

## "THE STORY OF THE WILMINGTON TEN"

### TIMELINE

September, 1968— Williston Senior High school, a prominent all-Black high school was suddenly closed in order to integrate its 1100 students into the two white high schools. The sudden closing angered many in the Black community who felt that while it was inevitable and desegregation was necessary, it did not have to and should not have occurred in the sudden and traumatic manner in which it did.

December 18, 1970—Black students upset over treatment at New Hanover High School, which was one of the newly integrated schools, gather at the nearby Wildcat Café . Seventeen students, all of whom were Black, were arrested after reportedly refusing to disperse. Of the seventeen arrested, 11 were expelled following an investigation by principal John Scott. Scott had previously been labeled a racist by most of the black students.

January 15, 1971—After numerous appeals to school administrators to allow a memorial service for Dr. Martin Luther King Jr. were all rejected, seventy Black students stage a sit-in at Hoggard High Schools cafeteria. This peaceful protest led the expulsion of 15 students who were identified as leaders of the protest.

January 26, 1971—Eight students form a boycott committee which drew up a list of grievances to present directly to Heyward Bellamy, superintendent of schools.

January 29, 1971— A white minister, Rev. Eugene Templeton invites about 100 Black students to gather in Gregory Congregational Church (United Church of Christ) to begin a school boycott.

February 1, 1971 - Heyward Bellamy meets with students at Gregory to discuss grievances. Rev. Templeton calls Rev. Leon White of the United Church of Christ—Commission for Racial Justice to ask for assistance for the students in presenting their grievances. White dispatches his field organizer Rev. Benjamin F Chavis, to Wilmington.

February 2, 1971— Ben Chavis along with student leaders hold a press conference at Gregory to present their grievances, demanding that the expelled students be reinstated immediately.

February 3, 1971— Frustrated by the seeming lack of concern of the part of the Board of Education to provide an acceptable response to the students grievances, the students marched some 500 strong to the Board of Education demanding to speak to Bellamy. Bellamy agrees to meet with Chavis and two of the students. Chavis refuses, saying all

the student leaders should be present. That night Chavis holds a rally at Gregory encouraging the students to continue their struggle for equality in the schools. Students scramble for cover as shots are fired at the church. Later that night several buildings are burned to the ground including L. Swartz Furniture with damages estimated at over \$130 thousand dollars.

February 4, 1971 Certain that there would be bloodshed accompanying the widespread violence, Rev. Templeton calls for a curfew. City Manager E.C. Brandon, speaking on behalf of Mayor Luther Cromartie and Chief Williamson, said afterward, "There was no evidence of any impending racial clashes or violence against the church. That Rev. Templeton has nothing to worry about," later adding, "the police appear to be on top of the situation."

Mayor Cromartie refused to grant a curfew saying that it would be "not only inconvenient but expensive."

Responding to that comment, Chavis, along with several hundred students, march on City Hall to plead with the mayor to call a curfew. The mayor refused.

February 5, 1971—About 400 Blacks march on City Hall demanding better protection for Blacks in Black neighborhoods. On the steps of City Hall, with hundreds of students chanting "We want action!" Chavis demanded that the mayor and chief of police call a

curfew. When the city again refused to declare a curfew, Chavis, after a phone conversation with a major from the state Highway Patrol, said " I want to publicly charge the mayor and the city council with conspiracy, in setting up the Black community for annihilation."

A Black minister, Rev. Vaughn, is shot outside of Gregory Church by white vigilantes as he tries to persuade men who were protecting the church to leave the church and go home.

Lum's Restaurant burns to the ground, and police and firemen responding to another fire at Mike's Grocery Store say they are fired upon by snipers.

February 6 , 1971- Mike's Grocery burns to the ground after being torched for a second night. A 17-year-old Black youth, Steven Corbett, is killed by police who say they were returning sniper fire from the vicinity of Mike's Grocery Store.

Feb, 7 1971 HARVEY CUMBER GUNNED DOWN!

When Harvey Cumber, a 57 year-old white male, drove through the barricade and began shooting, his life came to an abrupt end as someone behind the barricade returned fire. It was then that city officials decided that was time to call a curfew. When Steve Corbetts had died less than twenty-four hours earlier, Mayor Cromartie said Corbetts "will serve as a deterrent". A decision to bring in the National Guard was announced at

3:00 P.M. The curfew was announced shortly after 7:00 P.M. It was in effect from 7:30 P. M. Saturday till 6:00 A. M. Monday.

May 1971- Allen Hall charged with burning Mike's Grocery. Says he and Ben Chavis burn store.

March 6, 1972-North Carolina officials arrested Rev. Chavis on "conspiracy to murder" charges stemming from racial incidents in Wilmington in February 1971 in which Harvey E. Cumber, a 57-year-old white man was killed. Other charges against Rev. Chavis were: assault on emergency personnel, conspiracy to assault emergency personnel, burning property with an incendiary device, conspiracy to burn property with an incendiary device. Bail for Rev. Chavis was set at \$ 75, 000.

The same charges were brought against Marvin Patrick, an associate of Rev. Chavis and Tommy Atwood. Others were arrested. The five others were: Connie Tyndall, James McKoy, James Bunting Michael Peterson Cornell Flowers, Jerry Jacobs, Willie E. Vereen and Anne Shepard, a white woman. All except Ms. Shepard were charged with arson and conspiracy to assault emergency personnel (firemen and policemen). She was charged with conspiracy to burn property and conspiracy to assault emergency personnel.

April 24, 1972-Joe Wright, George Kirby and

Reginald Epps arrested on charges of conspiracy to assault emergency personnel and conspiracy to burn property.

May 1, 1972— Wayne Moore the last to be arrested. Trial for Rev. Chavis and the others charged with conspiracy to assault emergency personnel and arson postponed until a federal judge rules on a petition to remove the trial to federal court. Attorneys for the defendants had asked for a delay to prepare their case but had been refused by the State of North Carolina. The petition to federal court provided the defense attorneys some additional time to prepare the defense.

June 12, 1972—Mistrial declared for Rev. Chavis and the other defendants charged with conspiracy to assault emergency personnel and arson when the prosecutor becomes "ill." Ten Blacks and 2 Whites had been seated in the jury box and accepted by the defense, but the prosecutor had not agreed to accept them.

June 16, 1972—Chavis and 12 other persons charged with offenses in the Wilmington violence released on bail.

October 17, 1972—Chavis and the "Wilmington 9" convicted on charges of conspiracy to assault emergency personnel and burning with an incendiary device. Anne Shepard convicted on charges of "accessory before the fact" of firebombing. Her original charges had been

reduced sometime after the mistrial was declared. Chavis was sentenced to 25-29 years for arson, and 4-5 years for conspiracy to assault emergency personnel. The sentences are to run concurrently and therefore total 29 years. Other sentences were: Marvin Patrick and Connie Tyndall, 22-26 years for fire bombing and 4-5 years for conspiracy to assault emergency personnel; Jerry Jacobs, 22-26 years for arson and 3-5 for conspiracy to assault emergency personnel; Willie E. Vereen, Reginald Epps, James McCoy, Joe Wright and Wayne Moore 20-24 years for arson and 3-5 for conspiracy to assault emergency personnel; Anne Shepard, 7-10 years. Bonds for the defendants were: Ms. Shepard, \$20,000; all others except Rev. Chavis, \$40,000-\$45,000; Rev. Chavis, \$50,000.

Dec. 1972-UCC Executive Council, complying with promise to support staff arrested in the line of duty, post \$50,000 bond for Chavis.

June 17, 1973, Angela Davis holds rally at Antioch Church Of God In Christ in support of the Wilmington 10

June 1973- UCC General Synod votes to borrow \$350,000 bail to free the nine defendants still in prison

December 1974. North Carolina Court of Appeals affirms the convictions.

May 1975. North Carolina Supreme Court refuses to hear the case.

November 17, 1975- The Hon. Charles B. Rangel enters the Wilmington 10 case into the Congressional Record

January 1976 - U.S. Supreme Court refuses to hear the case. Wilmington 10 are jailed, without bail.

August 1976. Witness Hall admits he lied in implicating the 10.

January 1977. A second prosecution witness admits he lied, accusing the 10 in exchange for a mini-bike and job from the prosecutor.

February 1977. The third and only other prosecution witness with knowledge of the crimes indicates serious irregularities in his testimony.

May 9, 1977 Civil Rights Activist Angela Davis and U.S Rep. Don Edwards, express support for the Wilmington 10 standing on the Pender County Courthouse steps at Post Conviction hearing.

May 20, 1977- Activist trial lawyer William Kunster says he sees the 10 case as part of a federal conspiracy launched by the Nixon administration.

May 1977. Despite the recantation of all three key prosecution witnesses, new defense testimony, and the contention of more than 2,000 legal irregularities in the original trial, Superior Court Judge George Fountain finds "no denial" of the constitutional rights of the Ten and denies them a new trial and bail.

January 1978- After a year-long personal review of the case, North Carolina Governor James B. Hunt refuses to pardon or free the 10 and reduces sentences of 20-25 years to 13-17 years. Anne Sheppard had been paroled by that time. The other nine remained in prison.

February 1978 - 55 congressmen sign a petition urging U.S. Attorney General Griffin Bell to direct the Justice Department to intervene in Federal Court on behalf of the Wilmington 10

May 3, 1978 - Congressional delegation including John Conyers, Ron Dellums and Don Edwards, visit members of the Wilmington Ten in prison.

July 15, 1978- Speaking in Paris, France, U.N. Ambassador Andrew Young says there are "hundreds, perhaps thousands" of political prisoners in the United States.

July 17, 1978- Gary Indiana Mayor Richard Hatcher supports Young's position, saying Young was "telling the truth" and that the presence of political prisoners in U.S. is a "known fact", citing the Wilmington 10 case and the case of Reuben "Hurricane" Carter as examples.

July 31, 1978 - The Wilmington Ten are the first group of prison inmates in the United States of America to be officially declared "political prisoners" by Amnesty International in 1978. This conclusion by Amnesty International was published and distributed worldwide

November 15, 1978 - U.S Justice Department files a petition in Federal Court stating that it had uncovered evidence that indicates the Wilmington 10 were denied a fair trial in 1972. It petitioned the court to either throw out the state convictions or hold a hearing on the government's findings.

December 4, 1980 - U.S. 4<sup>th</sup> Circuit Court of Appeals overturned the convictions of the Wilmington Ten, citing gross misconduct on the part of the prosecution in obtaining convictions.