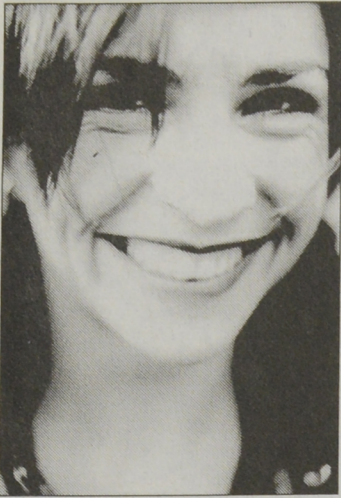


THE BRUNSWICKAN

volume 138 issue 4 • the university of new brunswick in fredericton • www.unb.ca/bruns • 29 september 2004

H.U.M.P.D.A.Y.



Josey Vogels comes to campus this week
Page 4

Bari found guilty of murder

UNB student's murderer rushed to hospital after verdict read

by K Brookland

After nine hours of deliberation the jury found that UNB student Shaila Bari was murdered by her estranged husband.

At 8:30 p.m. Monday, the eight men and four women jury determined Abdul Bari was guilty of murder in the first degree.

Madame Justice Judy Clendening thanked the jury and as they were filing out, Bari for the first time showed

emotion in the court room.

He apparently fainted in the prisoner's dock and in so doing, hit his head. As a result he had what can only be described as a "seizure."

On the floor of the prisoner's dock Bari was heard to say, "I am innocent, everybody lie." He then repeated the words and Clendening had the jury quickly escorted out of the courtroom.

Bari was then rushed to the Doctor Everett Chalmers Hospital.

In a case of this nature it is common practice for the court to immediately pass sentence, however, due to Bari's

seizure it was not possible to do so.

Clendening advised the defence attorneys and the Crown Prosecutors that sentencing would take place at 11:00 a.m. Tuesday.

The jury came in Monday morning bag and baggage in the event of being sequestered.

In her 90 minute-long charge to the jury Clendening said that Bari is charged with first degree murder according to section 235(1) of the Canadian Criminal Code.

She advised the jury that there were "four essentials that must be proved by

the Crown:

1. That Abdul Bari did cause her [Shaila Bari's] death;
2. That Abdul Bari did cause her death unlawfully;
3. That Abdul Bari did have the state of mind required for murder;
4. Was the murder planned and deliberate?"

Clendening made it clear to the jury that if they felt the Crown did not meet the first "essential," they did not have to deliberate further.

If, however, they felt the Crown met that burden, the jury should then move

on to the second "essential."

Justice Clendening instructed the jury that it is not always unlawful to cause the death of another.

As for the third requirement, Clendening told the jury that they had to consider these facts: there was no robbery, no sexual assault, some type of weapon was used, the weapon was brought to the murder site, the weapon was then taken from the murder scene, and the killer wore gloves.

The fourth and final requirement

(SEE BARI, PAGE 3)

A&E



The Salads tore up Sweetwaters last week
Page 9

Postering by-law unconstitutional?

Promoters encounter problems advertising small budget concerts in city

by Brian Mumford

Whenever James Boyle is on the streets of Fredericton, he's stuck between a by-law and a court case.

James is a promoter and musician who organizes modestly budgeted shows for Nick of Time Productions. To advertise these shows, Boyle tapes signs to light trees downtown. The city doesn't appreciate his postering, and city staff are being paid to rip these posters down. Boyle said his posters were being ripped down up to three times a week this summer.

Outside of posters on poles, Boyle has no alternative measures to get his message across. "The people who can afford it advertise, and the people who can't just get left in the dust. They just don't understand why we care."

The city has a by-law against posting any signs on public streets and sidewalks for the purpose of advertising, making specific reference to utility poles. These signs are subject to removal at any time the city sees fit.

"We're not asking to advertise a product," Boyle said. "We're trying to poster to let people know that arts events are happening in Fredericton."

The by-law resembles, in some respects, a similar by-law that was struck down in Canadian courts in 1993.

Kenneth Ramsden was fined under a Peterborough, Ontario by-law prohibiting posters on public property altogether. He was promoting a live show by attaching signs to utility poles, much like what's happening in Fredericton. The case eventually made it all the way to the Supreme Court, where it was ruled the by-law violated Mr. Ramsden's guarantee of freedom of expression.

"The signs look a tad unsightly when you see notices for these events up everywhere," said Ken Frasier, a by-law enforcement officer for the city.

Without the signs being removed, they just pile up on top of each other. Up to this point Frasier said he has seen "absolutely no responsibility being



Meg Folkins / The Brunswickan

Promoter James Boyle of Nick of Time Productions stands by a pole that has recently been stripped of posters promoting local music and arts events.

taken by those who put them up."

Boyle said some promoters just tape over other posters, but he takes down all outdated signs when putting up his new posters. Otherwise, he pointed out, his posters would be less visible.

There is no telling if the Fredericton

by-law would stand in the courts. It is much more specific than the overly broad Peterborough by-law, but it could still be seen as a violation of freedom of expression.

This leaves Boyle and many other promoters locked in a stalemate with

the city.

"We went to the Public Works department and talked to one of the city's attorneys. He said we have the right to put them up, and the city has

(SEE POSTERS, PAGE 2)

Clubs and societies funding slashed

SU budget amendments aim for better accountability, says VP Finance

by Patrick Reinartz

UNB clubs and societies were in for a shock as the Student Union unveiled its budget amendment proposal last Wednesday.

The proposal, which was passed by the council the same day, included considerable cuts to clubs and societies spending.

"Basically we're just trying to demonstrate... that we're trying to be a more responsible organization," said SU Vice President Finance Adam Baker. "We're not just blindly giving money out or spending our students' funds without implementing systems that allow us to account for how that money is spent."

The original budget included \$100,000 for allocations and another \$13,000 for grants under the clubs and societies line. In the amended version, however, the allocations line item has been eliminated entirely while special projects grants will now receive \$60,000.

These changes amount to an overall drop of \$53,000 in clubs and societies spending.

The executive's reasoning, Baker said, is that the SU currently has very little control over how money is spent after it is given to university groups. He adds that the SU wants to encourage events that will "benefit the university community as a whole" rather than social events that benefit only a small group of club members.

While there is clearly concern among club leaders about the availability of funds for their events, Baker says he is optimistic that funds will still be there for clubs that are holding valid

(SEE BUDGET, PAGE 3)

Sports



Get into the scrum with Bruns sports coverage
Page 12

Index

Local News.....	1-3
S.A.W.....	4 & 5
Op/Ed.....	6-8
A&E.....	9-11
Sports.....	12-14
Classifieds.....	15

Weather

Today: Sunny periods; High 16, Low 4.
Thursday: Sunshine; High 19, Low 5.
Friday: More sunshine; High 18, Low 8.
Saturday: Frogs; High 9, Low 2.
Sunday: Monsoon; High 1, Low 2.

Quote of the Week

"No matter how much cats fight, there always seem to be plenty of kittens." -Abraham Lincoln.

Surveys go online

by Sean Patrick Sullivan

In-class evaluations of professors are moving online this fall, giving credibility to the process and reducing the time it takes for instructors to receive the results.

Students are familiar with the paper evaluation forms traditionally filled out at the end of each semester. Professors distributed surveys and pencils, and students had a few minutes to grade their instructor on predetermined criteria.

What many don't know is that it often took a year for professors to get the results, or that some tenured

(SEE SURVEYS, PAGE 3)

New food choices in SUB cafeteria

by Sarah King

Finally, a Canadian icon has come to our own UNB campus.

No, not Celine Dion or Wayne Gretzky; Tim Horton has finally graced our campus with his presence. Now, poor, caffeine-deprived undergrads can stop off at the newly opened Tim Hortons in the SUB cafeteria for cappuccinos, café mochas and of course, for those early morning classes, good ol' black coffee.

Tim Hortons is just one of the new options available for students at the SUB cafeteria. Along with the old favourites, Mr. Sub and PizzaPizza, another new vendor has come to the SUB. Selona Grill offers sandwiches, soups, and burgers to the hungry students of UNB.

However, with McConnell Hall still closed, there were more than a few mutterings about the long lineups and lack of accommodations for students. One girl, who wished to remain anonymous, said "I paid five thousand dollars for my meal plan and now they don't have any fries!?" Another student echoed her sentiments, "Yeah, I don't have a meal plan, but when I come to the SUB I have to wait in lineups full of residence students who should be eating at McConnell before I can get my food!"

When asked about the lineups and inconveniences to students, a representative from Sodexo said, "We're doing the best we can. We're asking that students are patient with us until McConnell Hall reopens. Once that happens all [residence] students



Meg Folkins / The Brunswickan

Tim Horton's is one new addition to the SUB cafeteria.

will be able to enjoy the Ultimate Dining experience promised to them."

Not everyone feels the same way,

though. Another student, who also

(SEE CAFETERIA, PAGE 3)

Saturday \$2.00 all night on Tequila & Jagermeister

TEQUILA

Thursday Sept 30

Cabana Boy Night

Shooter Boys
\$100 prize for BEST CABANA BOY



For Members & Guests Only