

STORY OF THE NAVY MUTINY TRIAL

Following is an account of the Port Chicago mutiny trial involving 50 Negro seaman. It was written by Pauli Murray, former newspaper woman, now a student at the California Law School. Since the article was written, Rear Admiral Carleton H. Wright, commandant of the 12th Naval District, has confirmed the following sentences: 10 men to 15 years; 24 to 12 years; 11 to 10 years; and, 5 to 8 years.

The largest mass court martial in the United States wartime Naval history involving fifty Negro seamen charged with mutiny closed October 24, 1944 at Yerba Buena Island, California, before a seven man General Court martial board headed by Rear Admiral H. W. Osterhaus. The accused are charged with refusal to load ammunition on a South Pacific bound transport on August 9th and August 11th at the naval ammunition magazine at Mare Island Naval Ammunition Depot.

The 35-day trial which began on September 14th and has amassed over a thousand pages of testimony given by seventeen witnesses for the Judge Advocate (the prosecution) and over fifty witnesses for the defense developed the following facts:

1. During the course of the trial the fifty accused seamen testified in their own behalf. They denied the charges of mutiny, conspiracy, and "concerted action with an intent to usurp, subvert, or override superior military authority."

Survivors of Explosion

2. Events leading up to the alleged mutiny date from the tragic explosion at Port Chicago, on July 17th in which 322 men were killed, the majority of whom were Negroes. The fifty seamen on trial were survivors of this explosion. Twelve of them had been hospitalized as a result of the explosion and several others given first aid treatment for shock, bruises and burns.

3. Chief Defense Counsel Lt. G. E. Voltmann in his summary told how the men were in a state of agitation and "genuine fear" after the explosion and unable to carry on their work with the efficiency they had shown before the tragedy.

4. All of the men were no doubt suffering from shock similar to shell shock. During the trial testimony came out that on two occasions veritable panic broke out in the quarters (a) when a freight train passed and cars switched suddenly, and (b) when a truck was being dragged across the barracks and a bunk accidentally fell, the men made stampedes to the exits and the armed guards couldn't hold them. The shock of their experience, plus the failure to assign them somewhere other than the immediate scene of the explosion was probably too much for them.

5. As reported by Naval personnel, it is usually the policy of the Navy when men have been in an ammunition explosion or serious accident, to assign them to shore duty or a complete change of location and duties. Doctors testified at the trial these men should have had months of rest or certainly a change of location or scenery. None of the fifty seamen on trial were given survivors furlough or any kind of furlough after the Port Chicago tragedy.

Cleaned Up Remains of Comrades

6. About half of them were assigned to details after the Port Chicago explosion to clean up the debris. They had to pick up what was left of their comrades in baskets—an arm, a leg, a head, a torso.

7. The Negro personnel in this area are very wrought up about this trial and the possible conviction of these fifty men, and believe civilians must do everything they can do to expose the discrimination and prejudice in the 12th Naval District which has brought about this incident. They believe the main issues of the case were not brought out at the trial.

8. It appears that the 50 accused men were divided into groups of 10, and one counsel was appointed for each group. The Chief Defense Counsel was a Lt. G. R. Veltmann, and he seemed to give a pretty fair defense, but Navy men point out the highest rank of the defense counsel was only a Lt. and the Advocate General was at Lt. Commander, that no lower rank of officer has a chance against a higher officer in a trial of this sort. He only hurts his chances of getting ahead in the Navy if he tries to buck the higher ranking officer. Thus the boys were

handicapped in the outset by their counsel's lower rank.

Negroes Skills Ignored

9. Despite their classifications for other kinds of skills these men had been placed on this monotonous assignment from 3 to 23 months—some of them had been there as long as 23 months. Until the time of their alleged "mutiny" their conduct records had been perfect. Yet the Advocate General, Lt. Comdr. James F. Coakley, in prosecuting them called them "insolent," "smart alecky," "cowardly," "without character," and many other epithets in his summary.

10. At the Oakland Naval Supply Depot, there are about 1302 Negro personnel, and only one Negro chief petty officer. No non-commissioned Negro officers. Some months ago when the Negro divisions were first assigned there, in the mess hall the men were ordered to eat in a segregated section. Their superior officers ordered them to take their food and sit in a certain section. They obeyed the order, took their food to the section, but refused to eat it. They just stood up. Finally a higher officer was called in and the rule was broken. They now work side by side with the white sailors, but the barracks are segregated, and I understand plans for a new recreation hall, still uncompleted call for separate washrooms.

Only Negroes Loaded Ammunition

11. Some 1200 to 1500 Negro sailors were used at the Port Chicago Ammunition Depot before the explosion. No white divisions were used. When the explosion occurred and divisions were depleted, they gathered up fragments of the old divisions and brought in new crews of inexperienced men to load with the men who had worked there for some time and were more experienced. The men were rushed in their work by their superior officers, and they felt it was unfair to mix them with inexperienced men who knew nothing about the handling of explosives. It gave none of them even a fifty-fifty chance for life as they felt they would have if they were under fire or overseas.

12. About 258 out of 328 men originally refused to load ammunition on August 8th. The Negro seamen want to know why 50 men were picked for court martial, and why the whole 258 were not picked. Some of the men say they were all lined up and officers went along indiscriminately asked here and there "Do you want to work?" There were men who said, "no," but were never courtmartialed. It is believed that the white officers just got names indiscriminately.

13. The majority of the Negroes in the 12th Naval District are assigned to menial monotonous tasks, and particularly those at the Naval Supply Depot—as freight handlers and laborers, regardless of their past experience and qualifications.

Tiny Mess Boy Made To Load Shells

14. Of the 50 men courtmartialed, one fellow was a 17-year-old, 104 lb. "fly-weight", so small that his superior officer had assigned him to mess-duty, so "you can gain weight and get some experience." Yet when the "incident" occurred, he was asked if he wanted to load ammunition and he said he was afraid. He was court martialed. His name is John H. Dunn. Several other men were also assigned to mess duty, and were court martialed even though their general course of duties were not to load ammunition. Others of the accused were on the sick list and were relieved from duty at the time of the "incident". One man was suffering from a fractured wrist at the time and during the early days of the trial had his hand in a cast.

It should not be thought these men were cowards. Everybody who knows anything about the nature of their work, and the harrowing experience of the July 17th explosion, says they reacted as any man would under the circumstances.

The Trial Procedure

It is understood the procedure of the Navy is as follows: Conviction of guilty must first be approved by the Commandant of the 12th Naval District, Rear Admiral Carleton H. Wright; it then goes to Washington to the Secretary of Navy for review and approval. This procedure takes about a week to ten days or two weeks. If the death penalty is involved, it must be confirmed by the President. (Article 53). All other sentences of general court-martial may be carried into execution on confirmation of the commander of the fleet or officer ordering the court.

The Secretary of the Navy may set aside the

proceedings or remit or mitigate, in whole or in part, the sentence imposed by any naval court-martial (Article 54). And, the President can pardon or commute the sentences of these men.

Negro Reaction to Incident

The following excerpt is from the S. F. REPORTER written by Zola Bryant:

"Waterfront unions had officially warned both the Navy and the Army prior to the Port Chicago disaster that if they continued to use inexperienced workers in the loading of munitions, an explosion was inevitable. This warning was disregarded.

"For months prior to the Port Chicago incident it was the common knowledge of experienced longshoremen and labor leaders that such a disaster was imminent. This feeling of apprehension grew out of their knowledge of the inefficiency, mismanagement, lack of safety measures in the handling of explosives and the Navy's policy of discrimination and segregation of Negro sailors.

"These facts therefore lead us to believe that it was not cowardice, nor was there a conspiracy—insofar as the Negro sailors were concerned—as charged by the prosecutor. Rather the refusal was a result springing from the background of a group of people who have been denied not only full citizenship but even the slightest consideration for their lives as human beings; religious apprehension and superstition, so common to people forcibly kept ignorant, which gave rise to the belief that the ship they were loading was 'jinxed'; all of this intensified by the longstanding practice of discrimination by the Navy."

West Coast FEPC Leads Nation In Complaints Filed

549 complaints of discrimination involving thousands of minority workers in war industry were received by the West Coast offices of the President's Committee on Fair Employment Practice during the past nine months, it was announced last month by Harry L. Kingman, regional FEPC director. This was the highest number docketed in any of the agency's twelve regions, the New York region being second with 541. 474 cases were closed during the same nine months period, with the New York region second with 461. FEPC's Region XII includes five western states and has a staff of five examiners.

Among the most successful adjustments obtained during recent weeks were those of several transit companies, including the Los Angeles Railway Company. The Key System recently reaffirmed its intention in writing to employ qualified Negro car and bus operators.

One large craft union has just permitted the first Negro to work under its jurisdiction. A San Francisco company last month employed the first Negro worker to be accepted in a highly skilled craft. A shipyard, at the request of the FEPC, has promoted a colored journeyman to a supervisory job in one of its large departments for the first time. Another large industry recently accepted its first minority employee. Because of FEPC intervention, a leading war industry increased its colored employees from 300 to 1,100 during a four months period, Kingman stated.

In a number of industries, in which minority workers had been discharged because of their race, the Committee was able to bring about their reinstatement. One company, which had not permitted racial minority workers to enter a higher paying type of work, acceded to FEPC representations and now has several hundred colored employees in this department. Excellent relationships have been developed with the Civil Service Commission and with Army and Navy establishments, which have made it possible to handle many of the government cases in short order, Kingman said.

Due to unwillingness of certain large craft unions in Richmond to permit Negroes to work in the shipyard crafts under their jurisdiction, the FEPC official stated that the Washington office is sending out a member of its legal staff immediately to investigate the possible need for open hearings in case the discrimination is not abated.