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The Daily Tar Heel
85th year of editorial freedom

Gov. Hunt shames state in Wilmington 10 decision

Shame. And Anger. Those are the passions aroused by Jim Hunt's long-awaited decision on the Wilmington 10. We, as North Carolinians, must be ashamed that our state will continue to imprison the Ten. And we can vent our anger only at the man who would not let them go.

The pain of Hunt's ruthless verdict grips us most when we go back to the beginning of this disgusting drama. In January of 1971, black pupils of a Wilmington high school asked officials if they might hold a memorial service for Martin Luther King Jr. Their request was inexplicably denied. Demonstrations, with the blessing of a white minister, followed. Violence broke out. One white and one black were killed. The Rev. Ben Chavis, a minister and civil rights worker called in by the United Church of Christ to help ease the tension between whites and blacks, and nine others were convicted of firebombing an unoccupied grocery store and conspiring to shoot at police and firemen. The Ten were not accused or convicted of the two deaths, but those deaths were in the forefront of Wilmingtonians' consciousness in 1971.

A jury was chosen. There were 10 blacks and two whites — a jury of peers as the Constitution guarantees. But prosecutor Jay Stroud suddenly and mysteriously became ill. The judge called a mistrial. Stroud got well and got the jury he wanted next time around. The jury that convicted the Wilmington 10 consisted of 10 whites and two blacks.

Let's look at the cast of characters who have taken part in the six-year saga of the Ten, which reached a climax but not an end Monday night on television with the world looking on.

The leader of the Wilmington 10 is young Ben Chavis, an ordained minister with a chemistry degree from the University of North Carolina at Charlotte. Anne Sheppard Turner, the only other member of the Ten who was not a teenager at the time of the unrest, is a native of Auburn, N.Y., who came to Wilmington in 1970 to work in a federal anti-poverty program. The rest of the defendants were Hoggard High School students. Four of those eight were students in good standing at reputable colleges when they were sent to prison in early 1977. Of the remaining four, one was a member of the Hoggard High Band, one a member of the football team and another the head of his own local band at the time of the incident. Only one was not a student in good standing at Hoggard — Marvin Patrick, who was expelled from school for protest activities. Patrick went on to serve in the Army in Vietnam.

Now, the three witnesses who put the Ten behind bars. Chief witness, Allen Hall, a young man with a tested IQ of 78, has changed his story twice since the trial. Hall has claimed he was lied to, tricked and coerced by the state into testifying against Chavis. Eric Junious, 13 at the time of the trial, was induced to aid the prosecution by gifts of a minibike and a job at a service station. Jerome Mitchell is a convicted felon. Both Junious and Mitchell have recanted since the trial. All three witnesses were in trouble with the law and stood to gain by helping the prosecution.

Now, the prosecutor, Jay Stroud. Stroud admitted to giving Junious the minibike and the job. Stroud was also impugned by further evidence that the state granted petty favors to its star witnesses, such as arranging a rendezvous with a girlfriend, granting special weekend passes and carrying bags of cigarettes and candy to the teenage inmates' cells.

The story of the Wilmington 10 is well-known, but the characters who played the crucial roles are seldom more than names to readers around the nation and the world. Scrutiny of the leading characters shows simply that three witnesses and one prosecutor of very questionable integrity convinced a jury (that was not made up of peers) to convict 10 individuals with no blemishes on their records — and to jail them for more than 20 years each. The witnesses have been discredited so obviously since the first trial that one member of the prosecution team admitted the state would have no case in a retrial.

All this information was available to Jim Hunt well before he went on television Monday night. But he chose to ignore it. Consequently, Hunt has sentenced the Ten (except the paroled Ann Turner), who have suffered through a six-year court battle, to stay in jail and hope to get out on parole when they are first eligible. All save Chavis come up for parole this year. Chavis, the ordained minister with a college degree and no previous record of any sort, will not come up for parole until 1980. Hunt has left all the Ten with at least 13 years to serve, Chavis with 17 to 21.

But the length of sentence is not the issue here. None of the Wilmington 10 deserve to be languishing in jail, imprisoned on the word of three discredited witnesses and begging for their freedom. Before they were embroiled in the fanatical atmosphere and civil strife of Wilmington in 1971, they were just like the people who roam free on this campus and in this town. They were good students, good citizens, variously on their way to college, the army, careers as musicians, or working hard to beat poverty and ensure civil rights in these United States.

The only difference between the Ten and those of us who enjoy liberty here in Chapel Hill is that we did not become the scapegoats of racial unrest and hatred. Gov. Hunt has blatantly ignored the humanity of these people and in the process shamed us all. Hunt deserves our anger and none of our respect. The Ten deserve our support in their quest for justice at the federal level.

We hate to see North Carolina embarrassed further in front of the nation, but we hate even more to see the Wilmington 10 unfairly imprisoned because of one politician who wants to be governor in 1980 — the year Ben Chavis gets his first shot at parole.

The Daily Tar Heel

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UNC's Myopic Prophet sleeps alone

Meaningfully relating to a spot on the couch

By JOEL CHERNOFF

Buff Rose returned to Chapel Hill last week, blown in by the Arctic air mass that has transformed the country into a giant Westinghouse refrigerator. Buff Rose, a fluorescent light in a world of incandescents, burst into my apartment just as I had laid down *Playboy*.

"Joel!"
"Buff!"
A moment of silence.
"Joel!"
"Buff!"
"Joel, I just came through the door, and we're stalemated already. Why does that always happen to us?"
"Oh, Buff. I never know why with you. I just know what."
"Meaning what?"
"Meaning close the door because I'm freezing my underutilized genitals off."
"Aren't you going to ask me what I'm doing in Chapel Hill?"
"I was getting to it."
"What are you waiting for, the Tar Heel marching band?"
"How about a warm welcome?"
"It's your apartment."
"So?"
Embrace. Smack.
"How was that?" asked Buff.
"Tepid. Better try again."
"Hey, cut that out!"
"It's cold outside," I explained.
"It's too hot in here."
"Oh, Buff. I just go crazy for your rosy cheeks."
"Joel, don't you ever wonder why we never could have a meaningful relationship?"

"Not any more. I'm tired of meaningful relationships."
"Meaning?"
"Sue Hunter chucked me for an actor in New York?"
"Sweet Sue? The one you drove down to Chapel Hill in the heat of the summer to see?"
"That's the one. I even wrote a column about her."
"I'm sorry. But it's only natural that she would pick up with someone. New York is a big town to be alone in."
"Yeah, I know. So now she's living with this actor who is into leather."
"What? Sue?" Buff exclaimed.
"He makes belts to supplement his income."
"Joel, why are you always putting women down?"
"Nonsense. Chernoff men support women. We elevate them to a new status. From housewives to domestic engineers. You know, it really hurt to lose Sue. She was the cherry in my martini."
"Pig! Skunk! Mastodon!"
"Mixmaster! Eggbeater!"
"Joel, I didn't come back to Chapel Hill to be insulted."
"So why did you come back?"
"It's about time you asked. Don't you care about me at all?"
"I wrote four columns about you last year. Of course I care."
"Then shut up. I quit the VISTA program. You remember, I was organizing a consciousness-raising group for Pueblo women."
"How did it work out?"
"Great. Except the Pueblo braves weren't too enthusiastic. They ordered their wives not to come to the sessions. In response, I organized a strike amongst the women."
"It was fantastic. At least until the braves hit the warpath. They weren't too keen about the sex strike."
"You called a sex strike? You're lucky that the men

didn't tie you to a stake."
"But they did, Joel. They were donning ceremonial warpaint when the Bureau of Indian Affairs rode into the reservation like the cavalry. The BIA told me that they didn't want any more 'Wounded Knees.' I told them the hell with my knees, it was my scalp that I was concerned about. But I refused to leave the reservation until the men changed their sexist ways."
"What did the Bureau say to that?"
"Those coyotes were going to leave me tied to the stake."
"Did you give in?"
"I was in no great hurry to meet the Great Spirit. But I left with a promise that the women could continue their c-r group. The BIA escorted me to the nearest town. VISTA, those finks, gave me the boot, which I quite gladly threw back in their faces: I quit first. So here I am, back just in time for the Women's Festival."
"Joel, I know some Pueblo men who would love to meet you."
"Forget the Pueblos. Where are you going to stay in Chapel Hill?"
"I thought that I'd move in with you until I get enough bucks to afford my own place."
"Move in with me? I'm not sleeping on the couch."
"I wasn't planning to either, Joel. Of course, if you'd rather I go elsewhere..."
"Oh, no. I could never throw you out, Buff."
"Good. And maybe we can finally establish a meaningful relationship."
"I told you that I've had it with meaningful relationships."
"So what do you want?"
"I just want to get laid."
"I'll sleep on the couch."
"Buff, you know me better than that."
"I know you're only kidding. But I'll still sleep on the couch."

Joel Chernoff is a good ole boy from Great Neck, N.Y.

Parking lot owners can't always tow cars legally

Editor's Note: This advice was prepared by the Student Legal Services which maintains an office in Suite C of the Carolina Union. UNC students have prepaid for this service and may obtain advice at no additional charge.

Contrary to the beliefs of many private parking-lot owners in Chapel Hill, they cannot legally tow cars that park in their lots unless the lot is so designated by a sign at least two feet square displayed prominently at the lot's entrance. Second, the parking spaces in the lot must be clearly marked by signs bearing the name of each lease holder or owner. Third, the parking space leaseholder or owner must make a written request in order to remove a car that is improperly parked in a private space. If all of these conditions are not met, the owner of the towed car is not liable for towing and storage fees.

ADVICE FOR THE DAY: 1) If you are towed, check the private property to see if the owner has properly marked the space. 2) If not, make a polite but firm demand for the return of your car. 3) If refused, immediately seek legal advice on the best way to recover your car.



letters to the editor

Wilmington 10 get no justice from N.C., Hunt

To the editor:

After listening to the platitudes and groggeries of North Carolina's inept governor, I find myself barely able to contain my outrage. Gov. Jim Hunt has not seen fit to salvage North Carolina's already farcical judicial system from the derision of the rest of the nation and the world. By not pardoning the defendants in the Wilmington 10 case or at the very least offering The Ten a new trial, when the state's case had been destroyed by witnesses' admissions of being bribed to testify against The Ten, Gov. Hunt makes this state appear absurd.

Living in North Carolina is not like living in a poem. It is hell for blacks, American Indians, poor whites and gays whose rights are jeopardized by the travestied legal system here. It is about time North Carolina moved out of the Dark Ages.

It is also time that the faculty and students of UNC-Chapel Hill become more responsive to the injustices being committed in this society here right now. Our learning and education will do no good if we have not the moral courage to stand up against the racism and bigotry of North Carolina's government. Let us all work to free the Wilmington 10.

James F. Weigand
213 N. Graham St.

A taste of the real world?

To the editor:

For the first time in my life, I had a close encounter with what everyone today is calling discrimination. The situation occurred when I was closed out of one of the "Special Interest Classes" offered by the Carolina Union because I am female. It appears that even after the deadline for registration, applications for males were still being accepted. Yet yelling "discrimination" is quite impractical since the class is "Social Dance," and I do not particularly care to dance alone or with a person of the same sex. Yet I am wondering why the truth was not made known to me. The note I received explaining the situation stated that the class was closed. However, it seems that the class is closed only to females at this point. Why was I not allowed the opportunity to make a choice? In a place as large as Carolina, attempting to locate a group of peers with whom to associate, who have a similar set of values, has proven to be quite frustrating and disappointing. But that is O.K. I know what I want, and I refuse to give up so easily.

I guess there is nothing like a taste of the "real" world early in life to prove that if one wants to make his goals become reality, he must be willing to "step on a few toes." However, I refuse to support this popular

belief. I suppose I will continue to hold fast to my idealistic views of life until someone steps on my toes just a little too heavily. Nevertheless, there is one lesson Carolina has taught me, this not-so-naive country bumpkin from "the sticks." I have learned that people like Anita Bryant and Joe Califano, who believe in a cause so strongly that they do not try to please everyone, are those whom people may dislike, yet whom people always give the recognition they seek for caring enough to want our society to be a healthier and happier place to live, even if a few toes do get stepped on.

Cissy Moses
9-U Kingswood Apts.

Poli Sci One

To the editor:

Nowhere in all of the rhetoric that has surfaced regarding the general surplus has anyone tried to explain the CGC financial system. I do not know why, but because of it, we are beginning to see comments such as Miss Boyce's yesterday. Let me make a great deal of sense until you read the first line.

So, here is everyone's lesson in Poli Sci One, CGC Finances. No exams, but we will

have questions later. The CGC has two accounts, the unappropriated balance, the source of which is the annual collection of student fees, and the general surplus, the collection of purposely-saved cash and the remnants of old unappropriated balances.

Each new CGC starts with a new UB, this year \$330,000, half of which goes to the Carolina Union and the DTH. Organizations wanting money are funded after due consideration from the UB. Office supplies, cultural projects and items that must be renewed yearly are funded in this manner. The council strives to keep some money available after the initial process for other expenditures during the year.

Now for the phantom general surplus. The CGC sees the GS as three things: (1) cash flow, (2) long-range expenses, such as printing presses and radio equipment — which are not renewed annually, and (3) emergencies, if we lost a lawsuit, etc.

Okay, knowing this, why don't we spend the GS excess instead of asking for the fee increase. Fair question, one that is simply answered using the above information. We anticipate some long-range expenses for WXYZ, we have the cash flow and we need to maintain a certain amount for emergencies. What's left is less than \$40,000, and I agree, it's too much, although it was

there before this administration entered office.

Of course, if the new transition period goes into effect as planned, the newly-elected officers of Student Government will have the chance to quiz their predecessors, so they'll know about things such as the GS before "discovering" them in some deserted closet.

Basically we have two options. The first is investment, which we are looking into very seriously. Let me point out that any interest gained would go to the UB, pushing the next fee increase back in time. The second, the one that would appear to be Miss Boyce's favorite, is spend. And probably not just the excess, but the entire thing, irresponsibly forgetting all of the above lessons. The CGC and the Executive Branch asked for the fee increase because the expenses for reasonable, justifiable programs exceeded the amount available yearly in the UB. Again, the options were deleting valuable programs or spending from the GS (akin to deficit spending).

This policy is somewhat conservative, but when we're dealing with the student monies, I personally cannot see any other philosophy being acceptable. So ends Poli Sci One.

Chip Cox
Speaker of the Campus
Governing Council

