

Post 4/12/70

## Ruse Used In Arrest Of Panther

NEW YORK, April 27 (AP)

—A police detective, testifying today in the pretrial hearings for 13 Black Panthers, said he lighted a piece of cloth outside the apartment of one defendant in order to gain admission to the flat without violence.

The witness, Francis Dalton, said he and six other officers went to the apartment of Lumumba Shakur and his wife, Afeni, during the early morning of April 2, 1969.

As the smoke seeped about the hallway, Dalton said, he yelled "fire" and banged on the Shakur apartment door.

Dalton had testified earlier, that he found two shotgun shells, buckshot pellets, black explosive powder, and 31 feet of primer fuse in the Shakur apartment. The prosecution contends the powder and primer fuse were used for making bombs to blow up public buildings.

Justice John A. Murtagh of State Supreme Court, the presiding judge, again denied a defense motion to subpoena a man whom they described as an undercover agent. Defense counsel also has sought to suppress as evidence weapons, ammunition and other articles police say they found in the homes of the 13 Panthers.