

**WEATHER**  
Rain and continued cool today with expected high of 60.

# The Daily Tar Heel

**GROWTH**  
Population growth presents problem. See page 2.

VOLUME LXVI NO. 39 Complete Wire Service CHAPEL HILL, NORTH CAROLINA, WEDNESDAY, NOVEMBER 5, 1958 Offices in Graham Memorial FOUR PAGES THIS ISSUE

## Scales Ask Court To Reverse Order

WASHINGTON, Nov. 5—Junius Irving Scales, one-time Carolinas Communist party chief, asked the Supreme Court Monday to reverse his second conviction under a subversive activities law.

Scales, University of North Carolina graduate and a native of Greensboro, faces a six-year prison sentence.

The high tribunal reversed Scales' first conviction under the law known as the Smith Act, because the government refused to produce FBI reports from informers.

Scales was tried again in federal court in North Carolina and his second conviction was upheld on Oct. 6 by the U. S. Circuit Court in Richmond.

The circuit court said the government had to reveal in court only those parts of classified FBI records which were germane to the testimony in a case.

Scales was alleged to have joined the Communist party in January 1, 1946, knowing it to be a group of persons who advocated violent overthrow of the govern-

ment.

It was also charged that Scales intended to bring about overthrow of the government by force and violence as circumstances would permit.

The new appeal questions whether the indictment against Scales charged an offense under federal law in view of a section of the 1950 Internal Security Act which says that neither the holding of office nor membership in any Communist organization will constitute a violation of that act or any other criminal statute.

Scales asked whether the evidence was sufficient to support the conviction under the Smith Act in accordance with standards prescribed by the Supreme Court in what is known as the Yates decision. In that decision the court overturned conviction of 14 California Communist leaders and said the Smith Act does not prohibit advocacy and teaching of forcible overthrow of government as an abstract principle.

Scales also questioned whether he had had a fair trial.

## Democrats Sweep To Congress Victory; Jonas Leading Clark By Scant Margin

### Down-To-Wire Battle Fought Here In 10th

A see-saw battle ensued for the one Republican Congressional seat from North Carolina, as Charles Raper Jonas (R) led Dave Clark (D) by 400 votes at press time last night.

The state soundly defeated a proposal to increase the jurisdiction of justices of the peace in North Carolina by a margin of nearly 2-1. Returns from 1142 of 2083 precincts showed the proposal going down to defeat 79,727-135,495.

The race in the twelfth district in Western North Carolina which was predicted as a close race turned out to be nothing of the sort. By a 2-1 margin David Hall whipped Harold Sams.

At press time the results for this seat formerly held by George Shuford was 36,608 for Hall, 19,749 for Sams with only 65 precincts left to be heard from.

Everett Jordan won an easy victory over Richard Clarke, marred only by losing Clarke's home district. Jordan was leading Clarke 282,000 to 98,000 with 75% of the precincts in the state reporting.

All other Democratic Congressional candidates had no difficulty in decisively whipping their Republican opponents, and in four districts, first, second, sixth, and eleventh, Congressmen were returned without opposition.

Governor Luther Hodges earlier in the night hailed the Democratic sweep in the nation and in the state as an welcome sign.



UP FRESHMAN CANDIDATES—The University Party freshman class officer candidates shown above have said that if elected they will work for: a class picnic, a social gathering of freshman girls living in town, in Spencer and in the Nurses dormitories, and a program emphasizing the academic, athletic and other phases of extra-curricular activities on campus. Staff Photo by Buddy Spoon

## Rockefeller Win Easy; Knowland Trails Brown

Democrats swept toward a big victory early Wednesday in their surge toward stronger command of Congress.

But in an east-west drama, a new Republican star was born in New York while an old one seemed headed for eclipse in California.

Nelson A. Rockefeller, the Republican millionaire who trudged the sidewalk of New York in Quest of votes, decisively ousted Democrat Averell Harriman from the Governor's chair.

This rocketed Rockefeller into presidential speculation for 1960. It seemingly doomed Harriman's chances for the Democratic Nomination, and clouded Vice President Richard M. Nixon's prospects for the GOP presidential prize.

From the west came returns showing William F. Knowland, Republican, trailed Democratic Pat Brown in a crucial contest for governor. Knowland gave up the Senate Republican leadership to make this race, and his prospects for consideration at the 1960 GOP presidential convention hinged on the outcome.

As for Congress, Democrats quickly clinched control of the Senate. They swept on toward strengthened command of that chamber and also of the House.

They took over Republican Senate seats in Indiana, Connecticut and West Virginia—both GOP incumbents in West Virginia were defeated—and built up leads in at least seven other states.

The Democratic tide ran so strongly that all six Republican House members from Connecticut went down to defeat along with GOP Senator William A. Purtell, who lost his seat to Democrat Thomas J. Dodd.

As of midnight, the Democrats had elected 195 members of the House and the Republicans 42. Fifteen formerly Republican seats had shifted to the Democrats. Rock-ribbed Republican Vermont sent a Democrat to Congress for the first time in 106 years.

Democrats won sure control of the Senate—50 seats is a majority—when West Virginia Sens. Chapman Revercomb and John D. Hoblitzell, Jr., Randolph.

The Democrats' tightened their lead soon after when their Harrison A. Williams, of New Jersey, won a GOP held Senate seat, defeating Rep. Robert W. Kean.

Earlier, Indiana's Republican Gov. Harold W. Handley lost by a wide margin to Democrat Vance Hartke in the race for the Senate seat vacated by Sen. William E. Jenner (R).

And in usually-Republican Kansas, Democratic Governor George Docking won re-election, the first of his party ever to accomplish that feat.

The spotlight shifted to California once the New York Verdict was in. The first news there was bad for the Republicans—though it too inconclusive to be regarded as a trend.

First precincts reporting showed Sen. Knowland and Gov. Goodwin J. Knight, each campaigning for the other's job, running behind their Democratic opponents.

## Siemer Guilty On Two Counts, Innocent On 1

By CHUCK FLINNER

In an afternoon session of the Chapel Hill Recorder's Court Tuesday Judge W. S. Stewart found UNC student Fred Siemer guilty on two counts and innocent on a third count involving a goal post incident after the UNC-Maryland football game.

When the session got underway both the defense and the state agreed to consolidating the three charges. Siemer was charged with malicious damage to public property, assaulting an officer by pushing him over a fence and public drunkenness. Siemer was found guilty on the charge of damage and public drunkenness.

The defense entered a plea of not guilty to the combined charges. The first witness called by the state was Officer H. A. Gattis of the Chapel Hill Police Dept. Gattis testified that he attempted to stop Siemer from taking down the goal post, that Siemer shoved him twice and he told Siemer to leave.

They headed toward the fence just beyond the end zone and at the fence he lifted Siemer over the fence, Gattis said. He smelled what he thought to be alcohol and was of the opinion that he was drunk. Gattis testified.

The next witnesses were for the defense. The first of the three, John Harney a first year law student at UNC, testified he noticed the incident when Siemer and Gattis were at the fence. He said that the officer placed Siemer over the

fence. Siemer then uprighted himself and ran "like a scared jack-rabbit," Harney said.

The second witness for the defense was called to the stand. Richard Jones Jr., also a first year law student who was leaving the game with Harney, testified that the officer appeared to lose his temper and put Siemer across the fence. Siemer, who had half fallen to the ground, caught the fence, then ran as the officer began to cross.

Richard Moulton, a graduate student, in economics, was the third of the defense witnesses. Moulton testified that he was leaving the game with his wife he saw the incident, at the fence. He described Siemer as having "a casual manner" while the officer was encouraging him to leave. The officer "pushed, placed, put, or however you want to put it, the defendant across the fence." He added he agreed with the testimony of Harney in that the defendant ran "like a scared jack-rabbit."

A FEW DRINKS

Siemer testified he had a part in bringing down the goal post with several others. He said it was not damaged but was brought down easily by lifting it from steel tubes in the ground and laying it down. He admitted that he had had a few drinks but said he did not feel he could be considered as a public drunk. He said he left the goal post alone when told to stop

See WITNESSES, Page 3

## Nominations Are Completed By Both Political Parties

### Party Platform Discussion Is Postponed

By STAN FISHER

The Student Party Monday night postponed further discussion on a party platform until next week, but went on to complete its nominations for legislature seats and class officers for the two weeks distant fall election.

Acceptance of the 14-point platform was postponed for further examination after the party had moved in acceptance of three of the legislative aims it contained. Postponement came after debate in which a "plank" in the platform advocating a single honor council for both men and women was defeated.

**PLATFORM POINTS**

Points contained in the proposed SF platform are, briefly:

- (1) Action towards the realization of a new and adequate student union, (accepted).
- (2) Advocacy of a higher salary rate for university professors; (accepted).
- (3) Action toward elimination of discrimination against minority groups; (accepted).

- (4) Action to establish a single Honor Council;
- (5) Action to eliminate non-functioning class officers;
- (6) Elimination of non-volitional payment of student fees for unnecessary items;
- (7) Procurement of free telephone service in the library;
- (8) Action designed to obtain "deferred" rush;
- (9) Action towards reliefment of traffic and parking problems;
- (10) Adequate study facilities in dorms and classroom buildings;
- (11) More reasonable rates for date tickets;
- (12) Elimination of mandatory loyalty oaths for university employment;
- (13) A better system of class cuts; and
- (14) More adequate social rooms and facilities in dormitories.

### UP's Appeal To Council Meets Defeat

By DEE DANIELS

The University Party, meeting Monday and Tuesday nights in Gerrard Hall, completed its slate of nominations for the coming campus elections. Charley Gray announced that the UP appeal to Student Council concerning its decision on the reappointment of Legislature seats met with defeat.

Last night Tommy Butler was

chosen by acclamation to run for the six months Legislature seat from Dorm Men's III.

Bob Turner and Bob Grubb elected were to vie for the two 1-year seats from Town Men's I.

Charley Gray is the candidate for the one year seat from Town Men's II.

Representing Town Men's III for the two 1-year Legislature seats are Ed Ley and Bill Stepp. They were selected by acclamation.

Also decided by acclamation were the four candidates for the 1-year seats from Town Men's IV. These nominated were Joe McKinsey, DeWitt McCoiter, Dickie Quick and Lou Harven.

A motion entertained by the chair was approved to let the executive committee select the five candidates for the six months seats from this district.

The last of the nominations for Legislature seats was that of Town Women's. Elected by acclamation was Ann Harvey.

Running for UP on the sophomore slate are Charlie Graham, president; Joe Warner, vice-president; Sharon Sullivan, secretary; Bob Gibson, treasurer, and Carol Tieslau, social-chairman.

## IFC Elects Three Court Members; Several Fraternities Lose Trophies

The IFC elected Garrett Folger, Joe Alexander and Marshall Harper members of the IFC Court Monday night.

Several fraternities lost a number of trophies during the Germans weekend. The trophies were taken by students at Georgia Tech. They are to be returned to IFC President Tucker Yates.

Over the weekend one fraternity lost two hi-fi sets, a sofa and a wall clock. Another lost a loud-speaker.

The IFC is trying to find office space, Yates announced. Negotiations have not yet been concluded.

In light of the fact that many fraternities help families through the Empty Stocking Fund the

- council decided not to take a family.
- G. M. SLATE**
- Activities for Graham Memorial today include:
- Panhellenic Council, 5-6 p.m.
  - Gall; Special Committee, 9-11 p.m.
  - Graff; Chess Club, 7-11 p.m.
  - Roland Parker I and II; Reception and Decorations Committee, 4-5 p.m.
  - Woodhouse Conference Room; Social Committee, 9-11 p.m.
  - Woodhouse Conference Room. Publicity Committee, 7-9 p.m.
  - Woodhouse Conference Room.

The possibility of the pledges taking quizzes on the organization of the IFC and the student government was referred to a committee. The recommendation received favorable comment from the executive council of the IFC.

The suggestion was in a letter from Student Body President Don Furtado to Yates.

It was revealed that the only time a Greek Week dance could be held was either the third weekend in February or the second or third weekends in March.

On the other weekends basketball games are being played. Due to a possible conflict with Winter Germans it may prove necessary to call off the dance.

## Friday Plugs Community College Role

CHARLOTTE—The president of the Consolidated University of North Carolina said Monday night that community colleges offer one of the best means of providing education at a reasonable rate.

William C. Friday also maintained that plans must be made now for the expansion of colleges and universities if education is to be available for the leadership of the state's new industrialized economy will demand.

In an address to the Charlotte Central Lions Club, Friday endorsed recent recommendations of the State Board of Higher Education for a 90 million dollar bond issue for North Carolina colleges. Part of the money would go for community colleges.

## YACK PICTURES

THIS WEEK: Nursing, Pharmacy, Graduate, Dental Hygiene, Dance Committee for late fee of \$1. Also those groups who been notified or will be notified that retakes must be made.

**Basement**  
GM 1-6 p.m.

**MEN:**  
ties, dark coats, white shirts

**WOMEN:**  
black sweaters



## INFIRMARY

Students in the infirmary yesterday included:

Norma Jean Kincaid, Elizabeth Bass Van Wagner, Joan Winfield Barber, Lisa Carolyn Anderson, Elizabeth Ann McRorie, Stanley Grant Lestwich, Robert Keith Kochehour, Charles C. Howerton, William Waller Ecton, Malcolm Hector McLean III, Betty Lou Lawrence and Franklin Pope Inman.



INSTALLATION OF NEW SORORITY—The installation of Kappa Kappa Gamma sorority will take place here this weekend, starting tomorrow. Shown above are the officers of the new group. From left to right are Misses Jan Cobbs, president; Edie Hurt, recording secretary; Pat Hamer, corresponding secretary; Charlotte Pope, membership chairman; Holly Deifell, pledge trainer; Bryte Abernethy, house manager and Boots Koch, treasurer. The sorority took in 12 pledges, the chapter's charter members, last February. Several officers of the national chapter will be here for the installation.