#### U.N.C. Library Serials Dept. Box 870 Big Bad Tigers Give Tar Heels 97-90 Clawing

#### The Kid Gets **33 In Double Overtime Loss** By CURRY KIRKPATRICK

CHARLOTTE-Tiger, like Violets, just don't wilt that easily, North Carolina found out last night.

Down by eight in the second half, UNC caught a tall Clemson team and took it into two overtimes before falling here, 97-90, to its own mistakes and inability to spot its All-America.

Billy Cunningham got 33 points, a new North-South doubleheader record, but the ones he didn't get meant the most. Billy hit a corner jumper at 3:48 of the second extra period to tie it at 86, but here Clemson scored six straight points to ice its second double-overtime victory over the Tar Heels this year.

(The Tigers beat UNC 66-64 at Clemson in the second game of the year).

Jim Brennan's push shot at 3:25 gave Clemson an 88-86 lead. and Carolina immediately came down with Ray Respess missing from 20 feet.

Brennan scored on a jumper from the corner next (2:30 left) for 90-86, and, as 8,000 Memorial Coliseum fans cheered for Cunningham to get the ball, UNC again failed to work it. Bill Brown's corner shot missed by five feet, and the Tigers took over. Cunningham had not touched the ball in the last two series.

Clemson then just played out the clock, and Gary Burnisky hit two fouls at 1:49. Cunningham. finally, got the ball and countered with a basket 10 seconds later, but Burnisky scored two more free throws for 94-88, and

**Offices** in Graham Memorial

Sit-In Edition

BIG RAY-The poor man's friend and one of Freshman Talent Show in Memorial Hall. Stansbury is shown here in his country store in Hillsboro, headquarters for the Stansbury for Governor

the 1964 gubernatorial candidates, Ray Stansbury (center) will be in Chapel Hill Friday night with his band. Stansbury and his colorful group will be one of the featured attractions at the

Stansbury To Star



CHAPEL HILL, NORTH CAROLINA, SATURDAY, FEBRUARY 15, 1964

The Istilu Tar Teel

United Press International Service

The Weather

Chance of rain or snow

# Men's Council Acquits **Student Demonstrator**

35 Won't Stand Trial

#### Sit-In Cases Are Dropped

Some 35 sit-in cases under investigation by the Attorney General's Staff were dropped vesterday after Thursday night's Honor Council decision.

The verdict of not guilty in the case of a Negro student who sat-in at a series of private business establishments and went limp when arrested has set a precedent for all similar cases.

The student was charged with trespassing and resisting arrest by civil authorities. His civil court case is pending.

However, he was found innocent of an ungentlemanly act under the Campus Code. This de-

cision did not consider the legali-

ty of his action, according to the

This precedent does not cover

demonstrations of other types of

civil disobedience said Attorney

A case involving sitting in the

streets and obstructing traffic

will also be considered spearate-

No cases of this type are cur-

ENTER NOW

The deadline for submission of

oils, sculptures and graphics to

the second annual art exhibit at

UNC's School of Public Health

has been extended until Feb. 21.

ed that James Tucker, curator of

Sponsors of the exhibit announc-

General Whitney Durand.

rently being investigated.

ly, Durand said.

Council

# Jason's Statement

Some statement on the decision of the Men's Council in the case of a student charged with trespassing and resisting arrest is necessary. The student was charged with a Campus Code violation based on his participation in restaurant sit-ins and his "going limp" when asked to leave by police officers. First it must be stated that under our student constitution the Men's Council has definite jurisdiction over student conduct outside the University itself.

The accused's defense was based on the principle that any action must be judged in light of the time, place and motivation behind it. The Council agreed with the principle, but added another consideration-the extent or degree of the action. If a student is justly motivated to

### Straley, Hill **Pollitt Speak**

The Men's Honor Council has found a Negro freshman not guilty of violating the Campus Code on charges arising from sit-in protests.

Thomas Bynum, 19, Chapel Hill, was found not guilty by the eightman council after 20 minutes of deliberations and a three-hour trial.

Student Attorneys for Bynum, Jim McCorkle and Kellis Jarker asked the council not to consider the legal question of sit-in, but to decide the ethical question.

"It is not breaking the law that is at issue," Dr. Robert Sitton, of the Philosophy Dept. testified, but which law did you break and why did you break it . . .' Attorney General Whitney Durand said he doubted if it was ungentlemanly "to walk into a restaurant and sit down and refuse to leave" when asked by the owner. He said the actions of Bynum, which led to civil charges of resisting arrest could better be termed "passive submission." "He didn't actively resist, nor does he actively help police in making the arrest," Durand said. Bynum is charged in the civil courts with trespassing and resisting arrest in five sit-ins in four local restaurents in Dec. and January. He was in the group that was doused with clorox and ammonia in Carlton's Rock Pile. All cases are still pending in Orange County Superior Court. Campus Security Chief Arthur G. Beaumont testified that if "a student deliberately violates the law, he is, in my opinion, ungentlemanly," but added that this was

when Billy left on personals with 1:05 to go, it was all over. UNC, after trailing 42-39 at half, had rallied in regulation time on Mike Cooke's long-range bombs, hustling baskets by Bryan McSweeney, and drives by Cunningham.

A score by Respess and a onehander by Charlie Shaffer tied it at 78 with 1:21 to go in the game

But Clemson's Donnie Mahaf-fey threw the ball away at 27 seconds, and McSweeney missed a shot at the buzzer that would have meant victory.

UNC also had a chance to win it in the first overtime. Cunningham's underhand drive gave the Tar Heels an 84-81 lead with 1:58 left. But Mahaffey scored on a foul and Mike Bohonak, who beat UNC earlier this year, jumped for 84-all at 31 seconds. Carolina called time, but Cooke's shot at the eight second mark bounced high off the rim, and the teams went into the deciding period.

Billy was 12 for 18 from the field (9 of 11 from the line) and had 18 rebounds. Cooke got 21 points in a fine outside performance, and McSweeney and Shaffer had 13 each.

#### **Peace Speaker** Here Wednesday

The legislative secretary for the U. S. section of the Women's International League for Peace and Freedom will speak in 10 Peabody Hall, Wednesday, at 8 p.m.

Annalee Stewart will speak on "Peace and Human Rights by 1970-With or Without People." Mrs. Stewart has worked as a lobbyist in Washington for many years and has traveled widely in Europe and the Middle East. The public meeting is being cosponsored by CCUC, YM-YWCA, Friends Meeting, United World Federalists, and Women's International League for Peace and Freedom.

# Faculty, Aldermen To Get Boycott Bill

from March 2 through March 6 their Greek Week program), the ried to assist the sergeant-at-Council has heard. Lawler announced yesterday race: and from March 17 through March MRC and all other campus orarms in locking the chamber, that a copy of the Student Leg- Allen's Amoco Service Station "I wanted to make sure that the ganizations to make the carnival amid the cries of UP coed leg-College Young Democrats from gram includes the appearance of and Grill, Brady's Restaurant, islature's resolution suggesting student who sat on the case would The campaign will consist of enjoyable for all. islators being hurried through throughout North Carolina will Tar Heel gubernatorial candi-Carolina Barber Shop, Carolina boycott of segregated establishthree major phases. First an aucbe experienced not only with the gather in Raleigh, February 21- dates Beverly Lake, Dan K. Such charities as the American the doors. Beauty Shop, Carolina Grill, ments will be sent to each distion will be held on March 17 The remaining legislators and Council, but with Chapel Hill and Friends Service Committee, the Moore and Richardson Preyer 22, at the Hotel Sir Walter for Chapel Hill Barber Shop, Clarcriminatory business in Chapel in Gerrard Hall. Co-chairmen the spirit of the University. World Clothing Fund, the Murvisitors had to wait for nearly on Saturday morning. Each will a Winter Rally of their federaence's Bar and Grill, Colonial Hill, as well as to the Board of Louise Menefee and Mike Doctor doch School at Butner and the 45 minutes as SP officials went address the gathering and answtion. Over 100 are expected to Drug Store, Frozen Custard, "I felt some members might Aldermen and prominent citizhave announced that Kemp Battle O'Berry Center in Goldsboro will to find one of their absent memattend. er questions. Leo's Restaurant, Merritt's Esso have difficulty understanding the ens and faculty members. Nye and possibly Andy Griffith, bers in order to meet a quorum. benefit from this year's Campus Featured speakers will include Also to be considered at the Service Station, North Carolina existential nature of the involve-When the quorum was achiev-National Young Democratic star of stage and screen, will be rally are several resolutions per-The resolution submits that the Memorial Hospital, Patio Dine Chest. ment of the Negro student. the auctioneers The Campus Chest is the only President Al House of Roanoke present forms of civil rights demand Dance, Pines Restaurant, ed, the remaining UP legislators taining to the Civil Rights bill in the building returned to the Vickie Smith, Patsy Leffler, Rapids, the first North Carolinnow before the Congress and a charity drive permitted on the onstrations are not rational or The Rock Pile, The Shack, The "I also felt I had the right to Archie Davis and Gerry Good are chamber and Baddour's original ian ever to head the national plan to realign voting within campus. The chairmen said they successful in obtaining equal Sport Center, Tar Heel Barber request this, according to the motion was at last carried by organization, and assistant Postthe structure of the Federation. in charge of the second phase. wished to stress that college rights for all citizens of this uni-Shop, Tar Heel Motel, Tar Heel Student Constitution. master General Richard Mur-Registration fee for the rally They hope to improve the responshould make the student realize the body, 23-13. Sandwich Shop, University Barversity. On another issue Carson exphy, a graduate of UNC and a is \$3.00 which will end at noon "Normally in judicial procedse of the Carolina students to sober Shop, University Motel, that he will be approached in his The resolution further urges pressed "deep concern at the ures, one does not question why former president of the National Saturday. It will begin at 7:30 licitations. community by health drives, Com-Watt's Restaurant, Professional the entire student body to refrain one exercises his Constitutional stunning loss of Attorney Gen-Student Association. p.m. Friday with registration The third phase is the Campus munity Chest and his respective Barber Shop, and Glen Lennox from patronizing the following A special feature of the proright." eral Buzzy Stubbs." opening at 5:00 p.m. Barber Shop. Chest Carnival which will be held church organization for help. establishments which continue to

In Memorial Hall Friday

(Candidate Stansbury's refuge) to

find acts for the UNC version of

All of this entertainment has a

purpose: to put money in the

coffers of the Freshman Class

to help finance a big weekend in

7 On Council

Disqualified

**By Defense** 

sit-in demonstrations.

Council heard the cas!

case.

members.

This practice is common in

in Council proceedings, accord-

ing to Attorney General Whitney

Durand. The defense counsel has

have been disgualified from a

case leaving the minimum seven

The attorney general accepts

almost any reason for disqualifi-

cation of a member, Durand said.

The Council may overrule his de-

cision at any time, however.

the Ed Sullivan Show.

By RON LOGAN

"You ain't seen nuth'n yet, fella, til you see the All-Campus Talent Show." cal Carolina classroom scene.

Where else could you see Kitty Carmichael act, Chancellor House play his famous harmonica, basketballer Bob Bennett dance, footballer Charlie Davis sing, candidate for governor Ray Stansbury campaign and world famous "Fuzzy Wuzzy" McInnis play the a tree) to the town of Hillsboro piano?

If that's not enough to whet your entertainment appetite, there are twelve other big acts to be presented at Memorial Hall next Friday including vocal solos, folk singing groups and a combo. Highlighting the program will be a faculty skit called "Blackboard Bungle" with a cast of

eight professors and one lowly student. Joe Slate is temporarily elevated to a professorship while the faculty members play the part of students. The "students," Dean Carmich-

## Summer Jobs **For Students**

**Are Plentiful** Summer employment opportuni-

ties are now available through the Placement Service in Gardner Hall. Students interested in summer employment should register with the office soon in order to learn how they may use the facilities in looking for summer jobs.

Several organizations recruiting permanent employees will interview for summer work. Students are urged to check the Summer Bulletin Board in Gard-(Continued on Page 3)

ael, Dr. Charles Henderson, Dr. the spring. Jim Brame, class presi-Bernard Boyd, Mr. Walter Fallaw. dent, says that the "Freshman Mr. Andrew Scott, Dr. George Weekend" will be the first of its Daniels, Dr. Willam Koch and kind, and the talent show will Miss Sue Ross, will enact a typi- 1 raise the funds for it.

campaign .- Photo by Jim Wallace.

Tickets are on sale today at Roy Armstrong, master of cere-Graham Memorial and Y-Court. monies, will present the finest Members of the Freshman Class group of talent the university can will sell them there for \$.75 stag supply. Talent scouts searched and \$1 a couple, and the remaindfrom the backwoods of Craige er will go on sale at the door. (where they inticed McInnis out of

-Photo by Jim Wallace.

Teddy O'Toole, chairman of the talent show, announced that auditions are closed and the program of 19 acts will go on stage next Friday with few if any changes.

the Weatherspoon Art Gallery, will be a one-man jury for the **Ricci** Named exhibit. He will select pieces to be displayed at the School of Pub-**To YDC Post** 

**By Al House** 

Fred Ricci, a former UNC student, has been appointed executive secretary of the Young Democrat Clubs of America.

Seven members of the Honor Ricci, a 25-year-old senior, Council were disqualified by the dropped out of school to take the defense at Thursday night's trial job offered him by Al House, reof a Negro student involved in cently elected national president of the YDCA. Only eight members of the

He was a campaign lieutenant for House's election at the Las Vegas YDCA national convention over the semester break. House is a lawyer from Roanoke Rapids.

a right to request that any mem-Ricci is a former president of bers of the Council be disqualifithe North Carolina Collegiate ed providing there are at least Federation of Young Democrat seven members left to try the Clubs.

He was regional coordinator In the past, as many as three for the southeast for the Na-

(Continued on Page 3)

#### **Campus Chest Announces** Schedule For \$\$\$ Drive

In giving his reasons for dis-Co-chairmen of the Campus on the intramural field March When it became evident that qualifying the seven Council **YDC** Meets Next Weekend Chest, Betty Ward and Richard 20 and 21. Co-chairmen Nannie the motion would pass, UP legmembers, Defense Counsel Kellis Barrett, have announced the Hussey and Jim Light said they islators gathered their belong-Parker said he felt that this schedule for its annual drive. are counting on the wholeheartings and walked out of the case was unique and more chal-The drive this year will run ed support of the IFC (during chamber. SP officials then hur-In Raleigh's Sir Walter Student body president Mike refuse equal service because of lenging than any other that the

act in a certain way and the extent of his action is not beyond reason, he cannot be said to be acting ungentlemanly.

At this point a distinction must be made between our student judiciary and a court of law. It is an established precedent that a student may violate a state or federal law and not necessarily violate the Honor or Campus Codes. The most common example of this is the student who drives his car in excess of a speed limit. Neither is it a violation of our Campus Code to protest against a law that one honestly feels is morally unjust.

We must consider the element of timing, or the succession of events leading to the sit-in demonstrations. Had this nonviolent civil disobedience been the first step in the attempts to achieve desegregation, the situation would be different. However, only after countless futile attempts at negotaiting and picketing were made did the sit-ins begin.

Under these circumstances, the actions of the defendant were held to be well within the bounds of gentlemanly conduct.

And a second second

Peter Jason Chairman-Men's Honor Council

In a statement of the views of

Carson also called for the

not true in all cases. Also testifying on behalf of Bynum, were:

Dr. Daniel H. Pollit, Law School, who spoke on the position of the American Assoc. of University Professors, (AAUP) on student participation in civil rights protests. Dr. Pollitt is on the national governing board of the AAUP.

-Dr. Joseph Straley, Physics Dept., who spoke on behalf of the Chapel Hill Freedom Comm. and other local integration groups.

-Dr. Sam Hill, Religion Dept., who spoke on the meaning of the term "gentleman."

Dr. Pollit said the AAUP felt that all legal convictions of students in civil rights protests did not necessarily warrant University action.

Dr. Sitton said Bynum's actions were praiseworthy and commendable." He said civil disobedience was the only way to accomplish integration in Chapel Hill.

Bynum's civil disobedience was not ungentlemanly, Dr. Hill said, but was the sign of a true gentleman. "Gentlemanly conduct is not the absence of disturbance, he said.

Bynum told council members he decision and this is Chapel Hill."

(Continued on Page 3)

**New Election Date** By JOHN GREENBACKER University Party legislators

walked out of Thursday's meeting of Student Legislature in an attempt to halt action on a motion to change the spring elec-

The motion, by Student Party

legislators, who held an easy majority in the body.

the subject halted plans for a possible UP filibuster.

**UP** Walks Out

**SP Bulls Through** 

UP Floor Leader Don Carson spoke against rescinding the date, condemning the SP's "inexcusable parlimentary manuvers."

Citing the fact that within the past 10 years no election has been held later than April 7, Carson charged, "This is the greatest plot to keep a political party in power since the days of Thaddeus Stephens."

many in his party, Carson said, "It is with a great deal of apprehension and grave reserva-Motions for limiting debate on tion that we capitulate to this change in the Student Judiciary.'

speaker of Student Legislature to write a letter of commendation to Stubbs citing "his long

and unselfish devotion to the broadest interest of students and justice." Carson's motion passed unanimously. (Continued on Page 3)

ceived quick support from SP

tion date from Mar. 24 to April

Floor Leader Phil Baddour, re-

lic Health and will name the purchase prize. Judging has been set for Feb.