time lawyers in Wilmington was Woodus Kellum.

MURCHISON: Oh, yes, I remember Woodus Kellum.

INTERVIEWER: I think he was solicitor at one time and then he got into practice with his son-in-law Dudley Humphrey.

MURCHISON: Dudley Humphrey, I knew him well. I am sure you've heard the story about Woodus Kellum who was, although he was mostly a real estate lawyer, at onetime a district attorney. Did you hear about the story with David Sinclair?

INTERVIEWER: No.

MURCHISON: Woodus Kellum was the prosecuting attorney in the Superior Court and the DA of New Hanover and Pender Counties, so the lawyers were friendly. David Sinclair, a defense lawyer, went to Burgaw and rode up there with the DA. Woodus tried a case where some man was accused of stealing gold coins and the case went along and David Sinclair got the man off. David Sinclair and Woodus rode back to Wilmington and about halfway back, David Sinclair pulled out some of his fee he had gotten from the defendant and they were gold coins. Woodus Kellum turned to David Sinclair and said, "David, you ought to be ashamed of yourself."

INTERVIEWER: I knew Mr. Kellum well.

MURCHISON: He was a character and he'd get over there in the Register of Deeds office and Dudley Humphrey his the son-in-law and his associate and always called him Dud. "Dud, do this and do that."

INTERVIEWER: Tell me about some of the judges during that period of time. Who was in the Superior Court at that time?

MURCHISON: We had some great judges such as Clifton Moore. It seemed that the road to judgeship was through the DA 's office. They didn't call them DA 's then, they were called solicitors. But, Clifton Moore from Burgaw was, I think, a solicitor who became a Superior Court judge and then later, a Supreme Court judge. He and his son, of course is still in Burgaw. He was a fine judge and then John Burney was a solicitor or a DA and he became a Superior Court judge and then, we had judges of course, from out of town who came through here. It was a rotation of judges and still is as a matter of fact. So, we had some very good judges from upstate. I remember Judge Bolin and he was considered one the best Superior Court judges. He had tremendous ability and judicial temperament. Everybody liked to try cases in front of him.

INTERVIEWER: Well tell me about your practice. What did you specialize in as you came along?

MURCHISON: Well, at the very beginning, I specialized in anything that would pay a fee. I was in civil court, criminal court, handling estates, and sort of struggling as all young lawyers did, but the members of the bar were good to me and they would refer cases that they didn't want to handle or ask me to help out. I remember Mr. Bill Campbell was city attorney and he got some of us young lawyers to do title work with the city.

INTERVIEWER: He was probably one of the most gentlemanly of all lawyers that we had in Wilmington.

MURCHISON: He was fine and David Sinclair got me in on a couple of criminal cases to give me some experience and the other lawyers were good to me. Well, I went along and developed in to sort of a corporation and tax lawyer. I felt that I had taken some courses in that area and there was an opportunity here because there were very few lawyers who were interested in taxation and left things mostly to the

accountants. Several years before 1955, I moved out of the Odd Fellows Building and into the CP& L building at 4th and Chestnut and practiced by myself there for awhile and then, in 1955 became a partner with Oliver Carter who was at the time, a solo practitioner himself. So, we formed Carter and Murchison and later the firm took in Jim Fox who came out of law school, married a Wilmington lady, and moved down here. Later, we took in Lewis Newton and the firm was Carter, Murchison, Fox, and Newton. And then, of course, it changed. People left and new people came, but the firm really continued on essentially until this day. The name now is Murchison, Taylor, Kendrick, Gibson, and Davenport and I had the pleasure of having my son Michael Murchison, who was a law graduate of Cornell Law School, ask to come to Wilmington and practice with us and he has done so and is there now.

INTERVIEWER: Let's pickup on the family just a little, your family, your sons and daughter. Let's bring the family history up just a little.

MURCHISON: I became engaged to a girl I met when I was in my last year of college up at Harvard, Susan Shands from Jacksonville, Florida who was going to Wellesley College and some friends of mine from Carolina introduced me to her.

INTERVIEWER: By the way, I was in Cambridge about two weeks ago.

MURCHISON: Were you? It has been a wonderful place for our family. Not only did Susan and I meet there, but our daughter Susan met her husband in Boston. Anyway, we got married in 1948 and have had four children; Michael the oldest who was born in 1949, Joe who was born in 1951, Robert who was born in 1955, and Susan the only daughter, born in 1960.

INTERVIEWER: I understand Susan is now a doctor.

MURCHISON: Susan is a physician in Boston and married but has no children. Michael married Barbara Sullivan, who is also a lawyer, but she doesn't practice. She did practice with the firm for awhile, but doesn't now and they have two children. Joe is married and has two children. Robert is unmarried.

INTERVIEWER: Well, you and I have known each other a fair amount of time and we have spent a lot of time in the wasteful pursuit of chasing a little white ball around the golf course.

MURCHISON: Nothing wasteful about that.

INTERVIEWER: We never learned to shoot in the 70's.

MURCHISON: You can say that again.

INTERVIEWER: We had a lot of fun doing it.

MURCHISON: That's right.

INTERVIEWER: Wilmington has changed as other cities have, but it seems that within the last decade that change has been so rapid it is just rather overwhelming us at the present time. Going back to the days of the 1940's and 1950's, life in Wilmington seemed to move at a much slower pace and you certainly didn't get run over when you tried to cross the street by the automobiles. You have been very active in the life of Wilmington other than in your profession. When did you become a Civitan?

MURCHISON: I can't remember, but it's been about 35 or more years ago. I have been a member of the club for a long time. I served on the board and then president.

INTERVIEWER: It's one of the fine clubs, about three or four of the original ones; Rotary, Kiwanis,

Civilians, and Lions. I think they were the older groups in Wilmington. Tell me, other than that, I know that you have had connections with some of the city life of Wilmington and some of the things that helped make Wilmington a better place. Just start off with the United Fund which was the predecessor to the United Way.

MURCHISON: It started out as a Community Chest in the early 1940's and became the United Fund. I have always been interested in it because I felt that the principles were sound and that the agencies banded together to have one fund raising drive rather than have constant drives that would take extra time of many solicitors. I served on that board and was president of it. I think the way I got to be president, I was vice-president and Mr. E.L. White died, so I became president automatically. He was mayor of Wilmington and did a fine job, a very public spirited man.

INTERVIEWER: Okay, how about some other things. I know you are still very active in what is going on at Cape Fear Country Club.

MURCHISON: I served on the board of the country club. I think I got on the board because I criticized at the meetings some of the things that they were doing about finances and so forth, so they said if you are going to be so interested, we will put you on the board. I have also been on the long range planning committee and it's been a lot of fun seeing the club develop and improve.

INTERVIEWER: In what other ways have your interests been in Wilmington?

MURCHISON: Well, I have been in so many different things that it is just hard to remember. I was one involved at the beginning of the Azalea festivals. Hugh Morton and Dr. Houston Moore were the two who really got that going, but I may have been the only lawyer present when they started, so they asked me to draw up the charter of the nonprofit corporation. I did that and served with them for awhile, but that's been a wonderful success, of course. I am trying to think of others.

INTERVIEWER: There's a number of them that have been here and one is the Art and Music Organizations. Did you ever have any interest or connection in that area?

MURCHISON: I really was more interested, I guess, in historic preservation and in the rebuilding and preservation of the historic part of the city because of course, that's where my parents were living and where I was brought up. I was one of the original members of the Historic Wilmington Foundation which is largely Tom Wright's brainchild and I served on that board a couple of times. You know, the historic part of this city went down very badly and my parents never did leave, but many of the families that lived down town had moved out to the suburbs.

INTERVIEWER: That's a shame we lost so many of the fine homes down there before they started the Wilmington Foundation and were able to stop the sway and Hannah Block was one of the first to come in on Front Street with what she did in utilizing the building that was there.

MURCHISON: Hannah was one of the early pioneers of that movement.

INTERVIEWER: Did you have any interests in the Lower Cape Fear Historical Society? Have you ever had any connection with that?

MURCHISON: I never served on that board. I of course have been a member of it from the beginning and I think Alvin Carter, my partner, was the one that got that charter for them and so he was interested in it and served on the board. I remember working with the group that tried to obtain a college for Wilmington and we put in a bid for the new Presbyterian College which eventually, of course, went to Larinburg and is now St. Andrews. The Presbyterian Church sort of threw out the idea of letting communities bid for this

college and the one that put up the most land and money could get it. We found that the paper company, International Paper, had land out in what is now College Road and I think I did some title work to show who owned the property. Brad Tillery was on that committee. The committee got commitments for that land for a Presbyterian college and of course, later, that is exactly where Wilmington college is.

INTERVIEWER: So, that is how that whole tract of land became available for Wilmington College?

MURCHISON: It all started with the Presbyterian...

INTERVIEWER: I didn't know that, that's news to me.

MURCHISON: ...College as a possibility and that is the location that the committee picked out as available, a large tract of land suitable for a college.

INTERVIEWER: About 600 acres.

MURCHISON: And then, of course later, the paper company and the Trask's gave the land that is now the college.

INTERVIEWER: Wilmington College is from where it started in 1947 to where it is today has been quite an educational institution that some of the people back at that time could never have envisioned that we would have 8,000, 9,000 to 10,000 students at the University here and a branch of the University system. You have stayed out of politics, haven't you? Have you ever run for office?

MURCHISON: Well, I have never run for any office, but I have been involved in some of the campaigns. I was working on Terry Sanford's campaign in 1960 when he ran for governor and I have always been friendly with the Governor and Senator Sanford and at the end of his term, we had a democratic primary which was then equivalent to an election. A college classmate of mine, Richardson Pryer who had been a federal judge in Greensboro, resigned his judgeship to run for governor in 1964. He didn't get it, but I worked in his campaign.

INTERVIEWER: I can remember when you were active. I never could remember if you were running for office.

MURCHISON: No, I didn't run.

INTERVIEWER: I keep hearing reports on you...

MURCHISON: Don't believe everything you hear.

INTERVIEWER: ...from some people that tell me you are a very fine Sunday school teacher and a very fine bible teacher. Tell me a little about your church.

MURCHISON: My mother was a member of St. John's Episcopal church which was located at 3rd and Red Cross Streets in Wilmington, just a few blocks from another Episcopal church, St. James at 3rd and Market. Why they ever put the two so close together is sort of a mystery, but her grandfather had been the rector or minister of St. John's church. She was almost brought up there because her father died when she was fairly young. So, when my mother and father married, she had been at St. John's and my father and his family at St. James. So, the power of the woman ended up with the family going to St. John's and we would just go right up 3rd Street from where we lived, passing St. James and going on up to St. John's. When I came back here and set up my practice of law, I went to St. John's and was on the Vestry, served a number of times, taught Sunday school, and was active in the church. Then, of course later, the church was moved to its present location on Park Avenue and Forest Hills Drive. The land was given by the

Hugh MacRae family and I have thoroughly enjoyed my association with the church and it's meant a great deal to me.

INTERVIEWER: It's a beautiful church over there. I've noticed that the movie people frequently want to use it and do use it for some of their productions. It is interesting to note that in one of the Matlock episodes that Andy Griffith was conducting a choir in your church. He was a former minister of music for the First Baptist church in Goldsboro years ago, you may be interested to know and also,...

MURCHISON: Andy Griffith?

INTERVIEWER: ...he was a humorous after dinner speaker and my father engaged him in two instances for assignments in connection with business meetings in Goldsboro back in the early 1950's.

MURCHISON: I didn't know that.

INTERVIEWER: So, his conducting the choir at St. John's reminded me of his humble beginnings as a choir director. So, you've learned something.

MURCHISON: Yes, I have. Well, the church found that it was just too disruptive to have movie making inside the sanctuary, so the latest policy is that it cannot be done and it will have to be done outside or in the Parish Hall.

INTERVIEWER: Well, you have had some good fellow members, one of our golfing friends, Charlie Green.

MURCHISON: Oh yes, Charlie was a mighty good member of St. John's. Of course, he was at St. James earlier, but Charlie was a mighty fine person in every way. He was a wonderful citizen in the community and he had been on the city counsel and served very well.

INTERVIEWER: Charlie had a very distinguished career there. Well, Wallace, I think we have drifted around a little bit, but we have picked up a few things that people didn't know. In connection with your practice, you mentioned a couple of instances about some of the other attorneys. Can you remember any personal experiences as an attorney that you think are significant, unusual, interesting, or humorous? From the Savings and Loan end of it, I could tell you half a dozen stories.

MURCHISON: One of the cases I got involved in, which was really quite interesting and unique, was in the Sarah Graham Kenan situation. Mrs. Kenan was a very wealthy woman living in Wilmington as a widow and interestingly enough, her doctor was my father and he would go there and check on her regularly. She had no family living with her. She was well up in years, but she had lots of care and she had assets of well over a hundred million dollars. A lot of it was in Exxon or Standard Oil stock. Every time that stock would go up or down one point she would either make or lose a million dollars. It was that kind of wealth. She had no children to leave her money to and her nephews William and Frank Kenan realized that the government would take a tremendous bite out of the estate and they decided to try to do something about it, so they were qualified as her guardians and they brought a suit. They first had the legislature pass a law that said that with certain protections and court proceedings, a lawyer could give money to charity. So, they brought this proceeding and I was named as Guardian Ad Litem, meaning I was there to defend Mrs. Keenan's interest and fight against a lot of the money being given to charity. Well, I was there because it was essential that someone be a party to this, but I was not in a position of great popularity with the charities that were going to get the money.

INTERVIEWER: I bet you weren't. You were on the other end, then.

MURCHISON: The case was heard before Judge Rudolph Mintz and he approved the plan and then it

went to the Supreme Court. I argued against it and the Supreme Court agreed with me and ruled that they hadn't proved that it was necessary or proper for the money to be given away, so they sent it back down, had another trial, and again, Judge Mintz ruled with the guardians. It went back to the Supreme Court and then it was approved, so that was the end of that.

INTERVIEWER: Well, that fell into the category of significant happenings. I think that our time is about out and I have enjoyed visiting with you this morning and I've enjoyed listening to some of the things especially the mention of the names of many of which I had forgotten about my days when I worked on Robbers Row too, down at 112 Princess Street.

MURCHISON: Yes.

INTERVIEWER: So, thanks very much for coming over this morning and I think we have a significant tape to add to those that are going to join the others in the North Carolina room of the New Hanover County Library. So, we will conclude.

MURCHISON: Sam, I'm just glad that you want to do this and I hope I've been of some help.

INTERVIEWER: Well, you have and I thank you very much.