

Defendants' Shouts Disrupt Panther Trial for Third Day

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NEW YORK, Feb. 4—For the third day running, a pre-trial hearing of 13 New York Black Panthers on bombing conspiracy charges was interrupted by shouts from defendants disputing court rulings.

Told he was out of order at one point today, 24-year-old Richard Moore stood up and shouted, "Black people have been out of order for 150 years. There is no order in this racist Babylon."

Though there were no disruptions like the melee that broke out in Tuesday's hearing, the session was not exactly as decorous as a page from Blackstone. There were frequent arguments between the bench and defense counsel on the proper way to present a case.

The 13 Panthers are among 2 blacks charged with conspiring to bomb department stores, police stations and the New York Botanical Gardens. Most of the defendants have been held in prison for want of bail since last April 2, when the original indictment was handed down.

Behavior Explained

In discussions with reporters, spokesmen for the defense sought to explain the behavior of the Panthers by pointing out that the defendants are young, have been in jail for 10 months and feel the press began paying attention to their case only when it came to trial.

Threats of contempt proceedings are not taken seri-

ously, it was said, because the Panthers believe they have no chance of a fair trial anyway and are as badly off out of prison in America as in. The one argument that reportedly carried weight was the contention that their outbursts might cause people to dismiss them as madmen.

Most of today's hearing concerned a pre-trial motion seeking suppression of evidence on the grounds that it was illegally obtained.

Defense attorneys tried to establish that one of the arresting officers, Detective Michael Coffey had a deep hostility to Panthers and that what the police described as "miscellaneous papers of a revolutionary nature" were improperly seized as evidence.

Detective Questioned

Coffey, a 240-pound, six-footer, denied that he felt any hostility, though he said he regarded the Panthers as terrorists. He also denied that he used undue force in arresting Michael Tabor, one of the defendants, saying that Tabor surrendered docilely.

This provoked Richard Moore to shout, "Smile, pig, smile . . . I can shoot as good as you can!"

Later, Coffey was asked whether it was a fact that in conversation he said he felt that the Panthers should be eliminated. The detective replied, "Yes, sir." "By shooting?" "No, sir," Coffey said.

The "papers of a revolutionary nature" included posters depicting Black Panther founder Huey Newton, Mao Tse-

Tung and one headed "Olympics 1968" showing black athletes raising their fist in clenched salute.

Coffey said the posters had been seized because to his mind they contributed to "evidence of conspiracy." This brought laughs of derision from the defendants and their well-wishers who filled the grim, flaking courtroom in downtown New York.

The day began with State Supreme Court Judge John M. Murtagh criticizing the defense counsel for appearing late and for failing to prepare their case adequately. The defense rejoinder was that transcripts of Tuesday's hearing were provided too late for proper scrutiny.

Murtagh also ordered a white radical spectator, Mary Ann Weissman, who was involved in yesterday's melee, to show cause why she should not be held in contempt for shouting in court. Miss Weissman, 31, is national coordinator of Youth Against War and Fascism, and has served a six-month jail term for taking part in previous left-wing demonstrations.