

13 Panthers, Faced With Demand to Behave in Court, Plan to Reply Monday

By EDITH EVANS ASBURY
Lawyers for 13 Black Pan-
thers, whose pretrial hearings
here have been halted pending
assurance to the judge that the
defendants will behave in the
courtroom, expect to be back
in court Monday with their
answer.

Gerald B. Lefcourt, one of
six defense lawyers, said he
and his colleagues conferred
with their clients in prison yes-
terday. He said they would
confere among themselves and
with several constitutional ex-
perts "from other parts of the
country" today and tomorrow
before deciding what to do.
All of the defendants except

one defendant have been in
prison in lieu of \$25,000 to
\$100,000 bail since their arrest
April 2 on charges of plotting
to bomb public buildings, at-
tempted murder and attempted
arson.

Written Assurances Asked

On Wednesday, Supreme
Court Justice John M. Murtagh
declared the hearings suspende
indefinitely and said he would
entertain a motion to re-
enter unless it was ac-
companied by a written as-
surance, signed by all of the
defendants, that they would
show respect for the court.
Justice Murtagh, who has
been presiding at the Panther

hearings, returned yesterday to
hear other cases in the 13th-
floor criminal courtroom at
100 Centre Street.

The courtroom, which had
been the scene of disorder and
violence during the hearings,
was still heavily guarded, and
all who entered were searched.

"He is still a bit of a security
problem," one of the court of-
ficers said, referring to Justice
Murtagh, when asked why the
heavy guard and searches were
being continued. Last weekend
an attempt was made by un-
known persons to firebomb the
justice's Inwood home.
In a brief show of good feel-
ing for the justice, the 13 Black

Panthers "deplored" this action
in court on Monday.

The first new defendant
called before Justice Murtagh
yesterday was former Patrol-
man Robert V. Gagliardi, ac-
cused of contempt of court for
refusing to answer questions
before a grand jury investigat-
ing charges of collusion betwee
the police and gamblers.

The second case involved
Jerome O. Gimpkany, a former
assistant state attorney general.
He was in charge of the Credit
Frauds Bureau before its con-
viction in 1969 of lying to a
grand jury investigating the
shakedown of a Long Island
publisher.

The ex-patrolman's lawyer,
John Schofield, complained
about the "excessive security"
in the courtroom. He said it
would prejudice jurors, espe-
cially if they had to be
searched before entering the
room.

Mr. Schofield asked that the
case be transferred to another
courtroom and before another
judge, arguing that "the jurors
may be afraid to be even in
your presence" and "people
have a built-up prejudice any-
way in this war against police-
men."
Justice Murtagh granted the
application for transfer, and

the case was then down to the
11th floor, before Supreme
Court Justice George Postel for
trial.

The case of Mr. Gimpkany
indicted with James Blake and
James P. Edstrom on con-
spiracy charges in the alleged
shakedown, was adjourned to
March 11.