

Irked Judge Shelves N.Y. Panther Case

NEW YORK (AP)—State Supreme Court Justice John M. Murtagh recessed indefinitely a pretrial hearing Wednesday in the Black Panther bomb conspiracy case until the 13 defendants promise to behave in court and end their "contempuous conduct."

"I've been called a pig once or often," declared Murtagh, his patience at an end after one of the defendants shouted at him, "You racist pig!"

The action apparently caught defense lawyers by surprise. They called the recess "unique in the annals of American jurisprudence."

Since 12 of the Panthers are in jail in lieu of high bail, Murtagh's formula for peace in his courtroom condemned them to remain indefinitely behind bars. To a degree, it served the same purpose as a contempt-of-court sentence, which may be repeated until the contempt ceases.

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PANTHER HEARING

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Defense attorney Charles McKinney said he and his three colleagues would "consult with constitutional specialists" before advising their clients on whether to pledge future good behavior.

"They believe the American justice and American society have failed them," McKinney said of the 13 Panthers.

Murtagh had been subjected to a deadly series of raucous interruptions by defendants and sympathetic spectators since the

pretrial hearings began Feb. 2. Two spectators are serving 30-day contempt sentences imposed by the judge.

Things came to a head during the day when Murtagh at one point told the

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defendants to be quiet. One shouted back: "We will not: We will cry out whenever we feel an injustice is being done, you racist pig!"

"Counsel in no way admonishes his client when these outbursts occur," Murtagh chided a defense

lawyer, before invoking his recess formula.

The 13 are charged with conspiring to murder policemen and bomb police stations, railroad installations, department stores and other property. No trial date has been set.

