WILMINGTON, N.C. – His name was Allen Hall. In 1972, he was the star witness for the prosecution in the conspiracy trials against the Wilmington Ten – 10 civil rights activists, led by Rev. Benjamin F. Chavis – falsely accused of firebombing a White-owned grocery store during the height of racial violence in Wilmington in 1971.

According to New Hanover County prosecutor Jay Stroud, Hall, a convicted felon, had the goods on Chavis and the others, and could confirm details of the arson conspiracy.

There was just one problem: in order to get Hall to falsely testify, Stroud had to keep the young troubled Black man happy.

How happy?

In a prison letter dated August 16, 1972 – a copy obtained exclusively by the *Wilmington Journal*
newspaper last week from prosecutor Stroud’s infamous Wilmington Ten court files being kept at UNC-Chapel Hill’s Wilson Library – Allen Hall wanted the prosecutor to keep him happy.

“Just a few lines to tell you that I need a woman,” stated the very first sentence of the letter from Onslow County prison inmate Hall (who was known as “Allen Graham” behind bars so that other inmates wouldn’t know he was working with a DA) to prosecutor Stroud.

Later in the missive, Hall tells the prosecutor, “You feel like a father to me, and that is why I call on you so much when I need someone.”

Saying that he didn’t have a father when he was growing up, Hall writes Stroud, “You make me know the real Allen, and what life is about. But the love that what (sic) I have for you is what a son have for a father. To me you are that father I never had.”

Hall writes about not caring what Black people in Wilmington, or apparently one of his girlfriends, “Deborah,” thinks about his testifying against Ben Chavis. And yet, Hall openly struggles with the idea that he will, and how it could hurt his family, apparently at the direction of prosecutor Stroud.

"Will my love (sic) ones have a bad time for me [if] I tell on Chavis [?]," Hall writes. "My mind is going up and down, and around, when will it stop. How many times will I ask my self this over and over [?]"

By the end of the three-page letter, Hall is literally begging Stroud to let him see either Deborah or another apparent girlfriend, "Antionette."

Hall closes the letter by writing, "I will be a good nigger."

Hall signs it, "From Allen Graham, or Stroud Jr."

It was clear from the letter that Stroud's star witness was emotionally attached to the White prosecutor.

Newly revealed Stroud file documents show the prosecutor's efforts to move Hall, and another state's witness, from different prison camps by the Onslow County Sheriff's Department, to the beach house where they stayed during the trial.

Official documents also show police officers and Sheriff's deputies were used to guard Hall, and detailed efforts, "…to transport a young girl, along with her mother, to the beach [house] because Hall said that the two of them were in love and he needed to see and talk with her," according to Pardons Project attorney Irving Joyner.

But it was also clear from notes in Stroud's own handwriting –which he has recently claimed as his – that he was having trouble keeping the young Black convicted felon on his proverbial leash.

In June 1972, when Stroud was contemplating forcing a mistrial in the first Wilmington Ten trial because the jury ended up not being the "KKK and Uncle Tom-type" that he sought, but rather 10 Blacks and two Whites, the prosecutor drew up a list of "Disadvantages and Advantages of a Mistrial" on the back of a legal pad.

The number two reason on the "disadvantages" side was, "…could effect Hall's attitude and other witnesses."

The number seven reason on the "advantages" side was "…to keep out Hall's letter"…from the trial, apparently one of many Hall had written, that would somehow cast doubt on his witness's testimony, and confirm that Stroud was putting Hall up to it.

When the first Wilmington Ten trial was indeed aborted because Hall feigned "sickness," and the second trial commenced in Sept. 1972, Hall did testify against the defendants.

According to the formal Wilmington Ten pardon petition to N.C. Gov. Beverly Perdue submitted last May by Pardon Project attorney Joyner and lead defense attorney James Ferguson, "Hall's testimony, which was given during a week of heated and contentious testimony, was the only alleged eyewitness account of criminal conduct by any Wilmington Ten member during the

events from February 4th through February 7th [1971]…"

The petition continued, "Hall's testimony was peripherally supported by Jerome Mitchell, a convicted felon and 17-year-old high school dropout, and Eric Junius, a 12-year-old junior high school drop-out. As recognized by the Fourth Circuit Court of Appeals (Dec. 1980 decision): "When the trial record is examined, it is readily apparent that North Carolina's case depended entirely on Hall's credibility."

In that U.S. Fourth Circuit 1980 decision, it was determined that all three state's witnesses had all been paid in some form by the prosecutor.

"During Hall's trial testimony, he was repeatedly and vigorously cross-examined by defense attorneys who confronted Hall with numerous significant contradictions between his trial testimony and statements which he made in prior written statements to the prosecutor," the petition continued. "When repeatedly asked by defense attorneys to reconcile the discrepancies, Hall testified that he had amended the earlier statements with the State's Prosecutor. Efforts by defense attorneys to obtain copies of the amended statements were resisted by the prosecutor and upheld by the trial judge."

"At one point during Hall's cross-examination," the legal petition adds, "… he became so enraged at the insistent and grueling questioning by Defense Attorney James Ferguson that he rushed from the witness stand and attempted to physically attack Ferguson in open Court." The judge didn't sanction Hall for the violent outburst, however. Instead, the judge chastised defense attorney Ferguson for asking such tough questions.

In October 1972, the Wilmington Ten were all convicted and sentenced to a total of 282 years in prison, thanks to Allen Hall's false testimony.

But according to the Wilmington Ten pardons legal petition, it didn't end there.

"In 1975, soon after the [U.S.] Supreme Court refusal to grant certiorari to review the convictions, Allen Hall recanted his trial testimony and publicly admitted that he lied as a result of inducements and promises which were made to him by the State Prosecutor," attorneys Joyner and Ferguson wrote to the governor. "Following Hall's recantation, Jerome Mitchell and Eric Junius also recanted their testimonies."

In a letter that Hall sent to The *Wilmington Journa*l when he was apparently serving time for another crime years after the trial, he titled it, "A Cry for Help," indicating that he now feared for his life behind bars.

"I have told you the people what they would do to me, to try and stop me from telling you the lies that [District Attorney] Allen Cobb and them made [me] tell in court on Rev. Chavis an (sic) the Wilmington Ten," Hall wrote to then *Journal* publisher Thomas Jervay, Sr.

It was revealed in the Fourth Circuit decision that Allen Hall suffered from a mental illness, and prosecutor Stroud knew it. Stroud "failed" to disclose that, and the fact that Hall had gotten

medical attention for it, to the Wilmington Ten defense for fear that it would have disqualified his star witness’s testimony.

Hall had no case.

“These convictions were reversed by the Fourth Circuit Court of Appeals in December 4, 1980 as a result of that Court’s studied determinations that prosecutorial misconduct and other constitutional violations occurred during the Wilmington Ten prosecutions and trials,” attorney Joyner wrote.

Supporters of the Wilmington Ten – more than 14,000 of whom have signed pardon petitions nationally thus far, say based on these facts, people should be writing N.C. Gov. Beverly Perdue, asking that she pardon all of them before she leaves office Dec. 31st.

(Allen Hall died several years ago in Pennsylvania. Only his many letters from prison speak for him now.)