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Lee to attend banquet despite demonstration

by Kevin McCarthy
Staff Writer

Mayor Howard N. Lee said Tuesday he would "cross the picket line, if necessary," to attend the banquet honoring former Sen. Sam Ervin Jr. tonight at the Carolina Inn.

During a news conference Monday, local NAACP president Robert Kelley said members of the Black Student Movement



Marcus Williams

(BSM) and the NAACP would picket the banquet at 6:30 p.m. and distribute information about Ervin's civil rights voting record, which he called "one of the most racist in Congress."

Meanwhile, Student Body President Marcus Williams denounced Kelley as "a dangerous political snake" and urged "all students to ignore the protest and carry on with their regular activities."

"Kelley has no authority to speak for students on this campus, and I resent his attempt to inundate the media with such supposedly representative remarks."

Williams said he would file a complaint against Kelley today with the Charlotte chapter of the NAACP.

Both black leaders emphasized, however, that they disagreed with Ervin's past stands on civil rights legislation.

"But Ervin is a political relic," Williams said. "He can do no harm now."

Lee said he was attending the banquet to welcome Ervin to Chapel Hill.

"I feel, as mayor of this city, it is my duty to extend the respect of the city of Chapel Hill to any guest who comes here."

"I think the dinner is more to honor Senator Ervin for his Watergate record. I believe the people already know about the senator's civil rights record."

Lee said he met with Kelley late Tuesday to discuss protection of the rights of the banquet guests and protesters. Kelley

assured him that the NAACP had done everything possible to prevent any disruption, Lee said.

On Monday, however, Kelley said "the same elements will be involved in this demonstration" that booted David Duke offstage in Memorial Hall Jan. 16. Duke is national information director of the Knights of the Ku Klux Klan.

The Ervin demonstration may involve as many as 250 blacks, Kelley said Monday.

However, Williams said, "without student support, the protest will be lucky to have 20 people, and I'm being kind."

"The students will have to evaluate what Marcus has to say," Kelley responded. "I am not of the opinion that black students have a high opinion or great deal of respect for him. His statement could be the biggest shot-in-the-arm the protest could have."

"There's a lot of pressure being applied in a lot of places against the protest happening." He said, for example, he received nine threatening phone calls Monday, expressing such opinions as "We're going to get you niggers," "Don't bother Sam."

Kelley plans to inform the Chapel Hill Police Department of the threats and said the protesters had no intention of hurting Ervin.

The demonstrators will remain in the horseshoe driveway near the Carolina Inn cafeteria or circle the area but will not enter the building. Ten picketers will march along Pittsboro Street and another 10 along Columbia Street, Kelley said. Town ordinances require that no more than 10 demonstrators carry signs per city block.

Kelley also denied that he had misquoted Duke University President Terry Sanford Monday. Kelley had quoted Sanford as saying, "My name is being used as honorary chairman but that doesn't mean I'm there to honor Sam Ervin."

After angrily denying Kelley's statement, Sanford said Monday, "I am delighted to be part of the program to honor Senator Ervin."

Kelley offered Tuesday to take a polygraph test to prove who had told the truth and challenged Sanford to participate. The local NAACP would pay for the test, he said. Sanford had not responded to the request as of Tuesday evening, Kelley said.

In an official news release concerning the protest, the BSM stated Tuesday:

"The BSM is in agreement with the efforts of the NAACP to organize a protest against former Senator Ervin's award as an outstanding North Carolina citizen. In light of Ervin's constant voting record against civil rights bills . . . we do not feel he is worthy of receiving this award."

"The BSM, however, was not an organizing element in this protest. Any BSM member participating in the protest will be doing so as an individual acting on his own convictions."

Kelley said he and BSM President Aigenon Marbley co-drafted the statement Tuesday and added that it would be distributed to all protesters at the demonstration tonight.



President Ford makes a point during his Tuesday afternoon news conference

Ford threatens veto Rationing uncertain

by Mike Fellinlber
United Press International

WASHINGTON—President Ford said Tuesday he will veto a mandatory gasoline rationing program if the Democratic Congress passes it instead of his program to curtail energy consumption by driving fuel prices higher.

Ford said gasoline rationing would have to stay in effect for five to 10 years, would limit motorists to about nine gallons of gasoline a week and would be unfair to commuters and rural Americans.

"There is no easy solution and I never promised one," the President said at a nationally televised and broadcast news conference in which he defended his economic and energy programs against congressional hostility.

Ford has proposed \$12 billion in income tax rebates on 1974 earnings and a permanent reduction in income tax rates along with a series of tariffs and excise taxes which would raise the price of gasoline, heating oil and electricity by \$30 billion a year.

Ford said he would issue a proclamation

this week to impose a \$1 tariff on all oil imported after Feb. 1 despite an attempt by Sens. Henry M. Jackson, D-Wash., and Edward M. Kennedy, D-Mass., to block it for 60 days.

He conceded he was horrified to find himself proposing deficits of \$30 billion and \$45 billion for the current and next fiscal years but contended they were vital to stem the recession. The President predicted the economy would stage a turnaround by mid-summer.

On other matters, Ford:

- said the United States reserved the right to go to war to protect itself from strangulation by the Arab bloc just as any nation holds the right "to protect itself against death." But he said another embargo comparable to the 1973 Arab oil embargo certainly would not constitute strangulation.
- gave assurances he would ask Congress for a declaration of war before committing troops to battle in the Mideast in case of such an event. He said the entire question is hypothetical.
- refused to rule out the possibility that he might respond to events in Vietnam by ordering a resumption of U.S. bombing raids there. He said it would be inappropriate for him to speculate on that matter but added he did not foresee at the moment any such possibility, and promised to follow constitutional and legal procedures before taking any action.
- said he would press Congress, despite his moratorium on new spending programs, to provide \$300 million in additional aid to bolster the morale and security of South Vietnam. He said Saigon's troops were defending themselves against the Communists skillfully and with firmness.

Council, constitution approved

by Jim Roberts
Staff Writer

The Campus Governing Council (CGC) and the Student Constitution were approved yesterday in the student referendum. The vote ran four to one in favor of CGC.

Two other referenda were passed by overwhelming margins. Voter turnout was light with less than 4 per cent of the student body voting.

Vote totals were 560 or 74.9 per cent for the 1972 constitution and CGC, and 175 or 23.9 per cent for the previous constitution and the old Student Legislature (SL).

Total votes cast in each of the referenda were 742. When the constitution was first approved in November, 1972, 2,838 students voted with 78.5 per cent approving it.

The major difference between the 1972 constitution and the previous one was in the legislative section. The former called for a 55-member Student Legislature whereas the latter called for the 20-member CGC.

The present constitution guarantees CGC representation to minority members and members of each sex. Graduate students are also given proportionate representation.

By retaining the 1972 constitution students also approved amendments passed since then. These amendments include the Instrument of Student Judicial Governance and the establishment of the Residence Hall Association.

The referendum was held because a clause in the 1972 constitution states that after a two-year trial period CGC and the student constitution must be subject to approval by the student body.

Had the student body not approved CGC in favor of the Student Legislature, CGC would have had only one month in which to reinstate SL.

Also approved Tuesday was an amendment to the constitution which changes the name of the Publications Board to the Media Board. This change is intended to avoid confusion over the board's financial control of campus radio station WCAR. The vote was 580 for and 148 against the amendment.

By an eight to one margin, students also approved a constitutional amendment to broaden editorial freedom in the student media. The amendment states that neither the Media Board nor CGC shall exercise over any student medium except in financial matters and staff appointments. The vote was 647 for and 75 against the amendment.

Barry named hospital head

Dennis R. Barry has been named general director of North Carolina Memorial Hospital (NCMH).

Barry, a registered pharmacist, succeeds John M. Danielson, who resigned last October to work with the Capital Area Health Consortium in Hartford, Connecticut.

Barry has been administrative director of NCMH and assistant professor of hospital administration at the UNC School of Medicine since 1972.

He came to Chapel Hill from Phoenix, Ariz., where he was vice president for planning and development of the Samaritan Health Service.

Barry, 35, was graduated from the University of Illinois.

Utilities committee seeks moratorium

by Dollie L. Smith
United Press International

RALEIGH—The Senate Public Utilities and Energy Committee Tuesday unanimously adopted a resolution calling on the State Utilities Commission to initiate an indefinite moratorium on rate increases until a complete study is made of the commission, its needs and regulatory powers.

The resolution, offered by Sen. Cy N. Bahakel, D-Mecklenburg, was adopted following a lengthy discussion by staff researcher Arnold Zargreh about soaring rate increases being sought and obtained from the commission by the state's three leading utility firms: Carolina Power & Light Co., Duke Power Co., and Virginia Electric Power Co.

Bahakel said the resolution, which will not be submitted to the full General Assembly unless necessary, is designed to have the commission "stop, look and listen" into the reasons behind the rate increases which he said had been as much as "200 to 400 per cent" for some of his constituents.

Commissioner Teeney I. Deane Jr. said he could "personally support the spirit" of the resolution adopted by the committee, but said the responsibilities of the commission would make such an indefinite moratorium "a violation of the law."

"We've got to look at both the cost of doing business by the utilities while at the same time look at the service rendered by the utilities to the consuming public," Deane said.

Under the law, a utility is allowed to implement on an interim basis a rate of up to 20 per cent of its existing rates if, after six months, the commission has not held hearings on its increase requests, Deane said.

At the end of nine months, the firm can implement the entire rate hike being requested if the commission has not conducted hearings. All interim hikes are refundable to the consumer should the commission fail to grant the full amount sought by the firm.

"I'm glad to see the committee looking into the question," Deane said. "I welcome the study because the citizens of the state are concerned about these rate increases that have occurred during the last four or five years."

But Deane warned that he thought the resolution would be ineffective.

Six citizens show to air opinions on size of board

Attendance light at Charter meeting

by Helen Ross
Staff Writer

The Chapel Hill Board of Aldermen held a public hearing Monday night to discuss Charter Commission recommendations and nobody came.

Only six citizens were on hand to express their opinions about several proposals which could change the size of the Board of Aldermen, lengthen terms of the aldermen and the mayor, and allow the mayor to vote on all matters, rather than just those resulting in a 3-3

tie.

"I would just like to state that I am appalled that nobody cares what we do," Alderman Shirley Marshall said.

In addition to the six citizens, members of the Charter Commission and the aldermen gave their opinions about the proposed changes of the town charter.

The commission met Tuesday to make its final recommendations for board action.

Mayor Howard Lee said he would like to see an implementation committee

appointed to help put any possible changes to the charter into effect. "Government needs to be streamlined," he said, to meet the needs and demands of the town.

The Board of Aldermen will consider the following changes to the town charter:

- an eight-member board of aldermen serving overlapping four-year terms;
- an eight-member board, six serving overlapping four-year terms and two serving two-year terms;
- an eight-member board serving two-year terms;
- a six member board serving two-year terms;
- a mayor serving a four-year term;
- a provision allowing the mayor to vote on all issues before the board.

The aldermen also voted to form a "search and refinement task force" to investigate alternate sites for the bus maintenance facility.

The task force will consist of chairman of the Transportation Advisory Committee Marvin Silver, Planning Board Chairman Jonathan Howes, Alderman Alice Welsh, Town Attorney Emery Denny, Town Manager Chester Kendzior, UNC geology professor David Dunn, an unnamed environmental leader and Mayor Howard N. Lee.

The task force will report to the aldermen Feb. 3 or 19 at the latest. Should the town decide in February

to find an alternate site, Lee said that the town would build a temporary facility to provide adequate space and tools for bus employees.

The decision came after a report by Assistant Town Manager Mike Jennings. He recommended that the board continue the Plant Road development since the town already owns the property and the "cost of delay would hang heavily in the balance."

If the town changes the site selection, it would be at least a year before a federal grant for the garage and additional buses would be available.

A garage site on Airport Road was recommended, based on land-use criteria by the Planning Board. The Transportation Advisory Committee, however, advocates the Plant Road site.

"We need to go on," Silver said. "We can't have a stable bus system without a maintenance facility." Silver also cited "intolerable working conditions" under which the drivers and mechanics are working now.

Alderman Gerry Cohen opposed the creation of the task force. He said that he didn't foresee any possibility other than the one presented by Jennings.

The board also heard a report from Fire Chief Everette Lloyd about an investigation of safety standards in Chapel Hill restaurants and bars.

Of the 75 businesses in Chapel Hill that serve food and beer, only 10 were found to be in violation of state minimum standards, Lloyd said.

Police chief claims photos achieved goal

"I can assure you it was a one-shot thing," interim police chief William D. Blake told the aldermen about his department's role in photographing a High Noon gathering two weeks ago.

Blake's comments Monday night came in response to questions raised by Alderman Gerry Cohen about the police surveillance. Two weeks ago the University asked the town police to photograph the meeting which, Blake said, met for the purpose of selling and smoking marijuana.

Since the group no longer exists for the purpose of smoking marijuana, Blake said the photography accomplished its goal. "If

we had approached them one-on-one, we probably would have had a confrontation—that's why we did it," Blake said.

"I was glad to cooperate if we could and...avoid mass arrests and TV cameras and everything else."

"Regarding the trafficking of drugs, there really can't be any question of how that is dealt with," Mayor Howard Lee said. He added, however, that the town must be careful "so as not to get in the same position as the CIA."

"We still haven't been able to define the purpose of city police on campus," Lee said.

—Helen Ross