

# Black Panther Guilty in Death Of Policeman

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BALTIMORE, Jan. 15—Black Panther Party member Marshall Edward Conway, 24, was convicted tonight of first degree murder for shooting a Baltimore police officer.

In its verdict, the jury ruled out the death penalty for Conway. He therefore faces a mandatory life sentence.

About 30 spectators, mostly white youths in beards and bell bottoms, broke out in a chant of "Free Eddie, Jail the Pigs, Power to the People," as the jury of ten women and two men announced its verdict at 6:35 p.m. Ten jurors were black.

The judge ordered the courtroom cleared. Conway then asked the judge if he could request a new trial. Assured it was possible, he replied, "Okay, solid," was handcuffed and led from the courtroom.

The jury, which deliberated for four hours, also convicted Conway of assault with intent to murder against two other Baltimore police officers. The maximum sentence on each of these charges is 15 years. But Judge Charles D. Harris deferred sentencing pending filing of the motion for a new trial.

Court-appointed defense attorney James W. McAllister told the jury in his summation that he had come to believe that "this is a political trial," and that Conway was arrested and charged because of his Panther membership.

In his rebuttal, prosecutor Peter D. Ward drove his fist into his open palm 13 times to represent the gunshots allegedly fired by Conway at the three policemen.

Conway did not hear either of the closing arguments. Since Jan. 6 he has refused to make more than brief courtroom appearances unless he can have a counsel of his choice.

Conway's absence has been one of the most unusual in which they have ever taken part.

The brief periods in which Conway has been present have also had their curious aspects.

Refused permission by the judge and without being sworn as a witness, Conway has made several statements to the jury, from brief outbursts to a 15-minute address, in which he called his charge part of a plot against the Panthers.

In his brief appearances, the defendant has resisted any suggestion that McAllister, the court's appointed attorney, represents him.

"Your Honor," McAllister began at one point. "I've explained to my client . . ."

"I'm not your client," Conway interrupted.

"Sorry," McAllister said smoothly. "My alleged client . . ."

The attorney of Conway's choice is Arthur F. Turco, a New York lawyer and Panther sympathizer now held in Baltimore City jail.

Judge Charles T. Harris contended he was powerless to appoint Turco, who is being held without bail on charge of conspiracy to murder a man allegedly suspected by the Panthers of being a police informer.

See CONWAY, B1, Col. 1

Conway is also charged as an accessory before the fact in that case. Until Wednesday, Turco and Conway had been cellmates. Conway was moved to a different cell that night. The judge said today he had tried but wasn't able to find the reason for the move.

Conway's daily appearance in court became something of a ritual. Brought in at the start of each session, he handed a sheaf of motions prepared by Turco to the judge and generally left shortly afterward.

When the judge asked today if he wished to remain for final arguments, there was a moment's pause. Then the 6-foot-155-pound defendant turned his back on the bench.

"No," he said and walked out.

About 30 or 40 of the 75 daily spectators have been young blacks and whites in the dress and hairstyles of the youth culture. They laughed appreciatively several times when, during defense cross-examination, appeared to discomfit prosecution witnesses.

Conway, a former postal employee, was charged with killing patrolman Donald W. Sager and wounding patrolman Stanley Sierakowski as they sat in a patrol car the night of April 24.

He was also charged with firing at patrolman Roger W. Nolan during a pursuit shortly after the first shootings.

Testimony showed that bullets fired into Sager and Sierakowski matched those found at the scene of the alleged attack on Nolan. In testimony, Nolan identified Conway from photographs as his assailant.

Another prosecution witness testified that Conway once described his involvement in a Panther "mission . . . to kill a policeman" the night of the shootings. The witness was a former jail cellmate of Conway's.

In his summation McAllister called Nolan's identification "tainted." He said Conway's was the only photo common to the two groups of pictures from which Nolan picked it.

McAllister also disputed the testimony of Charles S. Reynolds, the former cellmate.

Reynolds admitted he hoped by testifying to get a parole from a Michigan prison, where he is serving a sentence on a bad check charge.

Asserting that much of the evidence against Conway was obtained after his arrest, the defense attorney said it indicated that "once they learned he was a Panther they arrested him and tried to make a case against him."

McAllister said the conduct of the prosecution's case could not be understood "unless, as my client says, there is a conspiracy to try to eliminate the Black Panther Party."