

The white stuff
One to three inches of snow likely this afternoon and evening, with highs around 35 and lows around 28.

The Daily Tar Heel

Love connection
Our special Valentine personals, pages 5 through 7.

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Co-counsel Chris Brown and David Brady listening to comments by the Student Supreme Court

Court hears debate; decision pending

By GUY LUCAS
Staff Writer

Amid contradictory testimony, the Student Supreme Court heard arguments last night in the trial to decide whether student body presidential candidate David Brady exceeded the \$420 spending limit for his campaign.

The court is scheduled to announce its decision today. The case arose from controversy surrounding "David Brady for President" T-shirts worn by some of Brady's supporters and campaign staff. Plaintiffs Rob Friedman and Reggie Davis said that the shirts were part of Brady's campaign and that the cost should have been figured into his expense report. Brady said that the shirts had been ordered by members of his fraternity, Kappa Sigma, and that he did not consent to the shirts so they were not part of his campaign.

Tim Smith and Peter McCullough, counsels for the plaintiffs, argued that the T-shirts were a service to Brady's campaign, which counts as a campaign expense under the election laws.

Smith said it was not the Election Board's duty to make sure every candidate stayed within the spending limits since the only source of spending information was the reports the candidates submitted the day after the election.

"We feel it is unreasonable and clearly not within the language of the statute to expect the Elections Board to go around policing," he said. "In order for a candidate to take responsibility for his election, he must take responsibility for his campaign workers."

Brady was responsible for making sure his workers did not violate the election laws by distributing T-shirts that put his campaign over the limit, Smith said.

Chris Brown, Brady's co-counsel, said the plaintiffs had failed to prove that Brady had had knowledge or consent of the shirts. The plaintiffs also failed to show the shirts were a service, he said.

Brown said Elections Board Chairman Bruce Lillie's interpretation of the elections laws had been Brady's only source of information, and given what Lillie said, Brady had not expected that he would be held responsible for the cost.

"I think that's expecting too much of a candidate that he could anticipate how the Supreme Court would rule on a statute that's this vague," Brown said.

Brown also said Fanney's testimony should be invalidated since other testimony contradicted it.

Contradiction in the testimony centered on a letter John Fanney submitted Feb. 7 to Lillie. Fanney said he had witnessed John McLanahan, a Brady campaign worker, pulling one of the shirts from a bag and holding it up in Brady's presence.

"David was directly in front of me, and he turned and said, 'I don't see those, that's your department,'" Fanney said.

A girl then came by, asking Brady if that was one of the shirts and if she could get one, Fanney said.

"David said, 'Talk to this guy,'" Fanney said. "At this point, David walked off, and he turned around and said he'd checked with Bruce, and he said, 'If I don't know about these, I'm clean.'"

Brown said he felt there were major differences between the letter Fanney submitted to Lillie and an affidavit with Fanney's name on it that had been submitted by the plaintiffs. "I'm trying to establish that the witness significantly fabricated this letter," he said.

Fanney disagreed, saying the affidavit's only difference was that it was in legal terminology.

"I feel that what's put in the affidavit and what I put in the letter are substantially the same," he said. "There may be some changes in it, some mumbo jumbo."

Lennis Bennett's testimony differed from Fanney's. Bennett was with Fanney at the time referred to in the letter.

"David came out and started to talk to John and I, and John McLanahan came out," she said. "... (McLanahan) had some T-shirts over his shoulder," not in a bag as Fanney said, Bennett testified. "... (Brady then said) something like, 'Don't talk to me, that's not my department.'"

"David turned back to us and said he talked to ... (Lillie) and if he (Brady) doesn't know about them, it's all right," Bennett said. "I never saw a T-shirt held up. ... I never

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Repair needed

BOT urges fraternities to employ housemothers

By JEAN LUTES
Staff Writer

A Board of Trustees committee recommended Tuesday that the system of housemothers be reinstated to maintain upkeep of fraternity houses, one of several suggestions made to promote funding of renovations, said Robert J. Page, secretary-treasurer of Phi Delta Theta House Corp.

The decision to start a system of housemothers is an individual one, between the fraternity and each privately owned housing corporation, Page said.

Page said he had organized a meeting of fraternity housing corporation leaders Thursday night to discuss fraternity house deterioration.

"I think some of the other recommendations were more important," he said. "Better ways to clean up houses on a regular basis, having inspections and curtailing campus parties were also discussed."

BOT member Robert Eubanks Jr. said housemothers could help remind brothers to take care of the houses. "The purpose of a housemother is not disciplinary, but just to get people to

feel comfortable putting money into the upkeep (of the houses).

"Some type of guarantee that the repairs will be maintained is necessary, and housemothers could be that guarantee," he said. "Some other guarantee is fine, as long as the alumni can be assured that they're making a real investment."

"It's not a case of one idea or another," Interfraternity Council President Charles Schook said. "A lot of things need to be done. I don't see any collective decision being made."

The problem of fraternity house deterioration has been around for a long time, Schook said. "It's part of a vicious circle, of deterioration of houses and Greek alumni's reluctance to put money back into the houses."

"Without the money it's hard to improve them," he said.

Phi Gamma Delta president Will Mayo said most houses had structural problems and needed renovations, but housemothers alone wouldn't help much. "The main problem comes from houses being old," he said. "Some fraternities have already begun renovations. I know we have."

"The solution needs to come from a variety of things," he said. "A housemother could help, but if they (fraternity brothers) are going to tear up the place they'll do it regardless."

Dan Raynor, Lambda Chi Alpha president, said his fraternity's housing foundation was planning to incorporate some type of housemother program. "I have mixed reactions about it," he said.

"There could be a need for a person to be there to make sure the house isn't constantly trashed," he said. "But on the other hand, I don't see the need for a mother figure. Maybe more of a housekeeper than a housemother."

Eubanks said he had had a housemother when he was living in a fraternity house. "A housemother does not tell students how to act or what to do, but just reminds them to take care of the house," he said.

Page said Thursday afternoon that the housing corporation representatives would not reach any formal decision about housemothers or any other issues, but would hold an informal discussion about ways to maintain houses more efficiently.

Yearbook printing delayed

By NANCY HARRINGTON
Staff Writer

The 1985 *Yackety Yack* will arrive in April, one month later than expected, because of a printing delay, *Yack* editor Philip Berney said Thursday.

Berney said he had thought it would take eight weeks for the yearbooks to arrive after the copy had been turned in to the publishing company. But the publishers were in their peak season with high

school annuals, and the publication date had to be renegotiated, he said.

"That's a disappointment for us," Berney said. "Our goal was to get ... (the *Yack*) out on time, but more importantly it was to put out the best book that we could for the students."

Berney said the *Yack* had been reorganized this

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With milestones to go, Davis coming to UNC

By ALLEN MICHIE
Special to the DTH

"Just 10 or 15 years ago, any mention of ... any jazz musician in the same breath as Maria Callas, Leonard Bernstein, Marlon Brando, Elia Kazan, or Saul Bellow might have been dismissed as ludicrous," wrote Jack Chambers in *Milestones II - The Music and Times of Miles Davis Since 1960*. "It is less likely to be so dismissed nowadays ... if so, it is partly Miles Davis' doing. He not only created the music, he dignified it."

Trumpeter Miles Davis will appear Sunday in Memorial Hall in a concert sponsored by Most Serious Productions, WRDU Radio and the UNC Audience for Jazz. This will be Davis' first North Carolina concert in decades and will be the first stop on his American tour.

"Miles is going through a period of changes right now," said David Murphy, president of Most Serious Productions. "He just changed management, changed his record label, changed some musicians, and now he's ready to play."

Davis is no stranger to changes. Born near St. Louis in 1926, he left for New York in 1945 to study trumpet at Juilliard. His real intention, however, was to play with the great saxophonist Charlie Parker. Davis' low-key, introverted sound was an effective contrast to the energetic, extroverted eruptions of the saxophone. Along with trumpeter Dizzy Gillespie and pianist Thelonious Monk, Davis changed the course of jazz — for the first time.

His unique and immediately identifiable trumpet sound, more often than not tightly muted and close to the microphone, found one of its most flattering

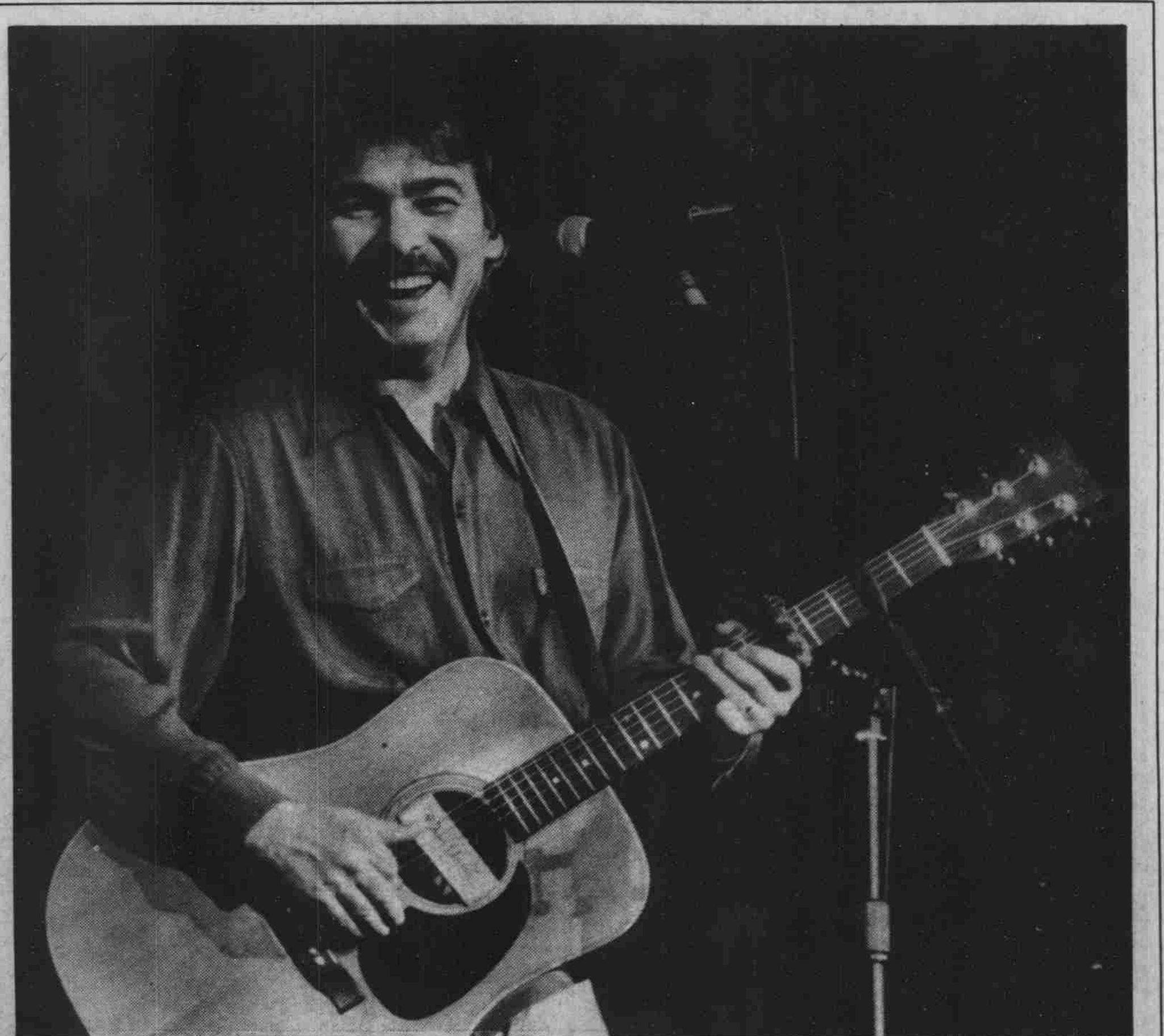
contexts in the 1949 nine-piece band heralding "the birth of the cool." "Cool jazz" influenced a generation of musicians in the early 1950s; Davis changed the course of jazz, again.

Davis was finally starting to achieve some independent fame, and risked it all in a stylistic about-face. In 1954, Davis recorded two blues pieces, "Walkin'" and "Blue and Boogie," and the "hard bop" movement started to take shape. The word "funky" was invented to describe this music, a combination of bebop with the earthiness of gospel and urban blues. Along with drummer Art Blakey and pianist Horace Silver, Davis changed the course of jazz — for the third time.

In 1955, Davis put together what was arguably one of the greatest small jazz combos of all time — Red Garland on piano, Paul Chambers on bass, Philly Joe Jones on drums and John Coltrane on tenor sax. The entire outfit operated with a cohesion that would only be rivaled by one other small band in jazz — the next sextet Miles put together, in 1963. The phenomenal rhythm section included Herbie Hancock on piano, Ron Carter on bass and Tony Williams on drums. These young, widely unknown gentlemen incorporated some of the "free jazz" innovations — freeing jazz from a steady locked rhythm and entangling chord changes — with the cohesiveness and swing of the mid-'50s band. Davis changed the course of jazz — for the fourth time.

By 1969 Miles was interested in the music of Jimi Hendrix and the rhythms of rock. Beginning with the famous album *Bitches Brew*, Miles added an

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Prine time

Singer John Prine entertaining a sold-out Memorial Hall Thursday night. Prine mixed songs and anecdotes with some very 'memorable' moments during his performance opening for Arlo Guthrie.

Mistah Kurtz — he dead — Joseph Conrad