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## City Council reviews budget

Paving budget a hot-button issue in review sessions **News, Page 3**

# THE PARTHENON

Marshall University's Student Newspaper **P** [marshallparthenon.com](http://marshallparthenon.com) | Monday, February 28, 2011

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Road maintenance means residents may have to sacrifice more.

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Let us know what you think on Facebook and Twitter.

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Severe thunderstorms



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Volume 114 | No. 93

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**TODAY ON TV**



**The Bachelor**  
8 p.m.  
ABC



**The Cape**  
9 p.m.  
NBC



**Lie to Me**  
9 p.m.  
Fox



**Gossip Girl**  
9 p.m.  
CW



**Pretty Little Liars**  
10 p.m.  
ABC Family

## Close calls



JOHN YEINGST | THE PARTHENON

**Sophomore center Nigel Sparks goes for the basket in Saturday's matchup against SMU. The win over SMU puts Marshall two games behind UAB for the lead in C-USA with two games remaining before the conference tournament.**

## Marshall men squeak by Mustangs

BY PATRICK MILLER  
THE PARTHENON

Marshall (20-9, 18-6 C-USA) started playing the pace they were comfortable with and edged over SMU (17-11, 8-6 C-USA) 64-62 Saturday night at the Cam Henderson Center.

Damier Pitts stepped up his game when it was crunch time, hitting two consecutive three pointers to give the Herd the lead late in the second half, then hit four free throws in the last ten seconds of the game to give the Herd their fifth straight win. Pitts finished the game with 19 points and six assists.

"We didn't play the best game and had a couple lapses on defense, but we managed to close out the game with a win," Pitts said.

SMU's style of play gave Marshall some problems in the first half. The Mustang offense led to the fastest first half of basketball for Marshall all season. Each possession by SMU went deep into the shot clock, and almost no fouling took place as both teams attempted only one free throw in the half. Marshall trailed going into the half 29-26.

"Give them a lot of credit, they carved us up in the first half, the pace was slow but clock was continuing to move," said head coach Tom Herrion. "Our defense in the second half was better, the press certainly helped us."

DeAndre Kane scored 13 points and grabbed four steals in the game. Kane was called for a technical foul after hanging on the rim after the dunk. He came down hard and had to leave the game. Kane later returned and during the post-game interview said he had no lingering affects from the fall.

Papa Dia, SMU's standout senior forward, had a monster game, scoring 21 points, grabbing 12 rebounds and adding five assists and three blocks. Marshall was able to contain SMU's other forward Robert Nyakundi, who was forced into six turnovers, all of which were turned into points for the Herd.

"We made a couple of adjustments defensively in the second half and were able to force some turnovers," Herrion said. "We have room for improvement, but the team is showing no sense of panic and we found a way."

SMU is 0-6 all time against Marshall University.

Marshall is two games behind UAB for the lead in Conference USA, with two games remaining on the schedule. The Herd faces UTEP on Wednesday and plays its final game at home against UCF on Saturday.

Patrick Miller can be contacted at [miller490@marshall.edu](mailto:miller490@marshall.edu).

## Pirates sink Marshall women

BY AARON PAYNE  
THE PARTHENON

Marshall's women's basketball team was the first to hold East Carolina to under 60 points, but the Pirates still pulled off the 48-44 home victory Sunday afternoon.

Defense was the star of the show as Marshall (8-20, 4-11 C-USA) recorded 11 steals as a team and ECU (14-14, 8-7 C-USA) held the Herd scoreless for over seven minutes in the first half.

"I thought both defenses played stellar and the score proves it," said Roxanne White, assistant head coach. "We just couldn't get our offense going."

Offensive production for both teams was streaky. One team went on a quick run only to be slowed down as the other team went on a run.

However, one player, senior guard Allison Spivey, put the most important offensive run of the contest together. With the Pirate lead only at two in the final minutes of the contest, Spivey hit back-to-back threes to thwart the Marshall comeback and make the score 47-39.

Sunday was designated senior day for ECU and the Pirates' seniors made the best of their final home game. Spivey finished with 10 points, senior forward Kim Gay had a team-high 11 points and seven rebounds and West Virginia University transfer senior guard Kelly Smith added three points

in 16 minutes.

ECU was led by junior forward Jean Best. She recorded the only double-double for both teams by putting up 11 points and 12 rebounds.

The Herd's offense was led by its guards, breaking the recent trend of post players putting up the team-high in points. Junior guard Alaya Mitchell fell short of her third career double-double with 13 points and nine rebounds. Junior guard Lateidra Elliot put up 12 points and only turned over the ball once.

Marshall had difficulty getting the ball in the hands of star senior forward Tynikki Crook due to the sneaky defense of ECU.

"We kept turning the ball over on the inside," White said. "Their defense did a good job of disguising its setup and got in the way of our passes."

While they had trouble getting the ball in the hands of the post players, the Herd also struggled at the free-throw line. As a team, Marshall was only able to make nine of its 20 shots from the charity stripe.

"Most of our free-throws we missed were the front end of a one-and-one so when you look at it like that, we went nine of about 32," White said. "That can't happen, like sophomore guard Tessa Johnson once said, 'They're free. We have to make them.'"

Both teams committed 19 turnovers.

See SINK 13



MARCUS CONSTANTINO | THE PARTHENON

**Senior forward Tynikki Crook battles ECU players for possession of the ball Feb. 3 at the Cam Henderson Center. The Herd traveled to ECU on Sunday, where they lost by four points.**

# OPINION

THE PARTHENON | [marshallparthenon.com](http://marshallparthenon.com) | Monday, February 28, 2011

THE PARTHENON EDITORIAL

## Higher taxes big sacrifice, but better roads

Street paving was a common theme in the first two Huntington City Council budget sessions that reviewed the proposed budget for the 2011-2012 fiscal year.

Currently the city has budgeted \$600,000 for paving, the same as was budgeted for the 2010-2011 fiscal year, which ended June 30. But now the council is considering increasing the budget to

\$750,000.

Huntington residents would have to sacrifice more of their money. Property tax revenues would increase by \$150,000, which would cover the proposed \$750,000 street paving budget.

Paving the streets in a timely and effective manner is beneficial to the city and Marshall University for many reasons. Even though we

would have to sacrifice our money, in the long run we would benefit from the safety and efficiency of a satisfactory pavement system.

How many people have are tired of driving on Huntington's roads? The potholes, bumps and cracks in the road are rough on our vehicles. Many people have blown out tires along with other serious damage to their cars because of the

inadequate care of our roads. Taking the time to repave the roads would mean a smoother ride.

Paving the roads also makes the city of Huntington and Marshall more aesthetically pleasing. That's not to say people will look at the roads and say how beautiful they are (although if the roads were fixed in Huntington, people may say that), but it does help beautify

Huntington.

Although we may be feeling the pinch during this economic time, if our sacrifices mean benefiting the city, we may have take to the time to realize how beneficial our sacrifices will be in the long run and make the decision on whether or not to upgrade our roads.

**ALICIA ADOX**

THE BLUE BANNER  
UNIVERSITY OF NORTH  
CAROLINA - ASHEVILLE  
UWIRE

### Legislation denies citizenship and logic

We are not all Americans, at least not according to some Republicans.

Legislation proposed last month by Republican Sens. Rand Paul of Kentucky and David Vitter of Louisiana aims to close what they call the birthright citizenship loophole. The 14th Amendment established the birthright citizenship and states, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside."

This amendment means children born in the United States, no matter the citizenship status of their parents, are considered American citizens.

According to a study published by the Pew Hispanic Center, 8 percent of U.S. births in 2008 were to unauthorized immigrants.

The study also stated in 2009, about four million U.S. born children under the age of 18 residing in the U.S. had unauthorized immigrant parents.

And now, these children's futures are in jeopardy.

If the legislation passes, then children born in America to unauthorized parents will no longer be considered Americans.

They will be forced to go through the long process of obtaining green cards or becoming naturalized citizens.

If not, they risk being deported to their parents' native country.

These children, who were born in America and formerly considered part of an American society will be displaced. If they do not belong in America, where do they belong?

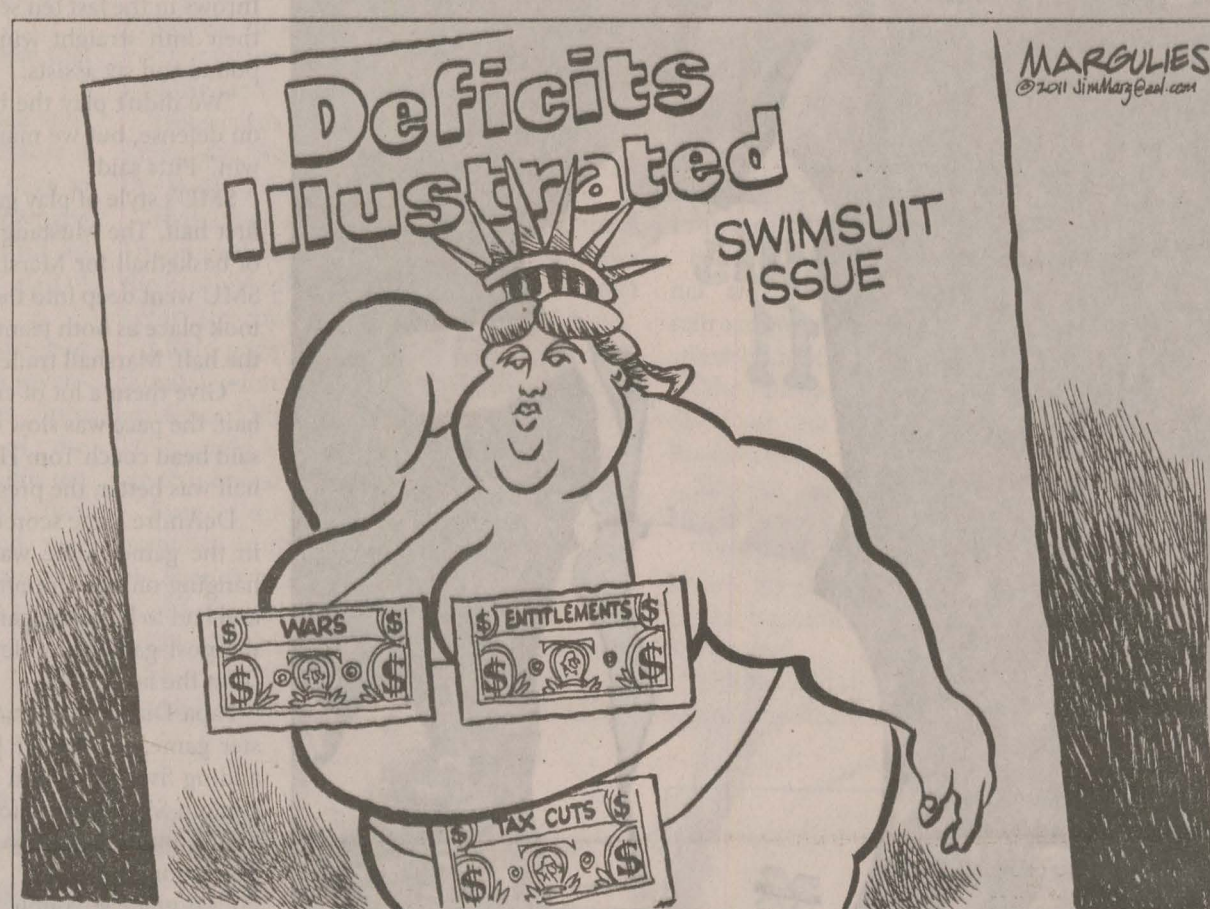
Closing the birthright citizenship loophole would obviously not be the most cost effective solution to America's immigrant population.

This issue raises ethical concerns, not just financial concerns.

The government cannot be allowed to tell children born in this country that they are not

America may have a problem with the rising numbers of illegal immigrants, but redefining the 14th Amendment is not the solution.

EDITORIAL CARTOON | JIMMY MARGULIES | THE RECORD



**JOE VAJGRT**

ROCKY MOUNTAIN  
COLLEGE  
COLORADO STATE  
UNIVERSITY  
UWIRE

### Weighing in on the value of life

By the time the dust clouds had settled, 2,740 Americans were killed in the Sept. 11, 2001 terrorist attacks on the World Trade Center. In the days that followed, military retaliation was inevitable. The only question was where the first bombs would be dropped.

Our sights were soon set on Afghanistan, a small, poor and previously insignificant (at least to the vast majority of Americans) nation in the Middle East. Many justifications for swift military actions were used.

No matter what the reasons were, our nation was thirsty for revenge and gladly embarked on a campaign to satisfy its bloodlust.

Before long, President George W. Bush and his dream team of ineptitude upped the ante by bringing Iraq into the discussion. Saddam Hussein and his regime were purportedly housing weapons of mass destruction. In an attempt to garner more public support for expanded military action, Bush and his cronies desperately tried to connect Hussein to terrorism.

Here we are almost a decade and more than \$1.1 trillion later. There's no arguing that 9/11 was one of the greatest tragedies this country has ever faced. But when is enough finally going to be enough?

The combined death toll from 9/11 and the subsequent war on terror is approaching 9,000 American lives. This number seems staggering until you consider the fact that at least 920,000 Iraqis and Afghans have been killed since the start of the war on terror. Even more disturbing is that the majority of those killed are civilians, just like on 9/11.

What makes these statistics most troubling is that all of these lives have been lost in an unwinnable war. It doesn't matter how many troops we send, how many bombs we drop, how much money we spend or how long we stay. A "war on terror" is a war that can't possibly be won. No matter what we do militarily, there are always going to be extremists that want to inflict harm to Americans and our way of life.

I know that it's a naïve pipe dream, I would love to see our troops back on American soil where they would be much more effective at keeping us safe and preserving our way of life than they could ever hope to be in Afghanistan.

I believe that the value of life is equally inherent in all people regardless of race, sex, nationality or religious affiliation. Ignoring the vast discrepancies in casualty's smacks of arrogance and ethnocentrism.

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### LETTERS TO THE EDITOR

Letters can be e-mailed to The Parthenon with word length of 350 to 450 words. Writers must give contact information and editors will contact them to verify information and identify before anything is published.

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Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble; and to petition the Government for a redress of grievances.

### Online poll

Should we pay higher taxes for nicer roads?

- ☐ Yes
- ☐ No
- ☐ I don't care about the roads

[marshallparthenon.com](http://marshallparthenon.com)

### RESULTS

Are you ready for midterms?

- ☒ I don't have any midterms.....47%
- ☐ No .....40%
- ☐ Yes .....13%

# City Council discusses increase in street paving budget

BY ASHLEY MANNON  
THE PARTHENON

Street paving was a common theme in the first two Huntington City Council budget sessions that reviewed the proposed budget for the 2011-2012 fiscal year.

The city has budgeted \$600,000 for paving, the same amount budgeted for the 2010-2011 fiscal year which ended June 30. Council discussed increasing this amount at both the Thursday evening and the Saturday morning budget sessions.

Councilman Steve Williams suggested increasing the paving budget to \$1 million Thursday.

"What my intention would be is, through this process, identifying an additional \$400,000 somewhere in this budget so that we would have \$1 million appropriated for paving in this fiscal year," Williams said. "Certainly, I don't mean to make a motion of this, but just to advise other members that if they are of a similar mind that I will be looking for other means whether by revenue or other divisions to identify the additional \$400,000."

Councilman James Insko echoed Williams' concern and said he is willing to work with Williams on identifying the additional funds for paving.

"Mr. Williams, just to let you know, I would love to work with you on that because I have identified about \$350,000 of that \$400,000," Insko said.

Council Chairman Mark Bates said he would appreciate Williams and Insko working on this effort as it was not done in the previous year's budget.

"I think that's wise. As you recall last year, we kind of boxed ourselves into a hole until we got all the reports," Bates said. "I would appreciate you and the gentleman working on that. Hopefully we can do that; it would be great news."

The issue was revisited at Saturday morning's session when Insko made a motion to increase the projected property tax revenues by \$150,000. The increase would be moved to the street paving budget making it \$750,000 for the 2011-2012 fiscal year.

In a telephone interview, Steve Williams discussed the street paving budget increase and what he would ultimately like to see happen.

"My specific goal is to get it to at least \$1 million," Williams said. "We're taking active steps towards that."

During Hegley's presentation of the street paving budget Thursday, he also mentioned the Division of Highways had informed him of a new type of asphalt available this year. Using the new asphalt would mean a \$2 per ton savings. Hegley said this would mean the city would be able to pave more streets with the current budget than if they continue using the same asphalt. He mentioned other benefits of the new type of asphalt as well.

"It is guaranteed by the contractors, so if it starts failing they will go back and replace it with something more suitable," Hegley said.



Huntington city councilman Steve Williams suggested increasing the city's paving budget to \$1 million. Using a new, environmentally-friendly type of asphalt, the city could save \$2 per ton of asphalt, which would increase the number of streets that could be paved.

"Also, it's more environmentally friendly."

The next City Council meeting is tonight at 7:30 p.m. Upcoming budget sessions will be Sat., March 5 at 9 a.m. and Thurs., March 10

beginning 15 minutes after the 4 p.m. work session ends.

Ashley Mannon can be contacted at mannon11@marshall.edu.

## Marshall faculty lends aid to local law enforcement

THE PARTHENON

A Marshall University faculty member was appointed to work with the Cabell County Prosecuting Attorney's office Feb. 18.

John Sammons, assistant professor and director of the Appalachian Institute of Digital Evidence, was unanimously appointed this month by the Cabell County Commission for a new position for his expertise in digital forensics.

According to Cabell County prosecutor Chris Chiles, Sammons was appointed as a part-time investigator for the Cabell County Prosecuting Attorney's office, where he will help fight Internet crimes against children and child pornography.

Sammons, a father of two daughters and a former police officer for the city of Huntington, said he is eager to help protect his community.

"The exploitation of children via the Internet is a huge and tragic problem,"

Sammons said. "Unfortunately, Cabell County isn't unique. This is an on-going global tragedy that affects our local community. Our goal is to work with other law enforcement agencies to combat this problem and protect our children."

Earlier this month, Sammons helped develop a relationship between Marshall University and AccessData, a premier company in digital investigations for more than 20 years. This partnership will allow Marshall students to conduct research for the company concerning new web browsers, instant message clients and other Internet-related applications.

Sammons said this partnership will give Marshall University credit in AccessData materials and students will gain real-world experience working with the company's Forensic Toolkit, which is considered the industry standard.

Marshall University will also be offering AccessData training as a part of this partnership. In July, Marshall University will host two AccessData classes, Mac Forensics and Applied Decryption.

## Computing Services provides reporting service for students

THE PARTHENON

Marshall University Computing Services provides a service for students who receive threatening or potentially hazardous e-mails.

The e-mail address abuse@marshall.edu exists so students can report abuse coming from MUNet resources or MUNet account holders. The MU computing services group can only assist in matters with those who have Marshall e-mail addresses or are linked to the Marshall network.

According to the Marshall website, MU Computing Services handles spam complaints, spam or abusive e-mails received by students; hacking complaints, issues detected by a firewall; virus complaints,

the transmission of computer viruses through e-mail; harassment complaints and newsgroup complaints.

Marshall University Information Technology has offices on Huntington's Marshall campus on the fourth floor of Drinko Library as well as on the second floor of the Graduate College Administration at the South Charleston campus. Both locations can be contacted for more information and help with MUNet problems.

To contact Marshall's information technology office, visit <http://www.marshall.edu/ucs/CS/contact.asp> or call 304-696-3200. For help from the Computing Services abuse response team, visit <http://www.marshall.edu/ucs/systems/abuse.asp> or call 304-696-3140.

[www.marshallparthenon.com](http://www.marshallparthenon.com)

### Sink

Continued from Page 1

However, the Pirates were able to capitalize scoring 12 points off turnovers while Marshall was only able to score six points off turnovers.

Marshall will finish the regular season at home for senior night Thursday against Southern Miss. The Herd was able to get the better of the Golden Eagles earlier in the season with a 57-48 victory inside Reed Green Coliseum.

However, White says that

the team needs to improve mentally if it wants to finish the regular season on a high note. "We have to become more decisive. We have to be able to make smart decisions in the moment on offense and on defense."

Tip-off against Southern Miss is set for 7 p.m., inside the Cam Henderson Center.

Aaron Payne can be contacted at [payne122@marshall.edu](mailto:payne122@marshall.edu).

## THE PARTHENON wants to hear from YOU!

The Parthenon wants to hear from alumni from the classes of 1961 forward for a special March 2 edition to celebrate 50 years as a university. Send your Marshall memories — no more than 200 words — to [parthenon@marshall.edu](mailto:parthenon@marshall.edu). Please include full name, major, year graduated, hometown and a recent photo. The deadline is Feb. 28.

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## West Virginia steel driver, American legend

BY KELLEY BUGLER  
THE PARTHENON

Was John Henry a man, folktale, legend or a little of all three?

John 'Bill' Dillon of Talcott, W.Va., believes he has the evidence to prove Henry was a real man and beat the steam drill in a steel driving contest.

"There is evidence that construction started on the Great Bend Tunnel in the fall of 1869," Dillon said. "John Henry was working on a crew with a white man named Cornelius 'Neil' Miller."

Dillon uses Guy Johnson's book, "John Henry: The Search for a Negro Legend," as one of his sources of information.

"Johnson came to the area in the 1920s and interviewed people who worked on the Great Bend Tunnel such as Neil Miller and John and George Hedrick," Dillon said.

Dillon said Miller would have been 17 years old at the time and was fortunate enough to watch the contest occur on the Talcott side of the tunnel.

"Miller couldn't believe John Henry beat that steam drill," Dillon said.

The C&O Railroad wanted to replace steel driving workers with a steam drill because it was faster and the railroad wouldn't have to employ as many people. Henry challenged his bosses and said he could beat the drill. At the end of the one-day contest, Henry died of exhaustion after beating the drill.

"When the contest ended, John Henry had driven two seven-foot holes into the side of the mountain, but the steam drill had only drilled one hole that was nine feet deep," Dillon said.

Dillon believes the contest

occurred in 1870 when only 10 to 15 percent of the tunnel was finished.

"If they had 90 percent of the tunnel already done, why would they have brought in a steam drill?" Dillon said. "People think he is a folk hero because former Civil War captains were the bosses of these crews and they didn't want anyone to know that Henry, a black man, beat the steam drill."

Dillon said the Hedrick brothers, white contractors for the tunnel, were also witnesses who can verify Henry was a real man.

"The Hedricks would bring things like wood to the tunnel," Dillon said. "They had seen John Henry drive steel and said he was just as strong and able as anyone, but they were on the other side of the mountain the day of the contest."

The other side of the mountain where the tunnel ended was Hilldale, W.Va. Dillon went to his local courthouse and retrieved death certificates for Miller and the Hedrick brothers to authenticate Johnson's interviews.

"I have certificates showing that all three men died in the 1930s, not the early 1900s, verifying they were alive when Johnson visited the area," Dillon said.

Dillon also went to the Summers County Library in Hinton, W.Va., and got a copy of the Hedrick family history.

"Hedrick is a prevalent name in this area," Dillon said. "The copy of their history shows the brothers did in fact see Henry drive steel before the contest."

Along with his research, Dillon also has familial references he uses to prove Henry's existence. Dillon's uncle, James Earnest 'Earn' Dillon, told a West Virginia historical magazine his friend had witnessed Henry's contest.

"Even in the 1970s, there was still a lot of prejudice in the area so Earn wouldn't give his friend's name to the magazine since his friend was a black man," Dillon said.

India Brown, 84 years old and resident of Hinton, W. Va., volunteers at the Summers County Visitors Center where the Hinton

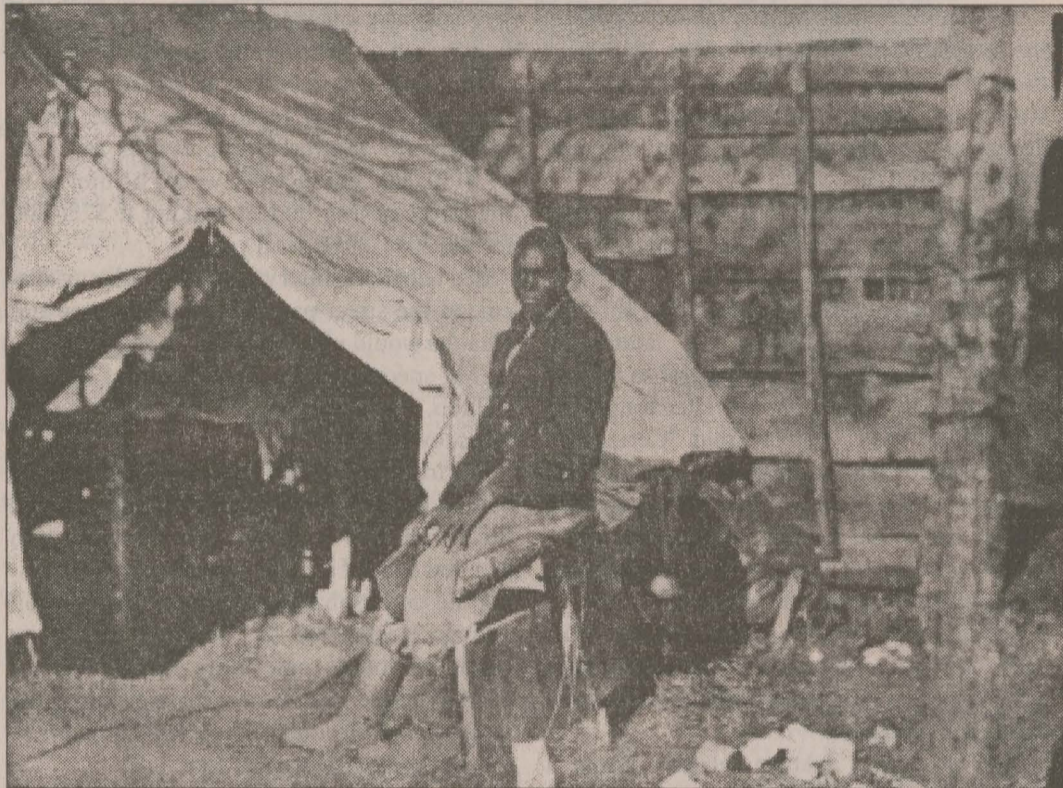


PHOTO COURTESY OF MATHEW BRADY

**John Henry became a legend after challenging the steam drill. Steam drilling replaced traditional methods, which employed more men.**

Railroad Museum is located.

"My family farm is at the end of that tunnel, and I have lived in Hinton for 60 years," Brown said.

Brown's father worked the fans in the tunnel and her grandmother let the black railroad workers sleep in her barn during construction.

"The railroad had provisions for the workers to eat, but no beds for them to sleep in," Brown said.

Brown's grandmother can also attest to Henry being a real person.

"Whenever we were learning about John Henry, my grandma would always say he was a great big man and also a kind, nice person," Brown said.

Dillon said because of Henry's victory against the steam drill, crews of men finished

the tunnel in 1872 and the first train went through it in January of 1873.

"Henry was trying to prove that a man could beat a machine, but it cost him his life in the process," Dillon said.

Dillon travels all over West Virginia and presents Henry's history and proof of existence to elementary and middle school children.

"I always tell the schools that 'if the kids don't believe Henry is real after my presentation and they don't have fun, then you don't have to pay me,'" Dillon said. "I have never once missed a paycheck."

Those interested in scheduling Dillon to present can contact him at [jwdillon1234@frontier.com](mailto:jwdillon1234@frontier.com).

Kelley Bugler can be contacted at [bugler@marshall.edu](mailto:bugler@marshall.edu).

## Gallery 842 features local artists and Marshall students



JOHN YEINGST | THE PARTHENON

**Gallery 842 allows students and local artists to display their artwork for the community.**

BY JARED ROACH  
THE PARTHENON

Huntington's Gallery 842 recently invited artists of all disciplines to submit their work to be put on display. The artists' works could be from any type of media and relate to any theme as long as it was created in the past year.

"We wanted to provide a venue and a competitive environment for local artists to share their work," said Daniel Kaufmann, who helped organize, jury and promote the exhibit. "The exhibition also provides an opportunity for Marshall art and design students to not only compete among their peers, but also with local artists. Huntington has a budding art community and Gallery 842 provides a venue from the community to engage with the work local artists are creating."

John Farley, director of Gallery 842, discussed the process regarding how pieces were chosen, and what criteria was used by the gallery committee members.

"Assessing artwork involves an aesthetic judgement. How skillfully and successfully did the artist achieve his or her goals? How sophisticated is the end result?" Farley said.

"Art is very subjective and the committee worked together to pick the works for the show. This way, we had a variety of different sensibilities and perspectives when looking

at all of the work," Kaufmann said.

According to Farley, part of the goal of the exhibit is to draw in new viewers and artists.

"Competitive juried exhibits are always a good way to draw in the larger public, such as those who are producing work but perhaps not directly involved with Marshall," Farley said.

The works included in the exhibition range from painting, drawing, sculpture, and other traditional media to digitally created art and video installations. The works selected were designed by local artists and some Marshall students. Mallonee Meritt, sophomore art education major from Beckley, W.Va., has a piece entitled "Eye-identity" in the exhibit.

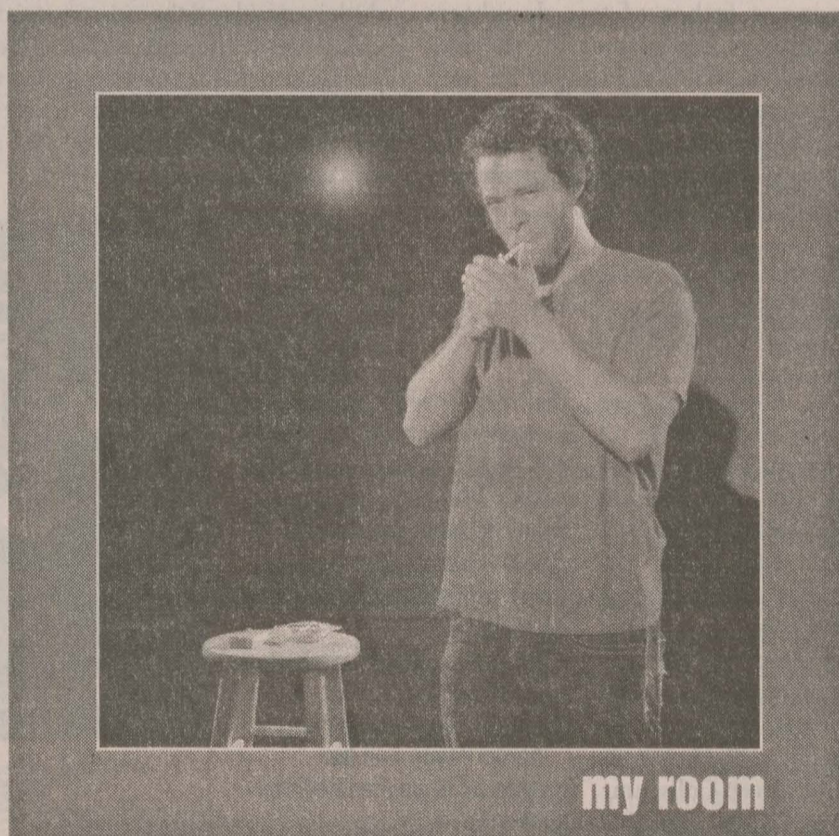
"Generally, we are always looking for the best local artists have to offer," Kaufmann said. "The quantity and quality of the work submitted was very high and it is always difficult to decide which pieces we would like to include in the exhibition. When looking at the work we pay close attention to the level of craft in the work, the creativity of the work and the artists ideas that come through the work."

The reception for the juried exhibition will be held from 6 p.m. through 8 p.m. Friday, Feb. 25 at Gallery 842, at 842 Fourth Avenue.

Jared Roach can be contacted at [roach47@marshall.edu](mailto:roach47@marshall.edu).

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