

It's that time of the year again, when you can't even walk down a street quietly because of those noisy, dry leaves which are everywhere.

SG counsel named; attorney general, CGC must approve

Serving the students and the University community since 1893 Chapel Hill, North Carolina, Friday, October 3, 1975

The Daily Tar Heel

Weather: cooler

HEW approves NCSU as site for vet school

by Dan Fesperman Staff Writer

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The controversy over the location of the North Carolina veterinary school apparently ended Thursday, when Department of Health, Education and Welfare officials told University of North Carolina system President William C. Friday that they approved locating the facility at North Carolina State University in Raleigh.

Friday and his staff met in Washington Thursday morning with Peter Holmes, national director of HEW's civil rights office, and William Thomas, regional director of the office, to discuss the system's desegregation plan.

Holmes said Thursday, "N.C. State, to us, is more capable of supporting the veterinary school."

Holmes said that North Carolina A&T University, HEW's alternative location for the veterinary school, lacked a sufficient undergraduate program to support the veterinary school.

"The issue of undergraduate capability remains a concern of the office and is central to the desegregation commitments of the state," he said. "The state must create this capability in the predominantly black institutions to insure that they will be enhanced to the equivalent levels of the predominantly white schools."

HEW has indicated several times during the past year that it favored locating the proposed veterinary school at predominantly black N.C. A&T University. University. A letter from Thomas to Friday on March 25 had stated that before the facility could be established at N.C. State, "a program of similar stature and attractiveness" must be established at N.C. A & T." Friday said Thursday, "From my point of view, it (the veterinary school location) is no longer an issue. They (the HEW officials) told me that, in their minds, the decision to locate the veterinary school in Raleigh was a correct one and was based on substantial evidence.

long-range planning for the University system, and added that the University system is now moving ahead with the desegregation plan.

Thursday's meeting was the first contact between the University system and HEW since Aug. 19, when consolidated university officials replied to HEW's threat to have federal funds cut off.

HEW made the threat after charging the consolidated university with neglecting North Carolina's higher eduction desegregation plan.

The HEW charge came in the form of a letter sent to Gov. James E. Holshouser July 31. The letter said the University system and state community college officials had "failed to fulfill the most critical commitments" of the desegregation plan.

The letter included a 51-page report listing 58 instances where the consolidated university and the community colleges had allegedly failed to meet desegregation obligations.

the location of the veterinary school at N.C. for particular emphasis." State. HEW officials said the impact on the racial distribution of students would be greater if the location was moved to N.C. A&T.

Since replying to HEW, the University system has learned that the NAACP Legal Defense Fund, Inc. filed a court motion Aug I which if accepted, would require HEW to enforce stricter desegregation measures at the consolidated university.

The motion against HEW mentioned seven other state-supported schools but specifically cited the North Carolina system as having done little to encourage desegregation.

If the motion is accepted it would, in effect, require each school in the University system to match the racial mix of the graduating high school classes in North Carolina.

After learning of the court motion, Friday said Wednesday, "There is no doubt that the (HEW) office of civil rights and the legal One of the main concerns of the report was defense fund have singled out North

Bayliss candidate for alderman seat

Chapel Hill attorney William H. Bayliss the community announced Wednesday he will be a candidate for the Board of Aldermen in the Aldermen can help to maintain Chapel Hill Nov. 4 municipal elections. Before moving to Chapel Hill in 1970, Bayliss, 53, served two terms as a city commissioner from 1963 to 1967 in Kalamazoo, Mich. "The problems of town governments are fundamentally the same as in Kalamazoo," Bayliss said, "but the facts and circumstances differ from community to community and require individual solutions."

But Holmes denied that HEW has singled out North Carolina. "No, I don't think that we've done that," he said. "We are only trying to assure that the type of delays that have occured will not continue."

The first draft of the complete desegregation plan will be ready for internal discussion by Dec. 1, Friday said, adding that it will hopefully be ready for presentation to HEW early next year.

"A good deal of the plan is already finished," he said. He said the principle part of the work yet to be done concerns the improvement of the five predominantly black schools of the 16-school system.

Friday had said before Thursday's meeting that the session with HEW might be the first in a series held to help resolve the differences between HEW and the consolidated university. But after the meeting he said "I don't anticipate hearing from them again in the near future."



by Vernon Loeb Staff Writer

Dorothy Bernholz, a Chapel Hill resident and 1975 graduate of North Carolina Central University Law School, was selected Thursday as the UNC student legal aid attorney by the Student Government Council Selection Committee after three weeks of deliberation.

Bernholz will become a salaried member of the UNC student body provided the Campus Governing Council approves, and the N.C. attorney general renders a favorable opinion on the legality of Student Government hiring an attorney. She will receive \$12,000 a year.

"The very fact that students have an attorney working on their behalf will possibly change the way their problems are being dealt with," Bernholz said after being informed of the decision.

Bernholz, who is on the North Carolina Civil Liberties Union board of directors, graduated from UNC in 1963 with a degree in political science and worked as a social worker in this area until she entered law school in 1972.

"The reason I went back to law school," Bernholz said, "was because as a social worker, I learned that things got done faster when people knew they were talking to a lawyer."

After graduation from UNC, Bernholz worked for a Ford Foundation anti-poverty program based in Durham, and from 1970 to 1972 she was a community organizer for the Chapel Hill-Carrboro school system.

Most recently, she was a part-time lecturer in the UNC School of Social Work. "All of my jobs as a community organizer

were under federal grants, so I've worked with university administrators and know many of them on a first name basis," she

"I have lots of ideas about the job but I haven't had a chance to spout them off to Bill Bates yet," Bernholz said. "I'd rather not talk about them until I talk with him on Monday."

Bates said Bernholz was chosen to represent the student body because she is enthusiastic about the role while having had the experience of setting up her husband's legal office in 1968. She is married to Steven Bernholz, an attorney with the Chapel Hill law firm of Winston, Coleman and Bernholz.

The selection committee was also impressed by Bernholz' conception of the job, Bates said. "Mrs. Bernholz sees her role to be largely that of a legal advisor and negotiator rather than just that of a litigator," he added.

If the state attorney general allows Student Government to hire an attorney, Bates said Bernholz should be able to represent the student body within ten days. Previous legal opinions held by the Attorney General's Office maintain that it is illegal for a state agency, such as Student Government, to hire outside legal counsel. The Attorney General's Office represents all state agencies.

However, CGC recently passed a bill prohibiting the student counsel from suing the University or any other agency of the state, hoping this stipulation would change the attorney general's opinions and enable Student Government to hire counsel.

A decision from the attorney general could come as early as next week.

"We are concerned that there is not any further delay, and that the processes to enhance the predominantly black institutions are soon under way."

Friday said he and HEW reached a better understanding about what is required in

He said if Chapel Hill's town manager form of government is to work effectively, the town manager must be allowed to make day-to-day decisions "with a minimum of interference from the aldermen and the mayor.

Bayliss said the aldermen and the mayor should work with the town manager and, at the same time, be responsive to the needs of

"As for long-range planning, the Board of in such a way that those who graduate and leave this year will be proud of the appearance of the community, when they return in 15 years," Bayliss said.

An Army Air Force pilot during World War II, Bayliss received his undergraduate degree in biochemical sciences from Harvard University after the war. He holds an M.B.A. from Columbia University and completed his law degree at Duke University in 1973.

In Kalamazoo, Bayliss worked as director of public affairs for the Upjohn Company. He was admitted to the North Carolina bar in 1972, while still a Duke University law student. In Chapel Hill, he has served as chairperson of the Lake Forest Association, has worked with the Boy Scouts and is a member of the Chapel Hill Rotary Club. -Richard Whittle

composed of student body presidents and their staff members from the 16 campuses of the University of North Carolina, will begin a three-day workshop today, Student Body President Bill Bates, secretary-general of the NCASG, announced.

The workshop is intended to orient the student government officials to the general administration of the consolidated university and the North Carolina legislative system.

The group will hold panel discussions and hear speakers on topics including residency requirement problems, the voter registration drive and an upcoming bond referendum on government funding for University system projects.

Speakers will include Board of Governors Chairperson William A. Dees Jr. and consolidated university President William C. Friday.

Besse must run in recall election CGC speaker charged with misrepresentation

by Nancy Mattox Staff Writer

A recall election involving Campus Governing Council (CGC) Speaker Dan Besse will be held Monday in District VIII, which includes Aycock, Cobb, Everett, Graham, Lewis and Stacy dormitories.

The recall, charging Besse with misrepresenting his district, was initiated earlier this week by residents of Stacy and Graham. By Wednesday, approximately 150 students - 15 per cent of his constituency had signed recall petitions to recall Besse from the district.

Although no one has officially filed to oppose Besse in Monday's election, Stacy resident Bill Long said Thursday night that he is collecting signatures to place his name

CGA issue.

The recall petitions were circulated by Graham dorm president Maurice Shepherd at the request of two dorm residents. Shepherd refused to name the students.

Shepherd also set up a meeting last Monday night in Cobb between Besse and his constituents.

on the ballot.

Students contended at the meeting that Besse misrepresented his district by voting for a Student Government appropriation for the Carolina Gay Association (CGA) last spring. Residents charged that Besse had failed to consult his constituents on the matter.

Besse said that, 'according to his recollection, he was the only CGC member at the time who held a public meeting on the

The real issue involves the interpretation

of representation, not the CGA, Besse said. "I believe that representatives must act in good conscience, which does not always mean taking the most popular positions. I felt that I have tried to decide what will be the best for my district," Besse said.

Cobb resident Ginger Douglas, present at Monday's meeting, said Besse's moral feelings should not be concerned when he represents the public.

Of the ten students attending Monday's meeting, Besse said three approached him after the discussion withdrawing their support of the recall move. One resident offered to work for Besse's reelection. Besse also said he was disturbed by an

article in Thursday's edition of the new weekly newspaper Carolina.

In the article titled "District approves Besse recall," the paper stated that Besse had spent four hours Monday night "talking around the four or five issues that were brought to him."

Besse said he was given no opportunity to respond to the newspaper's charges and was seriously misquoted on a number of occasions. He called the article a "collection of anonymous (complaints) and inaccurate back-stabbing. I don't know who those people were but I wish they had come to me with their complaints first."

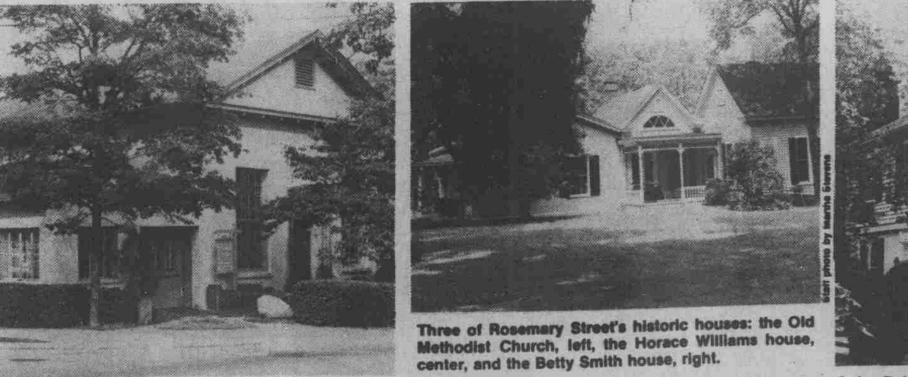
Residents of Lewis, Aycock, Graham and Stacy can vote Monday in the Everett lounge while Cobb residents can vote in the Cobb lounge.

Rosemary St.—from history to controversy

by Linda Lowe **Staff Writer**

In the early 1800's, Rosemary Street was the back lane of the village, where not too much happened. But now the neighborhood and its history are involved in two controversies: the state Department of Transportation's thoroughfare plan and fraternity-sorority expansion.

The Department of Transportation (DOT) has proposed that by 1995 Rosemary Street east of Henderson Street be widened #



Franklin and Rosemary streets would go through the Horace Williams House. The officials now say the road will cut through the property, but not the house itself.

Preservation Society president Preston said the society will fight the proposed road. in the courts if necessary. "You can't just isolate a building from its environment and say you've saved a building," she said.

The widening of the road will damage the beauty of other historic buildings on Rosemary, Roger Foushee, former president of the Chapel Hill Historical Society, said Tuesday.

Because Rosemary Street is so narrow, he aid the DU house might have to be moved. other houses' porches removed and the Betty Smith house's lawn shortened. Richard Lamberton, owner of the Smith house, said he and most of his neighbors oppose the thoroughfare plan. It will decrease property values and speed the commercialization of the area, he said. Planning Director Jennings said the 8foot widening of Rosemary on both sides probably will not touch any historic buildings. But the pavement will extend over the sidewalk to the old stone walls along the street, causing some trees to be removed, he said.

to three lanes and extended to Franklin Street near Park Place. In the plan, Rosemary and Franklin would be paired, one-way streets.

Town Planning Director Mike Jennings recommended to the transportation department last Friday that Rosemary Street be excluded from the thoroughfare. plan.

Jennings will make another recommendation Tuesday to the Planning Board on whether to rezone East Rosemary, Street to prevent further fraternity-sorority house construction or expansion. But he refused to say what his recommendation would be.

The Board of Aldermen will reconsider the rezoning request Oct. 20.

If Rosemary Street is widened or if it is not rezoned, its historical atmosphere could be. harmed, Nancy Preston, president of the Chapel Hill Preservation Society, said Wednesday.

Most of East Rosemary Street lies in the Chapel Hill Historic District recorded in the

Department of Interior's National Register of Historic Places.

The street was named in the 1800's supposedly after two residents at opposite ends of the street: Lady Rose and Lady Mary. In 1865, the federal troops occupying Chapel Hill encamped there.

Several buildings on Rosemary date from the early 19th century:

 Old Methodist Church (1853), 201 East Rosemary: Once used as a garage and now as an office building, this structure was the first Methodist church in Chapel Hill. Its Greek revival architecture is similar to that of Playmakers' Theatre. The New York,

architect, Alexander Jackson Davis, may have designed both buildings.

• Huskey House (1830's), 215 East Rosemary: The village blacksmith, John Huskey, lived here from about 1879 to 1920. Huskey is believed to have helped W.C. Coker plant the UNC Arboretum. The boxwoods in front of the house are between. 75 and 100 years old.

• Betty Smith House (1840's), 315 East Rosemary: The University probably built this house for Isaac Collier as payment for' overseeing the Old East and Old West additions. Betty Smith, author of A Tree Grows in Brooklyn, bought the house in. 1944.

Martin-Dey House (pre-Civil War), 401 |

East Rosemary: Now part of the Delta Upsilon fraternity house, this structure was first owned by Dr. William P. Mallette, who ran the student infirmary, called The Retreat. He sold the house for \$871 in the

1870's to the Rev. Joseph Bonaparte Martin. Martin was a Methodist circuit rider, and his wife, Clara, ran a boarding house forstudents. One of her boarders was Josephus Daniels, later Secretary of the Navy under Woodrow Wilson.

· Horace Williams House (pre-Civil War), 610 East Rosemary: The house was built by Benjamin S. Hedrick, the only professor ever expelled from the University for his political views. Hedrick constructed it around a hexagonal room, because he

believed the bee's honeycomb cell was the strongest structure in nature.

The house's most famous inhabitant was Horace Williams, a free-thinking UNC professor of philosophy from 1900 to 1940. One of Williams' many famous students, Thomas Wolfe, wrote of him: "We boys didn't know what the Old Man taught, and we didn't give a damn. He taught us to think and that was enough." Wolfe later made Williams a major character in his first novel, Look Homeward Angel.

Restoration of the house by the Chapel Hill Preservation Society should be completed by the end of the year.

In August, transportation department officials said the proposed road connecting

The transportation department has not considered the history of the area in its earlier plans, Jennings said. The department's final plan will be released in two to three weeks, and he said Rosemary probably will not be excluded from it, as he. recommended.

But the transportation department and .

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