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Dean remains unruffled

by Jane Denison
United Press International

WASHINGTON — Defense attorneys kept nipping at John Dean's heels Thursday but failed to trip him up on any major inconsistencies in the story that has made him the government's star Watergate witness.

Admitting freely to his own crimes for which he is now in prison and conceding he helped lure others into criminal acts, Dean remained unruffled as defense lawyers tried to prove him a liar during cross-examination.

U.S. District Judge John J. Sirica, finally losing patience at the unrelenting assault on Dean's credibility, reminded the defense that it is a question solely for the jury to decide.

"I don't think anyone is trying to paint this gentleman as a lily-white angel in this case," Sirica said. "He has already admitted to what he did and is paying for it. The jury is going to have to pass on the credibility of every witness."

Attorneys for two of the major Watergate cover-up defendants, John Mitchell and John Ehrlichman, got a crack at Dean Thursday during the former White House counsel's seventh day on the witness stand.

Mitchell's attorney, William G. Hundley, brought out that Mitchell, from the time of the June 17, 1972 bugging arrests, had wanted nothing to do with raising money to keep the burglars quiet.

While the White House was trying to buck the responsibility to Mitchell, the former attorney general was attempting to bow out of it and tossed the money-raising ball back to Ehrlichman and H.R. Haldeman at the White House, Dean said, "so it went back and forth."

Ehrlichman's attorney, William S. Frates, offering the first real fireworks of the nearly month-old trial, peppered Dean with questions seeking to tie him tightly to the birth of the bugging plan at meetings with Mitchell in early 1972.

When the prosecution lawyers protested they had already gone over that aspect in detail, Sirica excused the jury while the lawyers wrangled.

"I suppose a judge shouldn't say anything because every time I say something people put the wrong interpretation on it," Sirica said, trying to stifle a grin. "Maybe I shouldn't say what is on my mind."

"I'll tell you what is in my mind. It's too bad Mr. Mitchell didn't say 'throw them out of here, get them out fast,' and you wouldn't be in this courtroom today. It's too bad it didn't happen that way. Anyway, it's not for me to say what should have been done. Well, the jury hasn't heard that and no harm has been done."

Mitchell flushed and looked a bit pained, then smiled slightly and signed autographs willingly as he left the courtroom for lunch.

Besides Mitchell and Ehrlichman, the defendants charged with trying to cover up the bugging scandal are H.R. Haldeman, former White House chief of staff, Kenneth Parkinson, former Nixon re-election lawyer, and Robert C. Mardian, former assistant attorney general and re-election official.

Frates asked Dean if he said in December of 1972 that he would lie to protect Nixon. Dean replied that he had not, but admitted saying that if he were called to the stand he would have been "put in the position" of having to lie.

But he freely admitted under Frates' questioning — as he did when he pleaded guilty to obstruction of justice in the cover-up a year ago — that he had aided two other men in perjury — Jeb Stuart Magruder and Egil Krogh.



S.L. Marshall of Southern Pines relaxes in front of a truckload of pumpkins he drove here to sell Thursday

Utility sale may be denied

Franchise law gives town final word

by Rick Reed
Staff Writer

The Town of Chapel Hill may have the power to deny the sale of the University-owned electric utility to Duke Power Co.

Under the town's franchise law, an electric utility needs a franchise to operate in Chapel Hill.

On Sept. 27, the state Utilities Study Commission (Church Commission) recommended the sale of the electric and water systems to Duke Power.

In May, Chapel Hill Mayor Howard N. Lee told the *DTH*, "I would think very hard before selling the electric utility to Duke

Power." Lee could not be reached for further comment Thursday.

Town and University officials were reluctant Wednesday to comment on franchise details. They said the town can grant or deny a franchise to the successful buyer, but declined speculation on the probable outcome.

Town attorney Emery Denny Jr. did say the town would take no action on the franchise until a final sale is made.

Although contract negotiations with Duke Power and Southern Bell are scheduled to begin next week, it will be early next year before a final decision is reached.

Chapel Hill Alderman Gerry Cohen said

Wednesday night that if the board refused to grant a franchise, the buyer could either seek legal action or return the electric system to the University.

Cohen said he did not know what conditions the aldermen might include in the franchise but said rate structure would not be considered as a condition.

Cohen pointed out that Durham—as a condition of the town's electric utility franchise—requires Duke Power to run the city's bus system.

The electric system is the only one of three University-owned utilities being considered for sale that would need a franchise to operate in Chapel Hill.

Clotting forces ailing Nixon into hospital

by Jack V. Fox
United Press International

LONG BEACH, Calif. — Former President Richard M. Nixon's physician said Thursday that surgery was a real possibility unless clotting which has almost totally blocked the blood flow in Nixon's left leg can be controlled.

The 61-year-old Nixon, who re-entered Long Beach Memorial Hospital unexpectedly Wednesday evening, was reported to be receiving intensive doses of anticoagulants intravenously and orally.

Dr. John Lungren, personal physician to the former chief executive, said in the latest medical bulletin that special studies were being conducted to see if Nixon is in the small group of people for whom anticoagulation cannot be maintained by drugs.

"If anticoagulant therapy cannot be adequately established and controlled, then surgical intervention is a real possibility," he said.

Presidential Press Secretary Ron Nessen, campaigning with President Ford in Iowa, said the President has received no special word on Nixon's condition.

Nessen said a system was worked out some weeks ago by which Nixon's doctor, John Lungren, would telephone Ford's doctor with any medical news the President should know about. Nessen said Lungren had not called as yet.

Lungren did not meet with newsmen but instead his brief statement was read by a hospital spokesman so there was no immediate indication how long the drug treatment might go on before a decision is reached on whether to conduct an operation.

Lungren said a "venogram" of Nixon's left

leg had shown that the deep femoral vein was almost totally obstructed and that there were "new or old clots" in the deep venous system of the left thigh.

A hospital spokesman said that when Nixon came to the hospital Wednesday he did not intend to stay overnight. Lungren persuaded him to stay for an indefinite period after the venogram revealed the serious blood clotting.

The spokesman said another bulletin would be issued on Nixon's condition at 6 p.m. EDT Friday unless some developments prompted an earlier statement.

Nixon was in a section on the new seventh floor critical care center which was not scheduled to be opened for several weeks. He was the only patient on that floor which has a total of 22 beds.

When Nixon entered the hospital Wednesday evening, he apparently was accompanied only by Stephen Bull, former White House appointments secretary.

A hospital spokesman said Thursday there was no information about whether Pat Nixon or other members of the family were visiting.

A release by the hospital earlier this week had described the critical care center as being "for the exclusive care of patients admitted by their physicians because of critical surgical or medical condition."

"Fundamentally, this is a hospital within a hospital," Dr. John Messenger, head of the facility, said at the time.

"We have a fulltime laboratory on the floor with 24-hour provision for obtaining the latest laboratory data on these critically ill patients. We have a complete X-ray facility on the floor so that the patient will not have to be removed from the area except for extremely unique procedures."

Consumer head says druggists only count pills

by Wes Leifer
Special to the 'DTH'

North Carolina Consumer Council Chairman Lillian Woo told some 100 pharmacists here Wednesday that their claim to fame, professional ethics and profit lies in their ability to count out tablets, type labels and pass high prescription costs on to consumers.

She made her remarks during a seminar on consumers and pharmacists conducted at the UNC Institute of Pharmacy.

"All this is performed with the mysterious hocus-pocus of a medical magician," she said. "Enormous pains are taken to maintain the great healer image which is cloaked in a secrecy aimed primarily at keeping the public ignorant of comparative prices for drugs."

In response, one pharmacist later explained that a total of 25 technical activities go into filling a single prescription. When the pharmacist fills a prescription, he said, he draws on a \$50,000, five-year education.

Pharmacists admitted that the drug industry does make big profits, but said it also pays for 99 per cent of the research conducted in the industry.

Only one per cent of pharmaceutical research is government financed while the rest of private industry receives 44 per cent of its research funding from the federal government. Pharmacy research funding comes directly from the consumer who purchases drugs over the counter, he said.

"Both drug manufacturers and retail druggists have profited enormously through systematic secrecy about drug prices," Woo said. "Drug company

profit margin returns on invested capital rank first of 22 industries in Fortune's top 500 corporations."

The American Pharmaceutical Association has worked increasingly to prevent public disclosure of drug prices, she said, and has actively opposed the repeal of state laws banning advertising of drug prices, "contending that it would be a breach of professional ethics."

While revelations and discoveries are made about diseases, and drugs to cure

these diseases, "pricing has been kept in the dark ages," she said.

And to make matters worse, she said, sick people are in no condition to shop around for the best drug prices.

Woo hit hard at pricing inequities which, according to studies, often vary more than 100 per cent from store to store. She accused the Pharmaceutical Manufacturers Association of using published information to support its dedication to name-brand, high-profit

drugs rather than using it as valuable evidence that a federal agency is not doing its job.

"It is time that the drug industry recognize its responsibility to itself and begin monitoring its own standards and take steps to insure uniform quality and reliability of both name-brand and generic drugs," she said. "It is time the Pharmaceutical Manufacturers Association put ethics back into the industry."

Marijuana penalties lighten here

by Tim Pittman
Staff Writer

The next time you get busted, smile at the cop and go along peacefully—you may get away with prayer-for-judgment and court costs.

District Solicitor Lunceford Long said a trend is developing in this area to decrease the penalties for possession of small amounts of marijuana.

Long said Orange is the most liberal local county concerning marijuana cases.

If a person is arrested with less than an ounce of marijuana and it is his first arrest, the court might simply charge court costs

and give the person prayer-for-judgment.

Possession of more than an ounce, if it is a first offense, could retain the prayer-for-judgment designation but would involve at least a \$100 fine.

"There is no concrete change in the procedure of handling pot charges," Long said, "but recently some of the judges who handle the cases in District Court have been giving kids prayer-for-judgment and charging court costs."

Long said the penalties for possession depend upon case variables such as the victim's reaction to the police officer, the amount of marijuana involved and the circumstances preceding the arrest.

"If a prior arrest has been made, it would have an effect on a second charge of marijuana possession," Long said. "The penalty would probably be heavier."

Chapel Hill Police Detective Don Tripp said he felt the recent policy of reducing penalties for pot use will encourage an increased use.

"My opinion has no effect on the case because the courts handle the penalties," Tripp said. Lt. Charles Mauer of the Campus Police agreed the new trend will encourage marijuana use.

"If users can get away lightly on a marijuana charge, they will not be so hesitant to take the chance again," Mauer

Mauer said reactions to the officer could have an effect on the outcome in court. He added, however, that the courts set the penalties and police can supply only an opinion on the case.

Mauer said the Chapel Hill Police were looking for dealers, not individual users.

"They're looking for the far-out types who deal heavily in pot and other drugs," he said. "They are in the same situation as we are in that they can't spend time searching out individuals who just smoke a joint every now and then."

Mauer said the town and campus police usually work together when either force gets a tip about a dealer.

Tar Heels meet South Carolina on the road

North Carolina faces a strengthening Gamecock squad

by Elliott Warnock
Sports Editor

The scene: Kenan Stadium.
The year: 1970.

The situation: North Carolina and South Carolina prepare to face each other in what many observers say is the "Atlantic Coast Conference Championship game."

Standing room only tickets had been sold as over 47,500 people jammed into the confines of Kenan. Carolina was undefeated in its first four games, and Bill Dooley was starting to win big for the UNC fans.

It was the year for Don McCauley; he would gain over 1,700 yards during 1970, set a NCAA record and win consensus All-America honors.

USC was sitting on a 21-7 lead at halftime in 1970, but the Tar Heels pushed and shoved their way back to tie the score at 21-21 midway

through the fourth quarter.

Carolina fans felt the world turn upside-down as the Gamecocks threw deep bombs repeatedly into the faltering UNC secondary. The results were two South Carolina touchdowns in the last six minutes of the game and a Gamecock victory.

When North and South Carolina meet in Columbia, S.C. Saturday night at 7:30, the ACC championship won't be at stake, USC left the conference in the early 1970's, but the Tar Heels will be trying to wipe out years of ACC domination by the Gamecocks.

USC left the league at the apex of the Heel-Gamecock rivalry, one of the bitterest in the history of the ACC. After they left the conference, the Gamecocks were considered for scheduling as another independent school, and consequently they were dropped from almost all UNC programs.

Dooley comments, "right after they left the

ACC, their football program fell on hard times. Now that we are playing them again, wouldn't you know it, they're starting to gain some strength."

South Carolina pulled off a major upset last week, as the winless Gamecocks ruined the Ole Miss homecoming and defeated the Rebels, 10-7, in Oxford.

"Anytime you win in Oxford, you're doing alright," says Dooley. "South Carolina is starting to playing more like they did last year, when they went 7-4."

Dooley cites injury problems as the reason for South Carolina's 1-5 record. "They lost all four of their starting linebackers at the first part of the season, and now they're all healthy and playing up to their potential," says Dooley.

North Carolina has a little more at stake besides ACC pride. If the Tar Heels can defeat

South Carolina, it would be their first victory over a major power this year.

Wake Forest is the only team that Carolina has beaten on the road. The other two times the Heels traveled, they lost to Maryland, 24-12, and Georgia Tech, 29-28. North Carolina needs a victory on the road to turn the corner for the rest of the season.

The Tar Heels have won every time at home, and now own a 4-2 record following last week's win over nationally-ranked North Carolina State. With major powers losing all over the country, the Tar Heels are still in definite contention for a post-season bowl bid.

There was a lot at stake in 1970. North Carolina lost to USC, then lost twice more to finish with an 8-3 record. People said the UNC-USC game was the turning point of the year.

Now there is a lot at stake in 1974.



A lot hangs in the balance for UNC