

Presentation of the Portrait of  
**HENRY E. FRYE**

Chief Justice  
Supreme Court of North Carolina  
1999-2000

Associate Justice  
Supreme Court of North Carolina  
1983-1999

December 8, 2015

**OPENING REMARKS**  
**and**  
**RECOGNITION of**  
**FORMER GOVERNOR JAMES B. HUNT, JR.**  
**by**  
**CHIEF JUSTICE MARK MARTIN**

The Chief Justice welcomed the guests with the following remarks:

Good afternoon, Ladies and Gentlemen, and thank you Reverend Frye for the Invocation.

I am pleased to welcome each of you to your Supreme Court on this very special occasion in which we honor the service on this Court of Chief Justice Henry E. Frye.

The presentation of portraits has a long tradition at the Court, beginning 127 years ago. The first portrait to be presented was that of Chief Justice Thomas Ruffin on March 5, 1888. Today the Court takes great pride in continuing this tradition in the 21st century. For those of you who are not familiar with the Court, the portraits in the courtroom are those of former Chief Justices, and those in the hall here on the third floor are of former Associate Justices.

The presentation of Chief Justice Frye's portrait today will make a significant contribution to our portrait collection. This addition allows us not only to appropriately remember an important part of our history but also to honor the service of a valued member of our Court family.

We will hear more about Chief Justice Frye and his trailblazing career and achievements in a few minutes from several distinguished North Carolinians, but I would like to share a few comments about what an impact this man has made on this Court and the Justice System in North Carolina. I had the privilege of serving with Chief Justice Frye both when he was an Associate Justice and later when he served as Chief Justice. With all the "firsts" he has accomplished in his life, and his great renown for them, he was, and remains, as humble and approachable a Justice as we have ever had on this Court. He was highly esteemed on the Court for his thoroughness in preparing for Court and in reviewing petitions and opinions. The legal history of this state has been enriched by the many scholarly contributions he has made to our law.

Chief Justice Frye, however, was much more to the Court than his scholarly work. He was a friend ready to listen to the other Justices, and he would often respond to questions in prose. Thank you notes, memos, and even court deliberations were enriched by his ability to repeat a poem or write a poem on a court pad or a napkin. As Chief, he used this talent in speeches and would even disarm tense situations with a simple poem. (Evidently, he used the same tact in the Legislature, and one of his poems written after a very heated debate is in the 1975 House Journal!)

Chief Justice Frye's tenure as Chief Justice emphasized his commitment to equity and accessibility in the Courts. He ensured that the state-wide court systems were using Y2K compliant systems, implemented a disaster recovery plan for the state court system's mainframe, and initiated electronic traffic citations that were connected to local trial courts.

Chief Justice Frye had a remarkable capability to understand the complexities of a case or the complexities of the court system, and in each, he used his background, his intellect, his thoughtfulness, his humor, and his humility to make sound decisions for the courts and the people we serve. As noted in a column by Rob Christensen when he was appointed as Chief Justice in 1999: "The soft-spoken Frye has always been a workhorse, not a show horse."

Chief Justice Frye's confident yet humble style of leadership in administration and in decision making comes from a character that is forged over a lifetime. Leaders with that level of integrity will always be a credit to the people that they represent. We are fortunate that Chief Justice Frye was willing to give so many years of service, in so many capacities, to the people of this great State, and we are all better for his many contributions.

At this time, it is my pleasure to recognize former Governor James B. Hunt, Jr. and invite him to the podium for remarks.

Thank you, Governor Hunt, for those excellent remarks. They were a fitting tribute to our former colleague.

**RECOGNITION of  
JUDGE JAMES A. WYNN, JR.  
by  
CHIEF JUSTICE MARK MARTIN**

We also are fortunate to have Judge James A. Wynn, Jr., a Judge on the Fourth Circuit Court of Appeals and a former Justice on this Court, to make some remarks.

Thank you Judge Wynn for your remarks. It is always a pleasure to have you back at the Court.

**RECOGNITION of  
JAMES T. WILLIAMS, JR.  
by  
CHIEF JUSTICE MARK MARTIN**

Next we recognize James T. Williams, Jr., a partner in Brooks Pierce McLendon Humphrey & Leonard, for the presentation of the portrait.

Thank you, Mr. Williams, for your warm recap of Chief Justice Frye's remarkable career.

**RECOGNITION of  
CHIEF JUSTICE HENRY E. FRYE  
by  
CHIEF JUSTICE MARK MARTIN**

Chief Justice Frye has asked for time for "reflections," which sounds a lot like an opportunity for rebuttal to me. We are very pleased to welcome the Chief to the podium for remarks.

Thank you, Chief Justice Frye.

**ACCEPTANCE of CHIEF JUSTICE FRYE'S PORTRAIT**  
**by**  
**CHIEF JUSTICE MARK MARTIN**

I am delighted to ask Chief Justice Frye's son Harlan and his three granddaughters, Whitney, Jordan, and Endya to unveil the portrait of their father and grandfather.

On behalf of the Supreme Court, we accept this portrait of Chief Justice Frye as a part of our collection. We are pleased to have this fine work of art done by a well-known artist, Victoria Carlin Milstein, and we sincerely appreciate the efforts of all who helped to make this presentation possible.

We are fortunate to have Ms. Milstein and her husband Ron in the audience with us today, and at this point, I would like to have her stand and accept our appreciation for this talented work. I would also refer you to the back of the program for her description of this portrait from the artist's eyes.

Chief Justice Frye's portrait will be hung soon in this Courtroom and will be a continuous reminder to us and our successors of the great history and traditions of this Court. Additionally, these proceedings will be printed in the North Carolina Reports.

Your participation today makes this ceremony special, and we are honored that all of you could be with us. At the close of this ceremony, Chief Justice Frye and his family, as well as the members of this Court, will form a receiving line in the front of the Courtroom. The research assistants will assist you in forming a line to greet the Fryes and the Justices.

On behalf of the Frye family, and with appreciation to the law firm of Brooks Pierce McLendon Humphrey and Leonard, that is graciously providing the reception in Chief Justice Frye's honor, I invite all of you to a reception in the History Center on the first floor of this building.

If you will, please allow Chief Justice Frye and his family, as well as the Court, a few moments to form the receiving line prior to your coming forward. The Research Assistants will help guide you. Again, thank you for being with us today.

*Even though the ceremony is now coming to an end,  
We hope you will stay as we continue to honor our dear friend.  
We look forward to greeting each one of you  
In the receiving line and the History Center, too.*

**REMARKS by GOVERNOR JAMES B. HUNT, JR.**

May it Please the Court:

I am delighted to be here today as the Governor who had the honor of appointing Henry Frye to the Supreme Court of North Carolina – and then as Chief Justice. I was pleased when the Chief called me to invite me to come today: Like for you to come. And, Governor, like for you to hold your remarks to two minutes.

Henry Frye personifies the achievement of the American dream. And his personal success and great leadership of this Court was a high point for the judicial system of North Carolina and the cause of justice for our people.

In appointing him twice, I learned about the man and his life of accomplishment, overcoming limits on opportunities and overt racial prejudice. I learned about his positive view of life – his optimism – indeed, his humor – often expressed in his poetry.

I learned about his love of and dedication to the law – and his accomplishments as an excellent attorney.

I learned about his wonderful family – and when I appointed him – all who knew him and his family will understand that the attributes of his wife, Shirley, didn't hurt him one bit.

I learned about his leadership in the business, legal, and religious communities of Greensboro and his commitment to fair treatment of all people.

His appointment and his service was history-making and Chief Justice Henry Frye has made history – and all of us – better.

It is most appropriate that his portrait be hung in this, the Supreme Court of our great state of North Carolina.

**REMARKS by JUDGE JAMES A. WYNN, JR.**

May it please the Court:

If I might say, it is quite a pleasure to stand before this Court and look at each one of you and recognize that I served with all of you, and even Paul and I have a relationship because you defeated me in an election.

Members of the Court, we tell the story of a successful life in the language of achievements, by recalling events that make headlines—headlines that garner attention, respect, and honor. Those moments of attainment, of esteemed degrees and prestigious posts, stand as a shorthand for the hours, the days, the weeks, the months, and the years, of toil and struggle.

So we gather here today to recall and honor Chief Justice Henry E. Frye, his years of achievements chronicled by headlines that garnered him attention, earned him respect, and bestowed upon him honor. And there are many.

In 1956, as you may well know, he was the first African-American to enroll as a first-year law student in the University of North Carolina. In the spring of '58, his case commentary, which was published in the North Carolina Law Review, made him the first African-American student and author and editor of that publication. And then in the fall of 1962, he became the first African-American in North Carolina to serve as an Assistant U.S. Attorney. In '68 he became the first African-American to become elected to the North Carolina General Assembly. And then on February 3rd, 1983, Henry Frye became the first African-American to ever serve on the Supreme Court of North Carolina, to be followed up sixteen years later to be the first to ever serve as the Chief Justice of the Supreme Court of North Carolina.

This list of accomplishments would be more than enough to justify ending these remarks here, but to do so would not do justice to the life of this justice. That's because Henry Frye not only achieved extraordinary things, but he achieved them in an extraordinary way—with his charismatic and characteristic humility. Chief Justice Frye once said that he did the type of things that don't make very big headlines, the kind of things that are a little dull. But Henry Frye did make headlines that garnered attention. They earned him respect and bestowed upon him honor. Those headlines, which did not always come immediately, captured not only what he did but how he did it, why he did it, and for

whom he did it. Most importantly, those headlines captured his reputation for being prepared, inquisitive, and effective.

I say prepared: Chief Justice Frye prides himself on being prepared. And others have noticed it. When he arrived in Raleigh as a freshman legislator, he planned to read every last one of the bills, from page to page. But then he discovered that such a goal would involve reading 2,347 pieces of proposed legislation, many of them quite lengthy. So instead he set out to read every bill synopsis in the Institute of Government's daily bulletin, and then he read the interesting bills word for word. He gained a reputation for being meticulous and thorough, often introducing amendments in order to add missing words, to correct punctuation, and identify awkward drafting. If the Court pleases, Representative Frye's reputation for being prepared is a fact that is so well known, and authoritatively attested to, that it cannot be reasonably doubted.

Inquisitive. Chief Justice Henry Frye has a well-deserved reputation for asking a lot of questions. He said, "I ask more questions than, I guess, anybody else. I was always asking questions and probing. I found out a lot of things by doing that." But he didn't simply ask questions to learn. He knew that a question, particularly an uncomfortable question, could be powerful. So, when various heads of agencies appeared before the Appropriations Subcommittee on Health and Welfare, Representative Frye studied their books and questioned them on why they had employed virtually no African-Americans and why their funding went disproportionately to white institutions. Those questions led to results. The legislature ultimately increased the employment of minorities in those agencies, and the legislature worked to address the disparity in funding. If the Court pleases, I submit this evidence firmly establishes Representative Frye's reputation for being inquisitive.

Effective, I say. In the legislature, Representative Frye worked tirelessly on a bill that he sponsored to eliminate the state's literacy test. When a fellow legislator opposed that bill, contending that the literacy test had been adopted without regard to race, creed, or color, Representative Frye countered by telling that legislator of his experience of being refused the right to vote in his hometown of Ellerbe, North Carolina, when he could not name a particular U.S. president or signers of the Declaration of Independence. But he didn't just rely on that experience. Instead, he worked diligently to get the votes necessary to pass that bill. He personally obtained the legislative directory and drew three columns next to each other, singling out those who were "yes" votes, those who were "no" votes, and those who were "question" votes. He spoke to every legislator, he responded to their questions, he noted

their likely vote in the appropriate column before the vote was ever taken. As a result of his efforts, both houses passed that bill to submit a referendum to amend the constitution by eliminating the literacy test. And even though that literacy test was not in fact taken up by the voters in the referendum for elimination, Representative Frye went on to serve on the election law committee, where he eased voter registration requirements and absentee voting procedures. And throughout the '70s, Representative Frye repeatedly co-sponsored legislation to strengthen protection for tenants. I again submit to you, Mr. Chief Justice and the Justices of this Court, that this is very appropriate and conclusive evidence that Chief Justice Frye is effective.

But then it came time for him to move from being Representative Frye to Justice Frye. In 1983 he came to this bench, and he brought that vast professional experience to this bench. Like in the legislature, on the Court he was prepared, he was inquisitive, and he was effective. Throughout that time he was known for his thoroughness in his preparation. On his first day at the Supreme Court, he not only read the opposing briefs of the parties and his clerks' memos, but he also read the trial court's transcript word for word—painstakingly paying attention to detail—and it remained a habit for him throughout his time on the bench. Justice Frye had a ritual, I'm told, of sitting down next to his law clerks and reading opinion drafts out loud, word for word, listening for errors.

And Justice Frye didn't tolerate any shortcuts. If you'll allow me to recall a personal experience: As a young judge on the state Court of Appeals, I brought to him a rather routine document for a reference, and on that document were a few small little blank spots that I thought were rather unimportant. But my good friend, my good confidant, my good buddy, would not sign that document until I had filled in every last blank on that document. That lesson has stayed with me in so many ways.

You know his legislative experience was particularly valuable on this Court. For instance, in the case of *Stanley v. Moore*, Chief Justice Frye was tasked with interpreting a 1981 revision to the Residential Rental Agreements Act, the statute he himself had sponsored when he was in the General Assembly. And though he brought his legislative experience and industrious habits to the bench, Chief Justice Frye quickly recognized and accepted the limits of his role as a judge. While in the legislature, his role was to make the law, he clearly understood that as a judge it was not to make the law but to follow the law and to interpret the law.

And perhaps that gap of the role as a legislator and as a judge was not so wide as it was when he had to confront the issue of capital punishment. By the time he was appointed to the Supreme Court of North Carolina, Representative Frye had long opposed the death penalty, believing it to be discriminatory, ineffective, and, given the possibility of putting an innocent person to death, immoral. Nevertheless, believing in his charge as a judge, not a legislator, he affirmed the death penalty when he believed it had been lawfully imposed and dissented otherwise. In one notable dissent, *State v. Maynard*, Justice Frye determined that the conviction was valid but found that the defendant was entitled to a new sentencing hearing where the trial court permitted the jury to hear the complete contents of the two judgments and two bills of indictments. Justice Frye's dissent may have influenced the ultimate outcome when the Governor decided to commute the defendant's sentence.

Justice Frye's persistent commitment to the marginalized persons out there was evident in his opinions. In *Amos v. Oakdale Knitting Company*, he held that employees who were fired upon refusing to work for less than minimum wage could sue for wrongful termination under the public policy exception to the employment at will doctrine. In *Oaks v. Jag*, Justice Frye preserved the negligence cause of action for homeowners against a general contractor, even where the plaintiff was not the original purchaser of the home. In *Meiselman v. Meiselman*, he articulated the landmark standards for protection of minority shareholders in a closely held corporation. Justice Frye developed a particular interest and expertise in the law of insurance, particularly automobile liability insurance. In this area, too, we see his inclination toward support those with less money and less lawyers. This is evident in *State Capital Insurance Company v. Nationwide Mutual Insurance Company*.

In the end, it is difficult to encapsulate the legal legacy of Justice Frye in any single theme. His most-cited cases define the ringing legal standards in such wide-ranging areas as interference with contract, the admissibility of expert testimony, *res judicata* and collateral estoppel, consumer protection, and the theory of constructive possession.

Once, about ten years ago, after being appointed to the bench, Justice Frye was asked about his hopes for the future. He responded, "I would like to see North Carolina live up to its motto, to be rather than to seem. And by that I mean to do a better job of being fair and open in everything, from employment in the state government to encounters in the cities." Now, more than twenty years after Justice Frye expressed those hopes, our state motto and all that it represents continues to loom. In our ever-continuing efforts to make progress, at least we have the

model of Henry Frye. Thankfully, we have not only his achievements to give us confidence that barriers can be broken. We also have this person with his character, which ought to remind us that change is hard work to be undertaken with deliberate preparedness, humble inquisitiveness, and courageous effectiveness.

And in the words of Chief Justice Frye, "Sometimes, we have to take one step at a time." So, Mr. Chief Justice and Justices of the Court, I started these remarks by asking the Court to be pleased. If indeed you are, then my fears are eased, for the man I speak of has achieved so much that all he has done I cannot touch. But suffice it to say on this special day that this man did it his way. And that gives us more than reason why we should hang this portrait of Henry Frye.

**REMARKS by JAMES T. WILLIAMS, JR.**

May it please the Court:

My name is Jim Williams. I'm a member of the Bar of this Court, and I practice law with Brooks Pierce in Greensboro.

It's been my good fortune to call Justice Frye my friend for many years and to practice law with him since 2001. We've shared a great deal during these last fifteen years, including our assistant, who is here today, Pat Miller. Justice Frye has added much to our firm over the years. He's an excellent lawyer. He's had remarkable experience as a practitioner. He's been an Assistant U.S. Attorney. He's been a banker. He's been a legislator. He's been a justice. And he's been a chief justice. So much in one life is hard to imagine. He's been so generous with us in the firm with his advice, with his wisdom—and he is a wise person. He's also shared his good humor and a good deal of his verse. For me and my colleagues at Brooks Pierce, he's been the man to see when we have a vexing problem or just need to talk. He's been a lawyer's lawyer for us for many years.

Today I'll use my time to focus on his first term in the legislature—and I will repeat some of the things Judge Wynn said. The legislature for Justice Frye was one of his many firsts in life, and this first term will probably provide some insight into the qualities of the man that made today possible.

In 1966, at the ripe old age of thirty-three, Justice Frye ran for one of Guilford County's six house seats. At the time, this legislature was one of the most powerful in the country. The governor had no veto and had one four-year term. Justice Frye paid his filing fee of \$17.50 with money collected by his law students at North Carolina College in Durham. At that point in time, there were no African-Americans in the legislature, and there had not been since the turn of the 20th century. Justice Frye ran an unsuccessful campaign the first time, losing to someone else who has been a chief justice in this Court and whose portrait will soon hang on the wall, Justice Jim Exum.

Undeterred, however, Henry Frye ran again in 1968. By then, he was all of thirty-five years old. This time, he ran in a county-wide field of eleven candidates, and he was elected. He finished third in the primary, and he finished third in the general election. His election to the North Carolina House of Representatives took a bit more than twelve years

after he was denied the right to register to vote in his hometown of Ellerbe. That was an important twelve years in his life and in the life of the state.

After election, Justice Frye was invited to speak across the state and across the country, including Harvard's Kennedy School of Government. He and Shirley were on the Governor-Elect's inaugural committee, which was a high honor for a freshman legislator. The 1969 House of Representatives included 120 representatives, a future governor, a future lieutenant governor, two congressmen to be, four future speakers of the house, and several others who would later hold state-wide office. Henry Frye was the only African-American among those 120 people.

Justice Frye was elected from Guilford County, but African-Americans from across the state claimed him to be their representative, regardless of where they lived. He soon realized he couldn't represent every African-American North Carolinian and do his job for the county that elected him. He had a formidable task just to learn how to effectively represent the county and to pursue issues that were central to his reason for running for the legislature in the first place. So he resolved this dilemma by deciding to introduce folks from other counties to their own elected representatives. An important legacy from his first term was to introduce many North Carolinians to their legislators and how their system of government worked. His decision also had the added benefit of allowing him to get to know many of his colleagues and to work with many of these colleagues early on in his career.

His early committee assignments included budget, banking, education, house judiciary, rules committee, and public welfare. He was assigned seat number seventy-three in the house chamber, and a pocket-sized legislator directory and house rulebook were his constant companions. As Judge Wynn just said, he started out reading every word of every bill. But over 2,300 bills kept him from doing that. But it didn't stop him from reading the ones he was interested in and the ones he thought were important. He was meticulous about language and punctuation. He frequently made suggestions to his colleagues in their offices and on the floor of the house about wording and punctuation to make bills more understandable. In time, his colleagues came to really appreciate his thorough and honest approach to his responsibilities. And remember, he's a freshman representative at this point.

He introduced a bill to amend the North Carolina Constitution to eliminate the literacy test, as Judge Wynn said. There was a spirited

debate on the floor of the House, and it was his rebuttal in that debate, where he related his story about Ellerbe, that carried the day. And that rebuttal caused the House to approve the bill, and the Senate quickly approved it. Justice Frye was deeply involved in many other pieces of legislation as well. One was a bill to allow Greensboro to set an election for changes in its charter. Another was a banking bill to address allowable interest rates. And in the budget committee, he pushed on issues of state employment of African-Americans. He also introduced a bill to regulate relationships between landlords and tenants. That effort didn't bear fruit for eight more years, but it was passed in 1977 as the Residential Agreement Act, which was the first act to really protect renters. On one occasion, Justice Frye requested that the House adjourn in Dr. Martin Luther King's memory. And it received an almost-unanimous vote. It was a small but important step in his legislative career.

The members of the House also appreciated his wit and talent for verse. I will read you an excerpt from the *Raleigh Times*: "The North Carolina General Assembly's self-appointed poet-laureate, Representative Henry Frye, Democrat-Guilford, has penned an epic about the Equal Rights Amendment, which is on its way from the House Constitutional Amendments Committee to the full House. Justice Frye wrote down the lengthy rhyme entitled 'A Routine Meeting of the Constitutional Amendments Committee' last Wednesday during the brief period between the morning committee meeting and the full House session at noon. What he wrote is as follows: 'From far and near, they have come today; the pros and the cons and the neutrals too, have come to see what we will do; the committee is here, each member on time; anxious not to miss a single line, of what is written or what is said, for if the wrong move is made, we're all dead (politically, I mean); as some would say, so they hate to vote for the ERA; not yet, said one member out of loyal devotion; I would like to make a substitute motion; but while looking around for help, I reckon, the motion died for lack of a second; then the motion was made; it was a bit unnerving; hold up everything and bring in Sam Erving; with the weekend over, the time will be right, to report the bill on Monday night; on Tuesday the matter will be brought to the floor, and ERA decided forever more; we can send over yonder to the Senate, for the lords across the way to sweat and ponder; let them take the telephone calls and take all the rap; let's put ERA issue in the senators' lap.' "

On the closing day of the 1969 session, a legislator from the western part of the state stood and praised Henry Frye's work. And a thirty-five-year-old freshman representative was given a standing ovation by the members of the House. That encapsulates his first service in the

legislature, and it shows the great appreciation that his colleagues had for him. He went on to serve in the House for ten years and the Senate for one term. I salute Justice Frye, a North Carolinian, an American who has lived by example, who has made a difference, and whose life and career personify the very best qualities of our state and nation. His portrait, which will be unveiled today, will do honor to this chamber, the Court, the Bar, and our fellow citizens. Thank you.

**REMARKS by CHIEF JUSTICE HENRY E. FRYE**

Chief Justice Martin, Senior Associate Justice Edmunds, and other members of the Court and May It Please the Court:

I believe this is the first time I've been on this side since I left the Court, if I remember correctly. I want to thank you, the Court, first of all, for the opportunity of being here today, and I want to thank you for the cooperation that I've had and Shirley has had in trying to get everything arranged and for just being good people in terms of working together trying to get things done. I want to especially thank you for that and also especially thanks to the Clerk's office, headed by a Clerk who I happened to have something to do with bringing here a long time ago and she's still here and doing a great job, and her staff really worked with us very well with everything and we appreciate that so very much.

I also want to thank all of those who are on the program, the rest of them. I caught Chief Justice Martin on the program because he said some mighty nice things about me. I'm not sure they were 80%, but I'll take it. I thought it was about 78, something like that. But to those who are on the program, Jim Hunt, thank you for your remarks and thank you for the appointments and thank you for supporting me after making the appointments. And also Judge Wynn. We had a chance to work together on many occasions, and thank you to Judge Wynn. He's the real speaker for today.

Of course, I want to thank my son for giving the prayer today, the invocation. And my senior law partner – not senior in age, now – Jim Williams, who is one of the two people who came and talked to me about joining the firm a long time ago and I'm still there for the next few days, I hope.

I don't know how to thank everybody except to say that everybody from my clerks, to my former people who worked with me to the young lady who did the portrait. Thank you for sticking with me even though I complained a lot about sitting and standing and posing. I didn't like that; I got tired of it, but she sort of encouraged me, "you want it to be right; you want it to be right." And I thought I was a detail person. You haven't met anybody more detailed than this young lady.

To other members of the firm and to other members of my family, I won't try to call them by name but I do have to say a couple of words about Shirley. The Governor took part of what I'd intended to say so I

won't say that. But, 59 years and 3 months and 13 days ago, E. Shirley Taylor and I became husband and wife, each pledging to the other those sacred words, to have and to hold from this day forward and I think it's forevermore, if I remember correctly. I don't think we took that out. Without her, I don't know where I would be today. She's been my companion and supporter in so many ways and I better get over that and get to the other part. But she did have some skepticism when I told her that I was thinking about organizing a bank. She looked me straight in the eye and asked the question real sharply, "I don't understand how you're going to start a bank when you don't have any money." But she had faith in me and on November the 2nd, 1971, Greensboro National Bank opened its doors in Greensboro, Henry Frye, President. You can applaud if you want to, for that.

I want to say this and then I've got a couple of more things I want to say. It's the last part of a poem that I did not write, but I read it when I was a very young person and the last paragraph is like this:

There are thousands to tell you it cannot be done,  
There are thousands to prophesy failure;  
There are thousands to point out to you, one by one,  
The dangers that wait to assail you.  
But just buckle right in with a bit of a grin,  
Just take off your coat and go to it;  
And start in to sing as you tackle the thing  
That 'cannot be done,' and you'll do it.

I tell that to young people a lot, but I always preface that with this: be sure that the thing you are trying to do is the right thing. Otherwise, the poem will not help you one bit.

My wife, Shirley and I, drove over this morning from Greensboro listening to the radio. Good, slow, dancing music on 90.1. Then as we approached Durham, we changed the dial to 90.7, and enjoyed smooth jazz with Dr. Billy Taylor and others. It was a good ride on a beautiful day on Interstates I-85 and I-40. As I drove along, my mind reflected back to my days of long ago when I seldom drove to Raleigh, and when I did, I remember that it was Highway 70, for we had no interstate highways and you had to leave a lot earlier than we had to leave this morning in order to be here. I also recall listening to WPTF radio, and these words in a voice much heavier than mine, "So goes the story of today.

And remember, SD in your fertilizer bag means Square Deal.” I think that one of our goals in life ought to be to give every occasion and every person, a square deal.

A lot of things have changed in North Carolina since those days. Some good, some bad, others only time will tell. But I pause momentarily to make one point: leaving out the weather, progressive change does not come by osmosis. Progressive change does not come, first, simply with the passage of time. Things get better because people decide that things are not what they ought to be and go to work to change the status quo. People like you and me get together, make plans, and then go to work, turning our plans into action and making our dreams come true.

When I was in the Air Force, I served for a short time in Japan and Europe. I came back to the United States on a ship, many days on the vast Pacific Ocean. And as we pulled into the harbor, I heard a band playing the Star Spangled Banner. “Oh, say, can you see, by the dawn’s early light.” Somehow, I was happy to be back home. So I had a dream, which continues, to help my state, as Judge Wynn said, to be, rather than to seem. And I’ve tried to work toward that. I think we’ve made some progress, but there’s still a long way to go. I hope that we all will rededicate ourselves to making our state, and our country, the best that it can be.

Thank you for today.