

PANTHERS' JUDGE ACTS ON TORMON

Murtagh Calls for Contempt Writ Against Spectator

By EDITH EVANS ASBURY

Supreme Court Justice John M. Murtagh directed yesterday that a woman who touched off an outburst resulting in violence at the bomb-conspiracy trial of 13 Black Panthers on Tuesday be brought in to face punishment for contempt of court.

Justice Murtagh issued the order after Assistant District Attorney Joseph A. Phillips told him he had learned that the woman had "a long criminal record," including five arrests, had served six months in a Federal penitentiary in Oklahoma, and "is also personally known to Mr. Lefcourt."

The reference was to Gerald B. Lefcourt, one of six defense lawyers at the Panthers' trial.

Mr. Phillips identified the woman, who is white, as Mrs. Maryann Weissman and said she had also used the names of Holmes and Johnston.

Mr. Lefcourt protested Mr.

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Phillips's description of Mrs. Weissman.

"For the record," he said, "she has been known to me for a number of years. She is committed to the freedom of black people and poor people. Her arrests reflect a continuing commitment to justice and her organization reflects objection to fascism. Her arrests reflect civil rights sit-ins and so on."

The organization referred to by Mr. Lefcourt is Youth Against War and Fascism.

The lawyer asserted that Mr. Phillips's remarks about Mrs. Weissman had been "inflammatory for the purpose of political attack."

Murtagh 'Grateful'

Justice Murtagh said he was "grateful to the District Attorney" for the report, and directed that a show-cause order be prepared "to show why she should not be held in contempt of this court."

Mrs. Weissman, 31 years old, was sentenced with another member of Youth Against War and Fascism on Aug. 25, 1967, to six months and a fine of \$500 in Federal court in Oklahoma City. They had been found guilty by a jury of violating a commanding general's order not to enter the Fort Sill Military Reservation near Lawton, Okla.

They had gone there to attend a court-martial of a self-described "revolutionary Socialist" when they were arrested.

Yesterday, Mrs. Weissman, who had been sitting among the spectators at the Panthers' trial, stood up and shouted a protest against "injustice" after a ruling by Justice Murtagh, and he ordered her removed from the courtroom.

Defendants jumped up protesting, and as guards quickly herded them from the room, fists flew and the courtroom became a bedlam.

Two court officers, a detective and three defendants were injured and a defendant who had been severed from the trial as a youthful offender was arrested after a scuffle among the spectators.

Detective on Stand

Detective Joseph Coffey continued on the stand yesterday, under cross-examination by the defense. He had been called as a witness in a pre-trial hearing of their motion to dismiss, as illegally seized, evidence consisting of guns allegedly found in the apartment of Michael Tabor, a defendant.

Mr. Tabor and other defendants, principally Richard Moore, frequently interrupted the testimony of the detective, but refrained from shouting until late in the afternoon. But that outburst—joined in by relatives and friends among the spectators—was mild compared to similar incidents on the two previous trial days.

It flared up after Detective Coffey replied "Yes, sir," when asked by Mr. Lefcourt whether he had told fellow officers the Black Panthers should be eliminated.

Mr. Lefcourt then asked whether the detective was present when his "brother officers assaulted Black Panthers in Brooklyn Court House in this city."

"That's a fact!" screamed Mr. Moore. "I believe I saw him there, wielding a club."

News Declared

As he could make himself heard above the shouting, Justice Murtagh declared a recess, noting that it was nearly time to end the day's proceedings anyway, and the defendants were led from the room.

As defense lawyer William Crain cross-examined Detective Coffey before Mr. Lefcourt did, Justice Murtagh frequently reprimanded him, asserting that he was proceeding so ineptly and slowly that he was affording defendants an opportunity to make disruptive and disrespectful comments.

Mr. Crain elicited from Detective Coffey the information that when he and four other policemen went to the apartment to arrest Michael Tabor they stripped several large posters from the apartment walls.

The posters, which Mr. Crain asked the detective to identify, included a blown-up photograph of two black winners in the 1968 Olympics, a black woman and baby, and a picture of Huey P. Newton, a Black Panther official now serving a sentence for the killing of a policeman in California.

Mr. Crain asked Detective Coffey why he and his fellow officers, who had allegedly seized guns and ammunition in the apartment, had taken the posters.

"It was in my mind that I felt that they provided evidence of conspiracy," the detective replied.

The Panthers are charged with conspiracy to bomb public places in New York and with attempted murder and attempted arson. Originally 21 were indicted, on April 2, 1969, and reporters who have been raising funds for their defense refer to them as "Panther 21." A 22d defendant was added in a superseding indictment.

Trials of three of the Panthers have been severed—one because of illness, two because they are under 21. One has jumped bail, three are fugitives from arrest and two are in jail in Newark on burglary charges.

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