

PANTHERS' JUDGE ACTS ON TURMOIL

Murtagh Calls for Contempt Writ Against Spectator

By EDITH EVANS ASBURY

Supreme Court Justice John M. Murtagh directed yesterday that a woman who touched off an outburst resulting in violence at the trial of 13 Black Panthers on Tuesday be brought in to face punishment for contempt of court.

Justice Murtagh issued the order after Assistant District Attorney Joseph A. Phillips told him he had learned that the woman had "a long criminal record," including five arrests, had served six months in a Federal penitentiary in Oklahoma, and "is also personally known to Mr. Lefcourt."

The reference was to Gerald B. Lefcourt, one of six defense lawyers at the Panthers' trial.

Mr. Phillips identified the woman as Mrs. Maryann Weissman, who is white, and said she had also used the names of Holmes and Johnston.

Mr. Lefcourt protested Mr.

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Phillips's description of Mrs. Weissman.

"For the record," he said, "she has been known to me for a number of years. She is committed to the freedom of black people and poor people. Her arrests reflect a continuing commitment to justice and her organization reflects objection to fascism. Her arrests reflect civil rights sit-ins and so on."

The organization referred to by Mr. Lefcourt is Youth Against War and Fascism.

The lawyer asserted that Mr. Phillips's remarks about Mrs. Weissman had been "inflammatory" for the purpose of political attack."

Murtagh 'Grateful'

Justice Murtagh said he was "grateful to the District Attorney" for the report, and directed that a show-cause order be prepared "to show why she should not be held in contempt of this court."

Mrs. Weissman, 31 years old, was sentenced with another member of Youth Against War and Fascism on Aug. 25, 1967, to six months and a fine of \$500 in Federal court in Oklahoma City. They had been found guilty by a jury of violating a commanding general's order not to enter the Fort Sill Military Reservation near Lawton, Okla.

They had gone there to attend a court-martial of a self-described "revolutionary Socialist" when they were arrested.

On Tuesday, Mrs. Weissman who had been sitting among the spectators at the Panther's trial, stood up and shouted a protest against "injustice" after a ruling by Justice Murtagh, and she ordered her removed from the courtroom.

Defendants jumped up protesting, and as guards quickly herded them from the room, fists flew and the courtroom became a bedlam.

Two court officers, a detective and three defendants were injured and a defendant who had been severed from the trial's youthful offender was arrested after a scuffle among the spectators.

Detective on Stand

Detective Joseph Coffey testified on the stand yesterday, after cross-examination by the defense. He had been called as a witness in a pre-trial hearing their motion to dismiss, as gaily seized evidence consisting of guns allegedly found in the apartment of Michael Tabor, a defendant.

Tabor and other defendants, principally Richard Moore, frequently interrupted the testimony of the detective, but refused from shouting until late in the afternoon. But that outburst joined in by relatives and friends among the spectators was mild compared to earlier incidents on the two previous trial days.

Flared up after Detective Coffey replied "Yes, sir," when asked by Mr. Lefcourt whether he had "told fellow officers the Black Panthers should be eliminated."

Mr. Lefcourt then asked whether the detective was present when his "brother officers assaulted Black Panthers in Brooklyn Court house in this city."

"That's a fact!" screamed Richard Moore. "I believe I saw him there, wielding a club."

Recess Declared

As soon as he could make himself heard above the shouting, Justice Murtagh declared a recess, noting that it was nearly time to end the day's proceedings anyway, and the defendants were led from the room.

Several times during the day, as less noisy interruptions occurred, the justice reminded defense lawyers that it was their duty to help the court maintain order, an admonition he laid down on the opening day.

As defense lawyer William Crain cross-examined Detective Coffey before Mr. Lefcourt did, Justice Murtagh frequently reprimanded him, asserting that he was proceeding so ineptly and so slowly that he was affording defendants an opportunity to make disruptive and disrespectful comments and speeches.

Mr. Crain protested, as he had on the previous day, that Justice Murtagh was "building a record" against him to hold him in contempt of court after the trial was concluded.

Justice Murtagh did not deny this, but merely ordered the lawyer to "proceed with your questioning, please." He had informed the lawyers, after the first outbursts on the opening day of the trial, that there were "certain disciplinary measures" he could take against both lawyers and defendants after the trial was over.

Mr. Crain elicited from Detective Coffey the information that when he and four other policemen went to the apartment to arrest Michael Tabor they stripped several large posters from the apartment walls.

The posters, which Mr. Crain asked the detective to identify, included a blown-up photograph of two black winners in the 1968 Olympics, a black woman and baby, and a picture of Huey P. Newton, a Black Panther official now serving a sentence for the killing of a policeman in California.