

Various and sun-dry

Sunny and pleasant is the forecast for today's weather. The high will be near 60 with a low in the 30s. No chance of rain.

The Daily Tar Heel

Serving the students and the University community since 1893

Sad but true

Even the 'DTH' staff has to take finals, so this is the last issue of the paper for fall semester. Good luck on exams and see you in January.

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Wilmington trial verdict overturned Federal appeals court reverses '10' conviction

RICHMOND, Va. (AP)—A federal appeals court Thursday reversed the convictions of the Wilmington 10, nine black men and one white woman convicted of charges growing out of racial violence in Wilmington in 1971.

Civil rights groups long have maintained that the 10 were victims of racial injustice, and the case drew international attention to North Carolina's court system. London-based Amnesty International listed the 10 as political prisoners.

The 4th U.S. Circuit Court of Appeals said the 10, all of whom have completed their prison sentences or have been released on parole, were denied their constitutional rights when their attorneys were prohibited from attacking the credibility of two key prosecution witnesses.

The most prominent of the 10, the Rev. Ben Chavis, said in Washington that the decision was a victory for all Americans and a sign that North Carolina should re-evaluate its court system.

"Well, I'm very happy that a court somewhere in the United States agrees with the Wilmington 10," he said. "We should have never been convicted. We were totally innocent of those frame-up charges and had to suffer many years unjustly."

Chavis, who is now director of the Washington office of the United Church of Christ's Commission for Racial Justice, added, "This action shows that North Carolinians should re-evaluate their court system. I would hope that those who run the court system in North Carolina begin to render justice more equitably and more justly particularly when it comes to black people and other minorities."

Another member of the group, Joe Wright, said he was "jumping for joy" but was disappointed that the decision did not come from a state court in North Carolina.

"This is a decision that should have come from the first court we were in," Wright said.

North Carolina Gov. Jim Hunt, who reduced the sentences of the nine who remained in jail in 1978, refused to comment on the ruling. During an address on a statewide television network in 1978, Hunt announced his decision to reduce the prison terms, saying they were too long.

Eight of the nine prisoners were released later that year, and Chavis was freed in 1979. The 10th defendant, Anne Sheppard Turner, was already out of jail.

The appeals court said in its ruling Thursday that the convictions were flawed on at least three grounds:

- The failure of the prosecution to make available to the defense an amended pretrial statement of a key witness, convicted felon Allen Hall.
- The refusal of the trial court to permit cross-examination of Hall and Jerome Mitchell, another key prosecution witness.
- Concealment of favorable treatment of Hall, including accommodations at a luxury beach hotel and a visit by his girl friend, which might have induced his testimony favorable to the prosecution.

See WILMINGTON page 2



'And this is what I want...'

In less than three weeks it will all be over and done with—the annual event that makes the old young and the young more fun than ever to be around. In hopes that Santa Claus knows just how good a little cowgirl she has been, this young lady lets Santa in on her secret of what she wants for Christmas.

DTH/Matt Cooper

Carter to veto anti-busing plan

WASHINGTON (AP)—President Carter said Thursday he would veto a \$9.1 billion appropriations bill because it included an amendment that would prohibit the government from asking courts to order busing in school desegregation cases.

"I cannot allow a law to be enacted which so impairs the government's ability to enforce our Constitution and civil rights acts," Carter said in a letter to Senate Democratic Leader Robert C. Byrd of West Virginia.

"The precedent that would be established if this legislation became law is dangerous," Carter said. "It would effectively allow the Congress to tell a president that there are certain constitutional remedies that he cannot ask the courts to apply."

The amendment, which was passed easily by both the House and Senate, was attached to a funding bill for the Justice Department and several other agencies. It would have barred government lawyers from asking courts for desegregation plans that call for busing children beyond the closest school to their homes.

Carter's decision to veto the measure jeopardizes money to the departments of Justice, State and Commerce and the federal court system.

It was not clear whether Congress would attempt to override Carter's veto. Both the House and Senate are scheduled to hold their last sessions Friday.

Both chambers, in anticipation of a veto, provided for money to keep the federal agencies operating by including funds in a continuing resolution that would provide money until the new Congress could pass another appropriations bill in January. But the resolution, already passed by the House and pending in the Senate, also contains the anti-busing rider.

White House press secretary Jody Powell said Congress could dispose of the matter easily and without further delay simply by passing the resolution without the anti-busing rider.

The resolution would provide up to six months of stopgap spending in place of the \$9.1 billion bill.

Congress could not let the issue ride until the new Congress convenes in January because a continuing resolution under which the Justice Department and other affected agencies are getting funds expires on Dec. 15. The new Congress won't be seated until after Jan. 1. President-elect Ronald Reagan said he supported the anti-busing amendment.

The anti-busing amendment would have barred the Justice Department from using the appropriated money "to bring any sort of action to require directly or indirectly the transportation of any student to a school other than the school which is nearest the student's home." There would be exceptions for mentally or physically handicapped students who require special education.

Powell said Carter actually would veto the measure Friday.

The president said he recognized the difficulties that the veto would cause in terms of government operations, but said: "I would be shirking my constitutional responsibilities if I allowed this unprecedented and unwarranted encroachment on executive authority and responsibility to prevail."

"Throughout my administration, I have been committed to the enhancement and strong enforcement of our civil rights laws," Carter wrote to Byrd. "Such laws are the backbone of our commitment to equal justice."

He said he had often stated his belief that busing should be used as a last resort in school desegregation, but "busing is not the real issue here."

Company accused of misleading sales practices

By BEVERLY SHEPARD

Staff Writer

When is the last time you've been offered a free trip for two to Miami Beach and a year's free subscription to the magazine of your choice?

For the fifth consecutive year, sales representatives from American Market Associates are presenting their offers to UNC students. Yet Dorothy Bernholz, director of Student Legal Services, said American Market, whose subsidiaries assume as many as 14 different names, continued to make misleading promises to its customers.

Among AMA's subsidiaries are: Gourmet International; Future Enterprises Inc.; Lincrest Inc.; Matline Inc.; Royal Prestige Inc.; and Twenty-First Century Inc. All of these subsidiaries are listed under the same

address: P.O. Box 20082, Indianapolis, Ind. This year, the company has appeared in Chapel Hill under the names of Andrian Industries Inc. and Multi-Industries Inc., both of which share a common address — 5510 N. Tacoma Avenue, Indianapolis.

"The question is why the company changes its name every time it comes into the community. Most companies trade on their reputation," Bernholz said.

But a Multi-Industries sales representative, who refused to give her name, said in a telephone interview Thursday the name changes were made to meet federal regulatory sales tax purposes. She said Gourmet changed its name to Andrian, Royal Prestige changed to Matline and Twenty-First Century changed to Maric. These companies merged within the last month because it made paper work easier, the representative said.

Bernholz said the company called students selected through the campus directory to persuade them to have a party where the sales representative could demonstrate the company's products. For having the party, the host or hostess would receive an expense-paid trip for three days and two nights to any of several "fabulous resorts," including Miami Beach, Fla., Hollywood-Ft. Lauderdale, Fla., Las Vegas, Nev., New Orleans, La., or Aspen, Colo.

If 12 people, 17 years or older, attend, the company promises to hold a door-prize drawing in which one of the guests will receive a free trip also. The guests can also choose one of 16 magazines for one year's free subscription, just for attending.

Regardless of the numerous resorts offered, at least one UNC student became

convinced that the "first-rate treatment" he was promised was a hoax. For starters, Miami's Barcelona Hotel would not accept his free certificate. The second certificate was issued to the Windward Hotel, which he described as dilapidated and catering to homosexual clientele. The third hotel was no better, the student complained.

The second major complaint Bernholz offered was that students did not realize they were paying the highest legal price to borrow the money used to purchase the cookware.

Multi-Industries offers cookware in three packages. The least expensive is the \$800 which includes an 18-piece cookware. The \$1,000 package includes the 18-piece cookware in addition to a four-piece set of crystal, china and silverware. The \$1,300

See COMPANY on page 2

Seniors end Heel careers at the Bowl

By GARY MANGUM

Staff Writer

The Eyes of Texas are almost upon the North Carolina football players. For them, it is time to put behind fond memories of a successful 10-1 regular season and start preparations for the Texas Longhorns, the team the Heels will face in the Bluebonnet Bowl in Houston's Astrodome on New Year's Eve.

Some Carolina players have been to a bowl game more than once, but preparing for a bowl game is a new and exciting experience for other players. For three Carolina seniors — center Rick Donnalley, tailback Amos Lawrence and outside linebacker Lawrence Taylor — the game marks their last game in a UNC uniform and their last chance to impress pro scouts.

After the Bluebonnet Bowl, more than likely, it is on to a professional football career with some team in the National Football League.

That, however, is the least of their worries at the moment — they just want to go out winners and help the Carolina football team improve in the national rankings.

They also see the bowl game as a chance to gain recognition for the University and for the Atlantic Coast Conference.

"Even though we're 10-1," Donnalley said, "we're one of the lowest ranked teams with a 10-1 record. We don't deserve to be in that position."

"The Texas game will give us a chance to prove that we're a national power," said Donnalley, who recently was named an AP second-team All-American.

Lawrence, who gained more than



UNC senior Rick Donnalley is center for football team ...he was named an AP second-team All America

1,000 yards for the fourth time in his career this year, echoed Donnalley's sentiments. "Every time we go out on the field, we have something to prove. A lot of media people don't feel we can stand up to teams like (Texas). There's not that much respect for the ACC (as a football conference)."

Lawrence cited the Oklahoma game as an example of a bias against ACC teams. "When we lost to Oklahoma, we went way down in the polls — the polls didn't want us there anyway, and when we lost, they saw the opportunity to put us way down."

But while fans and the media may be taking the Tar Heels lightly, ACC Player of the Year Taylor doesn't think Texas will. "I don't think anybody who knows football will be taking us lightly," he said. "As for the others, if they don't think we're a good team now, nothing will change their minds."

"Teams are going to know that we have come to play a football game — that's our main objective. And when we come to play, we come to win. Any

team knows that and will tell their guys accordingly."

The three Tar Heels have respect for Texas. "Beating Texas with their big name would be a major accomplishment," Donnalley said.

Despite the Longhorn's sub-par 7-4 record, Taylor said the Heels aren't about to take them lightly. "They have a good club with a lot of speed and quickness," said Taylor, a first-team consensus All-American. "We have to play them like they were one of the top teams."

"If we don't, it will be like the Michigan game last year, only we'll be like Michigan and they'll be like Carolina." Last year, the Tar Heels beat the heavily favored Wolverines 17-15 in the Gator Bowl.

"We consider ourselves a Top 10 team and that's how we want to play when we play Texas," Donnalley said.

Taylor probably summed up the three seniors' feelings when he said, "It's a good feeling to know we can play teams of that caliber and have a chance to win."

Council passes athletic fee hike

By KERRY DEROGHI

Staff Writer

A proposal to increase the student athletic fee was approved by the Athletic Council Wednesday.

In a 4-2 decision the council approved Athletic Director John Swofford's proposed increase of \$15 for next year but did not approve the proposed increase of \$10 for the following year.

Students currently pay \$35 a year in athletic fees. This figure, which has not been increased in five years, is the lowest in the 16-campus University system and the second lowest in the Atlantic Coast Conference.

"I don't guess fee increases are something any of us cherish, but I'm afraid they are a fact of life," Swofford

said. "It's scary to us where we could be going in our athletic program."

Swofford said the fee increase would help alleviate a projected deficit of \$365,390 in the operating budget of the Athletic Department for next year. This operating budget covers items such as travel expenses, staff salaries and equipment costs. Because the increase would not totally eliminate the projected deficit, Swofford said additional cuts in expenses would have to be made. The department also will have to keep maximizing alternate forms of getting money, he said.

Money raised by the increase would be used for the non-revenue sports, Swofford said. The varsity football team and the men's varsity basketball team would not receive any of the funds

because they are self-supporting.

Carolina Athletic Association President Charlie Brown said he recognized the need for an increase in the fee but would rather it was phased in over a period of years.

"The problem is that it should have been done a couple of years ago so that the burden would have been spread out," Brown said. "Now, unless students want to cut out some of the sports, there is no other way but an increase."

Although the council did not approve Swofford's recommendation for a subsequent increase of \$10, it recommended that the budget projections be reviewed each year.

See FEE on page 2

Orange county growing rapidly

By RACHEL PERRY

Staff Writer

Preliminary 1980 census figures show Orange County to be the eighth fastest growing county in the state, and county planners expect the population to more than double over the next 10 years.

"The preliminary figures set the Orange County population at 77,603, and our population projection estimates 161,000 by the year 2000," said Fred Luce of the Orange County Planning Department.

"Of course the implications for the way this county will look in 20 years are tremendous," he said. "This area will continue to be an area of future growth due to Duke, UNC and their medical schools and facilities. The Research Triangle Park also is a big center of employment for this area," Luce said.

Chapel Hill planner Lis Rooks agreed that the Research Triangle and local hospital facilities were basic for continued Orange County population growth. "When these employment bases expand, other associated services grow along with them, like a snowballing effect," she said. Rooks cited the rapid population growth in the Triangle area during the late 1960s because of development of the Research Park and increased University enrollment. "The town of Chapel Hill has played 'catch up' ever since. We are just now getting our water, sewer, recreation and administrative coordinated with the rapid growth," she said.

Rooks said that the final population count for the Chapel Hill-Carrboro area could determine its status for future federal

and state funding. "We're hoping to get over 50,000 (people) to be classified as an urbanized area, but at this point we don't know if we're going to make it," she said. The preliminary tally for the Chapel Hill township is 49,991, nine people short of the 50,000 cutoff point.

"This reclassification as an urban area would make us eligible for a lot more grants, with an especially big impact on transit funding," Rooks said. "We haven't really been applicable for many social welfare grants in the past, so we have not researched that area of possibilities," she said.

Orange County Commissioner Don Willhoit said, "Extended growth in Orange County will not have much impact on social services, welfare or public health. Most of the growth here is in the middle class and professional areas, so there is little demand for social welfare."

Willhoit also said the county should prepare for future growth by "planning for this growth, guiding it to certain areas. We have to make definite decisions as to what happens to the county instead of letting it happen," he said. "We have to make sure that we are ready to deal with this increase. The policies we adopt now may have an impact on whether or not this projected growth really occurs," he said.

Willhoit cited land-use planning as one of the county's major ways of preparing for future growth. "This has been one of our biggest concerns all along," he said. "Land prices and houses have gone up tremendously, much more than other counties in the triangle, because Orange County is a desirable place in terms of what it offers people," Willhoit said.

