

Weather
Today: Mostly sunny. High 73. Low 45.
Wednesday: Sunny. High in the 70s.
Low in the 40s.

**Limousines and cakes
pad twins' pockets** — Page 4

**Student Congress
candidates tell all** — Page 5

**Minority Career
Fair**
Student Union

The Daily Tar Heel

Serving the students and the University community since 1893

Volume 94, Issue 76

Tuesday, October 7, 1986

Chapel Hill, North Carolina

News/Sports/Arts 962-0245
Business/Advertising 962-1163

Fordham rules out Hassel's proposal on appointments

By RACHEL ORR
Staff Writer

Chancellor Christopher Fordham rejected Student Body President Bryan Hassel's proposal Monday to make Student Government nominations to chancellor and vice chancellor committees direct appointments.

Fordham said the proposal undermined his authority over the committees, which were ultimately the chancellor's responsibility not Student Government's.

"I've given very careful thought to what he's proposed, but I do have to meet my responsibilities," Fordham said. "If you weaken the office of chancellor... you may do the University a disservice."

Hassel submitted the proposal to Fordham after his nomination of Marty Leary to the Food Service Advisory Committee was rejected mid-September.

Under the current system, all nominations to the committees must be approved by either Fordham, Donald Boulton, vice chancellor and dean of Student Affairs, or Farris Womack, vice chancellor for business and finance.

Hassel said after the meeting he was upset with Fordham's rejection of the proposal. "When it comes down to a simple issue (like committee membership selection) they're not going to give," he said.

But Fordham said he thought the appointment process could be improved without the adoption of Hassel's proposal.

He said he proposed that the student body president nominate one and a half times the number of students needed for each committee. Only students from this list would be appointed.

"I think it's a fair proposal that would formalize and institutionalize the student body president's role," Fordham said.

But Hassel said Fordham's proposal doesn't really change the situation that much. "I prefer the current way because it makes the University explain its choices," he said.

Although Fordham and Hassel disagreed about how members of the committees should be chosen, both said the procedure needed to be clarified in writing.

Fordham said he hoped to document soon the student appointment procedure and to restate the faculty appointment procedure at the same time.

Hassel said the current system places limits on student participation in University issues because officials can choose only to select students with conforming viewpoints.

The nomination system now used lowers the quality of the committees, he said, because the chancellor and vice chancellor do not personally review or interview the people they select.

Hassel said Fordham's decision also disregards the opinion of several student leaders who endorsed the change in a letter Hassel wrote to Fordham last week. The leaders were: Ray Jones, Residence Hall Association president; Jeannie Mitchell, Carolina Union Activities Board president; Mark Pavao, Carolina Athletic Association president; Camille Roddy, Black Student Movement president; Mary Scholl, Campus Y co-president; and Jaye Sitton, Student Congress speaker.

However, Fordham said he told Hassel he would be glad to meet with the group that signed the letter to explain his position.

He said although the discussion over the committee appointment process stems from disagreement, it is healthy because it makes the committees more visible, and may therefore spur an increase in student involvement.

Fordham said that if he didn't care about student participation in the committees it would have been unnecessary for him to even take a stand on the issue.

Fordham and Hassel said their future working relationship would be unaffected by their differing opinions over the appointment procedure.

"We sort of had to agree that we disagreed," Fordham said.



Student leaders meet with administrators to discuss methods for maintaining order on Franklin Street

Halloween to test crowd control

By TERESA KRIEGSMAN
Staff Writer

Halloween night will provide the first opportunity to test proposals for controlling crowds on Franklin Street, according to a committee of student leaders and administration officials.

The committee was formed to discuss ways to prevent events like the Aug. 31 takeover of Franklin Street from reoccurring.

Responding to a letter from Jeffrey Smiley, co-president of the Graduate and Professional Student Federation, the committee decided to monitor the various events planned for Halloween to see if students would attend organized on-campus celebrations and to determine whether violent, destructive behavior would diminish when crowds were more dispersed and organized.

Smiley's letter to the committee stated that "... Halloween is a very popular night in Chapel Hill. Thousands of people crowd the sidewalks on Franklin Street and many spill over onto campus and the surrounding areas.

While this particular situation is usually not volatile, several factors will make this year's Halloween uniquely eventful: 1)

Halloween night will be on Friday night this year; 2) it will be the first weekend for students returning to town after fall break; 3) it will precede the home football game against Maryland; and 4) there is the continuing possibility of further displays of contempt for the new drinking laws."

The committee proposed using a pep rally, haunted house and costume contest to keep students on-campus.

Mark Pavao, president of the Carolina Athletic Association, said a pep rally was planned for the Friday night before the UNC-Maryland football game. He said the focus of the rally would be a band and, if the event was held on Ehringhaus field, a bonfire might also be planned. Last week's pep rally drew about 500 people.

Ray Jones, Resident Hall Association president, said he would suggest to the president of Mangum Residence Hall that their annual haunted house be held on Friday night.

Alex Dickey, Carolina Union Activities Board Social Committee chairman, said the social committee was planning to sponsor two costume contests Halloween night. He said about 400 people attended last year's contest.

Boulton said Halloween would give the committee a chance to determine whether multiple on-campus events could keep uncontrollable crowds off Franklin Street.

"This is an opportunity to test some of the things we've been talking about," he said. "Here is an event that could be planned to see how we can do these things. Then we can go to the town and the merchants and say, 'Yes, we've tried it.'"

Charles Shook, Inter-Fraternity Council president, said he was concerned that the Town of Chapel Hill would enact an ordinance restricting crowds on Franklin Street before the committee could propose its own solutions.

Boulton said he thought the town council would wait for the committee's proposals before passing any ordinances.

Attending the meeting were: Kathleen Benzaquin, assistant dean of students; Boulton; Richard Colven; Dickey; Bryan Hassel, student body president; Jones; Jeannie Mitchell, Carolina Union Activities Board president; Pavao; Frederic Schroeder Jr., dean of students; Shook; and Jaye Sitton, speaker of the student congress.

Chief justice hopeful Exum criticizes opposition's tactics

By RACHEL STIFFLER
Staff Writer

James Exum, Democratic candidate for chief justice of the N.C. Supreme Court, questioned Monday the tactics used by a group backing Republican Chief Justice Rhoda Billings, his opponent in the Nov. 4 election.

"(Citizens for a Conservative Court) is trying to defeat me and other Democratic candidates largely on the basis of zeroing in on one issue: in my case, my vote in death penalty cases," he said during a speech to about 30 law students and faculty in Van Hecke-Wettach Hall.

Exum, who served as associate justice of the N.C. Supreme Court from 1975 until September of this year, said the group has exaggerated the difference between his position on the death penalty and that of Billings, who was appointed by Gov. Jim Martin last month when Chief Justice Joseph Branch retired.

"Both of us have recognized that

whatever our personal views are, we still have a duty to follow the laws (regarding the death penalty) that our state legislature has passed," Exum said. "They (the CCC) have alluded to statements I've made in the past that I am personally opposed to the death penalty... but I have voted to sustain it in a number of cases."

He said the CCC has oversimplified and publicized instances in which he overturned the death penalty. In some of those cases, he said he simply requested hearings to review sentences of questionable legality on which he and the other justices had disagreed.

"It's not the fact of the vote that counts... What counts is why I voted that way," he said. "The CCC never bothers to say what legal reasons I had for the vote."

He said the fact that the group is capitalizing on his unpopular decisions may deter judges from making impartial decisions in the

future. "If the CCC succeeds in defeating me by these tactics... our judges might wonder if they should decide cases by the law or by what will be politically expedient," Exum said. "That's the real danger."

Voters should concentrate on electing justices who will judge cases impartially instead of aiming to elect a conservative or liberal court, Exum said.

He said one of his main concerns is the efficiency of the state court system.

"I've done a lot of experimentation to find ways to get the most out of our courtroom time," he said, giving an example of an inefficiency that could be eliminated as the two or three days many jurors waste waiting for a trial to begin.

Improving the accuracy of the jury instruction given by judges during trials and forming committees that would solve disputes and reduce the amount of litigation brought to trial



James Exum

are other examples of eliminating courtroom inefficiency, he said.

Exum cited his many years of experience as a judge in North Carolina as evidence of his qualifications for the position of chief justice. In addition to his 11 years as associate justice of the N.C. Supreme Court, he was a judge in N.C. Superior Court from 1967 to 1974 and served in a private practice in Greensboro from 1961 to 1967.

Doctors diagnosed Stanback as having idiopathic cardiomyopathy, an inexplicable weakening of the heart muscle, a hospital spokesman said.

Bias said Thursday that the patient was expected to remain in the intensive care unit for three or four days. It is unknown whether or not that schedule is being kept.

John M. Armitage and Dale N. Payne, both former doctors at the University of Pittsburgh's Presbyterian University Hospital, headed the eight-person team that performed the operation.

The hospital decided in January 1985 to start up a transplant program and assigned Armitage and Payne to their head positions in July. Someone from outside the NCMH community donated Stanback's transplanted heart, Bias said. Of the 12 residents from North Carolina who received transplants, all but one are still alive.

Duke Medical Center doctors have performed three since April 22, a representative said.

Ex-UNC student caught at Duke after sighting tip

By NANCY HARRINGTON
Staff Writer

A former UNC student who had eluded police on campus after accidentally being released from the Durham County Jail was apprehended Saturday, police said.

James Alexander Deese of Chesterfield, N.J., the former student, is now being held in the Durham County Jail on a \$20,000 bond for Orange County, according to Durham County police.

He was apprehended by Duke University public safety officers at 5:48 p.m. Saturday, after receiving a tip that Deese was on the Duke campus, according to Sgt. Paul Dumas, Duke Public Safety director.

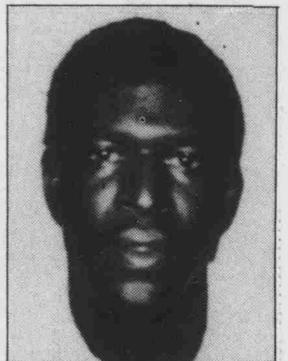
"One of our people spotted him in the central campus housing area," Dumas said. "He ran, but was quickly caught."

According to Sgt. R.L. Porreca of the UNC police, Deese was first seen at a store on Duke's campus. It had been reported earlier that Deese was carrying a .45-caliber handgun, but according to Porreca, he was not armed when caught.

Deese will be transported to the Orange County Jail to face charges on possession of stolen property later this week, according to Cpl. L. Briggs of the Durham County Police Department.

Deese was released from the Durham County Jail last week after charges previously filed against him in Durham were settled. Durham County police were unaware that Orange County authorities had been searching for him.

Deese will face charges by UNC



James Alexander Deese

police on three counts of possession of stolen property and resisting arrest.

UNC police had chased Deese through various UNC residence halls last Friday, after a man fitting Deese's description was spotted in Davis Library.

Sgt. Ned Comar of the UNC police said people who reported seeing Deese on campus aided in his arrest. This case should be an example to students who see suspicious people on campus and don't know whether to report them, he said.

"The police would like to be called so that we can take the appropriate steps," he said. "The caller does not have to identify himself. We just want to know if they see someone suspicious and what to expect when we arrive."

Transplant patient's condition improves

By SHEILA SIMMONS
Staff Writer

N.C. Carolina Memorial Hospital doctors upgraded the condition of the hospital's first heart transplant patient from serious to fair Monday, a hospital spokesman said.

Unofficially identified as 56-year-old Arthur Stanback of Raleigh, the patient had been listed in serious but stable condition Sunday after Thursday's four-and-a-half hour operation.

The family of Stanback, a former City Taxi Company driver in Raleigh, does not wish to give out information concerning the patient until he is out of the intensive care

unit, according to administrator Richard Bias.

Harrison J. Stanback, an uncle who had spoken briefly with reporters last week, was unavailable for comment.

Hospital public relations personnel declined to comment on the patient's welfare other than his upgraded condition.

As of Thursday, Stanback had indicated no signs of infection or complications, according to hospital administrator Richard Bias.

Stanback came off of his respirator Saturday afternoon and was being fed intravenously.

Doctors diagnosed Stanback as having idiopathic cardiomyopathy, an inexplicable weakening of the heart muscle, a hospital spokesman said.

Bias said Thursday that the patient was expected to remain in the intensive care unit for three or four days. It is unknown whether or not that schedule is being kept.

John M. Armitage and Dale N. Payne, both former doctors at the University of Pittsburgh's Presbyterian University Hospital, headed the eight-person team that performed the operation.

The hospital decided in January

The road to Hell is paved with good intentions. — Samuel Johnson