

Court opinion: Poll problems not sufficient

By MARTHA WAGGONER
Staff Writer

The Student Supreme Court Monday handed down its opinion on the *Daily Tar Heel* editorship case, stating that mismanagement of a campus-wide election does not constitute grounds for a new election unless it can be proved that the mismanagement actually affected the election results.

The opinion, written by Chief Justice Roy Cooper, concerns the court's decision March 20 to support the Elections Board certification of the Feb. 21 runoff for *DTH* editor. Candidate Allen Jernigan sued the Elections Board and candidate David Stacks in an attempt to have the results voided.

The opinion states that Jernigan and his counsel, David McKinnon, "failed to show the court that there is a reasonable probability that the election error altered the outcome of the election," as stated in Title II of the student statutes. Jernigan did prove election errors occurred, Cooper said in the opinion, but the court did not feel he proved the errors altered the outcome.

"He has not provided any evidence that shows a reasonable probability," Cooper said. "In the election process, fraud is always a possibility."

Both Cooper and the opinion stated, however, that the possibility of fraud was greater in the Feb. 21 runoff than it is to be expected in an election. "Evidence tends to show that the possibility for fraud existed during this election," the opinion stated. "But we refuse to infer 'reasonable probability' from mere possibility."

Craig Brown, counsel for Stacks, said the opinion is "a mirror of what the defense tried to prove and what it apparently did prove."

McKinnon said the court wanted the plaintiff to prove fraud actually occurred. "There is some precedent to support our viewpoint," he said.

Cooper said the number of ballots was about equal to the number of people who signed voter registration sheets. "This pretty much counts out ballot box stuffing," he said.

The opinion stated that although the plaintiff did have petitions containing 79 signatures of people claiming to have been disenfranchised by polling irregularities, the number was not close to the 204 vote margin by which Stacks won. "We do not intend this comparison as a test," the opinion stated, "but we must note that this court has been reluctant to overturn a campus-wide election even when the number of signatures claiming disenfranchisement matched the vote margin between the candidates in question."

"We're not laying this out as a strict requirement," Cooper said. "It should

See COURT on page 2

BSM settles debt with final check

By THOMAS JESSIMAN
Staff Writer

The Black Student Movement made its final payment Monday on a loan it received last spring from the Campus Governing Council.

"I am a little surprised we did it all," BSM chairperson Allen Johnson said. "It took a great deal of money and a great deal of sacrifice."

"They had a perfect record on the payments and there was no way they would mess it up," said Rhonda Black, CGC Speaker and past finance committee chairperson. "Allen Johnson would have made that last payment if he had to take it out of his back pocket."

The \$566 payment erased what was left of \$3,296 the BSM originally owed the CGC. Low ticket sales for the "Kool and the Gang" concert last spring caused the BSM deficit.

"We'll be very careful about a loan like that again," Johnson said. "We will think two, three, four times before we consider doing any more concerts."

See BSM on page 2

New policy results in fewer towings

By PAT CAUDILL
Staff Writer

The number of cars towed for parking violations in Chapel Hill dropped significantly in February when police began enforcing a new ticketing and towing policy. Police Chief Herman Stone said last week.

"We were towing 20 to 25 cars a day," Stone said. "At this point we are only towing 10 to 15 cars a day, sometimes less."

The new policy raised the fine for any car subject to towing to \$10. Previously, those fines had been from \$1 to \$5. The new policy also eliminated a \$27 fine given to persons who returned to their cars before a wrecker could tow them.

Stone said the fine increase was



Jimmy Carter victorious
Arafat vows to chop off his hands

Palestinians protest

Sadat and Begin sign treaty at White House

The Associated Press

WASHINGTON (AP) Egypt and Israel, neighbors and enemies for a generation, signed a treaty Monday to begin a new, fragile era of peace between Arab and Jew.

Egyptian President Anwar Sadat and Israeli Prime Minister Menachem Begin put their names to Arabic, Hebrew and English copies of a treaty promising mutual recognition, respect and peace.

"Peace has come!" declared a beaming President Carter, whose personal intervention brought the talks back to life after they had stalled on the details.

He quoted the Bible and the Koran, and he offered a personal prayer that Arabs and Jews may one day be brothers.

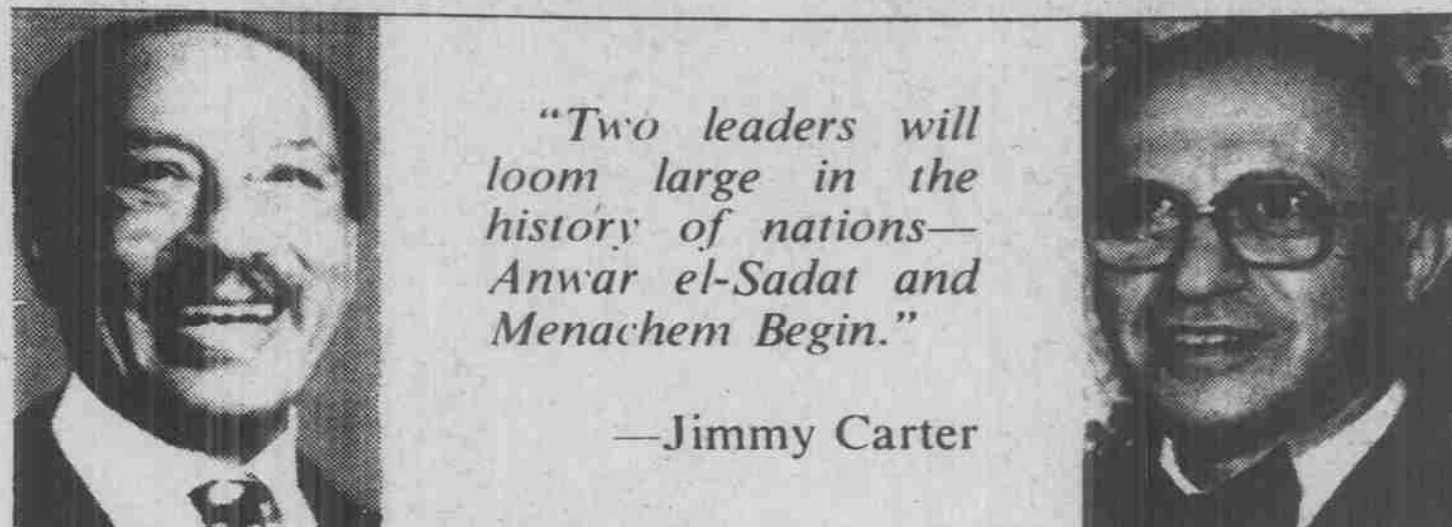
Sadat and Begin signed, dramatically, on the windy White House front lawn, after four wars between their nations and 15 months of American-sponsored negotiations.

Not all Egyptians welcomed the treaty. Officials said public gatherings were discouraged out of concern that the treaty opponents, calling it a betrayal of the Palestinian and other Arab states, would try to disrupt them.

Meanwhile, celebrations were restrained in Israel. The festive mood was shattered in Jerusalem, where a terrorist grenade exploded 10 minutes before the treaty signing, injuring nine persons.

No one claimed responsibility for the explosion, but Palestinian guerrillas had vowed to disrupt the peace.

Outside the White House gates, 1,000 protesters, supporters of Palestinians, shouted



"Two leaders will loom large in the history of nations—Anwar el-Sadat and Menachem Begin."

—Jimmy Carter

their opposition, charging Sadat had betrayed their cause by making a separate peace with the Jewish state.

There placards read "The Shah Is Gone, Sadat Is Next," and "Palestine Is Not for Sale."

In the treaty, Israel agrees to dismantle Jewish settlements and return to Egypt the vast Sinai desert seized in the Six-Day War of 1967. Egypt agrees, for the first time, to formally recognize her Jewish neighbor as a member of the community of nations.

Carter called on the rest of the Arab world to join in the peace process, and he showered Sadat and Begin with ringing praise.

"Two leaders who will loom large in the history of nations—Anwar Sadat and Menachem Begin have conducted this campaign with all the courage, tenacity, brilliance and inspiration of any generals who ever led men and machines onto the field of battle," Carter said.

On the White House lawn, guests sat in rows

of folding chairs. Among them were officials of both countries.

Television carried the ceremony back to the Middle East, where the occasion was marked with anger, hostility and threats—and bombs, strikes, mass rallies and threats of reprisal and revenge.

Effigies of Carter, Sadat and Begin burned in refugee camps and Yasser Arafat, leader of Palestinian refugees, denounced each of them.

"Let me tell all three of them today," Arafat declared, "that I shall not only burn their fingers, but shall even chop off their hands."

Agreement on the final details—the question of Israeli access to oil from wells to be surrendered back to Egypt—came in a final Sunday night face-to-face session between Sadat and Begin.

Begin dropped his proposal that the treaty be signed at two further ceremonies, in Jerusalem and Cairo. Instead, he agreed to settle for a one-day visit next Monday to Cairo.

HEW rejects plan; funds in jeopardy

By MARK MURRELL
Staff Writer

HEW Secretary Joseph Califano Monday announced the rejection of UNC's desegregation plan, but said HEW would not cut off funds for 30 days.

Califano notified Gov. Jim Hunt and UNC President William C. Friday by phone of his rejection of the plan before announcing it in a news conference. Califano said he was still hopeful some agreement could be reached within 30 days, before he would be forced to stop federal money for new programs which he believes would continue a pattern of segregation.

But Califano's action marked the beginning of a lengthy administrative process that could lead to the cutoff of nearly \$90 million now going each year to support programs on the 16-campus university system.

At a news conference in Chapel Hill, Friday said

Califano would transmit the formal documents today concerning the case to the University's attorneys. Califano also told Friday HEW would not begin to defer funds for 30 days. But Califano said he would cancel funding only to those programs that would further segregate the system.

"This appears to allow 30 additional days for discussion, and we will be prepared," said Friday. "Having retained counsel, we shall now await their advice as to the next steps."

UNC Board of Governors Chairman William A. Johnson expressed disapproval of HEW's decision. "I hoped they would accept our plan," he said. "The decision was not in the best interest of the University or the students."

Concerning the Board of Governors' next move, Johnson said the board would see what further proposals come from HEW, consider alternate plans and consult with its attorneys.

In recent months, HEW has accepted desegregation plans from five other states with separate institutions for blacks and whites. However, as a result of Califano's Monday action, North Carolina may become the first state to lose federal funding for higher education.

Most recently, HEW officials have called for substantial improvements in the state's five black campuses, but Friday said the state and HEW are about \$100 million apart in their estimate of what the state can afford to spend on the improvement of the campuses. HEW has most recently asked the state to appropriate \$120 million, while the legislature insists it can only afford to appropriate an additional \$21 million.

State officials have said HEW's original emphasis was on ending duplication of programs offered on both black and white campuses, but that recently the issue has switched to improvements on the black

campuses. Friday has said the issue of duplication remains HEW's top priority.

One plan did win provisional acceptance last May, but the plan turned out to be only a temporary settlement. This plan contained a pledge by North Carolina to enroll a significant amount of students in unduplicated programs.

However, the University and HEW came to disagree over the duplication issue.

In December, the University Board of Governors decided none of the 111 duplicate programs found at various schools were educationally unnecessary and therefore eligible for elimination or movement to another campus. Since that time, all attempts to negotiate a settlement have been unsuccessful.

The continued disagreement caused Califano to ignore a March 15 deadline to make a decision on the case, and government attorneys are now seeking to explain why he should not be held in contempt of court.



Gregory Pittman ends BSM debt
Treasurer Susan Treece receives check

A grandfather's gift

Toys teach handicapped kids

By SARAH WEST
Staff Writer

Wilbur Morse has turned his hobbies of sculpting and inventing into tools for helping handicapped children.

A year ago, his daughter and her husband adopted a handicapped child and Morse began putting his skills to work making toys and communications devices for his new granddaughter and other children with severe physical handicaps.

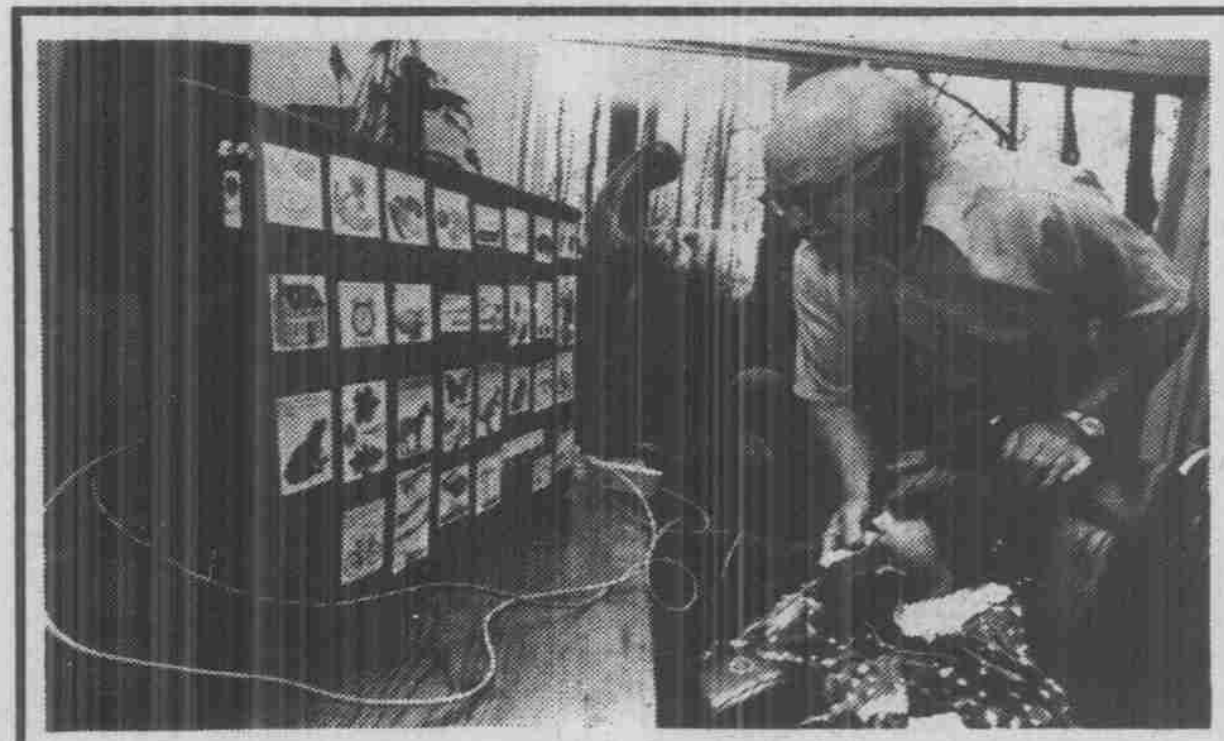
"I began making toys for my granddaughter in an attempt to stimulate her and make her react," Morse said. "These children can get very frustrated. They have active minds yet are unable to express themselves."

"Actually, the toy-making is a secondary part of what I'm trying to do," Morse said. "The communications devices I've designed are really more useful. Many of these children are non-verbal and massively handicapped. Because they are unable to point or make signs, an electronic device must be substituted which will indicate what the child is trying to communicate."

Morse said that he adapts the communication boards to an individual child's handicap. "I find out what the disability is, assess what the child can do in spite of it and then find a part of the body that the child can control," Morse said.

"For example, if all a child can do is make a biting motion, I can design a switch that he can activate by biting. Or if the child has a particular hand movement, I'll adapt a switch exploiting that movement," Morse said. "Give me a movement of even an eighth of an inch that the child can control and I'll harness it."

Morse said he designs communications devices to be as easy as possible for the child to operate, but he likes to make the toys he creates challenging. "I feel that this stimulates the child intellectually,"



The language board. Morse tells his granddaughter which picture to indicate. She does so by biting the switch until the light appears over the correct picture. "Give me a movement of even an eighth of an inch that the child can control and I'll harness it."

Morse said. "The human mind is like any other part of the body—without exercise, it can atrophy."

"Most of the toys I make move or make some kind of noise," Morse continued. "It's very satisfying to these children to feel that they can achieve some control over something."

Most of the toys Morse designs would be tempting to any child. A pinball machine, a jack-in-the-box and a race track with toy cars are just a few of his creations, all of which are activated by an electric switch tailor-made to a particular child.

Morse said the field of electronics is responsible for increased attention to the handicapped. "People that were wasted a generation ago can be helped now," he

said. "Even so, the accessibility of facilities for the handicapped is such that children can't be reached early enough. Every handicapped child is entitled to have his problem assessed early and steps taken to alleviate it."

A former attorney, Morse was the General Counsel to the United Nations Relief and Rehabilitation Division. He was involved with the Military Sea Transportation Service, a position which enabled him to travel all over the world. Originally from Oklahoma, he and his wife lived in Washington, D.C., for about 30 years.

After retiring, Morse and his wife participated in the VISTA program in West Virginia. They have lived in Chapel Hill for the past six years.

See TOWING on page 2