

The Daily Tar Heel

The Weather
Cloudy and warmer.

Offices in Graham Memorial

CHAPEL HILL, NORTH CAROLINA, THURSDAY, FEBRUARY 13, 1964

United Press International Service

NYU Tops Tar Heels By 69-68

By CURRY KIRKPATRICK
NEW YORK—If you didn't see it, you wouldn't have believed it. Fantastic North Carolina, its meal ticket on the bench most of the second half and a Madison Square Garden crowd of 11,138 screaming it on, came within six inches of incredibility here last night.

The Tar Heels fell before strong NYU, 69-68, but not before a chilling comeback that almost sent this place into wild delirium.

UNC trailed by as much as 11 in the final half, and were down by five when marvelous Billy Cunningham fouled out at 11:29.

But Carolina unbelievably came back from the dead and led 66-65 when Bryan McSweeney hooked with 2:04 left. The lead was short-lived. NYU's Carleton Rooks put in a pumper at 1:44 and Stan McKenzie converted a mid-court

SWIMMERS WIN
UNC's varsity swimmers remained unbeaten in ACC competition, turning back NC State, 59-36, here Wednesday night.

steal from Mike Cooke with 51 seconds left to give the Violets a 69-66 lead—throwing hot water on UNC's deep freeze tactics.

Ray Respass made a "must shot" from the corner at 38 seconds for 69-68 but the Tar Heels could not get the ball, and had to foul. NYU's "Happy" Hairston missed his free throw with six seconds left, and UNC called time out. Charlie Shaffer passed in bounds to Billy Galantai, but no one was free and Galantai had to hurry his up-court pass. It went over Respass, the intended receiver, and McSweeney scooped it up and fired long as the buzzer sounded.

Cunningham topped all scorers with 23 points, on 10 of 16 from the field and despite three of nine from the line. He also got 11 rebounds, one short of the heralded Hairston, who played the entire game. Barry Kramer, the Violets' All-America, got 22 points (eight for 18 from the floor) and seven rebounds. Hairston finished with 18 points.

For UNC, Cooke and McSweeney, who combined to keep Carolina in the game after Cunningham left, got 16 and 15 respectively. Cooke was eight for 11 and McSweeney six for 12. UNC outshot the much-bigger Violets 50.9 (2 for 55) to 41.8 (3 for 55). That's ten more points from the floor, and UNC's miserable night at the free-throw line undoubtedly meant the difference. The Tar Heels were plain bad (12 for 27) while NYU was a fine 23 for 29.

With Cooke taking dead aim from outside, the Tar Heels rallied late in the first half, chopping what had been a nine-point NYU lead to a mere 2-point advantage at the intermission, 36-34. However, it seemed that the rally had been in vain as the Smith men hit a cold spell to end all cold spells early in the second stanza. The Violets poured in nine straight points before the Tar Heels could find the range. McSweeney finally broke the ice with 15:30 on the clock and the Tar Heels then began a slow glide led by Cunningham. The Kid hit from inside and outside until floored with his 5th foul.



TO JAIL—Junior Edge, Carolina's star quarterback, is led to a jail cell late last night by Patrolman Earl Allison after he was arrested and charged with assault and attempt to commit rape. The case was staged for the Law School's Annual Mock Trial and will be tried in the Law School Court Room Friday night. —Photo by Jim Wallace.

In Law School Mock Trial

Junior Edge Is Arrested On Attempted Rape Charge

(The following is printed with permission of the participants in connection with the annual Mock Trial Friday night.)

By KERRY SIPE
UNC Football Star Junior Edge was arrested by campus

Picketing Law Gets First Try

By JEFFREY DICK

The first application of the newly amended Chapel Hill picketing ordinance came a scant two hours after the Board of Aldermen passed it Monday evening. Police officers said that two persons were picketing in front of Clarence's Bar and Grill on Franklin Street when the new ordinance was passed.

Police officers approached the two at 9:30 p.m. and informed them of the new law prohibiting picketing after 7:00 p.m., then asked the pair to leave. The twosome complied with the request.

The amendment to the new law, which set times between 7:00 a.m. and 7:00 p.m. as the only hours when picketing may lawfully take place in Chapel Hill, was passed after Mayor Sandy McClamroch broke a tie vote over the law.

Voting against the amendment were Aldermen Paul Wager, Mrs. (Continued on Page 3)

26 Are Arrested

Twenty-six persons were arrested Tuesday night following an anti-segregation protest at Brady's restaurant.

Captain C. E. Durham of the Chapel Hill police department stated a patrol car was at the scene when the demonstrators arrived at the restaurant. After observing that the intent of the demonstrators was to stage a sit-in, officers on the scene requested that a paddy wagon be dispatched. When the van reached the scene, the demonstrators were placed under arrest.

Restaurant manager Louis Taylor, pressed charges against the group for trespass. When the demonstrators went limp while being removed to the police van, police added the charge of resisting arrest.

Durham said the group was composed of twenty-five adults, Negro and white, and of one juvenile, a Negro.

police late last night and charged with the attempted rape of a Carolina co-ed on a path of the Coker Arboretum.

Campus policeman Herbert Ellis, investigating the sound of a woman's screams at about 10:30 p.m., apprehended the quarterback as he attempted to leave the scene.

Edge was taken immediately to Chapel Hill Police Headquarters and booked for assault with the intent to commit rape upon the body of a female.

The victim, Phyllis White, 20, of Greensboro, was reported undergoing examination for possible injuries at Memorial Hospital.

Miss White allegedly left the campus dining hall shortly before 10:30 p.m. and walked alone through the Arboretum on her way to her residence in Spencer Dormitory.

She has identified Edge as the man who jumped from the shrubbery and forced her to the ground, tearing her coat and blouse. Ellis reported he turned and fled when she resisted and screamed for help.

County Solicitor Joe Roberts has presented a bill of indictment to the Grand Jury. The bill is expected to be returned sometime tomorrow.

Edge has been released on \$5,000 bond.

Compromise Bill Passes

SL Supports Lawler; Urges Student Boycott

By JOHN GREENBACKER

First Demonstration Case At Men's Council Tonight

The Men's Honor Council will try its first sit-in case tonight under the charge of violation of the Campus Code.

The defendant, a Negro student, is alleged to have participated in a sit-in demonstration in a public place of business. It is further alleged that he went limp when arrested, an action generally considered to be resisting arrest.

The court case for the defendant, who is charged with trespassing and resisting arrest, has not yet been decided.

Student Government leaders decided that the Council should not wait for the court decision since the Council is not concerned with the legal questions of

trespassing and resisting arrest. The Council will deliberate as to whether the defendant is guilty of an act of ungentlemanly conduct.

A conviction in civil court does not necessarily constitute a violation of the Campus Code, according to Council precedents. Traffic violations are an example.

Kellis Parker, a senior, and Jim McCorkel, a graduate student in sociology, are defense counsels for the case.

Both students have participated in civil rights demonstrations over the summer but have never been arrested.

They plan to bring in several witnesses from the faculty to give opinions as to the guilt of the defendant under the Campus Code. The names of the witnesses were not revealed.

Police officers and the owner of the business where the sit-in occurred will also present statements to the Council.

Other cases will follow in the next few weeks if the Council delivers a verdict of guilty.

If the defendant is found innocent, all similar cases pending will be dropped.

Another type of sit-in case involving alleged assault by a demonstrator will be tried Tuesday night.

SEX!

By DIANE HILE

Liz is coming to town, folks. She'll speak on sex, alcohol and riotous ways to live. She'll also get your soul if you don't watch out.

After all, if you are the daughter of a millionaire and unhappy, vice is nice.

However, this Liz needed Richard the Lionhearted for a mate instead of Richard Burton.

This Liz is Gert Behanna, known as the "Auntie Mame of the Holy Spirit," and author of "The Late Liz," her own confession of sin and salvation.

Miss Behanna, who has been through three husbands and an attempted suicide, will speak to the Di-Phi Monday night at 8 in Carroll Hall.

She will speak on her life, what it was and how it changed.

Miss Behanna has been speaking at various colleges and universities across the nation. The unhappy and alcoholic daughter of a millionaire, she is the first woman ever to speak at the Yale University Chapel.

She is coming to Chapel Hill Saturday night after a speaking engagement at the University of South Carolina.

According to the USC Episcopal Chaplain, Miss Behanna's speech "was the main attraction for the week. She talked for an hour and the students sat spellbound. Students can identify with her. She made a great contribution in their lives, not only with problems concerning alcohol, but in their search for their personal relationship with God."

Miss Behanna is being brought to Chapel Hill on an interdenominational church program.

Pickets Are Told Law Not In Effect

A dozen persons sought last night to violate the town's new picketing regulation—but were informed by Police Chief William D. Blake that the new ordinance isn't in effect yet.

Blake said he was told by Town Manager Robert Peck that if a proposed ordinance doesn't pass by a two-thirds margin, then it may be brought up for a second reading at the next Aldermen meeting.

Tuesday's vote on the ordinance, which would limit picketing from 7 a.m. until 7 p.m., passed by a 4-3 vote. When it is read again Feb. 24, a simple majority would be sufficient to pass the ordinance.

Despite yesterday's "new discovery," the 12 went ahead with plans to picket in front of Town Hall, and later at Clarence's Bar and Grill. Dr. Robert Sitton, philosophy instructor and spokesman for the group said Blake's statement "doesn't make any difference to us. We feel the fact that it is even considered by the Board of Aldermen justifies our protesting against it. We plan to continue," Sitton said.

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Student Legislature passed a resolution urging its constituents to boycott segregated business establishments in Chapel Hill by a roll-call vote of 22-11 during a special session Tuesday night.

The compromise resolution, "directed toward the alleviation of tensions in Chapel Hill," was introduced by Neal Jackson (SP) and Darst Murphy (UP).

The first article of the bill opposes the present form of local civil rights demonstrations as "not proving rational or successful in the attainment of equal opportunities for all students of this university."

Article II supports Student Judiciary investigation of possible Campus Code violations arising from the demonstrations.

Article III urges all local merchants to desegregate and calls for a boycott of segregated establishments.

Articles IV and V ask that two students selected by the President and Vice-President of the Student Body be placed on local integration mediation committees.

Action on the resolution began after Student Party Floor Leader Phil Baddour moved that the body table a previous bill on the subject which was sponsored by Borden Parker (UP). Parker's bill, which strongly condemned student demonstrators, was tabled by a vote of 21-15.

Neal Jackson (SP) then rose to move that the boycott resolution be substituted for another civil rights bill sponsored by Bill Straughn.

"This matter would best be resolved by a good bi-partisan bill, and I feel our bill will be much easier to work with," Jackson said.

Jackson and Murphy's bill was substituted for Straughn's by a vote of 33-2.

Miss Murphy opened debate on the resolution by charging the University and its officials had ignored the civil rights situation.

"This town will become another Oxford, Miss.," she warned, "unless something is done to ease tensions."

Following Murphy in support of the bill, Jackson said, "I do feel that we, as responsible members of the university community, should express our responsibilities and do what we can to alleviate racial tensions in Chapel Hill." Calling for the boycott's enactment, Jackson added, "Each dollar will be a vote."

Ron Hendren (UP) then moved to have the boycott portion of the bill stricken, charging that it was a legislated version of the opinions expressed by Student Body President Mike Lawler. "I am against legislating our own personal feelings on this matter," he said.

"This deletion will make this into a wishy-washy little old

bill." Straughn retorted. Arthur Hays (SP) moved that Hendren's deletion be tabled indefinitely, and more discussion followed.

Mike Chanin (UP) urged that Hendren's deletion not be put off. He was followed by Baddour, who explained Lawler's reasoning on the boycott issue and urged the body not to delete the passage.

Rep. Murphy rose again to stress, "This is a resolution, not a forceable boycott."

"Many may be alienated by this bill, but it is our job at times to lead our constituents," she said.

Parker then rose to address the body. He presented to the legislature copies of the petition circulated by Clark Cramp-ton and Armistead Maupin which said that the students who had signed the petition were not in agreement with President Lawler on the civil rights issue.

Parker announced the petition had been signed by 1500 students within 24 hours.

"The Student Body does not want you to pass this resolution," he said. "They are violently opposed to your telling them where they can buy."

"How about shifting some of the blame to the demonstrators," Parker asked. "They are the ones who have caused the tension, have been dragged from the streets and have put policemen in the hospital who have broken their backs to drag them off."

A motion to close debate was passed.

Hendren's deletion was defeated by a vote of 19-18.

Speaker Bob Spearman then spoke for the resolution.

Calling segregation in Chapel Hill "a moral wrong," Spearman affirmed the University's role in this issue. "We are not establishing a legal code," he said. "What this resolution is, is a moral statement by the legislature."

Spearman discounted the Clark-Maupin petition, as it was reported to have obtained only 1500 signatures as opposed to the 10,000 students enrolled in the University here.

A second attempt to delete the boycott portion of the bill was defeated by a roll call vote of 19-16.

Parker then called for the omission of Article III, but his motion was ruled out of order by the chair as being dilatory.

Don Carson, University Party Floor Leader, moved the adoption of Articles IV and V, and they were approved.

Parker rose before the final 22-11 vote to tell the body that "I have made my point and that of our constituents."

Student Party legislators for the resolution were Baddour, Brewer, Carvajal, Ellis, Frieder, Hays, Jackson, Morris, Straughn, Wellons, Lindsay, Linney and Davis.

Student Party legislators against the resolution were Anapol, Lancaster and Shuff.

University Party legislators for the resolution were Carson, Kramer, Murphy, Oettinger, Ogden, Simpson and Chanin. University Party legislators against the resolution were Arrington, Dotson, Meade, Parrott, Ragland, Lundburg, Parker and Allen.

Independent legislator Poe voted for the resolution; all other legislators were absent for the vote.

Legislators for the resolution with the exception of the boycott in Article III were Lancaster, Parrott, Allen and Ragland.

Legislators for the resolution with the exception of the entire Article III were Arrington, Kramer, Chanin, Carson and Hendren (Chanin, Carson and Hendren voted for the bill.) Against the entire resolution was Rep. Anapol.

American Civil Liberties Union Says

Academic Freedom Applies To Sit-Ins

By FRED M. HECHINGER
In The New York Times

The American Civil Liberties Union told the nation's colleges and universities Sunday that it was their duty to protect the constitutional rights of students arrested for taking part in public demonstrations against racial segregation, civil defense programs or nuclear tests.

The civil liberties organization added that the colleges and universities should go beyond the defense of the rights of college students to engage in public protests.

When students run into police difficulties off the campus, it said, the colleges and universities should see that they are assured of fair trial, defense by counsel and protection against police abuse. The colleges were

even urged to seek or furnish bail for such students.

The A.C.L.U. also told educational administrators that "no disciplinary action should be taken by the college against a student for engaging in such off-campus activities as political campaigning, picketing or participating in public demonstrations, provided the student does not claim without authorization to speak or act in the name of the college or one of its student organizations."

Disciplinary action by the college for such action by students, even when the protests violate local laws or police regulations, "would violate the students' academic freedom," the statement said.

The sweeping policy pronouncement was included in a

16-page revised pamphlet on "Academic Freedom and Civil Liberties of Students in Colleges and Universities."

The institutions were also warned against denying admission to a student "who has been expelled from another college because of his arrest in connection with a conscience-motivated activity," including sit-ins, picketing, riding of freedom buses and other civic protests.

The most controversial aspects of the policy statement are likely to be found in a section on "Students as Private Citizens."

On the one hand, the statement demanded that "in their nonacademic life, private or public, students should be free from college control," unless they had harmed the institu-

tion's educational function or injured or endangered the welfare of others in the academic community.

But even though the civil liberties group denied the colleges' right to interfere with the students' private activities, it appeared to extend the colleges' responsibility beyond the educational boundaries by urging the institutions to protect students legally, if their private, off-campus actions got them into trouble.

"Unless college authorities act in behalf of students," the statement said, "there is the very real danger of alienation" and the possibility that students may turn to undesirable, self-serving outside agencies for aid.

This was an apparent attempt to reconcile what might appear

as something of a double standard, giving the student complete off-campus freedom while assigning to the college full responsibility for protecting the student.

Alan Reitman, associate director of the American Civil Liberties Union, said that the basis for the statement, prepared by the academic freedom committee, was "not necessarily a series of cases in which appeals were made to universities for students who had been arrested" but rather "the fact that the universities have an affirmative obligation to provide legal assistance to students who are arrested as a result of protests away from campus."

He pointed to a conflict involving Syracuse University last September, when 56 students

and 13 faculty members were arrested during civil rights sit-in demonstrations protesting segregated housing. The university authorities at first instituted a policy of automatic probation against arrested students. It explained this action by holding that the academic freedom of students engaged in racial protests did not extend beyond the limits of the law.

However, the university rescinded the policy a month later and agreed to judge future cases on individual merit.

The A.C.L.U. statement said that American students, "like students in other countries, are participating increasingly in the political affairs of their society."

It declared such participation essential to the attainment of maturity and warned college

trustees that "the public interest is not served when the academic community is fearful of experimentation, controversy and dissent."

The following were listed among student freedoms that the committee was seeking to protect:

—Freedom to discuss and pass resolutions, distribute pamphlets and circulate petitions.

—Freedom to participate in student government and leadership, subject to reasonable standards of scholastic eligibility, set up by the administration for major student offices.

—Freedom to join clubs, invite speakers and publish newspapers and magazines.

Dr. Louis Hacker of Columbia University is chairman of the union's academic freedom committee.