



N.C. Supreme Court Associate Justice Henry Frye spoke in Lenoir Hall Saturday

Banquet features first black law grad

By KEVIN WASHINGTON
Staff Writer

N.C. Supreme Court Associate Justice Henry Frye spoke about the University in the 1950s at the Black Student Movement's Discovery banquet Saturday night.

Approximately 200 University students and black alumni heard the BSM's keynote speaker in Lenoir Hall. Discovery, a celebration of black history month, was held Saturday in the Union. It was planned by the BSM, Black Alumni Reunion Committee and the N.C. Black Student Leadership Caucus.

Frye, 52, was the first black student to graduate from the UNC School of Law. He received his degree in 1959. He was appointed associate justice in 1983 and elected to an eight-year term in 1984.

He said the 1950s had a different racial climate than the 1980s.

He graduated from N.C. A&T in 1953. In 1956, when he was admitted to the law school, there were only seven black graduate students and three black undergraduate students.

In his own class of 80 graduates, one woman graduated — Frances Hall, the current librarian of the N.C. Supreme Court. "We were the minorities," he said.

However, he said the students he attended class with had similar backgrounds to his own. "Looking through the statistics, I found that we had

something in common," Frye said. "A large percentage of us were veterans, many had not attended UNC undergraduate (school) ... and a lot of us were poor."

"Sometimes it's better if we place emphasis on similar backgrounds and shared experiences."

Nevertheless, his aim was not to socialize, he said. "I came to see if I could do whatever I needed to do to graduate from law school and practice law," he said.

Frye said he had learned several things outside of law at the University. "I learned for one, that reality is important, but sometimes perceptions are just as important too," he said. "When we were in law school, they had this system of numbers so that no one supposedly knew who had made what grade."

"Of course, everyone would know who made the As in the class. In my first class, I made an A and from then on, I was represented as being a scholar. "I won't tell you how many As I made after that."

He said his grades were good enough to get him on to the UNC law review staff for which he wrote several articles. However, he didn't write about racial issues and the law until his final article.

The article dealt with a federal circuit court's decision to support the segregation policies practiced by the Brotherhood of Locomotive Engineers and Firemen. Frye said the court supported

the policy because the organization was private and not covered by federal law. He wrote that the organization wasn't really private, but represented a group of workers.

After graduating with honors, Frye became an attorney and practiced law for 10 years. In 1969, he began an 11-year tenure in the N.C. House of Representatives. There, he said, perception helped him to be recognized around the state.

"When I went to the legislature, very few black people around the state knew me," he said. "As we came to the time for adjournment, I moved that we adjourn in honor of Martin Luther King's birthday."

"After we adjourned, it was all over the radio and the television. They had planned to adjourn anyway — and the motion had very little practical impact."

Frye finished with a word of advice to students. "Choose a goal," he said. "Work toward it, never give it up. Someone somewhere is counting on you to make it."

For the record

Dr. Joseph L. DeWalt, director of sports medicine at UNC, said attention was paid to the grace and athletic ability of cheerleading candidates — not their race, as was printed in Friday's "Freak accident prompts safety questions." The DTH regrets this copy editing error.

Town attorney submits resignation

By LISA BRANTLEY
Staff Writer

Town attorney Grainger Barrett submitted his resignation letter Wednesday to Chapel Hill Town Council members and Mayor Joe Nassif.

Barrett, town attorney for two years, will resign March 31. He said he planned to remain active in law and would probably go into private practice.

Barrett said Thursday that the decision was related to his desire to spend more time with his family. He and his wife have two young children. Barrett said, and, as town attorney, he often had to work long hours and attend meetings at night.

"There will be some short-term financial sacrifice (in leaving the position)," Barrett said, "but, in the long run, it will be advantageous in terms of both pay and hours." Barrett has earned \$40,000 per year since a pay raise approved by the town council last fall.

Barrett said he couldn't speculate on who his successor would be, but

he expected the council to make an interim appointment before naming a replacement. "The council tends to be very careful about making this type of appointment," he said.

Barrett said he felt that some of his most important work had been as counsel on specific planning and zoning matters such as the Oxford Hills development controversy, the Resource Conservation District Ordinance (Chapel Hill's 100-year floodplain plan), and the plans for Rosemary Square, a 32,477 square-foot hotel and parking complex being developed on East Rosemary Street.

The Oxford Hills case, a suit filed in 1983 in which Barrett defended the town against Goforth Properties, Inc., is expected by many to be a landmark zoning case in North Carolina because it will set precedent regarding what a council may or may not do in terms of zoning decisions.

In July 1984, Orange County Superior Court upheld the town council's decision to deny a special-

use permit for the construction of a 180-unit apartment complex off of Old Oxford Road. The case has been appealed and may take another year to resolve.

In addition to working on these issues, Stephen Sizemore, Chapel Hill development coordinator, said that Barrett had worked particularly closely with the planning department, giving advice on the legal distinctions of zoning ordinances and on contractual arrangements for community development.

"Grainger is very knowledgeable about local government and zoning regulations," Sizemore said. "Until he's replaced, we're going to have to seek advice elsewhere such as the UNC Institute of Government."

Barrett began acting as deputy town attorney in October 1981 and became permanent town attorney in January 1983. He was Chapel Hill's first permanent town attorney. His predecessor, Emery Denny Jr., was a part-time town attorney who also worked for a private law firm.

Heels

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Michael, who was an atrocious six-of-23 from the field.

"The last couple of games they had slowed down and stopped taking the wild shots, but today it seemed like they started to take them again," Peterson said.

After a slow first 11 minutes of a 15-15 game, UNC ran off 13 consecutive points and was never challenged. Later, streaks of 16 and 15 kept the Carmichael crowd on its feet most of the game.

"Most of the credit has to go to the big guys," Hale said. "Our big guys did an excellent job of posting up inside low. I really didn't have to make a difficult pass inside. So many times Warren or Brad would be posted up with the defensive man completely in behind them."

Coach Smith expressed surprise at the margin of victory, especially in light of Clemson's 52-50 win over UNC just four weeks ago. "I thought there was too much pressure on our squad to do well in the last game in Carmichael," Smith said.

But Hale explained the domination as a type of destiny. "I thought we had the potential to do it," Hale said. "I'd had a good feeling about this game for two or three days. And we really haven't blown anybody out recently. Add to that the fact that I think we've been playing well the last couple of weeks, and it's our last game in Carmichael, and we wanted to send our seniors out right. It all added up to potentially a great game for us."

Clemson coach Cliff Ellis, who was tagged with a technical foul during UNC's 13-point first-half run, said he was mostly concerned with regrouping his 15-10 team, which had been playing good basketball prior to Saturday. "You will have games like that once in a while, but we won't change our style of play," Ellis said. "It happens to baseball pitchers — sometimes they can't put the ball over the plate. We've got to come back strong. Today's was just a bad day at the office. Everybody has them."

UNC's hottest shooter from the field

was forward Curtis Hunter, who was seven-of-eight for 14 points. Hale and Kenny Smith each added 10.

Coach Smith, who berated UNC's crowd after Wednesday's win over Wake Forest, called the 10,000 fans the team's "sixth man."

"Certainly the Carmichael crowd was in it as never before," Smith said. "A Carmichael classic for the future quite possibly because we played so very hard."

UNC's other seniors, walk-ons Cliff Morris and Gary Roper, also participated first-hand on what was also UNC's annual Senior Day. Each played at least five minutes, with Morris scoring on three free throws.

"As they go on to medical school they can remember starting in Carmichael Auditorium," coach Smith said of Roper and Morris. "They'll remember that a long time."

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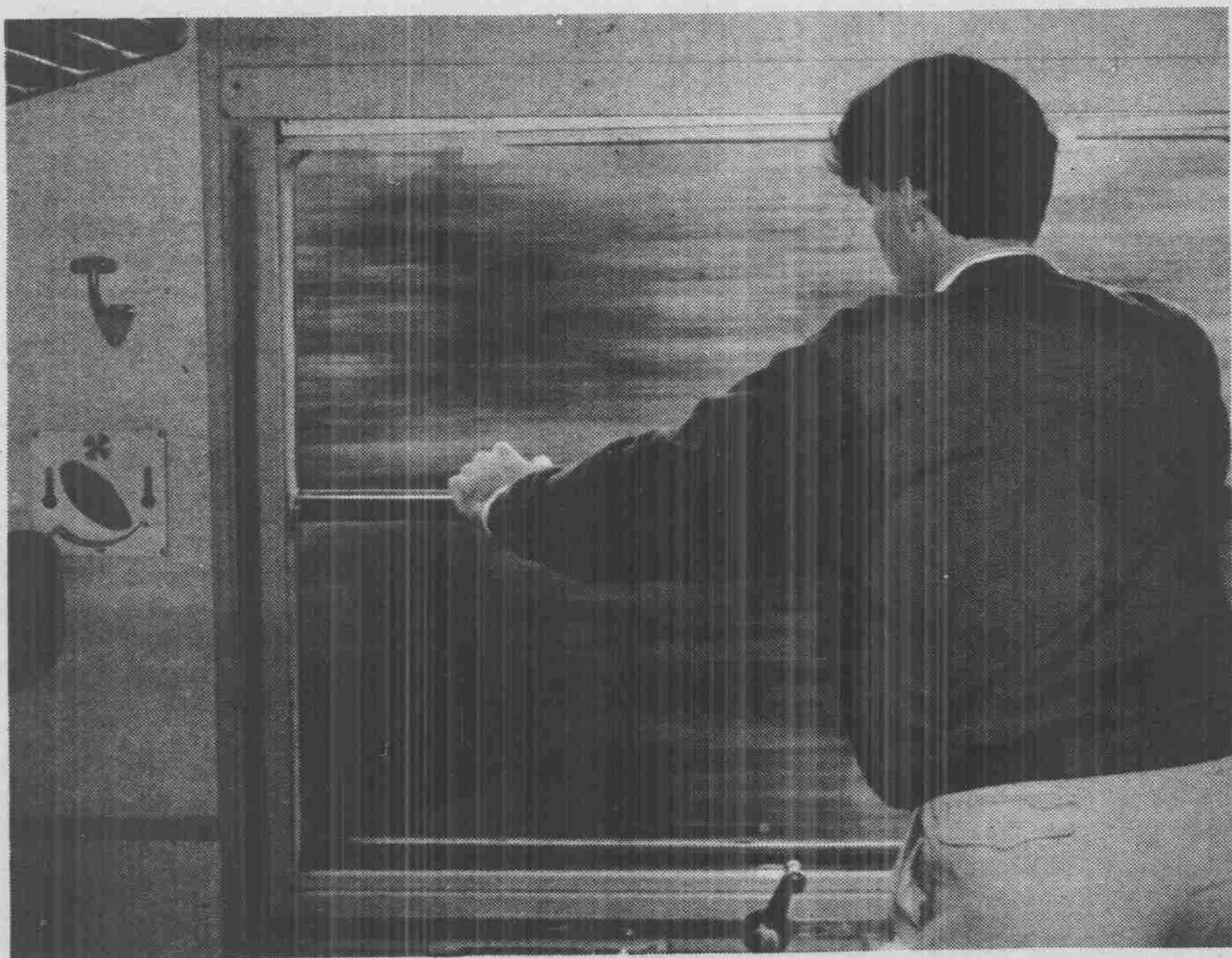
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