

# The Daily Tar Heel

The South's Largest College Newspaper

**Weather**  
Generally fair and somewhat cooler today. Highs 65 to 75. Thursday fair to partly cloudy with moderate temperatures.

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CHAPEL HILL NORTH CAROLINA WEDNESDAY, OCTOBER 13, 1965

Founded February 23, 1893.

## Circumstantial Evidence Is Not Enough Jurors Say

**By ED FREAKLEY**  
DTH Staff Writer  
HILLSBOROUGH — Four more jurors were selected yesterday in the retrial of Frank Joseph Rinaldi, charged with the murder of his wife in 1963. Two of the new jurors told the court they could not convict the 36-year-old former UNC graduate instructor on circumstantial evidence.

Rinaldi was convicted last Nov. 18 on a chain of circumstantial evidence presented by the state. The jury recommended mercy which in North Carolina carries an automatic life sentence.

The State Supreme Court later granted Rinaldi a new trial on the grounds that first trial Judge Raymond Mallard had admitted prejudicial and incompetent evidence.

The venire of 59 prospective jurors was exhausted by the state and defense at mid-afternoon.

Mrs. William C. Friday, wife of the president of the Consolidated University, was excused by the state during the morning session.

She stated that she was "nervous as a cat." She also told the court she did not want to sit on the jury because "my husband would not like for me to serve."

Mrs. Friday said she was opposed to capital punishment.

The state used its fifth of six challenges in removing jurors to reject Mrs. Friday. Several others were rejected for this reason. Many were turned down because they said they had formed an opinion on the case and did not feel they could render a just verdict.

Solicitor Thomas D. Cooper Jr. has said he will seek another first degree conviction. Cooper is assisted by Hillsborough lawyer Robert Satterfield, who is serving "as a personal favor" to Cooper.

**Rinaldi Defense**

Rinaldi's defense is headed by Barry T. Winston. Winston is assisted by Gordon Battle, who worked with him at the trial last year, and Victor Bryant Sr. of Durham, a UNC trustee.

There were only a handful of about 26 spectators in court yesterday, and most of them were part of the original venire.

**New Venire Called**

Judge George M. Fountain, presiding over the special session of Orange County Criminal Court, recessed the court at 3:10 directed a special venire of 125 to be selected to report this morning at 9:30. Three jurors and an alternate must still be chosen.

Court officials immediately began selecting the special venire.

Rinaldi is accused of killing his four-month pregnant wife in their Chapel Hill apartment on Christmas Eve, 1963.

She was found dead with a scarf knotted about her head and she had been beaten about the face.

He and his wife, Lucille, 34, had been married since July, 1963. They had been childhood sweethearts at Waterbury, Conn.

**Jurors Selected**

The two jurors chosen yesterday who said they could not convict a man on circumstantial evidence alone are Vater J. Johnson, a Negro janitor here at the University, and Edward McPherson, a Hillsborough mason contractor. Both made the statement after being approved by the state.

The other jurors seated Tuesday were E. M. Fowler, a printer who works in Durham and resides in Chapel Hill, and William D. Dorsett, an Efland sales manager for the Curtis Breeding Co.

The five jurors seated Monday include Bruce DeGraffenreid, a Negro worker here at the University; Mrs. Nina Wallace of Chapel Hill, wife of an assistant professor at N. C. State; William Hogan, Chapel Hill dairy farmer; Lee Crabtree, Cedar Grove farmer; and Donald E. Stewart, the Chapel Hill architect who designed Carmichael Auditorium.

**In Courtroom**

The parents of Mrs. Rinaldi sat at the front of the courtroom. Rinaldi's father and brother sat directly behind him.

## UNC Had First Semper Fidelis

UNC has the distinction of having the alpha chapter of the Semper Fidelis Society, an organization founded to further the interests of the Marine Corps on college and university campuses.

The national society has begun here Oct. 9, 1962 and in the past 13 years has spread to all parts of the country. Semper Fidelis chapters are now located on 51 campuses.

The group meets the first Tuesday in each month. At these meetings the Marine Corps' role in the modern military institution is discussed. The meetings feature guest speakers, films and other training aids.

The big social event of the year falls on Nov. 10 — the Corps' birthday.

Persons interested in finding out more about the Semper Fidelis Society may contact Bill Hatch (966-5248) or John Lovell (968-9156).



ONE OF THE cars damaged in yesterday's accident on E. Franklin St. is being towed away. Chapel Hill policemen supervise the activity as a small crowd watches. Five automobiles were involved in the accident.

## Five Autos Collide On Franklin St.

A stuck gas pedal triggered a five-car accident on E. Franklin St. yesterday afternoon about 3:30. No one was hurt, but damage was extensive.

According to police reports, Mrs. Sally H. Frazier, 150 Hamilton Rd., was pulling out of a parking place near the Village Cafeteria into the east-bound traffic lane when her gas pedal stuck.

Police reported that she swerved into the west-bound lane, sideswiped two cars in the inside lane and struck a fourth in the outside lane. This car was knocked into a parked vehicle.

The two sideswiped cars, driven by Gilbert H. Godfrey, 201 N. Greensboro, Carrboro, and Kenneth C. Joyner, 114B Todd, Carrboro, were still operable after the accident.

Investigating Officer Victor Johnson of the Chapel Hill Police Department estimated that Mrs. Frazier's car was going 30-35 miles per hour when it struck a vehicle driven by Allen W. Markham. Markham's car was knocked into a parked car belonging to UNC student Jerry W. Butler.

Butler's car was parked about 150 feet from the spot where Mrs. Frazier had been parked.

**APO Rush**

Alpha Phi Omega National Service Fraternity will hold fall rush tonight and tomorrow night at 7:30 in the Morehead Planetarium Faculty Lounge.

All men, including freshmen, interested in service to the campus and community are invited. No formal invitation is necessary.

## Senate Abandons T-H Repeal Try

WASHINGTON (AP) — Senate Democratic Leader Mike Mansfield, D-Mont., yesterday shelved for this session the bill to revoke the power of the states to ban the union shop.

Mansfield told his colleagues that the unsuccessful attempt yesterday to invoke closure and shut off the debate had made it clear that he cannot get action on the bill at this time.

His action made it likely that Congress will be able to wind up the 1965 session shortly. Republican Leader Everett M. Dirksen of Illinois had said earlier it might be possible to adjourn by Oct. 23 if members buckle down.

In Monday's vote, supporters of the bill mustered only 45 senators for cloture as compared with 47 against. Thus it did not win even a majority although two-thirds was needed.

"In view of the margin of yesterday's vote, I no longer find myself looking through a glass darkly," Mansfield told the Senate.

"The image is clear, the Senate does not wish the leadership to press the attempt to take up 15B at this time."

The bill, passed by the House and urged by President Johnson, would repeal Section 14B of the Taft-Hartley Law.

That section permits the states to outlaw union shop contracts under which workers are required to join a union.

Dirksen, leading the opposition to repeal, said he will keep his supporters geared to oppose the measure in the new session starting in January.

**In The New Auditorium**

Comments ranged from "It's really cool" to "Wonder if they'll ever finish it?" But all-in-all, students seemed to radiate a great deal of pride yesterday as they walked into Carmichael Auditorium for the first time.

The occasion for the christening of the long-awaited edifice was Chancellor Paul F. Sharp's University Day address.

A crowd of about 4,000 people was on hand — and there was no scrambling for seats, a situation previously almost unknown to most UNC students.

The great orange beams which told the story of the coming building last spring were gone yesterday.

Cool Carolina blue covered the rafters as well as the nearly 9,000 seats.

Workmen had been careful to remove all their hammers and saws, but the rough main floor and partially constructed basketball goals told the story of more work to come.

Officials plan to have the auditorium completed before basketball season this year.

**DTH Photos By ERNEST ROBL**

## Sharp Asks State's Faith In University

**By ANDY MYERS**  
DTH Staff Writer

UNC sang itself happy birthday yesterday, for the 170th time.

Amid convocations and dedications, barbecues and fireworks, it was fitting that Chancellor Paul F. Sharp reaffirmed the University's faith in the student and asked for the State's faith in the University.

Although he never mentioned the Communist speaker ban law in his speech in the new Carmichael Auditorium, Sharp carefully drove in the point that the University "has passed the critical mass" stage, and to view it in the traditional sense is only confusing.

**"External Forces"**

Sharp said that "external forces would reduce the university to an indoctrination school or would create an atmosphere of ideological conformity."

However, he added, these forces "are neither overriding nor are they permanent."

"From time to time, they will have their brief day," he said, but "the university builds for eternity."

"Of all the revolutions of our age, the quiet intellectual revolution on the university campus, touching almost every field of thought as it does, is the most subtle and pervasive," he said.

**Harmon Speaks**

John Harmon, president of the senior class, spoke in behalf of the students. Referring to the crisis of the university and its threatened loss of accreditation, he said the students "are all sorely conscious of our present problems."

"Minorities always shout the loudest and always seem to be noticed first," Harmon said. "Let the silent majority raise its voice in support of our Chancellor."

"Remember, sir, it is our fight too . . . we beg you to enlist our help." Harmon received a loud ovation from fellow students for his short speech.

Sharp spoke to some 300 faculty members and almost 4,000 students and guests. President William Friday; William Snider, executive editor of the Greensboro Daily News; Professor Corydon P. Spruill; and Harmon, also spoke.

Speaking over live state-wide television, Sharp said the intellectual revolution is very difficult for the layman "and professionals alike" to interpret. For this reason, he appealed to the people of the state to exercise restraint to keep the University free.

**Public Pressure**

Changes in the University, Sharp said, "have left nearly all of us troubled and with a feeling of inadequacy. The general public around us is sorely confused since it tends to see the university in its older image as a small, compact institution, sensitive to public pressure and responsive to well-defined public needs."

"Thus the voice of the public rather plaintively asks, 'But don't we own the university?'" The legislators also ask, 'But don't we pay for the university?' And the trustees ask, 'Why can't we know what is happening?'"

Sharp said this confusion extends to the administration and the students. "The facts are," Sharp said, "that as long as we persist in thinking of the university in traditional, simple, and essentially rural terms most of us will remain bewildered and frustrated."

"The modern university, having passed through its critical mass stage, had developed a life of its own that must be respected by all of us if the university is to prosper." The people, the legislators, the trustees, the administration and the students all have the power to destroy the university, he said.

But we must ask, "Who has the power to energize, to build, to create and to interpret?" We ignore reality if we see the university in a traditional sense, Sharp said.

**"Vested Interests"**

He asked the political leaders of the state to use restraint in submitting to "intense" pressure from "vested interests." Otherwise, "we will surely surrender educational leadership and quality education to the private universities."

Sharp said much of the confusion stems from the "cultural mix and diversity of students and faculty on the campus." And that student concerns often sound "unfamiliar and even frightening to some."

He said "the gulf between the serious students and the Mickey Mousers was never wider." Some students, in their search for "the authentic" life and self-identity, are robbed of purposeful motivation and become "academic casualties."

To an observer these students are often frightening and unfamiliar, Sharp said. This leads to confusion in viewing the university.

**Search for "Authentic"**

Sharp added that it is not always best for the university to help release the "full potential" of every student in his quest for "the authentic."

"If a student's great potential is as a rascal, please excuse me from my obligation. What if his fullest potential is as a selfish, self-indulgent bigot?"

"He may have a high competence in his professional field, and even a great love

(Continued on Page 3)

## Phi Deltas Named Best Campus Frat

Phi Delta Theta social fraternity was named the best all around fraternity on campus for the year 1964-65 at a meeting of the Interfraternity Council Monday night.

Zeta Beta Tau, Delta Kappa Epsilon and Delta Upsilon fraternities were first, second and third runners up respectively in the competition.

The best fraternity trophy is presented to the house which accumulates the highest point total in academic and intramural athletic competition.

The IFC elected Lindsay Freeman, Dan Howe and Warren Willis to fill three vacancies on the IFC Court.

Two proposals redefining the status of inactive fraternity brothers were proposed at the meeting, and the body will vote on them next week.

Sterling Phillips of Beta Theta Pi proposed that inactives without minimum grade averages be allowed to eat and party at their fraternity houses and pay necessary house bills and assessments.

Neil Thomas of Kappa Sigma proposed that inactive rules be abolished altogether.

A suspension of the rules to consider the two proposals immediately failed to carry the necessary two-thirds majority of the body.

Ken Mann of Pi Lambda Phi moved that the IFC vote to extend to IFC Court members the power to fine any fraternity which plays its jute box loudly enough to disturb other houses on Sunday through Thursday nights.

Current IFC rules provide for the fining of houses only when the IFC receives complaints from the police or townspeople.

Vote on this proposal will also be held next week.

Fraternities planning rush parties over the holidays may send out invitations beginning Nov. 1.

The tentative date of Oct. 28 has been set for the annual fraternity highway clean-up day.

Pledges are sent to pick up trash along highways entering Chapel Hill.

## Junior Weekend

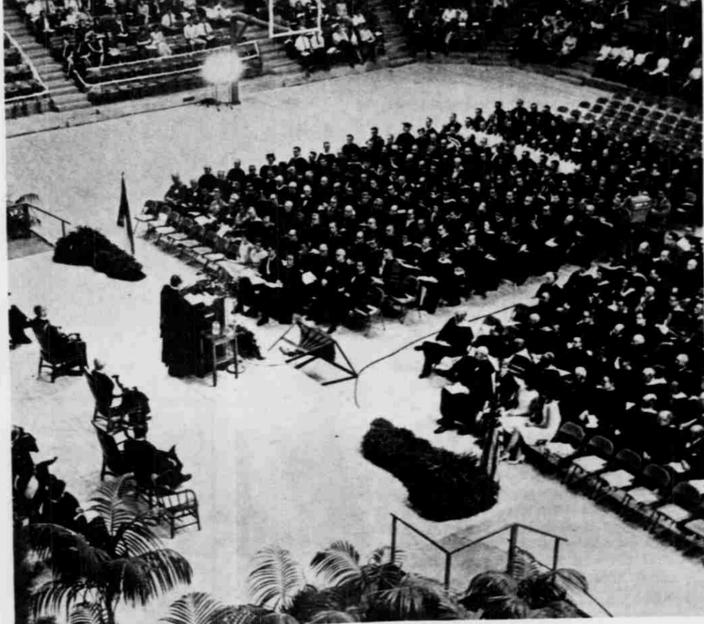
The entire campus is invited to combo parties Friday and Saturday nights when the Class of '67 holds its long-awaited Junior Weekend.

Sounds of the "Hysteries" will be heard Friday from 8 p.m. to midnight. Saturday the "Jets" will play from 8 to 12 p.m.

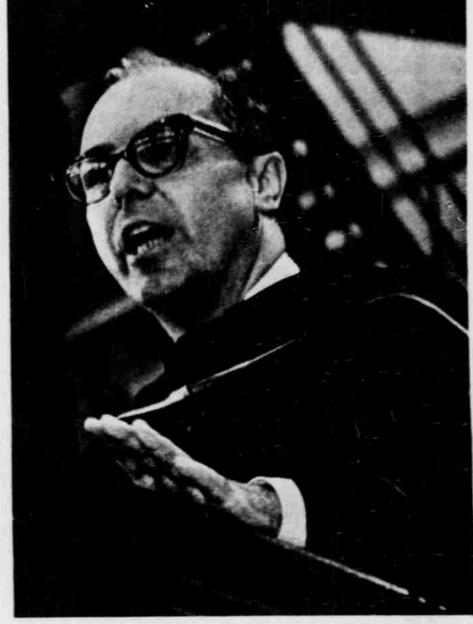
Both parties will be in the Naval Armory. No admission will be charged.



FROM BELL TOWER TO CARMICHAEL AUDITORIUM



CROWD OF 4,000 GATHERS FOR CONVOCATION



CHANCELLOR DELIVERS ADDRESS