

A PERFECT ENDING FOR OLD EMERSON

Record Crowd Watches UNC Finish Undeclared

Haywood Throttles Devils, 5-2

By LARRY TARLETON
Fourteen in a row!
It couldn't be done, but the Tar Heels did it yesterday. Coach Walt Rabb's ACC champs came roaring from behind with four runs in the sixth and rode the relief pitching of Bill Haywood to a 5-2 win over the upstart Duke Blue Devils.

home for Carolina, but first baseman Bill Brown came up with the big hit—a single through the box that scored two runs in the sixth. Haywood came in for starter Beattie Leonard in the second and went the rest of the way without allowing a Blue Devil to cross the plate. The victory closed out the ACC season for the Tar Heels.

They play Southern Conference opponents Davidson and Virginia Tech this weekend then take an exam break before the District III tournament which begins in Gastonia on May 28. The Heels will meet the at-large team (probably Memphis State) at 10:30 a.m. on the 28th to begin the double elimination tourney. The Duke victory ran Carolina's record to 20-5 overall, and 14-0 in the conference. Except for the disastrous Florida trip, the Tar Heels could boast a 20-2 record. They lost to Florida State twice, 9-0 and 17-3, and to Mississippi State, 3-2 on the trip. The other two losses came at the hands of the Camp Lejeune Marines, 4-3, and to Wake Forest in a charity game played at Asheboro, 11-5.

The win over the Blue Devils was the tenth straight for the surging Tar Heels. The last loss was the Wake Forest game.

The record crowd of an estimated 4000 stared in amazement as Duke hurler Jay Hopkins set down the first 15 Tar Heel batters. But when Fleming led off the sixth with his second homer of the season, the Tar Heels came to life and the Blue Devils collapsed.

Fleming caught hold of Hopkins' first offering and lifted it high and far into left field. Left fielder Biff Bracy took off with the crack of the bat, jumped, got his glove on the ball, flipped over the fence and dropped the ball. Fleming hesitated at second base, but umpire Joe Mills gave the circular motion with his right hand, and the little third baseman came trotting home. Loud protests from the Blue Devils only brought hoots from the crowd, and the Tar



Haywood Goes Up, Duke Goes Down
—Photo by Jim Wallace.

'Twas A Storybook Ending For That Mass Of Concrete

By PETE GAMMONS
No, Bill Haywood isn't as old as the mass of concrete that is Emerson Stadium. But despite that discouraging revelation to story tellers, his last home game and Emerson's last game draw quite a parallel.

Haywood was invincible again yesterday, running his record to 9-0. His home career closed out in tremendous fashion, which all the more seemed to symbolize the end of the old stadium's career, which dates back to 1916.

Four thousand fans went wild when Haywood forced Stan Crisson to fly out for the last out to finish an undefeated conference season. But they went even wilder when Dick Fleming hit his homer. Sonny Odom added to the screaming throngs by racing in to home umpire Joe Mills from right field

to question whether Biff Bracy had caught the ball in the left field corner. Two errors, an errant throw, and Bill Brown's single made the walls of the ancient park rock like never before. The fans were kept amused throughout the game by certain players who earned themselves Oscars. Gary Black won one under the "Best Stunt Acting," by catching every fly hit at him off his shoetops.

Jim Speight won the "Sadist" award for laughing when the Blue Devils kicked around Dickie Prindle's grounder for the tying run, then stepped up and lined a long double to left center. Two Duke players won awards. Bucky Fader won the "Most Cooperative" trophy for getting picked off second base with no one out in the ninth, and the tying run at the plate. Crisson won the Highest Mize award for acting with his impersonation of an elephant around the first

base bag. Haywood's career wasn't the only great one to close out in glory, for Speight and Brown were co-stars along with the "veteran" right hander. It was only appropriate that all those careers, especially Emerson's, should end on a perfect note.

TODAY ON WUNC RADIO

6:00 The Dinner Hour —
6:45 Lerni Deutsch
6:55 News
7:00 Special Broadcast — Speech of Justice Agranat: "Administration of Criminal Justice in Israel."
8:00 Masterwork —
10:00 News
10:15 Hillside Jazz with Frost Branon and All His Friends — Frost Branon, retiring station manager of WUNC, will host one last big program before graduation. Sometime after 1 a.m.—Sign off



One/Thousandeth Of The Throng
—Photo by Jim Wallace.

Old East Decides To Dine At Pines

By FRED SEELY

Over strong protests from a small faction within the Residence Hall, Old East voted Tuesday night to hold its annual banquet tonight at the Pines Restaurant.

It will be the first banquet at the segregated restaurant since Alpha Tau Omega fraternity held a dinner early in the semester.

Reports yesterday indicated that several members of the Hall, including YMCA president Rick Edwards, would picket the banquet.

The final vote on the decision was 44-14 in favor of the Pines over the Zoom-Zoom and La Piz-za. Earlier in the week the Hall's Executive Committee had voted 6-2 in favor of the Pines. Dissenting voters were Whit Joyner and Mal King.

"We held the Hall meeting to give the integrationist faction a chance to air their views," president Doug Kelly said yesterday. "All that was needed was the vote of the Executive Committee, but several people approached me and threatened letters to the DTH and picketing

if it were held at the Pines. "I called a Hall meeting in an effort to let them be heard, and they were beaten. The Pines gave us the best price."

The banquet is apparently not a violation of the Student Government constitution, which forbids the use of SG funds in segregated establishments. There are no Negro students in Old East, and, according to Kelly, "the Pines would not have been considered if there had been."

Kelly estimated there would be at least 50 Hall members at the banquet. Old East has 90 residents.

"We will definitely have the banquet, unless somehow it is declared an abrogation of the student constitution," Kelly commented.

CORRECTION

Mike Lawler did not say "the University should dictate policy to them" in reference to social fraternities as quoted in yesterday's DTH.

Due to typographical error, the word "not" after "should" was omitted.

No Poll!

Constitutional Council Decides Against Campus Boycott Poll

By HUGH STEVENS

The Constitutional Council ruled Tuesday evening that the "student poll" on the boycott issue set for Friday is "unconstitutional." The decision will postpone indefinitely any type of student vote on the civil rights question.

The Council's verdict was returned after a lengthy session at which the principals on both sides gave prepared statements and were questioned by the Council.

Basing its decision on the defini-

tion of "referendum" as it is referred to in the Constitution, the Council said the poll is "clearly a referendum with all the implications of a referendum."

Under the Constitution, a referendum must be conducted by the Elections Board. In making its decision, the Council indicated that the proposed "poll" had "definite official overtones." It noted in a statement which appears on this page that such "official" overtones are the primary factor in differing be-

tween the proposed poll and other types of polls. Arthur Hays, SP legislator, and John Randall, former legislator, led the fight to have the bill declared unconstitutional. They stated that the "poll" was nothing but a referendum in disguise, and therefore in violation of the Constitution.

The proponents of the measure, including SP Legislator Dick Akers, Vice-President Don Carson, and UP Legislator Mal King, based their argument on the legal definitions of "poll" versus "referendum." They claimed that intent, not method, separated the two, and that a poll which had no direct bearing on legislation could be conducted in any manner, even through the use of ballot boxes.

They further attempted to prove that the Communications Committee had a definite right to conduct such a "poll."

The Constitutional Council, composed of seven representatives of the Men's and Women's Councils, is empowered by the Constitution to rule on the legality of any legislative act or executive order.

Backers Of Poll Issue Statements

Three members of the pro-poll faction of student government yesterday issued statements concerning the decision of the Constitutional Council Tuesday night. Clark Crampton, chairman of the Communications Committee; Dick Akers, Student Party legislator and former Treasurer of the Student Body; and Don Carson, Vice-President of the Student Body released the statements yesterday.

plete lack of common sense or of propriety.

I feel that the students of this campus will join me in denouncing this action to deny them their rights for what it is: a petty move by petty individuals at the expense of the welfare of the Student Body.

PETE WALES' STATEMENT

(Editor's Note: This is the statement of Pete Wales, chairman of the Constitutional Council. It is his report to the President of the Student Body on the hearing on the Boycott Poll/Referendum Tuesday night.)

The business before the Constitutional Council in their hearing Tuesday night was to decide whether or not the proposed "poll" on the student boycott scheduled for Friday was in fact a poll or a referendum according to the Student Constitution's implied definition of referendum.

If the Council were to decide that this "poll" is in fact a referendum, then it would be unconstitutional since all referendums must be handled by the Elections Board and may not be conducted during a University examination period. The Law School has part of their examinations scheduled for this Friday.

If the Council were to decide that the proposed "poll" is not a referendum under our Constitution, then the Communications Committee would be free to conduct a poll Friday or any other time in any way they pleased.

In its decision, the Council differentiated between the terms poll, referendum and review. Both a referendum and a review fall under the broader definition of the word poll and are specific types of polls.

A review is defined in the Student Constitution as "a ballot on any act of the Student Legislature." This implies a campus-wide vote supporting or contradicting an act passed by legislature. The outcome of such a vote would be binding on the legislature pertaining directly to the act in question.

In defining the term referendum, the Council interpreted the Constitution as differentiating between this and a review. We inferred from the Constitution that the term referendum was to be a broader term than review.

Differentiating between a referendum and a poll, we further interpreted the definition of a referendum in our Constitution as being a campus-wide ballot on an official measure of the Student Legislature, held for the purpose of ascertaining campus opinion on an issue within said official measure and having no binding effect on the legislature.

Thus a referendum may be held on any issue contained in a legislative act or resolution. Legislative action may result from the outcome of such a vote, but it is not mandatory.

A poll may be held by any executive committee or any other person or persons which uses the methods employed by the Elections Board so long as it does not poll the participants directly on some official legislative measure and thus has no official overtones to it. Polls of various types are often valuable in determining campus opinion and may lead to legislative action, but they do not refer a legislative action directly to all students in an elections procedure.

In this particular case, there were definite official overtones to the poll. The questions on the ballot referred to a resolution of Student Legislature on a student boycott, and were drawn up in legislature and not by the Communications Committee. The Council considered it to be clearly a referendum with all the implications of a referendum.

The Council voted six to one that the proposed poll was in fact a referendum and therefore unconstitutional. The one dissenting member felt that there was no difference implied by the Constitution between a referendum and a review. This member felt further that the proposed poll was not of an official nature in that it had no binding effect on the legislature.

Hoffman Receives '64 Peace Award Tonite At Carroll

Paul G. Hoffman, managing director of the United Nations Special Fund, will receive the American Freedom Association's 1964 World Peace Award at public ceremonies at the University here tonight at 8 o'clock at the Carroll Hall Auditorium.

Gov. Terry Sanford will present the award to Mr. Hoffman, former administrator of the Marshall Plan, former president of the Ford Foundation, and former president of the Studebaker Corp.

Dr. Frank P. Graham, U.N. mediator and former president of the Consolidated University, will introduce Gov. Sanford.

Presiding over the ceremonies will be Dr. Robert H. Spiro Jr., dean of Mercer University, Macon, Ga., and president of the American Freedom Association, Inc., which maintains its national headquarters at Salisbury.

The award presentation culminates sessions of a United Nations Seminar to be held here at Carroll Hall beginning at 3 p.m. today.



Looking Down On The Field Where Things Were Looking Up For The Tar Heels
—Photo by Jim Wallace