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Panther lawyers wrestling with flood of new evidence

By Rob Warden

The 3-month-old Black Panther damage suit trial in federal court went on an unusual half-day schedule Wednesday while lawyers grappled with a deluge of prospective new evidence.

Judge Joseph Sam Perry agreed to hold trial mornings only so that Panther lawyers may spend the afternoons poring over hundreds of FBI documents just now being turned over to them.

Panther lawyer G. Flint Taylor Jr. told the judge Tuesday that the documents contain "substantial amounts of information that is favorable to our case."

THE PANTHERS are trying to prove that an array of federal and local officials, in-

cluding former State's Atty. Edward V. Hanrahan, conspired in 1969 to violate the Panthers' civil rights.

Hanrahan and 27 other present or former officials are being sued for \$47.7 million for acts that allegedly resulted in the deaths of Fred Hampton and Mark Clark in a raid on a Panther apartment at 2337 W. Monroe.

At the beginning of the trial, Judge Perry ordered the FBI to comply with a subpoena for all its files on the local branch of the Panthers.

But during an FBI agent's testimony several weeks after the trial began, the Panthers discovered that a huge volume of such files had been withheld.

THAT DISCLOSURE and publicity resulting from it

have prompted three mistrial motions that Perry said Tuesday he is "collecting."

"After I get enough of them," the 79-year-old jurist told lawyers in the case Tuesday, "I'll probably have a hearing on them."

A mistrial motion by the Panthers claims the case has been prejudiced against them by the withholding of the FBI documents. Two mistrial motions by the defendants claim the case has been prejudiced the other way by publicity about the withholding of the documents.

One defense lawyer, Camillo F. Volini, particularly criticized an article in Monday's Daily News that said lawyers in the case generally felt that Perry had "messed up" the trial.

Volini said he found the sto-

ry "very demoralizing" and said it showed a "terrible lack of restraint on the part of this particular author (Daily News reporter Rob Warden) and the press in general."

PERRY REPLIED: "Nothing worries me less than the comments in the press. Half of it is not true. If they want to express an opinion, that is their right, and I don't care."

Panther lawyers asked Perry to adjourn the trial to give them an opportunity to review the newly produced FBI documents, but Perry opted instead for the half-day schedule.

He told the lawyers that the jurors might "lose interest" unless testimony is presented daily, although the half day procedure will consume more time than the proposed adjournment would consume.