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Charges against Morgan supported



N.C. Training and Standards Council Director John Faircloth testifies (right photo) and (left photo) James R. Ladd consults with one of his attorneys, Robert Epling of Chapel Hill



Staff photos by Ted Matlin

State official testifies Morgan pressured him for campaign money

by Joel Brinkley
News Editor

Another state justice department official testified under oath Friday that he was pressured by former Attorney General Robert Morgan to contribute money to Morgan's U.S. Senate campaign, raising the possibility that Morgan could be prosecuted for perjury.

Morgan testified under oath Aug. 9 that he never solicited campaign contributions from anyone in the justice department, in response to James R. Ladd's sworn testimony that he was fired by Morgan for failing to contribute.

But John Faircloth, director of the N.C. Criminal Justice Training and Standards Council, said Friday that, as far as he knew, Ladd's charges were substantially correct, and that he, too, had been pressured by Morgan for money.

State Personnel Director Al Boyles said Aug. 22 that if a personnel board determined a witness committed perjury while testifying under oath, he could be prosecuted by the courts.

F.D. Hauser, chairman of Ladd's board, said after Friday's hearing he could not predict whether the board would recommend prosecuting anyone for perjury.

Morgan could not be reached for comment over the weekend. His campaign office was closed for Labor Day.

Ladd, former director of the North Carolina Justice Academy, was fired by Morgan June 3 and has appealed his dismissal to the State Personnel Board. Ladd is a 1969 UNC graduate.

His hearing was held in two parts, Aug. 9 and 29. The board is expected to announce its verdict early next week.

Morgan was being cross-examined by Ladd's lawyers when the Aug. 9 hearing ended. He said he would be happy to return when the hearing continued.

But instead, he sent a letter to the personnel board saying he would be unable

to attend.

The letter said, "It has become increasingly apparent to everyone that the real reason for these former justice department employees to pursue these hearings has little or no relevance to reinstating them in their former positions."

"Their allegations are patently spurious and, in my opinion, they are attempting to use the board and the hearings solely as a forum for expressing personal vindictiveness towards me."

At his Aug. 9 hearing, Ladd testified he had the following conversation with Morgan in the attorney general's office last May:

"I want to talk to you about loyalty," Ladd said Morgan told him. "I don't think you have been entirely loyal to me. You haven't contributed to my campaign and neither has anyone at the Academy. Now, I've worked my ass off to get you these high salaries, and I haven't seen any of it come back."

Morgan denied this conversation took place.

Faircloth testified Friday he had a similar conversation with Morgan in May. He said he complained to Morgan that one of his Training and Standards Council employees, John Baker, was so deeply involved in Morgan's campaign that he was neglecting his job.

Faircloth said that instead of responding to this complaint, Morgan berated him for not contributing.

"After my explanation of the problem with Mr. Baker," Faircloth testified, "Mr. Morgan said he was upset that he went to the General Assembly and got high salaries for some of us in the Department of Justice, and he then had to campaign all by himself—we did not contribute, we did not take part, and when someone tried to take part, like Mr. Baker, I apparently did everything I could to keep him from taking part."

"I don't contribute to anyone's campaign," Faircloth said he told Morgan. "I'm a professional law enforcement officer."

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Plaintiffs to appeal DTH suit

Paper's financial support ruled legal

by Kevin McCarthy
Managing Editor

A federal judge's ruling that the University may continue to collect mandatory student fees for support of the *Daily Tar Heel* will apparently be appealed.

Chief Judge Eugene A. Gordon of the U.S. Middle District Court at Greensboro ruled Thursday that subsidizing the *DTH* did not violate the constitutional rights of UNC students.

Robert L. Arrington, one of the four original plaintiffs, said Monday, "We have every intent of appealing."

Another plaintiff, George Blackburn, said

if the appeal is denied, "there are all sorts of avenues for us to pursue." Blackburn declined to be more specific.

The notice of appeal, Arrington said, should be filed within the next few days at the U.S. 4th Circuit Court of Appeals in Richmond, Va. by the plaintiff's attorney, Richard Bryan of West Jefferson.

"DTH co-editor Jim Cooper said Monday, "We would like to congratulate Judge Gordon on his wisdom. Naturally, we're disappointed that the plaintiffs seem to insist on pursuing the case by appealing it to a higher court. Such futile legal proceedings place an unnecessarily heavy financial burden on us, even as we are struggling to go

independent.

"We are doing our best to free ourselves from student fees, which seems to be the object of the plaintiffs."

DTH business manager Murray Pool estimated Monday the suit has cost the paper more than \$6,500.

Arrington said he did not care to disclose how much the plaintiffs spent on their case or where the money came from.

The four original plaintiffs, all former members of the conservative campus Young Republicans Club, said in the complaint filed July 25, 1972 that the use of funds from student fees requires them to "financially support views with which they disagree."

The suit, filed as a class action on behalf of all UNC students, also complained that (1) financial support for the *DTH* "created the possibility of censorship" which "chills exercise of the freedom of the press," and (2) taking editorial positions on political or other matters "constitutes an imposition of an orthodoxy upon the students" at UNC.

Gordon said the plaintiffs have legal standing to challenge the use of public funds to subsidize the newspaper but "do not have standing to challenge the University subsidy of the *Daily Tar Heel* on the grounds that it creates actual or potential censorship of that publication."

Judge Gordon also ruled that subsidization of the paper "does not establish an orthodoxy nor impose upon students who disagree with its contents, views expressed therein."

Hugh Stevens, one of two defense lawyers for the *DTH*, said Monday that the 41-page opinion states that the *DTH*, rather than limiting expression of ideas, offers another outlet for the expression of opinions and dissemination of information about campus activities.

The judge noted, Stevens reported, that the *DTH* offers a broad spectrum of ideas and a wide range of expression not only in its editorial page but also in its news columns.

Stevens also said he viewed the ruling as very significant. He said the opinion shows

Cooler

The skies will be mostly cloudy through Wednesday, with showers and thunder showers through tonight. High today will be in the 80s, low tonight in the 60s, high Wednesday in the mid 70s and low Wednesday night in the 60s. The chance of rain is 70 per cent today and tonight.

by Jim Roberts
Staff Writer

Charges have been dropped against two men arrested by armed ABC officers at Town Hall Aug. 17. The men were arrested for public intoxication, but according to Town Hall employee James McAlister, blood tests taken after the arrest proved negative, so the ABC Board had no choice but to drop the charges.

"The arrests were made only after the ABC men didn't find drugs or a fight," McAlister said. "They couldn't find anything wrong, so, when two guys gave them some lip, zap, they were arrested."

Town Hall manager Mike Strong said ABC officers did not advise the men of their

rights and refused to give the men a sobriety test.

After the arrests, Strong paid \$50 bail for each man and another \$45 each for blood tests. ABC Board law left it up to Strong to prove the men were not drunk.

If the men had been convicted of intoxication, Town Hall's management could at worst have had their beer license revoked. If that had happened, McAlister said, Town Hall would have had to close.

According to Town Hall doorman Gary Lobraico, the arrests occurred after a regular ABC agent came and left. An undercover agent also had been in the crowd most of the evening, and when he came back at about 12:30 a.m. he was accompanied by seven

more armed ABC officers.

The first man was arrested for being publicly drunk, Lobraico said, and the second man was arrested when he asked the ABC agents what was going on.

There have never been more than two agents in Town Hall at one time, Strong said, and he is afraid officials at the state ABC Board may have been involved in the raid.

"Half my time is spent enforcing ABC regulations," Strong said. "We have no indication from the ABC that they were dissatisfied with our operations."

"We may have small fights every once in a while," McAlister said, "but because of our large number of employees we are usually able to do away with any trouble ourselves."

Buses filled to capacity

by Henry Farber
Staff Writer

Public response to Chapel Hill's new bus system was so overwhelming during the first week of school that long waiting lines clogged up some drivers' routes, town Transportation Director John Pappas said Sunday.

Pappas does not regard the standing-room-only bus loads as a problem, however. "We would be unhappy," he said, "if the bus system were not operating at capacity."

Pappas pointed out that in one week the bus system netted the goal projected for the Christmas break—carrying 10,000 passengers per day. Friday was the peak day, he said, when 9,921 people rode the buses.

The previous high was 9,436 passengers on Thursday, the first day of classes, which was a jump from Monday's 5,035, Tuesday's 5,730, and 6,406 on Wednesday.

The passenger figures promise to go much higher, Pappas said, as students become used to the system and as the weather

becomes cooler and students abandon their bicycles.

Another potential boost to bus usage, Pappas said, should be last Saturday's expiration date for the old parking system. Last year drivers with certain stickers could drive around campus and park in any of a number of parking lots.

This year, with the new parking system, those eligible for the \$72 dollar stickers can park in only one designated lot and will have to take buses to other parts of campus. Bus passes were included with parking stickers.

The expiration of the old passes will also see further implementation of the "park and ride" system, Pappas said. Off-campus residents can park in either the airport parking lot, which holds 500 cars, or the back lot of University Mall, which has 200 spaces. These people can then ride buses to campus.

"Ridership in these two areas has gone up markedly," Pappas said.

Pappas emphasized he could predict no specific changes in the system after

monitoring it for only one school week. "We're maintaining the situation as any good transit system would," he said. "Changes will be made in due time."

One specific move for the system's future was the ordering of 17 new buses, scheduled to arrive in October or November. They were ordered last March and were expected to be delivered in August, but increased demands for buses spurred by the energy crisis delayed their delivery.

Pappas said he does not expect the new buses, four 42-seaters and thirteen 25-seaters, to arrive before mid-November. He said the town tried to get other North Carolina cities to loan his department buses, but was unsuccessful.

Town Alderman Gerry Cohen said Sunday, "If the demand for bus service is greater than the number of seats on the buses, then after November when we get new buses the board will simply have to authorize expansion of the service." He said the town might keep some of the old buses it had expected to sell.

ABC drops charges against two arrested for public intoxication



Photo by Peter Roy

A local woman holds on to her cotton candy and popcorn at the Carrboro fair