

Rainy weekend

There is a 100 percent chance of rain late tonight and into Saturday, with highs of about 60.

The Daily Tar Heel

Serving the students and the University community since 1893

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'DTH' named

Endorsements bring lawsuit

By MICHAEL WADE
State and National Editor

Three UNC students filed a suit in federal court Thursday asking that student activities funds allocated to the *Daily Tar Heel* be cut off and charging that the paper violates the law by endorsing political candidates.

Approximately one-fourth of the paper's \$280,000 annual budget is drawn from student activity fees.

"The *Tar Heel* has regularly in the past taken editorial positions concerning political parties and causes," said Rick Kania, a UNC senior who is one of the co-plaintiffs. "Since the *Tar Heel* is mandatorily funded through student activity fees, this is a violation of the first and 14th amendments to the (U.S.) Constitution."

Kania said he is opposed to the newspaper's endorsements of political candidates "because we're forced to support these opinions through mandatory student fees."

The other co-plaintiffs are Kania's brother Jay and Mike Morris, who are both freshmen. The plaintiffs are represented by attorney Joe Beard of Charlotte.

The suit names Chancellor N. Ferebee Taylor, UNC President William C. Friday, the University's board of trustees and the UNC Board of Governors as defendants.

Neither Taylor nor Friday could be reached for comment Thursday night.

The 12-page complaint, filed in the Durham division of U.S. Middle District Court, asks that the *Tar Heel* be prohibited from using student activities fees. It also asks that the defendants account for all funds that have come from the fees and refund them to the plaintiffs.

The paper receives 16 percent of all student activities fees each year, or approximately \$70,000. All other revenues come from mail subscriptions, advertising revenue and a few dollars in contributions. It receives no state tax money.

The *Tar Heel* endorsed John Ingram for the U.S. Senate last November. It also endorsed McNeill Smith and then Luther Hodges for the Democratic senatorial nomination, and has endorsed candidates in local municipal and county races in recent years.

Rick Kania, who describes himself as "more libertarian than conservative," said he disagrees with most of the paper's editorial stands.

He said he does not feel the suit threatens freedom of the press. "It seems to me our right not to support publications which we disagree with supercedes their right to publish a paper that is mandatorily funded," Kania said.

"I think that's an important question for the courts to answer."

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State's Hawkeye Whitney soars to block first-half attempt of Tar Heel Al Wood ... Wood missed shot, but was fouled on play as Heels took 15-point win

Heels pound Pack, gain share of ACC title

By LEE PACE
Sports Editor

Carolina streaked and four-cornered its way to a 71-56 win over N.C. State and a share of the ACC regular season basketball title Thursday night in Carmichael Auditorium.

The streak came with about seven minutes left in the first half with the Wolfpack holding a 22-17 lead over the lackluster Tar Heels. A Dudley Bradley layup, two Mike O'Koren free throws and a Dave Colescott 20-footer erased the lead, and from there Carolina scored nine more points and took a 32-22 lead. "Hummm, I didn't know we'd scored that many in a row," Ged Doughton said later. "I knew we'd gotten a lead, but I didn't have any idea we'd scored 15 straight. It was our defense that did it."

The four corners came with six minutes left in the

game and the Heels protecting an eight-point lead. It couldn't have worked much better. Seven of eight free throws, two layups and no turnovers later, Carolina had built its lead to 15 points.

Doughton, a fellow who came to Carolina four years ago without a scholarship, stood on the baby blue free throw line for the last time. Perfect once, perfect twice. Fitting, it seemed. That made it 71-54, and the Winston-Salem senior joined buddies Bradley and Randy Wiel in jubilation on the Carolina sidelines.

"It was a great feeling," Doughton said. "I'd seen guys come out of games for three years in their final game, and tonight I had the chance." Bradley added, "It feels great to go out a winner. We were happy, mainly because we won, not because it was our last game. We didn't emphasize that too much."

The win leaves Carolina with a 9-2 conference record (21-4 overall) and a one game advantage over Duke,

which is 8-3. The fun gets underway shortly after 9 p.m. Saturday in Duke's Cameron Indoor Zoo. A Carolina win, and the Tar Heels are ACC champs outright for the fourth straight year. A Duke win and they flip a coin at 10 a.m. Sunday in the office of ACC Commissioner Bob James for the first-round bye in the ACC Tournament.

"We're facing an almost insurmountable task," Carolina coach Dean Smith said. "They're mad and angry. We'll have to play with poise."

Should Duke win the bye, the Tar Heels and Wolfpack will crank it up again next Thursday in Greensboro. State slithered further into the depths of the league standings. The Pack is now 2-9.

"If they're the last place team in the league," Mike O'Koren said, "we've got a pretty good league."

See HOOPS on page 2

Chinese begin new offensive

BANGKOK, Thailand (AP)—Chinese infantrymen and tanks smashed into defense lines in Vietnam's northeast corner in a two-pronged assault that could cut off thousands of Hanoi's troops from reinforcements and supplies, intelligence sources in Bangkok and Peking reported Thursday.

A government official in Peking said China is not yet satisfied it has achieved the objective of its six-day-old invasion.

"The thing is that the Vietnamese must feel our punishment," Japan's Kyodo news service quoted the unidentified official as saying.

Peking says the invasion was launched to retaliate for Vietnamese border provocations and to "teach a lesson" to Hanoi.

Vietnam said fighting raged Thursday on battlefields all along the 450-mile Chinese-Vietnamese border, the Soviet news agency Tass reported.

In New York, the United States and three other Western nations called on the U.N. Security Council to meet to consider "the situation in Southeast Asia"—meaning both the Chinese invasion of Vietnam and the earlier Vietnamese invasion of Cambodia.

Tass charged in a report from Hanoi that the Chinese intend to annex Vietnamese border territory. Peking has said repeatedly it does not want any land, but some intelligence sources suggest the Chinese might hold on to some border districts to use as bargaining chips in eventual negotiations.

The Soviets have warned China to pull out of Vietnam, a Moscow official said. "before it is too late." But they have made no overtly threatening gestures, and on Thursday the Kremlin heatedly denied its forces had been put on a heightened alert status. U.S. officials in Washington said they had no indication of threatening Soviet movements on the Chinese border.



Election workers count ...one more time?

Runoff rerun may be held

By BERNIE RANSBOTTOM
University Editor

The results of any or all races voted on in Wednesday's runoff election could be voided if the persons involved in each race challenge the results on the basis of apparent polling irregularities, the chairperson of the Elections Board announced Thursday.

As *Daily Tar Heel* editor-elect David Stacks prepared to begin transition into his new job, chairperson Jil Linker announced a public hearing for 3 p.m. today in Suite C to consider any possible election irregularities.

In a statement issued late Thursday, Linker announced that "Candidates who believe that election irregularities substantially affected the outcome of their particular race may present their documented cases to that effect to the Elections Board at this hearing. Any races which are not contested at this hearing will automatically have their results certified by the board."

Several candidates had filed or were considering filing appeals of the results based on irregularities involving several polls that opened as much as one and a half hours later than scheduled.

Linker said the exact application of the law still is unclear.

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Aldermen still may back out of I-40 suit

By CAROL HANNER
Staff Writer

The Chapel Hill Board of Aldermen tabled a resolution Wednesday night calling for the town's withdrawal from a lawsuit blocking construction of an Interstate 40 link north of Chapel Hill.

At the same time, the board voted to ask the N.C. Department of Transportation, defendant in the I-40 suit, to include a proposed southern bypass around Chapel Hill and Carrboro in the department's seven-year plan.

Mayor James C. Wallace proposed to aldermen last month that the DOT and the N.C. General Assembly might cooperate on a southern bypass and a northern extension of the town's planning district if the town pulled out of the I-40 suit.

Some aldermen have suggested that a bypass would ease traffic flow to the proposed athletic complex and

18,000-seat basketball arena that may be built on Mason Farm Road.

The I-40 suit, brought by Chapel Hill, Carrboro and the Orange County commissioners, is scheduled to go before Wake County Superior Court on Feb. 26. Several aldermen expressed uncertainty about what would happen if Chapel Hill drops out of the suit, which was brought against the DOT because of the procedure used in deciding where the I-40 link should be built.

B.B. Olive of Durham, coordinator of Chapel Hill and Orange County opposition to I-40, urged the aldermen to continue the suit.

He said the procedural suit arose because of a DOT meeting Sept. 9, 1977, in High Point at which the department chose the proposed I-40 link from several alternatives. Olive said Chapel Hill, Carrboro and Orange County representatives were denied the right to speak against the Chapel Hill link, and no minutes of the meeting were recorded.



Chancellor N. Ferebee Taylor (left) and UNC President William C. Friday (right) will meet today with David Tatel, director of HEW's Office of Civil Rights, and Mary Berry, assistant secretary of education. Tatel and Berry are touring the state's universities in connection with a pending decision on the state's desegregation plan. HEW must make a decision on the plan by March 14.



HEW aides tour campus today

From Staff and Wire Reports

A federal official said Thursday that she doesn't expect to recommend merger of programs at UNC institutions.

Mary Berry, one of five Department of Health, Education and Welfare officials who are visiting UNC campuses this week, said facilities at predominantly black campuses are inferior to those at predominantly white campuses. She is assistant secretary of education at HEW.

The visitors also heard students complain about the facilities at one traditionally black school. "I think it's fair to say that resources that were available at UNC-Greensboro were much more adequate than those at other black schools. I think

they (UNC-G) were in general much better equipped," Berry said.

"But we haven't proposed any mergers. We don't expect to," she said.

Berry made the remarks while she and David Tatel, director of the Office of Civil Rights, toured the North Carolina A&T campus Thursday. Earlier in the day, they and other HEW officials were at UNC-G, and on Wednesday, the group visited Fayetteville State, North Carolina Central and Winston-Salem State.

The three schools in the Triad—UNC-G, Winston-Salem State and N.C. A&T—are part of

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James C. Wallace

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