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The Speaker Ban: III

By HUGH STEVENS

(This is the last in a three-part series concerning the history of the speaker ban bill passed by the 1963 N. C. General Assembly.)

As July melted into August, the speaker ban controversy melted into the so-called "basic issue" of "Communists" and "non-Communists." There were cries of "Keep the Red Rats Out" from the bill's supporters and "Don't Take Away Academic Freedom" from those who opposed it.

In the offices of college officials the bill was lamented, in the state papers it was blasted, and in American Legion meetings it was virtually worshipped.

But throughout the confusion and the name-calling, there were those who saw the picture clearly, those who did not fall for the "Communism - is-the-real-issue" bait. They saw the bill as a deviation from the history of the University as a citadel of the right to hear speak and to listen. To them, the bill was filled with good intentions but it was poor legislation, and it had to go.

In opposing HB 1395, these people took the logical first step of examining the bill closely. They found the speaker ban law to be a rather soggy piece of legislation shot through with ambiguities and loopholes.

Legal Twists

For example, Section 1 denies speaking facilities to anyone who "is a known communist or the Communist Party." The question that the bill's opponents asked was "Which Communist Party?" All evidence so far suggests that the bill will be interpreted as meaning ANY Communist party, anywhere.

The same section bans those persons from speaking who are "known to advocate the over-

throw of the constitution of the United States or the State of North Carolina." The words "by force and violence" normally attached to such a phrase do NOT appear, with only the term "overthrow" left to suggest subversion or illegality.

The question asked by dissenters from the bill concerned the connotation of the word "known." Did it mean COMMONLY known, known to the government, or what?

The first section also prohibits persons from speaking who have pleaded the Fifth Amendment of the U. S. Constitution at any time. Legally, however, the Fifth Amendment, as such, can ONLY be used in a federal investigation and not in a state.

Finally, opponents of the law pointed out that no penalties are provided for in the event the law might be violated.

All these legal implications are readily apparent to the layman upon a simple reading of the bill, and represent only the major legal loopholes uncovered by attorneys.

Scott Blasts Law
State Senator Ralph Scott pointed out in a speech to the American Legion in Raleigh last month that under the law Fidel Castro could speak on state-supported college campuses, and Adolph Hitler would also have qualified. "Castro has said he is not a member of the Communist Party," Scott said, "and he has not violated any of the other provisions."

In addition to the technical criticisms of the law, there were other attacks leveled by its opponents.

Among the criticisms was one which said the bill was unnecessary, calling attention to General Statute 14-11 of 1941. This law says "it shall be unlawful for . . . any institution supported in whole or in part by state funds to be

used by any person for the purpose of advocating, advising or teaching a doctrine that the government . . . should be overthrown by force, violence, or any other unlawful means." Critics said this law makes HB 1395 superfluous.

Another attack was based on the large burden of enforcement placed on the Trustees of the University.

It was also pointed out that (Continued on Page Three)

Mrs. Taylor Named To Head Relations Group

The Mayor's Committee on Human Relations elected Mrs. Margaret Taylor as its new chairman Thursday.

Mrs. Taylor, the wife of University history professor George V. Taylor, replaces the Rev. Loren Mead as chairman. Mr. Mead resigned to spend a year in England. He leaves Chapel Hill tomorrow.

The committee also installed two new members, Dean Henry Brandis of the University School of Law, and Warren Wicker of the Institute of Government. One vacancy on the committee has been filled by an appointment from Mayor Sandy McClamroch. However, the appointee has not yet accepted.

The committee heard a report that its open letter urging closer communications between Town civic groups and civil rights leaders had drawn one response. Mr. Mead said the Junior Service League had requested speakers from integration groups. The committee decided to send more letters.

In other business the committee discussed but took no formal action on public accommodations ordinances and received a reply from Stanford Brookshire of Charlotte, chairman of the North Carolina Mayor's Cooperating Committee. Mr. Brookshire said in reply to the committee's request for help and suggestions that his committee had very little information available at present.

FRAT ALUMNI TO MEET

The Piedmont Carolina Alumnae Club of Kappa Kappa Gamma Fraternity will hold its annual Founders Day Banquet Thursday, October 10.

The dinner will be at 6 p.m. in the Garden Room of Schrafft's Country Club Inn on the Durham-Chapel Hill Boulevard.

Any interested Alumnae in the area are asked to contact Miss Frances C. Patton before tomorrow for further information and reservations.

Fred Colclen of Washington, D. C., national organizational director of YAF will be present. State officers and directors will be elected and a constitution adopted.

The film, "A Generation Awakens" will be shown. The UNC Chapter will begin a membership drive this week in Y Court and Lenoir Hall.

"The YAF group here has already been very active in toning down the ultra-liberalism of the campus," said chairman, Clyde Wilson.

"We still have important work to do in organizing the latent conservatism of the students and making sure the University gives an equal hearing to conservative views. Most important we have to begin organizing now for a Goldwater victory in 1964."

"We are planning several good speakers to bring the conservative message to the campus this fall," Wilson said.

The UNC chapter was organized in the spring of 1962.

ELISHA MITCHELL SOCIETY
Dr. S. Y. Tyree, professor of Chemistry at the University, will be guest speaker at the 586th meeting of the Elisha Mitchell Scientific Society on Tuesday, Oct. 8, at 7:30 p.m. in room 265, Phillips Hall.

His topic will be "Compound Formation by the Rare Gases." Dr. Tyree received his B. S. and Ph.D. degrees from the Massachusetts Institute of Technology. He joined the UNC faculty in 1946 and has been professor of chemistry since 1958.

Heard Is Installed At Vandy

Cites Civil Rights As Greatest Problem

Dr. George Alexander Heard pinpointed civil rights for Negroes as the most important issues in the nation at his formal installation Friday as chancellor of Vanderbilt University.

Heard, 45-year-old former dean of the Graduate School here, is Vanderbilt's fifth chancellor since the institution was founded 90 years ago.

"For our country," he said, "the most tenacious and important issue of our time is the struggle of American Negroes for fuller freedom. I am proud to follow the leadership of Vanderbilt Board of Trust in its voluntary decisions, taken before my time, that qualified students shall be admissible to all of Vanderbilt's schools without regard to race or creed."

"And it goes without saying that all students are treated alike by Vanderbilt, without regard to race or creed. The university is now the central thinking institution of our society—more an explorer, more an inventor, more an interpreter, and more concerned with the outcome and the meaning of it all."

"Beyond these, the university is also the ultimate wellspring of educational advance at many levels, for many purposes, all about the globe. The watchword of the future everywhere is education—education in how to read and write, education in technical skills, education in professional competencies, education in the arts and science of government, education in a richer inner life, education of every kind . . . Everywhere on our planet education is marching. At the head of the procession is the inquiring university," he said.

UNC-YAF To Attend State Meet

A delegation from the UNC Young Americans for Freedom will attend a meeting to create a state-wide organization for the conservative group today in Durham.

Delegates are also expected from Duke University, Davidson and Catawba Colleges and Aberdeen High School.

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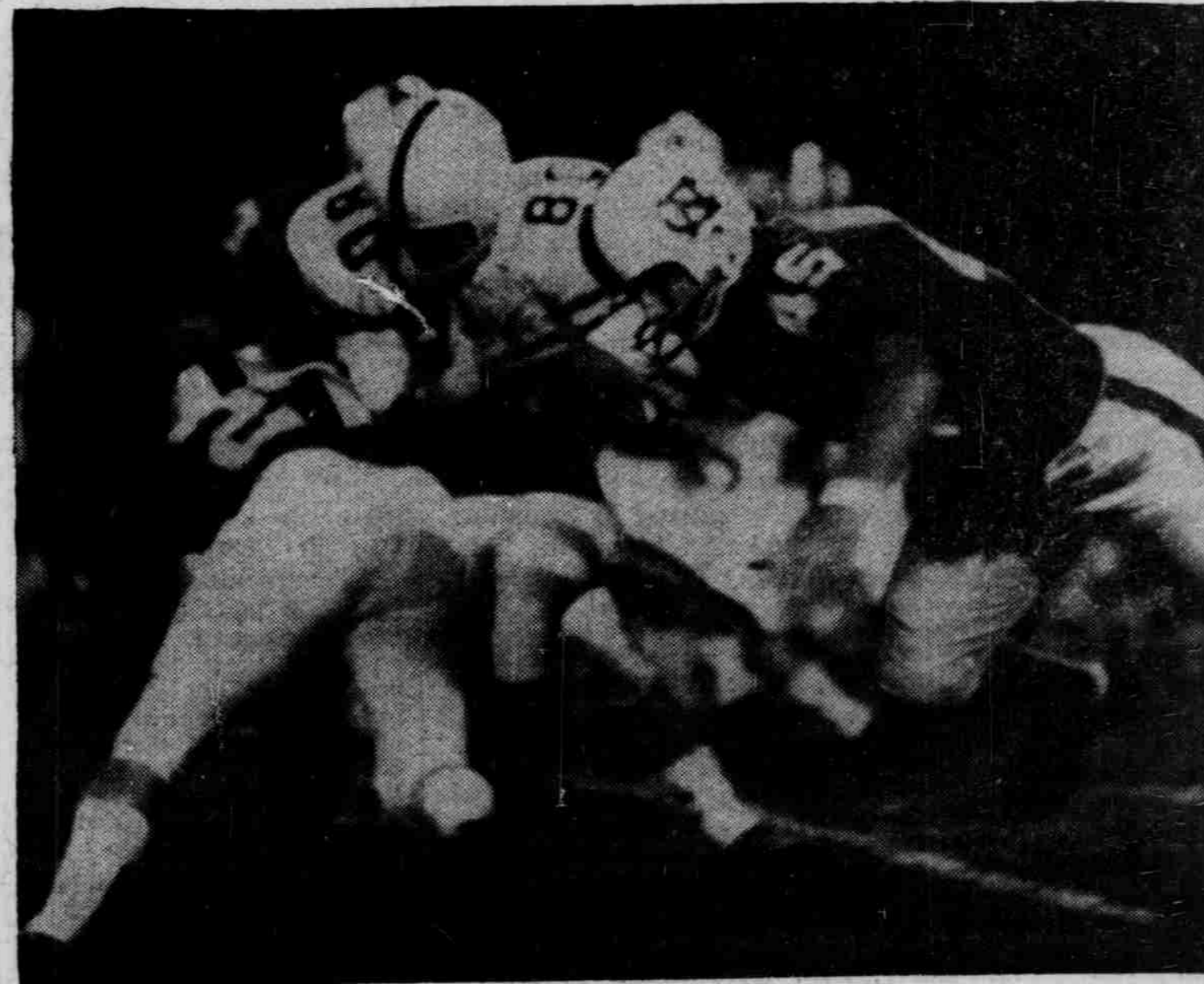
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Carolina Wins Second; Shuts Out Wake, 21-0



Wake End Jim Tejeck Sandwiched By UNC Defenders

UNC defensive backs Ronnie Jackson (27) and Eddie Kesler (45) move in to stop Demon Deacon flanker in first half action of last night's ACC game. Play was one of only four completed passes

made by Wake Forest all evening as Carolina handed the Deacons their 13th consecutive loss on a 21-0 shutout.

—Photo by Jim Wallace

Edge, Black Guide Heels To 3 Scores

By JOHN MONTAGUE
WINSTON-SALEM, — Using a 72-yard touchdown pass from Junior Edge to Ronnie Jackson as the igniting spark, UNC finally pulled out the choke on its offensive machine and sped to a 21-0 victory over inept Wake Forest here Saturday night.

Coach Jim Hickey's Tar Heels, who have been something less than spectacular in their offensive effort in recent years, rolled up a total of 436 yards, handing the hapless Deacons their 13th consecutive setback, a new school record.

With Eddie Kesler banging off the tackles for 83 yards and Edge and Garry Black hitting five dif-

UNC	WAKE	
16	First downs	7
268	Yards rushing	88
168	Yards passing	4
10-19	Passes Comp.	6-23
1	Passes Inter.	2
6-38.7	Punting	10-41.3
72	Yds. penalized	53
1	Fumbles Lost	0

UNC 0 7 7 7-21
WF 0 0 0 0-0
Scoring: Carolina — Edge 1
UNC—Edge 1 run (Braine kick)
UNC—Jackson 72 pass from Edge (Braine kick)
UNC—Atherton 6 pass from Black (Braine kick)
Attendance: 12,000

ferent receivers for a total of ten completions, the Tar Heels netted 268 yards on the ground and 168 more through the air. Despite the impressive totals, UNC looked sluggish through most of the first half and held only a 7-0 advantage at intermission.

But everything changed when, on the second play after taking the second-half kickoff, Edge faked a handoff to Ken Willard at the UNC 23, looked downhill and found Jackson all alone in back of the Deacon secondary. Edge's lofty aerial was taken by the Rocky Mount speedster on the WF 40 and he zipped unmolested to paydirt.

Dave Braine booted his second of three conversions, and UNC led 14-0.

For the next ten minutes, neither team threatened but UNC was on the march as the third period ended.

With a first and 16 on his own five, Black picked up 13 yards on a keeper play and two plays later used the same device for a 22-yard gain, placing the ball on the UNC 42 as the third quarter ended.

Hickey put his first unit in the game to open the final frame, and Edge responded with a keeper of his own good for 24 yards. Kesler rammed up the middle for three, and a 12-yard swing pass from Edge to Willard gave the Heels a first and ten on the Wake 19.

But a 15-yard holding penalty stalled the drive and an interception by Wally Bridwell, his second of the night, ended the march altogether at the Wake 26.

Moments later, another UNC threat failed to materialize into a score as the Heels were stopped on downs on the Wake 27.

When the Deacons couldn't move the ball from here, Karl Sweetan, who averaged 41.3 yards on 10 punts, booted the ball to Ron Tuthill who made a fair catch on his own 25.

This is when Junior Black and sophomore end John Atherton got together and moved UNC to its third and final TD of the chilly evening. Black threw to Atherton for a 16-yard gain to the Wake 38, and, after Tuthill twisted for eight yards, Black hit his sophomore receiver again for a nine-yard gain to the 21.

A personal foul against Wake on the next play moved the Heels to the nine. Black ran for three (Continued on Page 4)

Senator Warren Lashes Gag Law

By MICKEY BLACKWELL
State senator Lindsay Warren Jr. said Saturday that the General Assembly made a grave mistake when it passed the controversial gag-law.

"There was little opportunity to consider the bill," the Goldsboro senator said. "It was brought in, the rules were suspended, and it was made into a law. No one had time to examine the implications of the bill and no one had a chance to discuss it."

"This was indeed a bad way to legislate," Warren said. "And as a result, the University is going to be denied the opportunity to hear many people speak on various subjects."

Warren made his views known on the bill in an interview here Saturday. He is a member of the 17-man committee that met Saturday to consider the first steps in choosing a successor to retiring Chancellor William B. Aycock.

Warren continued with his views on the gag-law.

The effects of "legislation of this type is similar to what the Russians do when they won't let Americans speak in their country," he said.

Warren expressed hope that the law would be repealed at some future date, but he said it probably wouldn't be in the upcoming special session of the Assembly.

"This session will be limited to the re-districting problem," Warren said. "If repeal of the gag-law is brought up, then lots

of local legislation will be presented and the line just has to be drawn somewhere.

"But," he continued, "it will most certainly come up during the 1965 session of the General Assembly."

Warren has been mentioned as a possible campaign manager for gubernatorial hopeful L. Richardson Preyer. "That's only a rumor," Warren said. "Anyway, I'm not in a position to manage his campaign." Warren has a private law practice and is chairman of the N. C. Courts Commission.



WORLD NEWS BRIEFS

Jonas Declines Draft Movement

WASHINGTON (UPI) — Rep. Charles Raper Jonas (R-N. C.) asked Saturday that a campaign to draft him as a Republican candidate for governor of North Carolina be discontinued.

Jonas said he had not been consulted about the campaign and that he had learned of it only from news reports.

"While I greatly appreciate the interest and good intentions of my friends in starting 'Draft Jonas' movements," he said, "I must respectfully ask that they be discontinued."

Jonas said he had promised

Protests May Be Resumed

BIRMINGHAM, Ala. (UPI) — A Negro leader said Saturday his people may resume massive racial demonstrations without waiting for the findings of President Kennedy's two racial troubleshooters.

The two presidential representatives, Kenneth Royal and Earl

Blaik, concluded their fact-finding mission here Friday and said they would report to the White House "within a few days."

"We will not necessarily wait for the report," said the Rev. A. D. King, brother of Dr. Martin Luther King Jr., head of the Southern Christian Leadership Conference (SCLC).