

The Student Party will meet Sunday night at 8:00 in Gerrard Hall. All members and all those interested in becoming members are urged to attend. Elections will be held.

The Daily Tar Heel

77 Years of Editorial Freedom

CHAPEL HILL, NORTH CAROLINA, FRIDAY, OCTOBER 10, 1969

NICK HERE

Congressman Nick Gaifianakis will be on campus this morning to talk with constituents. He will be at the Post Office from 9:30 to 11:00 and at the Union until around noon.

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Legality Of Jeopardy Amendment Disputed

By BILL MILLER
DTH Staff Writer

"Students are free to do whatever they choose about student courts, but if they choose to say certain students are immune to trial in certain cases, this does not bind the faculty or the administration to that same immunity. And if they won't do it we will," Dean of Men James O. Cansler said in an interview Thursday.

Attempting to clear up the administration's views on double jeopardy, Cansler explained that the question was not "a violation of anyone's rights but the protection of everyone's."

He questioned the legality of the double jeopardy amendment, negated the possibility of an agreement on the amendment as it is presently written and allowed

for the creation of a special standards of student conduct committee by the University.

Cansler said the interests of the administration were derived from the fact that a student dwells in a multiplicity of environments. He is responsible for his actions in all of them. Cansler cited a reference in the 1968 edition of the Denver Law Journal authored by William VanAlstyne of Duke University, in which a hypothetical case is presented questioning the legality of the double jeopardy amendment.

In the example, a student rifles through his roommate's drawer and takes an item. He is subject to trial by the dorm council, by the college board, by municipal court for theft, by superior court for theft and by a federal court for charges of theft. He can receive

penalties from each court action.

"So one is not really talking about constitutional jeopardy," Cansler said. "From the legal standpoint, it is no violation of this to talk of multiple trials for the same offense."

Cansler added that he did not expect an agreement on the double jeopardy amendment as "it is presently constituted." "The question that we (the administration) are concerned with is the interests of the University."

"Students on charges in civil cases that would affect the University would have to be reviewed to see that the University's interests had been covered," he said.

"The University cannot be unaware of what is going on and it cannot just open up to negligence," Cansler

contended.

"This University has standards by which a student is admitted and it has standards by which he is allowed to remain here. Traditionally, we have exacted higher standards in some cases than outside society would, but there is no court of law that has ever said a university could not do this as long as it insures due process."

"It doesn't work in life to have low standards, so why here?" Cansler asked.

He added, "The University would not close its doors if the students in the judiciary pull out. That would be a tragic ending for something good that has gone on for 75 years. It would not mean the administration of justice would not go on. It must."



DTH Staff Photo by Tom Schnabel

DTH photographer Tom Schnabel stopped at St. Mary's College in Raleigh yesterday to take a picture of a student placidly studying on a window sill. But by the time he got there no one was left out.

Prepublication Viewings Sought

Leftist Sheets 'Concern' SBI

By RIP COHEN
Special to the DTH

Terming a pro-marijuana article a "bombshell" in one instance, and requesting 50 free copies of an underground newspaper in another, agents of both the State and Federal Bureaus of Investigation last week exhibited their organizations' growing concern with local left-wing publications.

Three SBI agents entered the offices of Mebane Enterprise publisher William Hinton Oct. 2 and requested a pre-publication viewing of the Jeweler's Loupe.

They made the comment concerning the marijuana article, said Hinton, and asked if he was going to delay publication of the newspaper until members of the Burlington School Board and community could review it.

Hinton replied that he had

no such intentions.

The newspaper is published by students from Walter William High School, scene of racial trouble in Burlington last spring.

According to Hinton, three FBI agents called on him Oct. 6 and requested 50 free copies of the Protean Radish and future rights to pre-publication viewing of the Radish and other "underground" papers.

In a telephone interview with the Tar Heel, Hinton said he received permission from the Radish and would mail the copies today to a Mebane address furnished him by the agents.

He suggested that the agents subscribe to the other papers if they wished to see them.

The FBI agents also asked where a Durham High School paper was being printed, according to Hinton, who told them he had no knowledge of the paper's printer.

Hinton described the six

agents as "very courteous," said they had done "no snooping," and that they explained they "were just trying to keep on top of things."

Charles Miller, senior resident agent of the Durham office of the FBI, refused to confirm or deny the incidents.

Miller told the Tar Heel, "I do not think that any comment is required at this time."

Neither Miller nor a spokesman at the FBI's Press Information Bureau in Washington would discuss the bureau's policy on such matters.

The spokesman said, however, that he would respond in writing to similar policy requests received in writing.

A spokesman at the FBI Charlotte office told the Duke Chronicle he had been in contact with Miller and the

bureau spokesman but said he had "nothing to add" to their statements, according to the Chronicle.

The Chronicle also contacted Haywood Starling, assistant director of field operations for the SBI in Raleigh, who "refused to acknowledge that the visit (of the three SBI agents) took place," according to the Duke paper.

Hinton, who publishes the Chronicle, said he gathered that the inquiries had been made so that "if the publications were going to cause any trouble they could be prepared for it."



Dean J. O. Cansler

Granville Senate Urges Resignation Of Cansler

By LENOX RAWLINGS
DTH Staff Writer

A resolution passed Wednesday night by the Granville Senate urges "the resignation of Dean of Men James O. Cansler."

Adopted by a 19-7 vote, the resolution charges Cansler acted with "misfeasance, malfeasance and breach of trust" when he allegedly told two students recently arrested on drug charges that they

would have to face student courts after appearing in civil court.

Cansler allegedly told the arrested students, Jon Graham and Frank Dworsky, they would have to face both student and civil courts on possession of narcotics charges.

The Granville Senate measure also blasted Cansler for indicating he will not accept the forthcoming double jeopardy amendment even if passed by students.

The resolution was introduced by Peter Howard. Granville Residence College Governor Michael Padrick did not sign it.

The body also urged support of the Oct. 14 double jeopardy amendment which says a student who has faced a civil court cannot be tried by

student courts unless his actions constitute a serious disruption of the academic process of the University.

The Senate also resolved that possession or use of drugs "is not considered" a disruptive practice.

Another successful measure stated "the judiciary shall not serve as an arm of the University."

Introduced by Van Evans, the resolution backed a Residence College Federation request for "dissolving the student courts" if the administration continues to "try students outside the student judiciary process."

By unanimous vote, the senate also urged support of the Oct. 15 Vietnam moratorium.

'Double Jeopardy' Bill Draws Approval Of RCF

By STEVE PLAISANCE
DTH Staff Writer

The most recent support for the "double jeopardy" proposal passed by the Student Legislature last Thursday came Wednesday from the Executive Council of the Residence College Federation (RCF).

A resolution, introduced by Granville Governor Mike Padrick, which passed unanimously, proposed that student courts "consider the possibility of self-dissolution if the administration brings to trial any student outside of the student judicial processes."

In support of SL's action on double jeopardy, the resolution stated: "The RCF hereby applauds the spirit of the double jeopardy amendment of last spring... as an indication of student desire, and endorses the Oct. 2 amendment due to a belief that student representation on all matters affecting the lives of students is essential."

The resolution denounced the University administration for "declaring student law null and void in cases that are in discrepancy with administration ruling."

RCF Co-chairman Richard Stevens said of the resolution: "The RCF supports the Oct. 2 amendment, feeling that students should be involved in decisions that affect their lives."

"We further hope that the Student Legislature will consider the question of drugs and the role of student courts in interpreting this amendment," he said.

"A great number of students consider drugs as a purely personal matter as long as transfer or sale is not involved," Padrick explained.

"This attitude should be expressed either by the Student Legislature or by the student body in a special referendum."

In another resolution concerning the Oct. 15

anti-war moratorium, the RCF voted to "conduct no residence college business" on that day "because of the belief that the Vietnamese war is an unjustified slaughter of American and Vietnamese citizens."

"My office will be closed, the meeting will be cancelled and no business will be conducted by the RCF on the 15th," said Stevens.

"I'll personally support the moratorium by not attending classes and will participate in many of the activities associated with the moratorium."

ISC Revamp Plan Scheduled for Monday

A general meeting to consider a plan for the restructuring of the International Student Center will be held at 8:30 p.m. on Monday, Oct. 13 in Room 202-204 of the Student Union.

A tentative plan for the ISC suggested by a committee of interested students will be voted on at this meeting. The plan calls for the co-chairmen of the ISC to be replaced by a 13-member board of directors

consisting of the chairmen of 11 new committees and the presidents of Carr Dorm and I-Floor of Connor. The treasurer of the ISC will also serve as an ex-officio member of the board.

This meeting is open to all foreign students and all Americans interested in participating in ISC activities this year.

Petitions Now Circulating Against War, Conscription

By AL THOMAS
DTH Staff Writer

Over 200 UNC students and faculty members have signed petitions against the military draft and the Vietnam war.

Buck Goldstein, a senior from Miami, Fla., and Chapel Hill coordinator for the Vietnam war moratorium, said Thursday three petitions are circulating on campus as part of the plans for the moratorium.

Goldstein said only one of the three petitions could possibly hold any legal

implications for the signer.

Circulating on blue paper, the possibly illegal petition says "We, the undersigned, therefore advise and encourage all men subject to the draft to refuse induction into the armed forces of the United States as long as the war continues."

This part, according to Goldstein, could be illegal although it has not been tested in the courts.

Goldstein said over 50 people have already signed the blue petition.

The other two petitions

include a "we won't go" statement for those who are draftable and a sympathy statement for those who are not draftable but side with conscientious draft objectors.

About 100 people have signed the "we won't go" petition and about 50 the one expressing sympathy.

"This (signing the petitions) is another way to express your feelings about the war in Vietnam and the draft," according to Goldstein.

"We had not planned to circulate the petitions until the day of the moratorium," he continued, "but we found many people anxious to sign before Oct. 15."

Goldstein said the drive for signatures is being reserved for the 15th when a nationwide stoppage of normal activity is being planned to protest the Vietnam war and to bring pressure on President Nixon to end the war faster.

The petitions, Goldstein said, are part of a local effort and are not connected with any petitions that might be circulating nationwide.

Friday In Washington

University President William C. Friday will be in Washington Friday for the annual meeting of the American Council on Education.

Friday is chairman of the nominating committee and will present its recommendations to the general body at the meeting.

ROTC Report Due For Oct. 31 Airing

The Committee on ROTC Accreditation of ROTC courses and programs is expected to report its findings to Dean of the College of Arts and Sciences Richard H. Dawson, Oct. 31.

In a letter to the DTH, George V. Taylor, committee chairman, stated, "The committee wishes to make it clear that it is still collecting and studying information and will begin deliberating the issue on which it is charged to report as soon as it has gathered and studied all the evidence it believes essential to a systematic consideration of the problem."

According to Dawson, last

spring the Arts and Sciences Advisory Committee decided to investigate the advisability of ROTC accreditation. With the recommendation of the administration board, Dawson appointed a student-faculty committee to study the problem.

"This is the first time we have looked into ROTC since 1957," Dawson said. "We felt it appropriate to re-open it."

Dawson explained that the Merzbacher Committee had considered ROTC accreditation in its investigation of General College reforms.

Dawson said, "We wanted to see how ROTC was related to the academic curriculum."

Police To Allow Anti-War March

Fayetteville police, according to UNC student Meg Rose, have granted permission for the anti-war march in Fayetteville.

March participants from Chapel Hill will meet in front of the Morehead parking lot at 11 a.m. Saturday.

The marchers will assemble at the Quaker House, 324 Ray Ave. in Fayetteville at 1 p.m., where they will be addressed by Donald Duncan, military editor of RAMPARTS magazine, and by Howard Levy, a former Army officer who refused to train Green Berets for service in Vietnam.

"We should not confine our efforts against the war to students," said Mrs. Rose. "The anti-war GI movement has grown to great proportions

and is beginning to have an effect on the policies of Army brass.

"GIs are potentially a more revolutionary force in today's society than are students. They have put something on the line for the movement, while students have hibernated in the isolation of universities."

"Anti-war students on this campus cannot, with a good conscience, participate in anti-war activity only on the 15th," Miss Rose explained, referring to the Vietnam moratorium scheduled for that day.

"We must make this a part of our lives. I hope that everyone who is sincerely involved in the moratorium will also march with us on Saturday," she added.



Tosan Krishna spreads the Holy Word to passers-by on Franklin Street.
DTH Photo By Cliff Kolovson