

# MOVE jury deliberates civil lawsuit

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charged in the incident. Africa served seven years on a riot charge.

Africa's lawyer, Andre Dennis, dismissed Harris' reasoning in his rebuttal, again telling jurors that officials acted unreasonably when they dropped the bomb and allowed the fire to burn instead of waiting and negotiating with MOVE.

"Never in this country's history, prior to May 13, 1985, has an American government, federal, state or local, used a bomb against its own citizens," Dennis said, arguing that officials violated state law and the constitutional guarantee against unreasonable seizure.

Fincourt Shelton, representing the estate of dead MOVE member Frank Africa, said members of the organization, who all adopted the surname "Africa," stayed in the house out of fear.

"MOVE intended to protect themselves because they thought that police would kill them. They thought it and it happened," Shelton said.

Relatives also are seeking damages on behalf of the late MOVE founder John Africa, Frank's uncle.

The jury will get the case after hearing the judge's instructions.

After neighbors complained of vermin and obscene loudspeaker harangues at the MOVE house, city officials obtained arrest warrants for Ramona Africa, Frank Africa and two other members. Surrounding homes were evacuated and hundreds of police officers converged on the neighborhood armed with Uzis and other high-powered weapons.

Sambor used a speaker to order MOVE members from their house, to no avail. Members remained in the house through a gun battle and unsuccessful police efforts to use explosives to insert tear gas through the walls of adjoining houses.

Officials then devised a plan to drop a homemade, military-type bomb from a helicopter to disable the group's rooftop bunker. The bomb missed its mark but started a small fire on the roof.

Sambor asked Richmond if the fire could be controlled long enough to destroy the bunker, and Richmond answered yes. But the flames soon spread, leaving six adults and five children dead in the MOVE house and incinerating surrounding homes.

"The city's plan was an arrest plan. MOVE's plan was a battle plan," said Harris.

"The fire wasn't started intentionally. It wasn't started to burn people out. It was a terrible accident," she said.

People in the MOVE house could have exited safely but chose to remain, she said.

Plaintiff's lawyers pounced on one of Harris' statements as proof that officials had no intention of peacefully serving arrest warrants. Referring to MOVE's harassment of neighbors, Harris said, "The problem had to be brought to an end."

Richmond's lawyer, Peter Kennedy, said his client wanted to fight the fire but police initially ordered him not to train high-powered hoses on the roof.

# Fire stirs community support

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"When we were worshipping in the newer sanctuary, and you come outside from there, you could always just glance over there and see where your roots began. You could see where the Lord had brought you from one place to another, but still that was your beginning," she said.

"There was some talk of us putting some sort of monument over there as a reminder," said Cureton, a Matthews-Murkland deacon. "I'm not sure whether we are going to rebuild a total sanctuary building or whatever. We have got to save the bell. That's going to be part of the memorial."

The 13-year-old girl, apparently interested in witchcraft, lit a fire which sparked fears that the burning was related to the more than 30 fires at African American churches over the past 18 months.

The fire came less than a week after hearings on the church burnings in Congress.

African American leaders believe the fires are racially motivated and have criticized local and federal law enforcement agencies who say they have found no evidence of a conspiracy in the arson attacks.

Charlotte police and federal law enforcement agencies said the Matthews-Murkland fire was not racially motivated. They called the girl "troubled." Few other details were released about the child and her motives. The arrest followed a routine traffic stop in which officers learned that the girl may have been involved in the fire.

The Rev. William Hill, Matthews-Murkland's pastor, said he's glad the burning was not racially motivated, but is just as troubled that it occurred.

Hill also said he was concerned about how the Charlotte incident will affect the debate about the previous fires.

"I have some deep concern for my fellow brothers whose fires

were racially motivated," Hill said. "I don't want this whole issue to cloud the fact that those other 30 are not racially motivated because this may not be."

Hill said the churching burning has brought the Charlotte community together and called the incident "a triumph through tragedy."

"We had a great tragedy but through the grace of God we turned a tragedy into a triumphant occasion. They burned a building but they may have created a church."

He compared the coming together of so many different congregations to the "Day of Pentecost," when all Christians are supposed to come together.

"The most significant things from this is better relations between clergy and church people in the area. Sunday we had the N.C. Episcopalian bishop, and Jewish, white and black Baptists and one Presbyterian church sent its entire deacon board."

"The outpouring Sunday was just overwhelming. It was probably as close to the real church as it could be, with everyone coming together, as it was on the day of pentecost. People coming together for a common cause."

Hill said he hopes African American congregations, which traditionally support each other's programs, such as revivals, concerts and anniversaries, will now work on common missions such as homelessness, youth problems and others.

The Charlotte-Mecklenburg NAACP called for a neighborhood church watch and other congregations around the city promised to help Matthews Murkland rebuild if it wants.

On Sunday afternoon, Evers-Williams recalled in an impromptu speech the violence which took her husband Medgar Evers' life on June 12, 1963 in Jackson, Miss.

Evers-Williams was in Charlotte for pre-planning for

the NAACP annual convention which will be held in Charlotte next month.

President Clinton, in his weekly radio address Saturday, condemned the hatred which has led to the burning of so many African American churches since 1989.

Clinton promised a determined federal law enforcement effort to solve the Charlotte case and others across the country.

On Wednesday, Clinton and Rev. Jesse Jackson visited the re-built Mt. Zion Church, burned last year in Greeleyville, S.C.

Charlotte-based NationsBank, the nation's third largest bank, put up a \$500,000 reward fund, up to \$50,000 per incident for information leading to the arrest of any one who burned an African American church.

Gov. Jim Hunt put up \$10,000 from state coffers in the Charlotte incident.

The Charlotte community breathed a sigh of relief after the arrest of the juvenile was announced Monday morning.

Cureton agreed with Hill and Evers-Williams who had said the involvement of a young girl was no less troubling and pointed up the need to be more involved in the lives of children.

Hill said he does not know why his church was targeted.

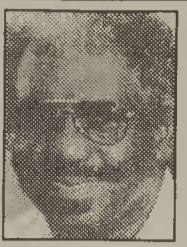
"How she got here is a mystery that will probably come out during the trial," Hill said. "A significant part of my thoughts are with the young lady and her family."

Hill said its too early to talk about rebuilding the church, Matthews-Murkland moved out of in 1975 and which hadn't been used as a sanctuary by any other congregation for about two years.

"The charred remains are there and need to stay there for a while," Hill said. "People want to see them and need to see them."

Wallace Deese Jr. contributed to this report.

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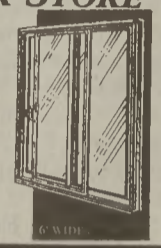
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