

**BOE**

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ulated when Democrat Britt Cobb conceded to Republican Steve Troxler. Only then was Troxler able to perch himself upon a tractor last Tuesday to take the reins of the agriculture department.

The delays in the race began when electronic voting machines in coastal Carteret County lost 4,438 ballots. The state does not have a means to produce paper trails when electronic votes are lost.

The N.C. State Board of Elections was set to rule on the case again before Cobb conceded. The board had previously ordered another statewide election, but a judge overturned the ruling, deeming it too costly.

Troxler attempted to have residents in Carteret County sign sworn affidavits affirming their votes for him. But Cobb decided to forgo his appeals to prevent those affidavits from being used and setting what he said would be a dangerous precedent.

"I firmly believe that affidavits should not be in the electoral process," he said. "The problem needs to be addressed and solved."

Cobb criticized the partisan Board of Elections for not deciding the race sooner and for dragging it out for three months.

"The partisanship got into it," he said. "The two Republicans would not vote to do what the law says."

But the nature of politics cannot be ignored in these cases, said

Jack Fleer, professor of political science at Wake Forest University. Partisanship can be minimized but not removed.

"Each side favored different endings. That's what politics is about. They might lose some credibility."

Schorr Johnson, spokesman for the N.C. Democratic Party, said the board was faced with a thankless task in trying to decide the race's outcome.

"It's not the board as much as it was an unfair election," he said. "There are problems with electronic voting."

**Education stalemate**

The race for state superintendent has bounced between various courts and the Board of Elections to no avail. In dispute is the validity of 11,310 provisional ballots that were cast in the wrong precincts, which is against state law.

The state Supreme Court on Feb. 4 ruled that those voters were allowed to vote improperly and sent the case back to a Wake County judge to determine how to fix the vote total.

Republican Bill Fletcher trails Democrat June Atkinson by about 8,500 votes out of about 3 million cast. If, after the disputed ballots are thrown out, Atkinson's lead shrinks to less than 4,438 — the number of ballots lost in Carteret County — a new statewide election might be necessary.

Democrats have grumbled that the Supreme Court justices who

ruled on the case, all Republicans, were playing partisan politics. But their ruling states that it is imperative that the court follow state law and not party lines.

"The overriding issue that has been thrust upon this court in the present case, and the concern of this court, is not the ultimate outcome of the two elections involved," stated a ruling by Republican Justice George Wainwright.

"Rather, the sole issue and concern for this court in this matter is whether these two elections were conducted in accord with the will of the people of North Carolina, as expressed by them in their constitution and in their statutes as enacted by their representatives."

Democratic legislators — led by Sen. Dan Clodfelter of Mecklenburg County and their Senate leader, Tony Rand — have filed a bill opposing the court's ruling.

The proposal would set up a procedure to decide disputed contests and would make the law retroactive to 2004 to include the superintendent's race.

The complexities of state law are to blame for the delay in the race as much as partisan politics, Fleer said.

"There should be some efforts to try to clarify the situation. There were two reasonable interpretations of the law and the (state) constitution."

Fleer added that the court would be justified in dismissing the votes because that is what the law dictates.

"With a mobile society, people should know where to vote," he said. "The law has to be followed."

But the latest twist in the disputed race is undemocratic to one pundit.

Ferrel Guillory, director of UNC's Program on Southern Politics, Media and Public Life, said throwing away ballots should outrage voters.

"I find it a very distressing development," he said. "This ought to concern people."

Guillory said the court had to follow the written law. But the N.C. General Assembly's clear intent was to make sure all North Carolinians' votes were counted when using provisional ballots, he said.

The N.C. Republican Party applauded the court's ruling.

"The state's highest court has met its responsibility to say what the law is, and North Carolina's law does not permit out-of-precinct provisional ballots to be counted," stated Ferrel Blount, party chairman, in a press release.

Johnson, for his part, said that people voted in good faith at the direction of election officials and that the votes should count.

"They were told it's OK to vote," he said.

"There is nothing underhanded going on here. It is a dark day for democracy in North Carolina."

Contact the State & National Editor at [stntdesk@unc.edu](mailto:stntdesk@unc.edu).

**LAW**

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men are both working part time."

"Mr. Jeff Foushee and Mr. Bill McCauley, they were the successful black men because they had been chosen," said Valerie Foushee, a county commissioner and Jeff Foushee's granddaughter-in-law. "They said they sent people looking for good, decent black men (when they were integrating the police)."

"I don't know if they went to find two, or if they only found two."

Stan Foushee, Carrboro's fire marshal and Jeff Foushee's grandson, said his grandfather's reputation still lives on in the area. "People I work with now of the older generation knew him."

By 1954, two more black men joined the force, which rarely exceeded 14 in total size at the time.

One of those men was David Caldwell.

"He used to tell us about working at the station," David Caldwell Jr. said. "He and others had to clean the cells every day before work."

David Caldwell Jr., now a lieutenant in the Orange County Sheriff's Department with Sheriff Lindy Pendergrass, who worked with his father, said his father kept him and his three brothers out of most of the problems of the era.

"You go home, and you go to school. That's how it was," David Caldwell Jr. said.

David Caldwell Jr. said his father stayed with the department for about 15 years before he took a new job. His father had a lot of pride in his work, he added.

Interviewed in a 1956 Chapel Hill Weekly profile of the department's officers, David Caldwell said he was content with his position.

"They're a fine bunch of fellows to work with down here," he said. "They never doubt your word or anything, from the chief on down."

Stan Foushee said that his grandfather retired before the mid 1960s but that the job had already taken its toll on his body.

"Something happened at work one day, and he had a stroke," Stan Foushee said.

"Working during that time, it's not surprising," he added.

David Caldwell Jr. said he and his brothers used to find bloody bandages in the garbage can and assumed that their father had been involved

in something the night before.

"People looked up to them," Stan Foushee said of the black police officers. "But to my brothers and I, (Jeff Foushee) was just Poppa."

At the time of Jeff Foushee's retirement, there were at least two black police officers on the force.

Paul Minor and David Caldwell were with the department during 1963 and 1964 when, even in Chapel Hill, racial unrest escalated.

From August 1963 until July 1964, there were more than 500 arrests, according to a February 1964 bulletin in The Daily Tar Heel.

But even with the constant activity, Chapel Hill never saw as much violence as other areas.

"Police Chief (William Blake) got credit for protests not becoming as bad as places like Alabama," Jarvies said. Blake served as chief from 1958 to 1976.

Common arresting offenses included resisting arrest, trespassing and obstructing the sidewalk.

Ball typically was set at \$175, which now would be about \$1,000, according to the U.S. Department of Labor's inflation calculator.

During the trial of several demonstrators arrested for trespassing in 1964, District Solicitor Thomas Cooper commended Blake and the police department for the way they handled the demonstrations.

"Arresting them was just necessary to get them to go home," Valerie Foushee said.

Students at Lincoln High School, the area's black high school, orchestrated much of the activity. In a 1964 executive committee report from the students, the work of the police was recognized.

"We appreciate the cooperation of Chief Blake," the report states.

Aside from his efforts at integration, the police put in more than 400 overtime hours between December 1963 and February 1964, Chief Blake told The Chapel Hill Weekly.

David Caldwell Jr. said that even though it must have been hard for black officers to be on the arresting end during the civil rights movement, the department's integration was an enduring symbol of the era.

"People talked about the (men) who had been lifted," Valerie Foushee said. "But they just went about doing the business that they did."

Contact the City Editor at [citydesk@unc.edu](mailto:citydesk@unc.edu).

**PLATFORMS**

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in town politics.

"A single voting precinct has the largest potential for gain," Dearmin said.

The candidates' platforms were established after talking to people in the campus community and analyzing which issues they deemed important.

Ballard set up a core committee that was separated by interests,

whose members interviewed students and faculty about specific issues.

Dearmin said his staff brainstormed ideas after meeting with students to get a feel for what problems topped students' lists of concerns.

Yet some question the relevance of the nontraditional platform promises.

"Candidates seem to be looking to garner support from specific groups, like they are just out to get

votes," said Lindsey Ford, a junior from Lincolnton.

The hopefuls offer a combination of unusual promises and more traditional stances, but the candidates believe that a balance between the two is important.

"We don't only need to look at ourselves," Dearmin said, "but we need to look out for future Tar Heels down the road."

Contact the University Editor at [udesk@unc.edu](mailto:udesk@unc.edu).

**BOG**

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concerned about it, because as we pointed out (to the board), a legislative increase does not necessarily get rebated to the campuses."

Should the General Assembly impose a tuition hike, which would affect all students, the additional revenue could be appropriated to any program in the state budget.

"Education is the largest recipient of funding from the general fund, by far," said Sen. Richard Stevens, R-Wake, a member of the appropriations committee on higher education. "Any increase in revenue is going to go substantially to education."

UNC-CH would be unlikely to see much of that increased funding, Farris said, because the legislature tends to focus appropriations on enrollment growth, favoring fast-growing schools over the larger research institutions.

"I certainly hope the legislature does not raise tuition," he said. "If it does anything, the nongrowth institutions will get none of it."

Legislators in both chambers say it is far too early to predict the final budget outlook.

"We don't yet know what the bottom line is," said Sen. A.B. Swindell, D-Nash. "One place where I am not willing to scrape the bottom of the barrel is playing with the education of our students in North Carolina."

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**UNC**

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are advocating for the Board of Governors to consider campus-based increases on a case-by-case basis. They say the scope and quality of UNC-CH programs merit more funding.

"We have 16 universities in the system, and obviously they are not all equal and even," Schwab said. "Each one is very different, so I think it certainly has merit to look at that and consider that in the future."

Among its many strengths, UNC-CH must maintain its competitive status as a top research university to continue to serve the state, said Chancellor James Moeser during Friday's Faculty Council meeting.

To do this, he said, further funding is critical.

Without revenue from resident tuition hikes, the University is faced with searching for other sources of funding to fill the gap. The Carolina First campaign has garnered more than \$1.4 billion in its effort to secure stable support for the University through private funds.

But without more money, the University must consider corporate donations for research — funds that have been labeled "dirty money" in the past, Moeser said.

The shift in funding sources would mark a significant change for the University, which long has stood against corporate support.

Before making such decisions, trustees, along with other UNC-CH administrators, are on a campaign to reach out to North Carolinians and to make a case for the University.

A series of columns are appearing in newspapers throughout the state, justifying tuition increases as well as the University's mission.

"At Carolina, we are committed to quality as well as accessibility and affordability," wrote Williams in Friday's edition of The Charlotte Observer. "Those traditions have characterized North Carolina's approach to public higher education from the university's beginnings. Continuing those traditions will produce the leaders our state needs in the future."

While the series of opinion pieces might not sway the system's governing board before their March meeting, many said the pieces illustrate the University's need and set the tone for future decisions.

"This is about protecting our most valuable resource," Moeser said. "And who benefits having a University such as this but the people of North Carolina."

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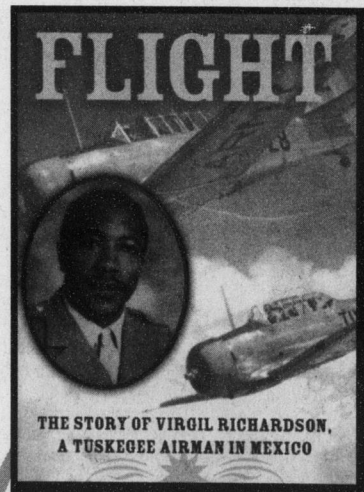
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**HOW TO WRITE AND EFFECTIVE RESUME:** Construct a draft of your resume with instruction from a UCS counselor. Wed. Feb. 16 3:30p 239B Hanes

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**Resume Writing Workshop—Feb. 16**

**Make the Most of Your Internship—Feb. 23**

**ENVIRONMENTAL CAREERS NETWORKING NIGHT:** Mingle with professionals who have experience working with environmental issues. Business casual attire is recommended. Thurs. Feb. 17 5:30p 239B Hanes

**SUMMER INTERNSHIP STIPENDS FOR NON PROFITS AND THE ARTS:** UCS is offering stipends of up to \$1,000 to support undergraduates who will be performing unpaid internships in Non Profits or the arts this summer. Students must be returning to UNC in the fall. Further information and applications are available at the UCS front desk. Applications are due by 5 pm on March 31, 2005.

**EMPLOYER PRESENTATIONS**

**Newell Rubbermaid—Feb. 15—6-7p—239B Hanes**

**Stanford Summer Institute—Feb. 17—6:30-7:30p—105 Gardner**

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