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Seniors Brad Hoffman, Ed Stahl and Mickey Bell grasp their first ACC Championship trophy. See stories, pages 7 and 9.

Runoffs set for Monday

by Art Eisenstadt
Staff Writer

Campus runoff elections will be held Monday, March 24, Student Supreme Court Chief Justice Darrell Hancock announced Monday afternoon.

Hancock authorized the postponed runoff election to be held after deciding presidential candidate Bill Bates did not violate the Honor Code and spending limitations during his campaign.

Although Hancock did not expect to issue a written decision until sometime today, he announced on March 6 the court had not found evidence of any violations by Bates or his staff.

The charges, which the court had heard the previous night, were filed by Tim Dugan, Jerry Askew and Keith "Bozo" Edwards, three unsuccessful candidates for president. Bates, who won a plurality in the original Feb. 26 election, will face second-place finisher Jamie Ellis in the runoff.

Runoffs for *Daily Tar Heel* editor between Cole C. Campbell and co-candidates Don Baer and Harriet Sugar and 10 Campus Governing Council (CGC) seats, in addition to two referenda, will also be voted on Monday.

The suit against Bates centered on two issues.

First, Bates was charged with an Honor Code violation after CGC Speaker Johnny Kaleel, a Bates campaign worker, mailed 150 campaign letters through the campus mail system.

Dugan's suit charged that this procedure violated an Honor Code provision prohibiting private use of campus facilities.

However, this part of the suit was withdrawn earlier in the day of the trial after Dr. Claiborne S. Jones, vice-chancellor for business and finance, told Kaleel that the mailing was a legitimate campus function.

However, Bates did include the cost of the mailing on his financial statement.

The second part of the suit charged that Bates should have listed the cost of a special elections edition of the *Avery Advocate*, the Avery dormitory newspaper, as a campaign expense after the paper endorsed Bates.

During the trial, the prosecution

attempted to show that Bates had made a previous agreement with Mike O'Neal, associate editor of the *Advocate* and a personal friend of Bates, to get the endorsement.

Bates testified that he had not known of or seen the endorsement until after the papers were printed, although he said he had sought the endorsement of all campus newspapers.

Defense counsel Joe Stallings, a former student body president and now a UNC law student, also questioned *Advocate* editor Kelly Summey, who said that special election issues of the *Advocate* had been printed in two previous years and that the paper was financed by Avery residents and advertising revenue.

"The main issue was whether the *Avery Advocate* was a bona-fide campus publication, and the court decided that it was," Hancock said.

"Therefore, it had the right to endorse

candidates. It can do anything the *Tar Heel* can do," Hancock said.

The court denied an appeal by Bates for a public apology from the three candidates who filed the suit.

"I'm ready to campaign again," Bates said Monday. "I'm glad this came to court so it could get things cleared up. I just hope it won't hurt the turnout."

Dugan said he had no comment to make on the case until after he saw the opinion. "If he (Hancock) writes a lousy opinion, there's a chance I might issue my counter-opinion on the opinion."

Bates' opponent in the runoff, Ellis, said she thought it would be inappropriate to comment on the case. She said before the hearing that she hoped it "would clear up a lot of questions in the air."

The court will hear a case against George Basso and Brad Lamb, CGC co-representatives-elect, this afternoon at 3:30.

'Nixonite' crimes charged

30 speakers oppose utilities sale

by Elizabeth George and Mike Horne
Staff Writers

Charges of "Nixonite" crimes in the Church Commission's investigation and recommendation for the University utilities sale to Duke Power Co. erupted in an otherwise orderly public hearing before North Carolina Attorney General Rufus Edmisten Wednesday, March 5.

Over 30 persons voiced adamant opposition to the sale before a capacity crowd in the Institute of Government auditorium.

No one spoke in favor of the sale during the two and one-half hour hearing.

Edmisten called the public hearing to consider any irregularities Orange County residents had noted in the proceedings between the University and Duke Power.

Several irregularities were suggested, but mainly the speakers pleaded with Edmisten

to halt the utilities sale.

The tranquil climate changed quickly as Hugh Wilson, a member of the State Democratic Executive Committee who was introduced as "the jolly green giant" of the local Democratic Party, stepped forward.

"I charge that there has been collusion, and there has been a crime committed of a Nixonite type. It might be just in power, or it may be for cash or for future position, but for whatever reason, there is collusion as shown in the minority report of the Church Commission. And I say if we have a John Dean here, if we have a Haldeman, Ehrlichman, if we have a Pontius Pilate or a Nixon, put him in the slammer," he shouted, waving his fist in the air.

Edmisten has two options if he decides to prevent the sale. First, as attorney general, he can block the sale and investigate the most beneficial course of action for the state. Second, as a member of the Council of State,

which also must approve any sale, he has a voice in that decision.

Sporting a "Stop the Sale" button, Edmisten stated that he was present to listen and not to judge whether the sale is justified.

Following the hearing, Edmisten said he intended to finish reading the minutes of the Church Commission meeting and to consult with state senators Charles Vickery and Russell Walker, who also were present.

In reference to the alleged irregularities in the Church Commission proceedings, Edmisten said, "I don't know what my legal capacity is because I don't know all the facts yet."

Larry Wilkerson, a UNC student and a member of the University Budget Advisory Committee, said over half of next year's dormitory room rent hike is a result of current utility rate increases.

Gary Thomas, representing the Campus Governing Council (CGC), said "Student Government fears that with the sale of the utilities to Duke Power, which already has higher rates than the UNC system, students would not be able to live at school and at worst would have to drop out because of financial burdens."

Betsy Jones, president of Residence Housing Association (RHA), said there has been a 115% rise in utility rates in the past year. "Over 1/3 of the student body lives in university residence halls...we do not want this (rent hike) worsened by a sale to Duke," she said.

Ralph Patrick, a representative of the Orange County Citizens for Alternative Power (OCCAP), presented a petition to Edmisten with over 3,000 signatures, asking for a halt of the sale to Duke Power.

"The sale to Duke will mean higher rates for Orange County citizens, job and benefit losses for those presently working for our utilities system, a rate hike across the state for all Duke Power customers, the loss of a valuable source of revenue for the future in the state and a tax hike on North Carolina taxpayers because of this," he said.

Len Stanley, leading spokesman for OCCAP, charged violation of the state legislative act which established the Church Commission. She claimed that the commission has not operated in the citizen's best interest, as mandated by the Legislature.

"We conclude," Stanley said, "that no feasibility study was undertaken to determine which of the alternatives (selling, renting, leasing, transferring, or retaining of the electric system) would be appropriate."

"We conclude that the University administration engineered the sale from the beginning, sacrificing even the vestiges of proper procedure for their own ends," she said.

Student sues Condie for \$1 million damages

by Jim Bule
Staff Writer

Barbara Earnheart, a sophomore from Doylestown, Pa., has filed a \$1 million damage suit in U.S. Middle District Court in Greensboro, charging the University Housing Department and its director, Dr. James D. Condie, with an "anticipatory breach of contract."

The suit seeks an injunction to prevent the University from displacing Earnheart from her room, 214 McIver Dormitory.

Such a move, Earnheart claims, would cost her time from her studies as well as money and would mean a loss of social life and create mental anguish.

Earnheart's attorney, Gene Dodd, said she was assigned to the room for this semester, but returned to school after the semester break to find that two other women had been "authorized" to live there.

Although the two other women never actually forced Earnheart out of the room, she was left "in limbo" about where she would live for about two weeks, and still does not know if she is "authorized" to live there, Dodd said.

The suit is based on two legal points of view, Dodd said. Treating Earnheart individually, the suit would prevent others from moving into the room.

From a class action standpoint, it seeks to prevent the Housing Department from displacing students "in a capricious manner without due cause." The suit would prohibit the University from using a contractual agreement that assigns room space instead of an individual room.

The class action, if upheld by the court, would have a direct impact on consolidation decisions made by the Housing Department, Dodd said.

Condie refused comment on the suit itself. He did say, however, that the Housing Department contract clearly states that residents are contracting for spaces, not rooms.

Betsy Jones, Residence Hall Association President, defended the Housing Department.

"If students contracted for a room instead of a space and the number of students in University housing decreased considerably, the Housing Department would have to operate half-empty dorms in some cases," Jones said.



Barbara Earnheart

Dorm policy changes affect room sign-up

by Jim Bule
Staff Writer

Students begin to sign-up for 1975-76 dorm rooms this week following major changes in housing policy announced two days before spring break by Dr. James D. Condie, director of University Housing.

Condie announced March 6 that Ruffin dormitory will become an all-women's dormitory, suite-by-suite coed living will be permitted on the fourth floor of Morrison dormitory, and residents of single rooms in James dormitory must pay half the pro-rated cost of the room, or approximately \$35-\$37.

International students can be assigned to any room on campus, Condie said. Special arrangements have been made in Carr and McIver dorms for international students who request housing with other international residents.

Handicapped students also may live in any dorm they request, Condie said. Special ramps and other facilities will be provided for them in Ruffin, Grimes, and Craige dormitories.

The reasons for the delays in the decisions were due to difficult coordination between different departments involved in making the changes, Condie said. "Some people call it red tape," he said.

The conversion of Ruffin to an all-female dormitory was necessitated by a large increase in the number of women students admitted to the University, Condie said.

Present Ruffin residents will be given priority over all students living outside north campus buildings in obtaining rooms on north-campus, although the assignment of more than 10 Ruffin residents to any other building would be impossible, Condie said.

On the issue of room consolidation,

Condie announced that dorm residents, primarily in James, whose roommates moved out before February 1 would have the choice of moving in with someone else or paying 50 per cent of the pro-rated cost from February 2 to the end of the semester, approximately \$35-\$37.

If the roommate moved out between February 1 and March 17, residents are responsible for half the pro-rated amount from the day the roommate moved out.

If the roommate who vacated is "financially able" (determined by the Housing Department), he is responsible for a portion of the cost of the room, Condie said.

Condie encouraged roommates to work out costs between themselves.

If the roommate moved out from after February 17, neither resident is responsible for any added cost.

The consolidation decision initially affected 86 students whose roommates had vacated mainly for financial, academic, and health reasons.

The fourth floor coed living arrangement for Morrison dormitory has been approved on a trial basis for one year, Condie said. The success of the program will then be evaluated.

Participants in the program must first be approved by their resident director and be committed to the academic program, Condie said.

Residents of Connor, Winston, and Alexander dormitories (Henderson Residence College) should see their residence directors today about signing up for a room for the fall semester.

Sign-up for other dorms begins Friday and continues through Sunday. Residence directors will post signs announcing the exact times in each dormitory.

Board okays private tuition aid

by Greg Nye
Staff Writer

RALEIGH — The Board of Governors of the Consolidated University of North Carolina voted Friday to recommend a centralized tuition aid program for private colleges and universities to the state General Assembly.

The vote came after the board's Planning Committee submitted its report recommending the aid program. The committee had voted four to three late Thursday night to submit its report.

The program would offer scholarships of up to \$1,300 to needy North Carolina students to be used to meet rising tuition costs. Students would apply to a central state office for the scholarship money and be considered on the basis of their family's net earnings, taking into account assets and obligations.

The Board's program would be funded by the \$200 in state funds currently given to private schools for each North Carolina student.

At present, the \$200 per student—adding up to \$4.6 million in state aid—is distributed to private schools and they award their own scholarships, without state intervention.

John Sanders, vice-president in charge of planning for the Consolidated University, said Monday that the present system hasn't worked well. "I can see where the present program hasn't accomplished much," Sanders said. "It hasn't increased private school enrollment. It's not a very soundly conceived program."

Another proposal for state aid to private schools is also being considered by the General Assembly. A program introduced by the legislature's Advisory Budget Commission and supported by Governor James Holshouser, calls for an increase in state funding from \$200 per student to \$400, making the total state fund to private colleges \$9.2 million.

Under the budget commission's program, financial aid would be awarded by each private college, as is done in the present system.

Representatives for North Carolina private colleges and universities went before the Planning Committee Thursday to propose that the Board of Governors support the program of

increased financial aid proposed by the legislature's Advisory Commission.

The Planning Committee refused and approved the centralized aid program.

"The board has shown an amazing lack of understanding of the needs of the private sector," Dr. Cameron West, president of the Independent Colleges and Universities of North Carolina, told the Planning Committee after their vote.

One of the main objections to the board's proposal is that it will offer aid only to the poor, and not to the middle-income families, because it doesn't increase financial aid to private schools.

Board member W.W. Taylor, a member of the planning committee who voted against the proposal, told his fellow board members that "This program would allow only the very rich and very poor to attend private institutions."

But Sanders does not feel that the state should finance middle-income students in private schools. "The Board of Governors is aiming to help financially needy students," Sanders said.

"Private schools receive \$522 million in scholarship aid," Sanders said. "Only about \$4.6 million comes from state funds. If there are still needy students after the state money is gone, other scholarships should be available."

Another objection private schools have to the board's proposal is that the board's central system would dispense scholarships solely on an income analysis of the family, not taking into account the needs of an individual student—such as more than one college student in the family.

"The Budget Commission's proposal (which allows private schools to award the scholarships) is far more flexible than the Board of Governors proposal," West said.

West said that in a survey of private colleges, the 13 schools which have responded so far do not favor a centralized aid program and feel their students would be better off under the current system.

"The mechanics of the board's program are so unclear that it is difficult to tell exactly how it would affect private colleges," West said. "It could be even more restrictive than we think."



A fire caused by exploding grease gutted Hector's Friday, March 7. About a dozen people escaped injury despite the explosion which blew out the front window of the Franklin Street restaurant.

In addition to the interior of the restaurant, the second floor and the basement of the building suffered smoke and water damage. Zeus and Sons, the Art Gallery and Owen's Towne Shop, all adjacent to Hector's, were also filled with smoke.

Owner Peter Galifianakis estimated damages at \$65,000, but the restaurant was declared a total loss. Galifianakis said there would be a six-week to three-month delay in reopening.