

Panthers Seek a Delay In N.Y. Bombing Trial

United Press International

Black Panthers accused of conspiring to bomb public places in New York City asked the Supreme Court yesterday to put off their trial, scheduled to begin on Tuesday. They claimed that the judge was handpicked by the state prosecutor.

A motion for stay and an appeal, filed with Justice John M. Harlan, contended that selection of Judge John M. Murtagh of the New York Supreme Court was unconstitutional.

In addition, lawyers for the group of 13 men and two women said Murtagh's selection "serves only to lend credence to the charge" that defendants "are being railroaded to prison, not for the crimes charged, but rather, for their political militancy."

The group has been awaiting trial since April 2, 1969, on charges of conspiracy to bomb department stores, subways and other public places in New York City. Among defendants is Robert Collier, convicted in 1965 of a plot to blow up the Statue of Liberty and other national monuments.

Lawyers for the group told Harlan that if the Supreme Court refuses to consider the case, "then it will become painfully apparent that black militants who raise critical constitutional issues are not to be given any serious consideration by our courts."

"Such an appearance of justice in our country in these times of struggle in the black community for liberation is, to say the least, tragic," they contended.