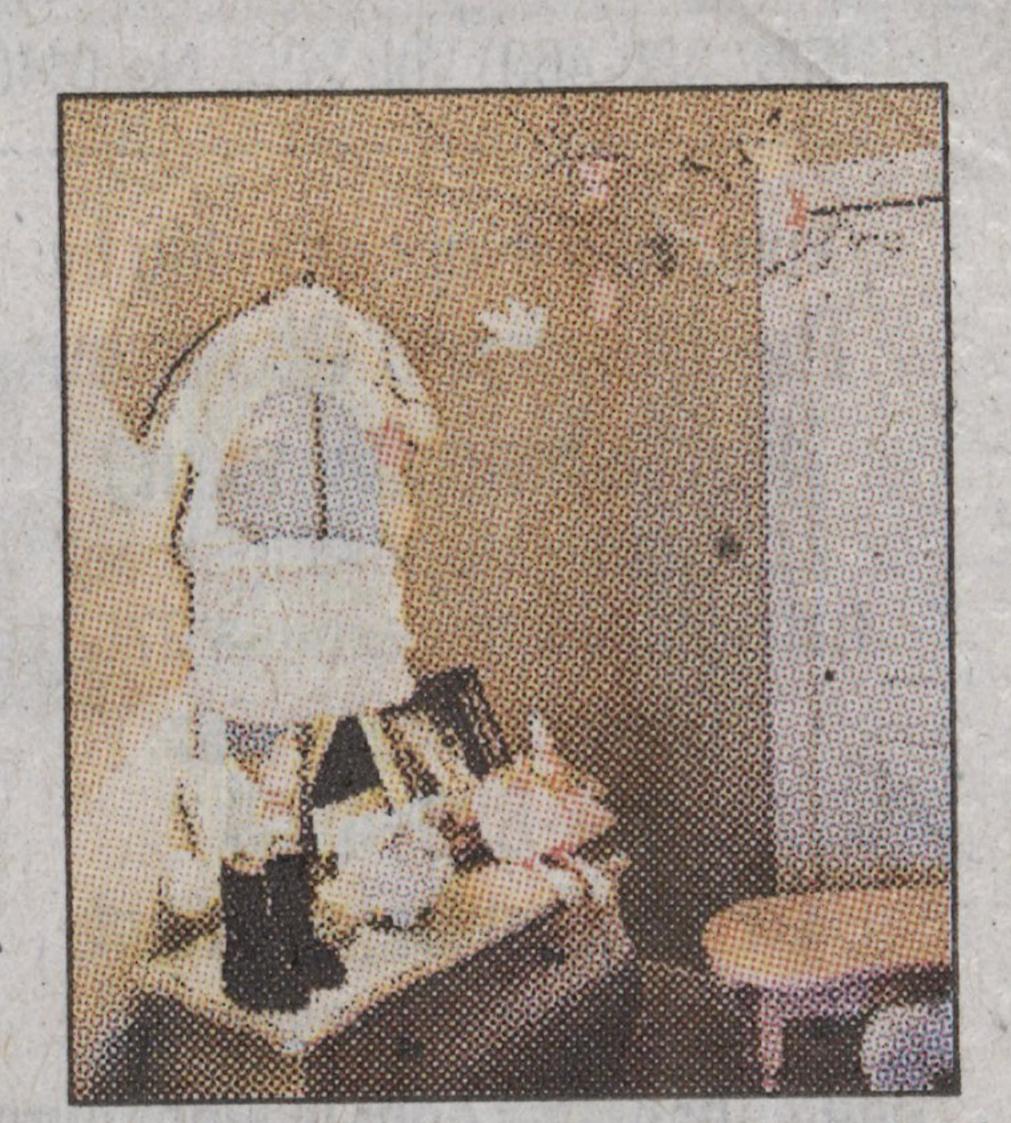
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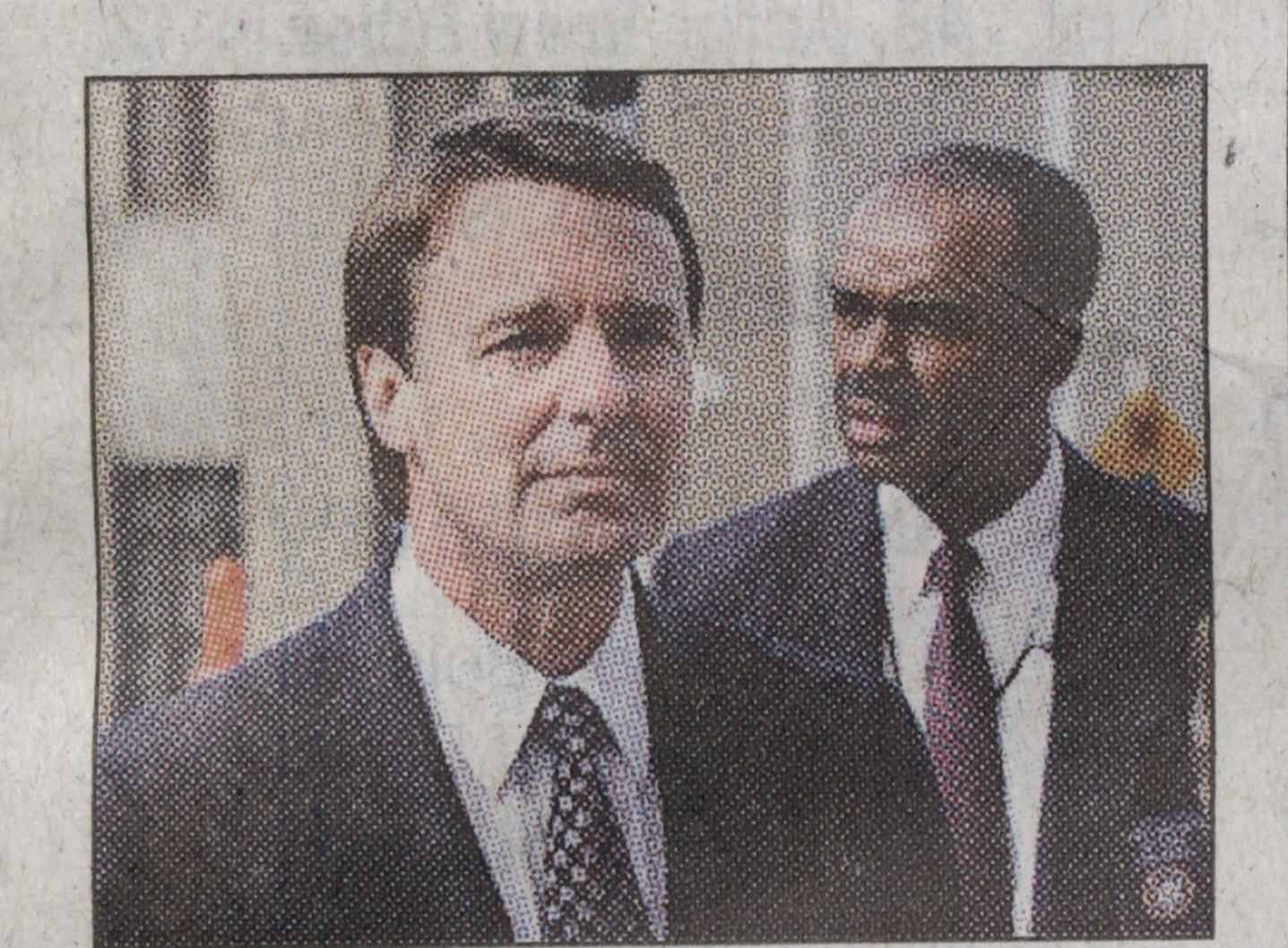
News flash

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srocco@newsobserver.com

John Edwards is awaiting his fate at the federal courthouse in Greensboro. The jury will resume deliberations Monday.

Jury in Edwards case breaks for weekend

Friday, they asked for several exhibits related to testimony about the Virginia heiress who issued \$725,000 in checks that were funneled to a political aide for the former presidential candidate. 1B

Facebook goes public, but gets no big pop

After all the hype, the social media giant's first day as a public company ended where it began. Its stock closed at \$38.23, up 23 cents, after pricing Thursday night at \$38 per share. 4B

Focus of Williford trial turns to DNA evidence

The case against Jason Williford moved from the streets to the laboratory Friday, as forensic experts testified to the microscopic traces left behind at the crime scene - both on Kathy Taft's body and in her bedding. 1B

N.G. jobless rate falls to 9.4 percent

The April rate is the lowest in more than three years - but the state continued to see a deceleration in the rate of new jobs being created this year. 4B.

Want a rare burger? You're closer in N.C.

If you're a burger fan in North Carolina, you just got a big step closer to being able to say "Make it rare." Thank the N.C. Commis-



1978 NEWS & OBSERVER FILE PHOTO

The Rev. Benjamin L. Chavis speaks at a news conference the day after Gov. Jim Hunt decided to reduce the sentences of the Wilmington 10. Hunt refused to pardon the group.

Wilmington Ten ask Perdue for a clean slate

GROUP BLAMED SINCE 1971 FOR FIREBOMBING WHITE BUSINESS

By Bruce Siceloff bsiceloff@newsobserver.com

Somebody firebombed Mike's Grocery, a whiteowned store in a black Wilmington neighborhood, during three days of racial violence in February 1971. When firefighters and police came to put out the blaze, somebody fired shots at them.

Weeks later, 17-year-old Allen R. Hall was arrested on assault charges stemming from those violent days. The police told him they knew who had burned the store.

"They said they didn't want me or anyone else, but that they wanted Ben Chavis," Hall testified in 1977. At least, that's one version given by Hall.

The troubled teen had sung a different tune in 1972 to help prosecutors win lengthy prison terms for the Rev. Benjamin L. Chavis Jr., a young black civil-rights activist from Oxford; eight black Wilmington high school students; and a white anti-poverty worker - a group who became known around the world as the The Rev. Benjamin L. Chavis, left, and attorney Wilmington Ten.

appeals court in 1980 to overturn the convictions. The court ruled that prosecutors had suppressed evidence that undermined the credibility of Hall and two other youths who also disavowed their testimony against the Ten. So the defendants did not receive a fair trial, the court ruled.

accuse anyone else of burning Mike's, and they did not drop the Wilmington Ten charges. This week, Chavis and his six surviving co-defendants came to



MARJORIE FIELDS HARRIS - THE WILMINGTON TEN PARDON. OF INNOCENCE PROJECT

Irving Joyner attend a rally Thursday in Raleigh Hall's 1977 recantation helped persuade a federal to ask Gov. Bev Perdue to pardon the group.

See more: Find recent and archival photos of the Wilmington 10 at nando.com/seekingpardon.

"We feel that 40 years late is past due time for a Prosecutors never retried the case. But they did not governor of North Carolina to at least consider this," Chavis, 64, now president of Education Online Services Corp. in Sunrise, Fla., said Friday.

"But this is more about North Carolina's future Raleigh to petition Gov. Bev Perdue for a pardon of than about its past. I think Gov. Perdue's decision will

Ruth was subject of SBI probe of DWI cases

> BY ANNE BLYTHE ablythe@newsobserver.com

RALEIGH Kristin Ruth, a Wake County District Court judge for 13 years, stepped down from the bench Friday amid an SBI investigation into her handling of DWI cas-

Ruth submitted a two-sentence notice to Gov. Bev Perdue, deliv-



ered by hand Friday, that stated: "I hereby resign my office as District Court Judge of Wake County. It has been an honor to serve the citizens of Wake County."

In a statement issued by her attorney, Joe Zeszotarski, Ruth elaborated on why she chose to step aside nearly three months after the State Bureau of Investigation began a probe of how she dealt with at least a dozen DWI

Ruth said she had trusted Raleigh lawyer James Crouch, who she now thinks was untruthful with her. "I trusted the wrong person," she

The SBI inquiry began in February after prosecutors alerted Wake County District Attorney Colon Willoughby to problems with a DWI case handled by Crouch, who deals with a high volume of traffic cases. Willoughby looked into the SEE JUDGE, PAGE 15A

Vigil, tips to mother lead to arrests



ROSELLA AGE - rage@newsobserver.com

Wilmington Journal publisher Mary Alice Thatch speaks Thursday at the Capitol. Seated, from left, are Wilmington Ten members Willie Vereen, the Rev. Benjamin Chavis, James McKoy, Marvin Patrick and Connie Tindall. At right is Willie Moore, the brother of Wayne Moore of Michigan, who couldn't attend.

TEN

CONTINUED FROM PAGE 1A

help shape how North Carolina is viewed in the future."

School desegregation

In 1971, Wilmington and the New Hanover County schools were among the last in North Carolina to submit to the racial desegregation that had been ordered 17 years earlier by the U.S. Supreme Court. These were troubled times in the wake of landmark civil rights legislation in the 1960s and the 1968 assassination of civil rights leader Dr. Martin Luther King Jr.

There was division between whites who embraced the 1960s changes and those who resisted any further gains for blacks, says historian Timothy B. Tyson. And there was a similar divide between older blacks and a younger generation – including disaffected veterans of the Vietnam War – who were disillusioned with King's nonviolent approach.

"Desegregation in Wilmington was being done in a very white-dominated way that made the black community mad," Tyson said. They laid off black teachers, black principals and black coaches, and closed a high school that had been a source of community pride for decades.

Members of the Ku Klux Klan and a more radical supremacist group called Rights of White People came to Wilmington to intimidate the moderate white school superintendent – cutting his phone line and hanging him in effigy, in his

front yard – and to send armed patrols through black neighborhoods.

Tensions rose in January 1971 when black students began a school boycott. The tactic worked in several North Carolina communities in the 1960s and 1970s because state funding was tied to attendance numbers. When the money stopped coming from Raleigh, white school officials had a new incentive to negotiate with black parents.

Chavis, a former King acolyte who worked for the United Church of Christ Commission for Racial Justice, was dispatched to Wilmington.

"Ben had come to town and was trying to make the school integration happen in a way that was more acceptable to black students and teachers, but that was rough sledding," said Tyson, who teaches at Duke University and UNC-Chapel Hill. Tyson wrote about Chavis in "Blood Done Sign My Name," his 2004 book about the 1970 murder of Chavis' first cousin in Oxford,

"It was a very polarized situation before I arrived in Wilmington," Chavis said. "I didn't cause the polarization. What I was somewhat successful in doing was trying to get some of the students out of harm's way. The Klan and Rights of White People were very active at that time."

Communication lines were weak in Wilmington, Tyson said.

"There was tension, with disorganized street violence in a seething atmosphere with blacks and whites fighting in the streets,

Rights of White People patrolling with weapons and shooting people sometimes, and a lot of rock-throwing and arson," Tyson said.

"It wasn't the (civil rights) movement that was burning down buildings, it was angry people whom the movement did not control," said Tyson. "But white officialdom had a hard time distinguishing. White officials tried to negotiate with middle-class blacks because they felt more comfortable with them, but the middle-class blacks were not doing this, and they didn't know who was."

Witnesses' stories

So who burned Mike's Grocery and shot at firefighters?

Hall testified at length in 1972 – in copious detail cited with skepticism later in the 1980 appeals court order – that Chavis gave the Wilmington students instructions and orders for firebombing the store. But by the time Chavis and his codefendants were out of prison, Hall changed his story more times than anyone could count, sometimes three times in the same day.

New York Times reporter Wayne King spent three months looking at the case in 1978. He turned up another young man in Wilmington who described – at length but with the Times' protection of anonymity – participating in the bombing and shooting at Chavis' behest. King speculated that the prosecutors may have "framed a guilty man."

Chavis maintains that the Wilmington Ten are innocent.

"We were innocent when we were first arrested in 1971, we were innocent when we were being framed up by the prosecutor in 1972, and we were innocent when the judge said we received a fair trial in 1977," Chavis said.

He said the Wilmington Ten legacy offers a constructive lesson for North Carolinians.

"Over the last 40 years, I've learned that American society is a better society when there's more racial harmony," Chavis said. "I think back in the late '60s and the early '70s there was a fear of diversity. Today you see that diversity doesn't have to be something you fear. You can treat everybody fairly and equally and have a pluralistic society."



1976 NEWS & OBSERVER FILE PHOTO

The Wilmington Ten in 1976: From left, front row, the Rev. Benjamin Chavis, Joe Wright, Connie Tindall and Jerry Jacobs; back row, Wayne Moore, Anne Sheppard, James McKoy, Willie Vereen, Marvin Patrick and Reginald Epps.

Siceloff: 919-829-4527 or blogs.newsobserver.com/crosstown or twitter.com/Road_Worrier/