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By HELEN DUDAR and LEONARD KATZ

A contempt of court appearance by the woman spectator whose outburst set off a scuffle yesterday was ordered today by Supreme Court Justice Murtagh.

The third day of pre-trial hearings on conspiracy charges against the 13 Panthers began with Judge Murtagh instructing the District Attorney's office to "have this person appear here and tell why she should not be held in contempt of this court."

The woman is Maryann Weissman, 31 and white, who rose from her seat in mid-session, yelling at the judge that she had "as much right as anyone to speak when I see injustice done."

Scuffle in Court

During the struggle to oust her, fighting broke out in the courtroom and blows were exchanged between court officers and the defendants whom they were trying to drag off into a corridor.

This morning, the courtroom was back to normal, which, in these proceedings includes a running commentary by some defendants, a moderate response from pro-Panther spectators and taut self-control by Judge Murtagh.

At the outset, defense attorneys complained about their clients' injuries in the scuffle and said they wanted pictures taken of defendant Richard Holmes' swollen left eye. Murtagh agreed that could be done.

Cites Record

Then Asst. DA Joseph Phillips Jr. rose to state that Maryann Weissman also was known as Maryann Holmes or Maryann Johnson, that she had a record of five or six arrests between 1965 and 1969 and had spent six months in the Women's House of Detention.

"She's personally known to us," Phillips said.

In loud clear tones, Holmes interjected, "You are personally known to the black community as a fascist."

Defense attorney Gerald Lefcourt got up to say, "She is known to us as one committed to the freedom of the black people in this country."

Spectators Applause

A scattering of applause from the audience greeted Lefcourt's comment. He went on to say that Miss Weissman had a criminal record as a result of

her commitment to the black struggle "to which thousands of people in this country are committed."

It was at this point that Murtagh ordered her brought before him.

Testimony finally resumed, but its development was slow, with Judges Murtagh complaining about the way defense attorney William Crain handled cross-examination.

Detective on Stand

The witness again was Detective Joseph Coffey who had arrested another defendant, Michael Tabor. The hearing was on a defense motion for suppression of evidence taken from Tabor's apartment—a pistol, two shotguns and an automatic rifle.

Murtagh kept criticizing Crain for apparent unfamiliarity with the legal mechanics of examination. Once he told Crain, "Your lack of experience is difficult to deal with."

Another time, after Crain had several times forgotten to identify a piece of evidence by the number it had been given for transcript purposes, the judge instructed him, "Bear the record in mind."

Chides Attorney

Later, Murtagh again chided Crain, commenting, "The judiciary is having a considerable amount of difficulty dealing with your lack of skill, counselor."

From the defense table came Michael Tabor's comment, "We have a considerable amount of difficulty dealing with your lack of justice"—long pause—"judge."

Murtagh ignored the comment as he did Richard Moore's. The judge was admonishing Crain about wasting the court's time when Moore, who has been in jail 10 months awaiting trial, interjected:

"We have 10 months and you wasted all our time so now the court has the audacity to say we're wasting its time."

The judge also criticized a written motion by Lefcourt to subpoena city authorities to prove his clients were without funds and should get free daily copies of the transcripts of the proceedings.

"Your draftsmanship leaves a lot to be desired," said Murtagh. "During the luncheon recess, I'll have to redo it."

The Panthers are accused of plotting to bomb public places.

Murtagh Cites A Woman in Panther Row

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