Larry A. Gibson - trial cases

2/24/69	George L. Russell - Contract - Jdgmt for Def.		won A
2/69	Martin vs. Mister DoNut	Lost	
2/25/69	Hammond vs. Kersher - Remove cloud on title		won A
2/1969	Herbert Keys - non support		won
3/69	Winston vs. Jones -		won
3/4/69	Lime Park Neighborhood Assoc - Zoning Board		won
	Shirley Hicks - non-support - dismissed		won
4/1/69	Dagastenes Transfer -	Lost	
4/3/69	Dyce vs. Liquor Board	Lost	
	Lyndsey - Criminal		won
4/8/69	Madison A. Dorsey - chgd with disorderly conduct + resisting arrest - prob before verdict		won
4/9/69	Jan C. Murray - chgd with vacating + damaging premises - prob/p/verdict		won
5/21/69	Speight vs. Schmidt Ford - car burned while being repaired by Schmidt		won
5/22/69	Gerald Scott - chgd with drunken driving and leaving scene		won
5/27	Richard Lewis - chgd with rape + incest Habeas Corpus - Out on own recog.		won

5/27/69	Darnell Davis - sued for damage by auto - default Judgment		won A
7/1/69	Victoria Bunch - chgd with assault + disorderly conduct etc. - Innocent		won
7/1/69	Barbara Ann Dyer - sued for insurance on burglary loss - dismissed		won
7/2/69	Jimmy Jancir Police - chgd with driving on suspended license - Suspended 90 days - held pending attend driving school		won
7/7/69	Lillian Palmer - 6 points accumulation Suspended 30 days - held in abey. attend driving school		won
7/30/69	Milton Spencer - Civil Rights / Housing Consent Decree + Injunction		won
8/27/69	Richard Lewis - Criminal / chgd with Rape. Found not guilty		won
9/9/69	Rev. John Hite - housing violations	Lost	
9/24/69	William Stokes - Peoples Court suit against Paramount Insurance - Jdgmt for Plaintiff		won

10-15-69	Jerge Gaylord - chgd with assault on Police Officer - not guilty		won
2-3-70	Ulysses Bagwell, et al. - Criminal Meeting to Riot (12 counts ~~one stop~~) 11 Counts not guilty - 1 exception		won
4-6-70	Mc Millan - Ct. of Appeals - Contempt of Court for refusing to remove "Zela"		won
5-29-70	Morgan Students (9) disorderly Conduct	Lost A	
8-3-70	Christopher Young - chgd with ~~disorderly~~ obstructing justice & interfering with officer		won
8-13-70	Mamie Jones - chgd w/disorderly conduct		Hung Jury
8-26-70	Koger vs Koger - divorce	Lost	
10-70	Perlee vs Kac - Tort		Hung Jury
11-27-70	Michael Stinenson - Juvenille		won
12-7-70	Mamie Jones - disorderly conduct not guilty		won

3-1-71	Conway v. Hearst - Libel (Sub curia)	Dismissed	Case
3-10-71	Porter vs Kac - auto acc. - damages Verdict for defendant	Lost	
3-24-71	Henderson vs. Goldstein		Won A
3-24-71	Glenzo Myers - Traffic Court		Won
4-5-71 & 4-12-71	Charles Wyche - murder + kidnapping		Won
6-10-71	Thompson vs. Albert Jackson Tort trial - Jury		Won
10-8-71	Davis vs. Brooks - tort trial - sub curia		
11-22-71	Barnes vs. Matthews, District Court Auto repairs incorrectly done		Won
11-24-71	Butch Franklin - Criminal - possession of marijuana - suspended sentence fine - active probation	Lost	
12-9-71	Rich vs. Durant - Exceptions to default Judgment filed	Lost	

1-11-72	Samuel McLean - prayed for Jury Trial		
1-12-72	Melvin Clarke - chg w/ assault dismissed		Won
1-19-72	Butch Franklin - Sentence reduced - record expunged after prob.		Won
1-21-72	Crockett vs Hussey - Dist Ct - 2nd date		Won
1-21-72	Washington Ray + Jos - Habeas Corpus - 500 + 2500 bail		Won
1-24-72	Mitchell + Edmondson vs Webber Housing discrimination - adjud 6/28		Dismissed
2-9-72	Bennie Harrison - possession + sale narc. sale + distribution - dismissed possession - nol contendre - 3 292		Won
2-4-72	Beatrice Beckford ats Associate Realty - Brokers sued for failure to convey title under Contract		Won
2/9/72	Morris McWilliams - possession nolle Contendre Art 22 Sec 292		Won
2-14-72	Crockett vs Hussey - sued for real estate commission - Judgmt for Plaintiff		Won

3-22-72 Vashti Bustol - Alimony pendente lite $70 per week — Won

3-7-72 Robert Burkett - unauthorized use/Car — case dismissed Won

3-8-72 Smith - Drunk Driving DD dismissed / impaired ability $75 fine Won

3-16-72 Lynn Emery als Wolds Feist Choc. sued for cost of candy Won

3-21-72 Freese vs Rogers Beauty Supply sued for damage done by product purchased from C.B.S. Won

~~3-22-72~~ ~~Wade vs Wade - trial on merits~~

Waters als Reynolds Won
sub curia

4-21-72 Hulbert - Traffic Ct. - $85 fine

4-21-72 Emma Howard Trapp - not guilty.

5/8/72 Ernest Dawson - car theft - enter plea - hung jury

5-26-72 Ruth Hartley - dismiss on merits dismiss susp. & alimony reserved Dism

5/24/72 Samuel McLean - resist arrest. Assaulting Officer - not guilty Won

SON H. DORSEY, Baltimore school teacher, Southwestern Municipal Court with his at- Larry Gibson. Mr. Dorsey was charged with erly conduct and resisting arrest. He received ion before verdict.

MADISON H. DORSEY, Baltimore school teacher, leaves Southwestern Municipal Court with his attorney Larry Gibson. Mr. Dorsey was charged with disorderly conduct and resisting arrest. He received probation before verdict.

AFRO June 14, 1969

Files Discrimination Suit

Names Catonsville project in suit

The third suit charging a Baltimore County builder with racial discrimination has been filed in Federal Court by a Baltimore City Policeman.

Western District plainsclothes policeman, Milton Spencer complains that on May 18, he, his wife and two children visited the Rolling Green housing development in Catonsville, Md.

In his complaint Mr. Spencer contends that in the development there are six types of designs "called Annapolis, Brandywine, Cambridge, Dunkirk, Eastson and Frederick.

"The saleslady," he continues told him that "there were plenty of lots available."

Also the complaint states, "she then informed us of its cost and told us that we would have to put $100 down on the lot, that each lot cost about $4,000 and that we could contract for the house, but we would have to put $1,000 down."

The Spencer's decided on the Annapolis model, Mr. Spencer's complaint points out, and were told "we could not see the model of the Annapolis because the one that was there, not far from the sales office, had been sold, but that we could see one in six weeks."

According to the complaint Mr. and Mrs. Spencer then made arrangements with someone in the office of Walter S. Stefanowicz and Sons, Inc. the contractor who is building the settlement, to come in on May 20th, make his $100 down payment on the lot and to return on the 24th to make the payment of $1,000 and draw up the contract.

At 10:30 a.m. on May 20th Mr. Spencer claims he returned to Rolling Green where he met a woman who identified herself as Mrs. Marian Smith.

He says, "Mrs. Smith informed me that she had come to tell me that there are no lots available because the engineers had not made any new ones."

In the complaint Mr. Spencer further states that on three subsequent occasions he talked to either a person identified as Mrs. Stefanowicz or someone connected with the company.

Each time he was informed that the information he received on his first visit was erroneous and that there were absolutely no vacant lots on which the Annapolis type home could be built.

Attorneys for Mr. Spencer, Larry Gibson, Ronald M. Shapiro, and Peter Axelnad have filed affidavits of three white couples who each claim to have been told that the Annapolis could be constructed on two or more of the vacant lots.

John and Jean Etzel, acting as testors for Baltimore Neighborhood, Inc. state that on June 15, they arrived at Rolling Green and were told by a woman who identified herself as Mrs. Stefanowicz:

"There were five lots available upon which these models (Annapolis and Frederick) could be built. By way of explanation she informed us that the Frederick and Annapolis required a frontage of 65 feet or more.

"She informed us that, if we decided on either of these models, they could be delivered by October 15, 1969."

Affidavits from Bernie and Patricia Douglass were also filed in the suit. The Douglass' claim that on May 25, they visited the development.

They state: "The saleswoman, a Mrs. Stfanowicz, informed us that approximately six of the larger 66' x 100' (the size required for the Annapolis model) were available in the present section of the development.

"These lots, she said, could accommodate all of the models that could be built." The Douglass' were testing for BNI.

Dr. and Mrs. John Boitnott visited the development on June 16.

In their statement they claim to have spoken to "a Mrs. Stefanowicz."

"She informed us that a house could be available on any of these lots by October, 1969.

We asked her again whether any model could be built on any lot.

"She reiterated that a number of lots with a frontage of 65 feet or more were available and that any of the six models, including the Annapolis, could be built on these lots." The Boitnott's were testing for BNI.

Last week a Federal Court judge signed a "Show Cause" order against the developer Walter S. Stefanowicz and Sons, Inc.

The order declares that they must show cause as to why an injunction should not be placed on the settlement.

The "Show Cause" order is dated for July 2. On that day a hearing on the suit will be held.

THE BALTIMORE AFRO-AMERICAN, AUGUST 2, 1969

A WINNER — Officer Milton Spencer, who filed a suit against a Baltimore County real estate firm, accusing them of racial discrimination when he was unable to purchase a home in the Rolling Green settlement was awarded a "Consent Decree" this week by a federal judge.

Couple wins 'home of our choice' suit

"We have obtained the home of our choice and that's only our right, with that I have a degree of contentment."

That's how Mrs. Milton Spencer described her feelings after winning the first court case of racial discrimination aganst a home builder in Maryland.

This week Federal Court Judge Edward S. Northrop signed a consent decree which bound Walter S. Stefanowicz and Sons, Inc. to sell the single family dwellings in the Rolling Green development to anyone regardless of race.

Two months ago Mr. and Mrs. Spencer (he is a Baltimore detective) visited Rolling Green after, according to Mrs. Spencer, "we had looked at several places.

"My husband just tore out a few newspaper ads, one of which was for Rolling Green. We went out there and I fell in love with the place.

"I liked the general Catonsville area, all of the stores I shop in are located within three or four blocks on the Baltimore National Pike so we decided on one of the homes offered there.

"We hadn't anticipated any racial trouble, our main apprehension had to do with financing a place."

* * *

The Spencers made their first visit on May 20, and a week later, court records show, Mr. Spencer returned to the development with a $100 hold-fee and a prearranged appointment to select the lot and type of home.

He was told that there were no lots or homes available.

"We thought it was absolutely ridiculous," Mrs. Spencer told the AFRO, "at with that kind of thing.

"We talked it over with advisors and filed the suit."

In winning the consent decree the court compelled the builders to sell the Spencers the type of home which was sought by them at the same price for which it was sold on May 20.

The home now sells for $500 more.

Stefanowicz and Sons did not admit in the decree that racial discrimination had actually been practiced against the Spencers, as was earlier publicized.

* * *

After getting the news about the decree Mrs. Spencer pointed out that "The most important thing about this case is that it should encourage other black couples to fight situations like this.

"I'm certain that Rolling Green isn't the only place where black people have faced such foolisheness and maybe during our searching, my husband anl I even visited some of them.

"But you don't really know until you make the final decision and put your money on the line, then it comes to light!"

Since the case first came to the publlic's attention, the Spencers have received several anonymous phone calls.

"All of them but one have been encouraging and pleasant. Mrs. Spencer said, but perhaps the most heartwarming came this morning (Thursday) from a resident of Rolling Green who said, 'Welcome to Rolling Green'."

THE BALTIMORE AFRO-AMERICAN, APRIL 12, 1969

DISORDERLY

Teacher may sue police; judge says 'no verdict'

By JOHN C. WHITE

A Baltimore school teacher who testified that three policemen knocked him unconscious when they arrested him March 8, was given probation before a verdict by Judge Avrum Rifman Tuesday in Southwestern Municipal Court.

In court Madison Dorsey a fifth grade teacher at School No. 217 testified that he was maced and knocked unconscious the morning of March 8 when he refused to move down the street fast enough to satisfy the police. He was charged with disorderly conduct and resisting arrest.

Although the decision rendered can result in Mr. Dorsey not having a criminal record, it also means that since there is no verdict, Mr. Dorsey cannot appeal the judge's decision as to his guilt or innocence.

Judge Rifman said that he believed the public's interest would be best served by his compromise verdict.

Mr. Dorsey's attorney, Larry Gibson, indicated that he didn't agree and that his client might file

Continued On Page 21

—Teacher may s[illegible]e

Continued From Page 32

charges of police brutality against the three policemen.

Mr. Dorsey told the court the following took place during the early morning hours, March 8.

He said that he was sitting in a cafe in the 4100 block Liberty Hgts. Ave. about 2 a.m. drinking a cup of coffee when he noticed officer Joseph Schanken, who had ticketed his car one night for a parking violation.

* * *

He approached officer Schanken and asked him for his name and badge number. Mr. Dorsey then asked the policeman to follow him to the scene of the violation in the 3500 block Woodbine Ave.

On the scene Mr. Dorsey said that he questioned the officer again about the ticket.

He said that at that time Officer Schanken told him, "That's the trouble with some of you people."

Officer Schanken disagreed with this testimony and said that once in the street Mr. Dorsey began ranting and raving in the middle of the street and using profane language. He said he then ordered Mr. Dorsey to "move on."

Mr. Dorsey said another policeman approached and ordered him to move on: "You better get your black a. . . .off the street."

Officer Schanken and the second officer, Patrolman Dennis Roach denied the charges that racial epithets were used.

Although the policemen testified that Mr. Dorsey resisted all attempts to be placed in handcuffs, they said that at no time did they hit him with their first or nightsticks.

Mr. Dorsey said that the last thing he remembered before being "knocked out" was the feel of a liquid being squirted in his face and the blow from an unseen policeman.

By this time a third officer had been called to the scene.

The three policemen said Mr. Dorsey received his bruises when he fell against a patrol car while resisting arrest.

Mr. Dorsey said that he didn't have the strength to resist three policemen. He said that he is relatively weak because of a stomach operation and an army injury to his left side.

* * *

He was taken to Sinai Hospital for treatment but he said that he refused treatment at that time on the grounds that it might result in the cleaning up of evidence in his favor.

He said that he wanted the dried blood caked on his face to remain until he went to court that day, March 8, to face disorderly conduct charges.

In court Mr. Dorsey also displayed bruises on his wrist and ankles.

Pictures of his face, taken the night of his release from jail on bond, were shown to the court.

Judge Rifman agreed that the pictures showing his bloodied face resembled the condition of Mr. Dorsey's the morning after he had spent the night in jail.

A part-time cab driver, Mr. Dorsey said that the night of his arrest was not his first meeting with Officer Schanken.

He said that on one occasion, while sitting in the same cafe talking to a white woman, he noticed officer Schanken.

"She said he (referring to the policeman) probably thinks you go with me," Mr. Dorsey told the court.

He said the woman then told him that Officer Schanken would probably follow him when he left the cafe.

Leaving the small coffee shop he said he was followed and stopped by Officer Schanken for a "routine check."

The policeman denied stopping him that night. He said that he never met Mr. Dorsey before the night of arrest.

In a case such as this Judge Rifman said that he felt that a compromise is the best way.

"Both sides are wrong and both sides are right," the Judge said.

"I don't believe Officer Schanken willfully attacked Mr. Dorsey," he said.

He told Mr. Dorsey that he was wrong in questioning the officer. "You can't try cases in the street." he said.

AFRO Aug 17, 1968

Pickets expose 'barbaric' cells

Six persons arrested Saturday while protesting what they termed "unfair" pricing policies of the Morris Goldseker Realty Company, told Municipal Judge Avrum Rifman that conditions in the Central district cell block were "unfit" for human beings.

The cells are "inhuman and disgraceful." said Horace W. Davis, chairman of the Edmondson Village Community Association.

"Indecent" and "unhealthy," Sampson Green, Jr. chairman of Activist Inc., called the cells.

* * *

In Central district court Sunday, Judge Rifman agreed with the six defendants, who appeared before him charged with trespassing after they tried to present a letter to the owner of the Goldseker Co.

Judge Rifman not only agreed with the defendants' description of the cells, but referred to them as being similar to the "black hole of Calcutta." And he said that the conditions back there are barbaric.

The AFRO was present in the court when the jurist said that he had warned the police department privately in the past about the condition of the Central lockup.

* * *

The chairman of the Montebello Community Association, the Rev. James E. Wills, told the judge that he asked "three officers" what the charges were against him, but no one gave him an answer.

"I asked what I was being booked for, and the offiecr said, 'I don't know." I went back into the hell hole. It was all dumb. No one told me what my charge was," said the Rev. Mr. Wills.

Judge Rifman said that he was sure "ordinary citizens brought to Central district lockup have found it quite a shock."

A photographer arrested with the group, Phillip L. Marcus, told the court that an inmate "in the cell across from us was denied a glass of water and the opportunity to make a telephone call for five hours."

Taking notes throughout the unusual hearing,, Judge Rifman told the defendants that he would file a "detailed, written report" on their complaints and submit it to Police Commissioner Donald D. Pomerleau.

Judge Rifman predicted that if conditions in the cell block weren't corrected, the police department could be faced with a condition that could "blow up in their faces."

After hearing about two hours of testimony Judge Rifman refused to render a decision on the trespass charges until November 10.

The delay, he explained, was made "pending the outcome of a civil case between the parties in Circuit Court."

The Goldseker Co. has sought an injunction against the groups which have been picketing its offices.

The six defendants also complained about the fact that the arresting officers were all white while the majority of the pickets were black.

Those charged with trespassing were:

Rev. James E. Willis, 34, of the 3000 block Harford road, chairman of the Montebello Community Association. Sampson Green Jr., 42, of the 3400 block Wabash Ave., chairman of Activist, Inc., Roosevelt Lewis, 33, of the 100 block N. Dennison St., Phillip L. Marcus, 27, of the 3100 block Abell Ave., photographer for the **Guardian Newspaper**, New York.

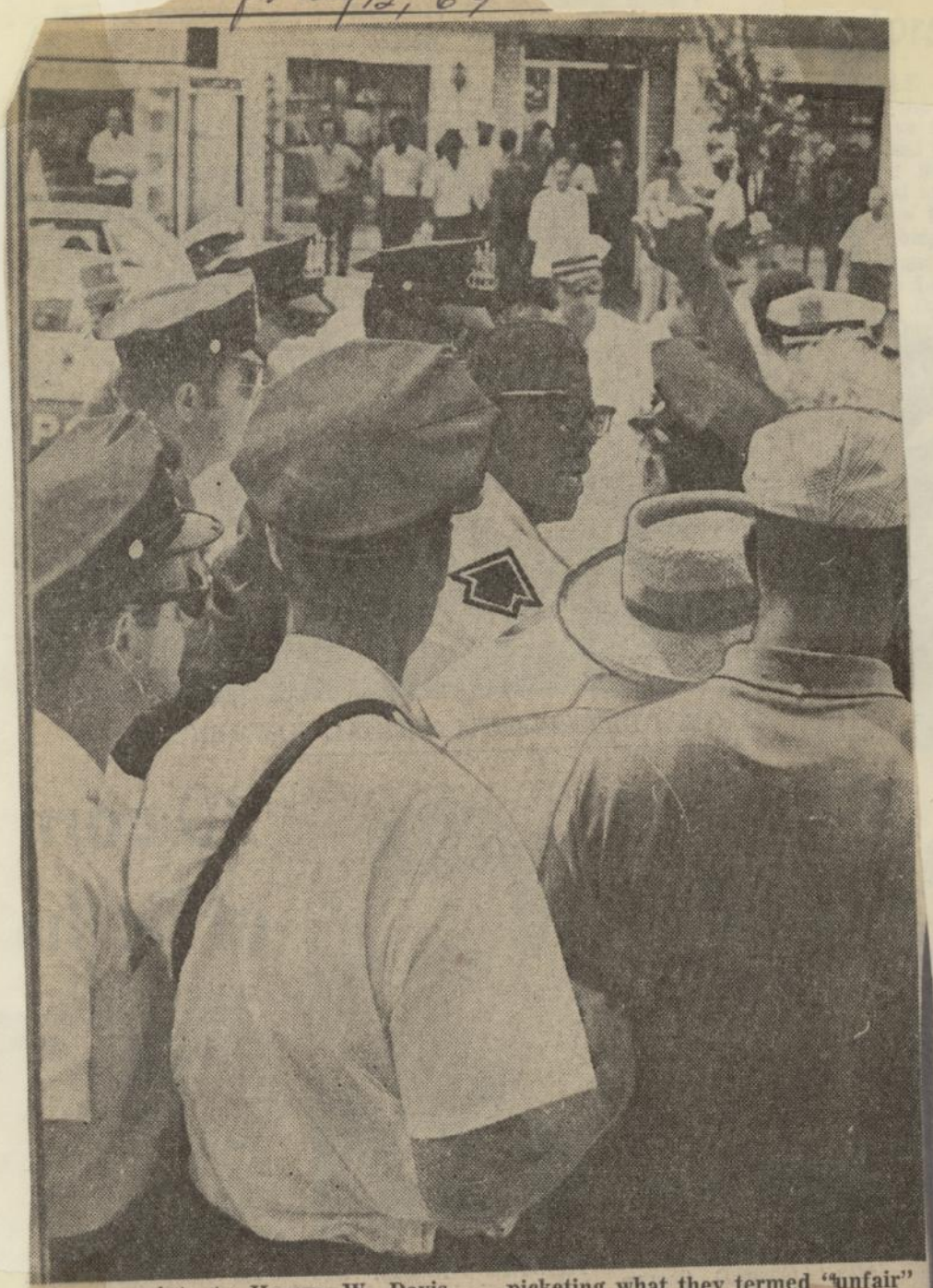
Horace W. Davis, 38, of the 800 block Kevin St., chairman of the Edmondson Village Community Association; Killes G. Robinson, 27, of the 2700 block the Alameda.

All six were representated in court by Larry Gibson, attorney.

William Morrissy, police department public information officer, told the AFRO that the conditions of the central lockup were cited "long ago as one of the problems of the old building."

He explained that until the new police building is built, "we will make periodic checks to make the Central District lockup as humane as possible, considering the old facilities."

Afro Aug 12, 67 YOU KNOW



Arrow points to Horace W. Davis, chairman of the Edmondson Village Community Association, was one of six persons arrested Saturday while picketing what they termed "unfair" pricing by the Goldseker Realty Company. (Photo by Phillip L. Marcus).

AFRO MAY 24, 1969

Rosemont Association goes before Council for 3rd time

Last night in City Council Chambers 50 persons representing the much beleaguered Rosemont Community Association met with Councilwoman Mrs. Victorine Adams, chairman of the Housing Committee and two other members of the committee to discuss pending ordinance No. 806.

The controversial ordinance, if defeated, would allow the Department of Housing and Community Development to build what DHCD Commissioner Robert C. Embry describes as an "all townhouse high density, low income housing project."

Supporters of the bill, primarily the Rosemont Association, claimed that the ordinance, if defeated, "would increase population density, while not having a consistent increase in sanitation, recreation, fire and police protection."

This is the third civic fight to keep their community the Association has taken on in a year.

Represented by Attorney Larry Gibson, the Rosemont Association presented evidence which they contended showed "conclusively that if DHCD were allowed to construct the new low income housing in the area there would be a breakdown of long established standards of living."

Mr. Gibson displayed maps of the city with colored-in sections which indicated areas of high density developments which are already in existence and pointed out "these developments are in the immediate Rosemont area and it is nonsense to build in an already high density area."

In his presentation Mr. Gibson showed that in 1961 "there were only 600 persons living in the Rosemont area and in 1967 statistics prove that the community had grown to include 2200 persons.

"This proves conclusively," Mr. Gibson told the committee members, "that the growth potential of this area is increasing at such a rate that an additional 1100 persons which the new development would bring would cripple the area."

Overcrowding the area with its inherent inability to provide the present population with adequate police protection, sanitation and fire protection were the main points of Mr. Gibson's presentation.

He did point out, however, that "there were no such projects being undertaken in areas above North Baltimore; the elementary schools are already overcrowded and such housing merely fosters de facto segregation because I'm certain that more than 90 per cent of its residents will be black."

Donald M. Sheaffer, Council president, and member of the Housing Committee, stated that "when I first heard of the issue I was sympathetic with the people because they indicated that their main reason for opposing the ordinance was because they didn't want low income housing in the area."

Mrs. Rose Gallup, president of the Association, protested to Mr. Shaeffer that "he had gotten his information from someone not authorized to speak for the association and that the mere presence of low income housing in our area is not what we object."

Speaking of why his agency opposed the ordinance DHCD Commissioner Robert C. Embry said: "Everybody is for low cost housing but no one wants it near them.

"You can't be for low cost housing in the abstract. It has to be built on open land and schools all over the city are overcrowded."

Mr. Embry denied that the new housing would bring in 1100 people but "said that 700 is more like it."

Mr. Embry named several sites "above North Avenue which are being developed by the city for low and medium income families."

Committee Chairman Mrs. Victorine Adams told the persons who gathered in the chambers "the facts the committee gathers from this hearing will be brought before the entire committee (which includes four councilmen who were not present at the hearing), and there will be a vote.

"However the majority of the committee votes, which means four votes, that decision will be considered favorable and will be sent to the entire council for the final vote.

"Eleven votes will be needed to win either for the opposing view or the supporting one and the winning decision will go to the mayor for his signature.

"If the decision isn't in your favor, you can ask the mayor for a veto."

After an active question and answer period, Chairwoman Adams dismissed the hearing and promised there would be a "decision on the matter in the very near future."

Fort Meade Mechanic Charges Injustice

By Lee Baylin

A civilian mechanic at Fort Meade has filed a complaint with the Civil Service Commission charging that he has been denied promotions because he is Negro.

Milford H. Elsey, a 50-year-old automobile mechanic, also charged the Equal Employment Opportunity Commission branch at Fort Meade with unfair and unjust administration, and his superiors with taking reprisals for filing complaints.

Mr. Elsey, who has a total of 18 years experience with the government, filed a complaint with EEOC at Fort Meade in October, 1968, but he said was "coerced into withdrawing" it by George L Fountain, deputy EEOC officer there.

Others Were Promoted

Mr. Fountain, in a report at that time said he could not substantiate Mr. Elsey's charge of racial discrimination, although records "reveal that some Caucasians with very meager qualifications have been getting promotions to responsible positions.

"In reviewing records of a number of other civilians (at the Fort found it unusual for a Caucasian to be holding a high GS (General Service) rating and be assigned to a responsible position, yet be a high school dropout or in some instances never have attended a high school," his report said.

However, Mr. Fountain added in his report that it is rare to find a Negro in a responsible job without "at least a high school education."

Refused Seven Times

Since Mr. Elsey withdrew the complaint filed with Mr. Fountain, he has applied for seven promotions, but received none of them, according to the complaint.

Records filed with his complaint said Mr. Elsey ws judged to be qualified for five of the promotions, and among the best qualified applicants for three of them, but he was not selected.

Among his list of qualifications, Mr. Elsey said he has 41 five mechanic courses and taught automotive mechanics college credits, had completed for the Baltimore city school system.

NEWS-AMER. JULY 18, 1969

Negro Civilian Attacks Meade Promotion Policy

By PERRING CRONE
Staff Reporter

A Negro civilian working at Fort Meade has hurled charges at officers connected with the base, that promotional advancement is slower for Negro workers than white workers.

In a complaint filed with the Civil Service Commission in Philadelphia, Milford H. Elsey, who has worked 18 years for the government, stated that on 25 occassions he was classified among the best qualified but was never promoted.

Elsey charged today that he was coerced into withdrawing an earlier complaint, made to the base commander. Elsey said in his complaint that he remained in the office of George L. Fountain, deputy Equal Employment Opportunity officer, for more than eight hours during which time, "Mr. Fountain tried to persuade me to drop my complaint."

MR. ELSEY CHARGED that, "near the end of the day he indicated that if I did not withdraw my complaint, he personally wouldn't help me get anything."

The 51-year-old combat vehicle repair mechanic withdrew his orignal complaint in July, 1968. Mr. Elsey said he felt he would receive the promotion he deserved.

Mr. Fountain submitted a report shortly after Mr. Elsey withdrew his complaint. In the report Mr. Fountain stated that Ft. Meade officials did not promote workers fairly.

"IN REVIEWING THE records of a number of other civilians at Fort Meade, I found it to be not unusual for a Caucasian to hold a high GS rating and assigned to a responsible position yet be a high-school drop-out or in some instances never have attended high school" the tardy report read.

"However," it continued, "it is rare to find a Negro employe at Fort Meade who has a rating of GS-9 or higher that has not at least a high school education, and many have college degrees," the report said.

Mr. Elsey charged that the report substantiates his original allegations.

In his complaint Elsey said he is a certified teacher with two years college education.

HE CONTINUED "On 25 occasions I was classified among the best qualified applicants although not promoted. I have been promoted once in the three years I have been employe at Fort Meade. My inability to gain promotion cannot be attributed to a lack of ability."

Elsey charged his employer with:

- Racial discrimination in job promotion.
- Unfair and unjust administration of the Fort Meade branch of the Equal Employment Opportunity Center.
- Subjecting him to reprisals for filing his complaint.

Mr. Fountain revealed in his report, which Mr. Elsey charged was incomplete, that "as of June 30, 1968. . .635 or 30.2 percent of the total population at the base were Negro. Of the 163 GS employes at Post in graded GS-9 through GS-13, only 14 or 8.5 percent were Negro."

AFRO OCT 11, 1969

Bob Harper's $100,000 Smile

$100,000 SMILES — This was the happy reaction of Robert Harper and his family Tuesday, as they reviewed plans in their home at 1032 N. Eden St. for a brand new clothes cleaning plant in Columbia City. This is made possible by a Small Business Administration loan of $100,000— seated are: Robert Jr., 14; Mr. and Mrs. Harper, Christy, 10. Standing are: son-in-law John Murray, Mrs. Jessica Murray, daughter, and Robin, 17. The new plant is scheduled to open next month.

"I was thrilled when I got the news. Words can't express my feelings. Then, I remembered I've got to pay the money back.

"Yet, it isn't every day a black man gets such an opportunity. I've got to feel wonderful about it."

A quite happy Robert Harper, clothes cleaning establishment owner, was speaking Tuesday in his comfortable home at 1032 N. Eden St., commenting on his receipt of a $100,000 loan from the Small Business Administration (SBA).

The loan will enable him to set up a brand new clothes cleaning plant in Columbia City, which he plans to open Nov. 17.

It is the largest such SBA loan ever given to a black citizen in these parts.

"This is a project," said Mr. Harper, "that I've been working on for two years, planning and setting up projections.

"I can say it's easier to implement the Marshall Plan in Europe than for a black man to get a loan through SBA."

Mr. Harper said he was just being factual. He said he was told for a while that he could only be offered $25,000, but that this was not enough to expedite the type of business he wanted.

So, he continued trying.

Now he is set to open a $78,000 plant with all new equipment in Columbia that will include, in addition to clothes cleaning, a shirt laundry, rug cleaning and tuxedo rentals.

He plans to open with a

(Continued on Page 2)

staff of eight employees. The plant is in a mall in the Oakland sector of Columbia, and he will have over 5,000 families available for servicing.

Harper, 39, has been in the business since his graduation from Carver Vocational School in 1949. He has operated his own shop at 1500 N. Bond St. for 15 years.

He plans to keep that shop along with the new one. He has a 15-year lease on the new shop.

There is one other such clothes cleaning establishment in Columbia, he said, five miles away on the west side. His is on the east side.

The precedent-setting loan was negotiated through the Maryland National Bank. Larry Gibson, young School Board member, is his attorney.

Negotiating the loan, he said, entailed the presentation of considerable plans and specifications, along with time consuming work.

A pleasant-faced man, Mr. Harper said he was motivated primarily by his love for his family.

"I feel," he said, "this is just tremendous for my children. It will give them a better life in this capitalistic society. I live for my children."

He and his wife, Mrs. Dolores Harper, have four attractive children, Christy, 10, Robert Jr. 14, Robin, 17, and Mrs. Jessica Murray, 20.

Mrs. Harper is a Social Security claims clerk. How does she feel about the business loan?

"I am very happy," she told the AFRO. "My husband has worked so hard for it."

Asked if the family will now move to Columbia, Mrs. Harper smiled and said:

"I can hardly wait."

Mr. Harper was a bit more cautious with this comment: "We'll wait and get to that later on."

He and his family are Catholics and members of St. Francis Xavier's Church. All are native Baltimoreans.

A sad aspect of the picture is that his mother, Mrs. Jessie Harper, died a month ago and, of course, will not see his dream come true.

There are, however, three sisters and a brother who share in his happiness. They are Mesdames Gina Williams, Rosetta White, Miss Ruby Harper and **Charles Harper, who is also** in the clothes cleaning business.

Asked if some members of his family would be working with him in his new shop, Mr. Harper said:

"I don't know about the others, but Jessica has been working with me since she was ten years old."

She is the married daughter.

Operating the two shops, Mr. Harper foresees, will be a 13-hour working day for him, but he hopes to have some control over the hours as business settles somewhat.

It's a dream come true, he said, and he hopes to make all possible success with it.

NOT GUILTY — In this picture Mr. and Mrs. George Gaylord (l-r) and their attorney Larry Gibson discuss their success in proving in a court of law that police officer and Mrs. Donald Posey had lied when they accused Mr. Gaylord of assualting them in a sandwich shop. Mr. Gaylord plans to sue the officer and his wife in connection with the court's findings last Friday morning at Northern District Precinct.

Judge doubts officer, acquits man of assault

"I am convinced that something was going on," said Judge Jerome Robinson at Northern District Police Station on Friday, Oct. 17," and the testimonies of the two lady witnesses, Mrs. May Lindsay and Mrs. Hilda Williams, and of George M. Grinmott clarifies in my mind that, instead of an assault on Officer Donald Posey, a wrestling match took place at Harley Sandwich Shop. I find the defendant, George Gaylord, not guilty."

So Mr. Gaylord, 957 Gorsuch Ave., who was out on $500 bail, case was dismissed but matters were not completely satisfactory to the defendant.

Mr. Gaylord was charged with assaulting Police Officer Posey on October 2 at the Harley Sub Shop, 3200 block Greenmoont Ave., at 2 a.m. but, Mr. Gaylord claims it was just the reverse and his lawyer, Larry Gipson, plans to file suit against Officer Posey.

"Officer Posey was drunk, and he was assaulting me with an intent to murder," said Mr. Gaylord, "and he probably would have if he had gotten his hand on his gun."

Also, on October 3, Mr. Grinmott, 3308 Clayton

(Continued on Page 22)

Ave., Joppa, Baltimore County, was charged with assaulting Mrs. Virginia Posey, the plaintiff's wife, and placed on $1,000 bail along with Robert J. Gebhard, 824 Argonne Dr., who was charged with larceny of a 90.38 snub nose revolver owned by Officer Gebhart.

"Not only did the Police Department try to sweep it under the rug by not taking action against Officer Posey, but they also filed a warrant against individuals trying to protect themselves," asserted Mr. Gipson.

Events leading to this astounding trial began on October 2 when Officer Posey and his wife walked pass a parked car in which Mr. Gaylord was sitting, "about 30 feet north of Harley Sub Shop," and allegedly spat at the auto as they strolled pass.

The couple then went into Harley Sub Shop and Mrs. Posey ordered a steak sandwich. A few minutes later Mr. Gaylord entered the sub shop, apparently exchanged a few words with Officer Posey and engaged the off-duty police officer in a "wrestling match" for possession of the officer's gun.

However, at the one hour long trial, Officer Posey testified that "Mr. Gaylord leaned out of the car window and spat at my wife as we walked pass.

"My wife and I went into Harley's and she ordered a steak sandwich. Then Mr. Gaylord came in and told us to get out of the way.

"I told him to 'hold it, I am a police officer.' They grabbed me and struggled for the gun. Gaylord hit me in the face as I was being held by another man. I don't know who that man was at the time."

Under Mr. Gispon's cross examination, Officer Posey admitted that he and his wife "had three sours each that evening at Danny's Restaurant on Charles and Biddle St. before coming to Harley's." (The couple testified that they had been there from about 10 p.m. to 1 a.m.).

Mrs. Posey testified that when the men started beating her husband she "ran out of the restaurant and stopped a cab and told the driver to call the police.

"I ran to a bar across the street and tried to get people to help my husband."

Before running out of the sub shop Mrs. Posey testified that she "took her hand bag and hit Mr. Gaylord over the head when she saw him pulling and pushing the gun into my husband's stomach."

On the other hand, the counter girl, Mrs. Lindsay, 627 McCabe Ave., testified that after Mrs. Posey ordered a steak sandwich, "Officer Posey whirled around, started towards the door, opened the door and spat twice.

"I knew Officer Posey had been drinking, because he wasn't walking straight. Soon Mr. Gaylord came into the shop and had a few words with the police officer.

"I don't know everything they said to each other, but I do remember that Mr. Gaylord said, 'No you don't and Officer Posey reached for his gun.

"I ran out of the shop and saw Mrs. Posey yelling, 'They have a white man in there.'"

Countergirl Mrs. Hilda Williams, 2021 E. Pratt St., verified the above statement in her testimony and said, "They wrestled all over the shop."

The 'They' Mrs. Williams was referring to included Matthews Williams, Sheraton-Belvedere Hotel, who stated that "Mr. Gaylord said, 'I can't go because he got a pistol.'

"We grabbed Officer Posey's arm and wrestled him out the door. Somehow I got hold of the pistol and gave it to Mr. Gilbart. I felt it was prudent to give the gun to a white man in this neighborhood which is predominantly white."

Mr. Grinmott put the clincher on the case when he testified that he "was in the White Coffee Pot directly across the street when Mrs. Posey ran over and said, 'Those n——rs got a gun, and they are going to kill my husband.'

The Internal Investigations Department at Northern Police District is investigating the incident and will send the results of their report to the Commissioner of Baltimore Police Department in the near future.

Jailed in Contempt

Refuses to Remove Religious Cap in Court

By HOLLACE WEINER
Staff Reporter

A member of the Ujamma religion, an African sect with offices in Baltimore's Soul School, today was jailed in contempt after refusing to remove his religious cap in Criminal Court.

Benjamin "Olugbala" McMillan, 37, told Judge Joseph Carter that he wears the yellow and beige striped skullcap at all times because of his religious beliefs.

The judge, rejecting McMillan's explanation, ordered him to city jail until he decides to remove the cap, called a "filaas."

McMILLAN WAS to be arraigned on charges of inciting to riot, attempt to incite to riot and conspiracy, all stemming from disturanbec in West Baltimore last July after a police K-9 dog bit a woman.

His lawyers, Gerald A. Smith and Larry S. Gibson, told the bench that other judges have respected McMillan's religious views and permitted the beanie to be worn in the courtroom. They compared the filaas to a yarmulka worn by a Jew.

Judge Carter insisted he would even order a rabbi to remove his skull cap in his courtroom.

WHEN McMILLAN'S lawyers pointed to two security guards in the room wearing police-type caps, the judge replied: "That's a different matter. I am in charge of this court, and he will remove it."

As McMillan was escorted to jail, his lawyers told a reporter they intend to file for a writ of habeas corpus to free him.

They also said they will take the case to the American Civil Liberties Union.

BESIDES THE filass, McMillan wore a green sports shirt outside dark trousers. He has a scrubby beard.

McMillan's insistence on wearing the cap resulted in a previous encounter with authorities. Last April, he visited an inmate at the Maryland Correctional Institution in Hagerstown and was refused admittance unless he took off the cap.

He took up the incident with the state Human Relations Commission and prison authorities agreed to allow wearing of the cap by members of the Ujanuna sect.

$500 Bail Is Set By Judge For Hat-Wearing Defendant

By GEORGE J. HILTNER

Judge Joseph L. Carter set bail at $500 yesterday for a 37-year-old man pending his appeal of a contempt-of-court citation which he received for refusing to remove his hat during arraignment in Criminal Court on riot and conspiracy charges.

The bail was set late yesterday for Ben McMillan, also known as Olugaba Olugbala, after the defendant failed to gain release from jail in habeas corpus proceedings before Judge J. Harold Grady in Baltimore City Court.

Called Religious Symbol

Judge Grady ruled that Mr. McMillan was not entitled to relief under habeas corpus because there was no defect in the process under which he was being held.

"Whether he is being held for some mistake of law is not an issue for this court to remedy," Judge Grady added.

Mr. McMillan contended that he wears the hat as a religious symbol, explaining that he has been practicing the Ujamma religion for the past two years.

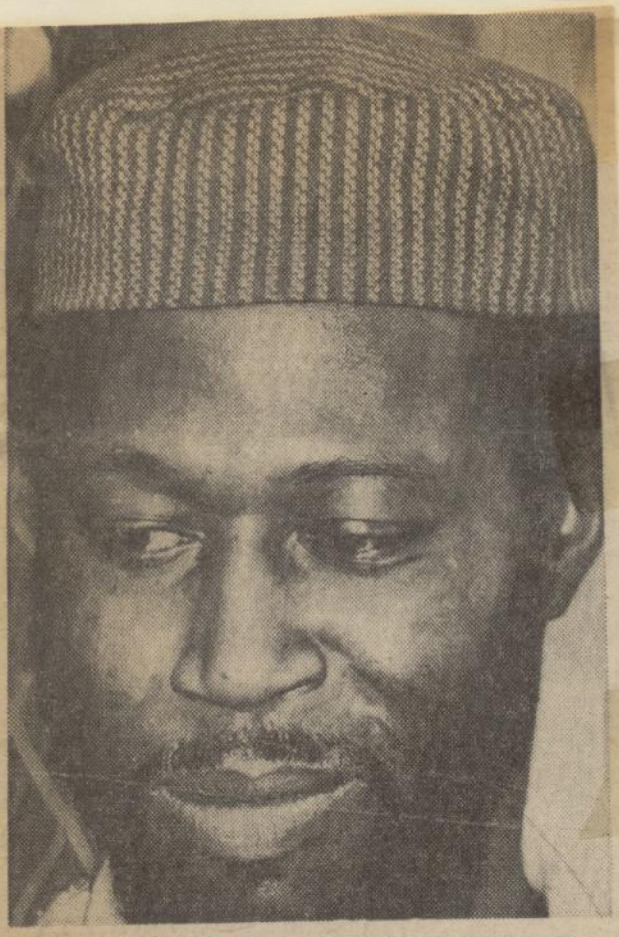
The headpiece he refuses to take off is a yellow and beige striped hat called a Filaas (pronounced fill-ay).

Mr. McMillan's attorney compared the hat to skull caps worn by Orthodox Jews, and contended that their client has a right to practice his religion as he sees fit, so long as it does not interfere with public health and safety.

Telegrams Sent Judges

Telegrams demanding the immediate release of Mr. McMillan were received from the Black United Front by Chief Judge Dulany Foster and Judge Carter. The group of Negro leaders declared that the order to remove the hat "is a violation of his human rights."

"Judge Carter's demand that he remove it was an humiliation to which Olugbala could not submit without loss of dignity, personal integrity and confidence of his people in his sincerity," according to Zugunna Lumumba, chairman of the Black United Front.



LIKE CHARLES I — Olugbala-Olugbala (Benjamin McMillan), director of Baltimore Soul School. Md. High Court rules, like Charles I of England, he has right to keep his hat on in court.

AFRO APRIL 12, 1970

Can wear hat in court—new rule

(See another

"I'm, of course, delighted that the Court of Appeals ruled in our favor.

"I think this will prove to be a landmark case in both the areas of religious freedom and the law relating to the contempt powers of courts . . ."

Attorney Larry S. Gibson was telling the AFRO today his reaction to Monday's Maryland Court of Appeals ruling that reversed a lower court contempt conviction of Soul School Director Olugbala (Benjamin McMillan).

Olugbala had been found guilty of contempt of court when he refused to remove his filaas, an African head piece, during a riot and conspiracy arraignment.

* * *

The unanimous decision written by Judge Thomas B. Finan, filed Monday begins this way: —

"It is said that Charles the I, King of England (1600-1649), refused to remove his hat before Parliament, and, literally speaking, lost his head.

"On Sept. 17, 1969, Olugbala, also known as Benjamin McMillan, refused to removed his headgear (filaas), while being arraigned before the Criminal Court of Baltimore, Carter J., presiding, and was sentenced to jail for contempt of court.

"With Charles the I, it was a matter of sovereignity; with Olugabala, it appeared to be a matter of religion. For the reasons which we herein after set forth, we reverse the judgment of the lower court."

This is first successful Maryland case involving religious freedom and rights of individuals in courts.

Subsequently to Sept. 17, Olugbala was tried and found not guilty on ten of eleven counts charging riot, inciting to riot and conspiracy growing out of the K-9 case.

In conclusion, the opinion quotes the words of Mr. Justice Douglas: "The case we have for decision stems to me to be of small dimension though profoundly important."

Olugbala says he is a member of an African religion called Ujamma which forbids his removing the head piece. The appeals court judges said that federal and state law give protection to "a myriad of seldom heard-of, off-brand and offbeat religious concepts" as well as to conventional religions.

SUN APRIL 12, 1970

COURT BACKS HAT PROTEST

Says Religious Dissenter Could Keep His On

By C. MASON WHITE
[Annapolis Bureau of The Sun]

Annapolis, May 11—The Maryland Court of Appeals ruled today that a lower court in Baltimore erred when it held a defendant in contempt for refusing to remove his hat out of deference to his religious beliefs.

Benjamin McMillan, 37, who is a member of a black militant group called the Soul School, was held in contempt last September by Judge Joseph L. Carter, of the Crininal Court of Baltimore.

Mr. McMillan, who also goes by the name of Olugbala-Olugbala, was being arraigned on riot and conspiracy charges when he refused to take off a yellow and beige striped hat called a filaas.

Overwhelming Belief

The defendant, who says he is a member of the Ujamma religion, contended that he would not remove the headpiece because of compelling and overwhelming religious beliefs.

In reversing the contempt-of-court citation, the appeals court judges said today that the federal and state constitutions give extensive protection to "a myriad of seldom heard-of, off-brand and offbeat religious concepts" as well as to conventional religions.

Accordingly, they said, the state can only abridge the religious practices of any individual when there is a compelling state interest that outweighs the interest of the individual in his religious tenets.

Dignity, Decorum

"We are fully aware that the orderly administration of courts of justice requires the maintenance of dignity and decorum and for that reason rules of conduct and behavior to govern participants are essential," Judge Thomas B. Finan wrote for the court.

". . . However, in the instant case it would appear that the wearing of the filaas by the defendant was not disruptive of the decorum and respect to which a court is entitled."

The appellate judges further said that their finding was substantiated by the fact that Mr. McMillan was permitted to wear the filaas during a subsequent habeas corpus proceeding before Judge J. Harold Grady in Baltimore City Court and that no apparent disruption resulted.

Insufficient Explanation

The high court also said that Mr. McMillan did not properly explain to Judge Carter why his religious beliefs compelled him to wear the headpiece, but that the court transcript "makes it clear" that he would have been held in contempt even if he had.

Judge Carter ordered Mr. McMillan jailed until he expunged himeself of contempt by appearing before him without his filaas. The judge later set bail at $500 after the defendant failed to gain release from jail in the habeas corpus hearing before Judge Grady.

Oppression Cited

At the habeas corpus proceeding, Mr. McMillan testified that white persons in this country and the court were his oppressors and that his religion compelled him to wear his filaas before any oppressors.

Judge Wilson K. Barnes concurred in Judge Finan's opinion, but said he would have confined teh decision to the state constitution.

He said that a 1940 United States Supreme Court decision which imposed on the states the free-exercise-of-religion provisions of the First Amendment to the Federal Constitution was in error.

Judge Barnes, who did not elborate on his statements, added that he has heretofore felt that selected portions of the first eight amendments to the federal Constitution are not properly applicable to the states under the due-process clause of the Fourteenth Amendment.

Judge Grady to rule today on Soul School executive's hat

Today (Friday), Judge J. Harold Grady will hear argumens at 10 a.m. at the Courthouse on a matter that concerns freedom of religion.

The case comes before Baltimore City Court as the result of a writ of habeas corpus filed Wednesday on behalf of Benjamin McMillan, 37, 1200 block Mulberry St., a follower of the Yoruba faith.

Mr. McMillan, also a member of the board of directors of the local Soul School, was jailed Wednesday for refusing to take off his hat, called a "Filass" when he appeared before Judge Joseph Carter in Criminal Court for arraignment.

Judge Carter found Mr. McMillan (Olugaba Olugbala) guilty of contempt of court and ordered him held at Baltimore City jail "until he expunges himself of the contempt by coming before the court and removing the cap from his head."

Mr. McMillan was being arraigned on a series of charges arising out of the "Dog Bite Cases" in Western District.

The charges which include inciting to riot, conspiracy and riot, were also placed on 11 other Soul School members who protested the July incident of a police dog biting a woman in the area.

* * *

All of the other defendants were arraigned except Mr. McMillan. All pleaded not guilty and requested trial by jury. A date has not been set for the trials.

Protesting the request that Judge Carter made for the Soul School executive to remove his hat were defense lawyers, Gerald Smith and Larry Gibson.

Mr. Gibson pointed out to the court the fact that Mr. McMillan always wears the small skull cap and his refusal to remove the headgear, a symbol of his religious faith, meant no disrespect to the court.

The writ of habeas corpus was filed Wednesday afternoon after Mr. McMillan was confined to 8Baltimore City Jail.

In the petition placed before the court, Messers Smith and Gibson contend that the request of the jurist is contrary to and in violation of freedom of religion guaranteed by the U S. Constitution and the Maryland Bill of Rights.

Mr. McMillan was at first placed under $25,000 bail on July 4 as the result of the Soul School protest near Western Police Station.

On July 7, the bail was reduced to $2,500.

However, Judge Charles D. Harris recinded the bail.

Later, Judge Solomon Liss allowed bail of $2,500 and Mr. McMillan was released.

Other defendants arraigned Wednesday were Ulysses Bagwell, Robert Harper, Tyrone Boyd, Purcell Christian, Donald Gaither, Richard Goode, Gregory Kane, Quinton Murrell, John A. Teagle, James Smiley and Fred Gilkes, all on bail.

AFRO AUG 23, 1969

Cab driver hits Shriner, fined

A Municipal Court Judge told a taxicab driver Wednesday in Central district court that cab drivers and other Baltimoreans "should show tolerance and courtesy" to the visting Shriners and other conventioners who come to Baltimore.

Judge Avrum Rifman found the 37-year-old driver guilty of assault by striking with his taxicab with intent to do bodily harm to visiting Shriner Robert Porter of Pittsburgh, Pa.

Richard Myers, unit block E. West St., was given a 30-day suspended jail sentence upon payment of a hundred dollar fine and court costs.

Mr. Porter testified in court that he and three fellow Shriners were returning around 8:45 p.m. from a twilight parade held on Pennsylvania Ave., Monday driven by Myers struck when he was struck by the cab while standing in front of the Lord Baltimore Hotel.

Mr. Porter told the court that he was standing by the right rear door of the cab in which he had just disembarked when the taxi driven by Meyers struck him in the left side causing him to fall and hit his head upon the cab's fender.

After getting out of the cab with his drum, Mr. Porter said he reached into his pocket to help pay the fare when "the cab came toward me."

He was taken to the hospital for observation, but he said he "felt fine" that night so he was released. The next morning Mr. Porter told the court, "I felt sharp pains in my back."

Just before striking him with the cab, Mr. Porter said the driver yelled angrily to him, "get out of the way or I'll knock you down."

A fellow passenger and Shriner, Emanuel Phillips, also of Pittsburgh, Pa., agreed with Mr. Porter's testimony about the accident.

"We started getting out of the cab," he said, "when this cab behind us and started blowing his horn." Not satisfied at the speed in which the four Shriners, carrying drums, disembarked from the taxi, Mr. Phillips testified that Meyers angrily hollered in their direction, 't t oefu' their direction. "Get out of the way or I'll run over you."

While still getting our of their cab, Mr. Phillips said the cab driver yelled again, "Get out of the way or I'll run over you."

Then, he said, the cab moved forward striking Mr. Porter.

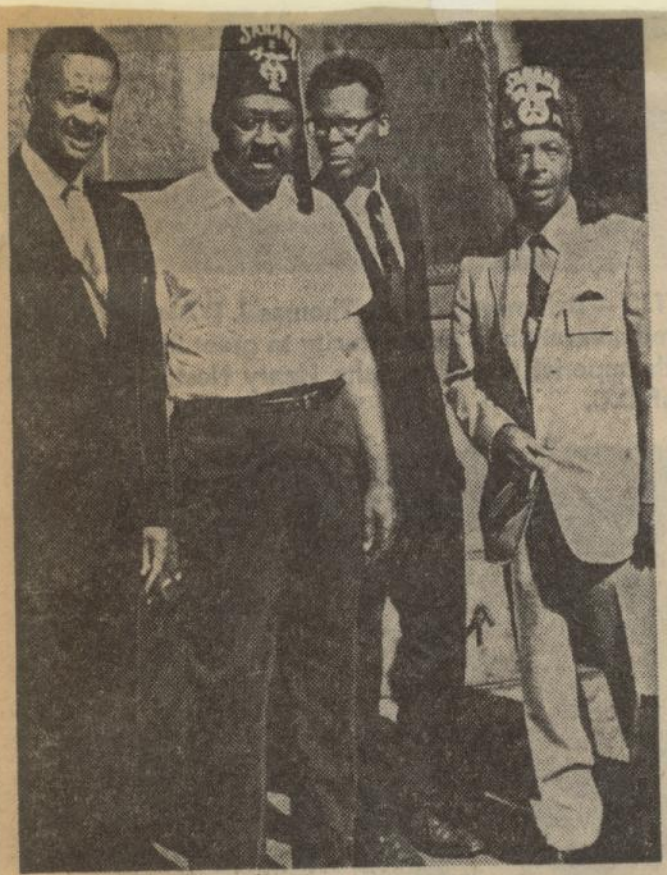
The two Shriners and Mr. Meyers met briefly after a court session Tuesday and at that time Mr. Phillips said the cab driver apologized for the incident by saying, "I don't want you boys to feel that I had anything, intentionally against you."

• • •

But Judge Rifman said after listening to all of the testimony, that "It appeared to me that you intended to hit or scare Mr. Porter."

The judge said he didn't believe Myers, who has been driving cabs for six years, intended to harm Mr. Porter, "he only wanted to brush the man." he said.

Mr. Porter was represented at the hearing by attorneys Larry Gibson and Emerson Brown.



AFTER THE TRIAL — Att. Emerson Brown, Emanuel Phillips, of Pittsburgh, Pa., Att. Larry Gibson, and Robert Porter, of Pittsburgh, Pa., leave Central district court.

THE BALTIMORE AFRO-AMERICAN, AUGUST 2, 1969

2514 TALBOT ROAD (Off 4300 block Clifton Avenue). 3, 4, 5 and 6 room apartments. Newly decorated. $24.00 to $30.00 week includes free heat and hot water. See janitor on premises or VE. 7-1646 — Nights FL. 8-1132 or apply 215 East Preston.

BALTIMORE, MD., NOVEMBER 18, 1969

County Fireman Guilty; But Goes Free

IN AN UNGUARDED MOMENT Mrs. Charles Parrish, the mother of the Turner Station youth beaten by a county fireman during Halloween, discusses her feelings with attorney Larry Gibson, left, while the youth 13-year-old Jerome Parrish looks on.

'Pressure too great,' fireman wins freedom

By JOSHUA WATSON

Magistrate Louis L. DePazzo found Baltimore County fireman, Edward Vincent Deems, 27, guilty of assaulting 13-year-old Cleveland Parrish, 109 Avondale Ave., at a tension ridden trial held at Dundalk People's Court Thursday evening.

The 13-year-old was attacked between 8 and 9 p.m. on October 31.

However Magistrate DePazzo's verdict lost its sting when the fireman of 3500 block Loganview Dr. was granted a $250 suspended fine.

Evidently, the magistrate felt the presence of more than 100 black spectators, (many from Morgan State College) who lined the small courtroom walls and spilled into the courtyard.

In rendering the guilty verdict Magistrate DePazzo said, "Let's assume that the boy did throw the bottle and that he did lie in court tonight; that doesn't justify the kicking, stomping, and mauling."

The teenager's parents, Charles and Mrs. Alice Parrish, stated that their son was taken to Johns Hopkins Hospital where he was X-rayed, treated, and released.

Furthermore, as a result of the beating, Cleveland Parish's parents stated that; pieces of his teeth fell out, his chest was injured, he has terrible headaches, and his breathing is labored."

Magistrate DePazzo set the stage for the dramatic two hour trial—which started at 8:35 p.m. after a few delays, with his preliminary remarks:

"There are a lot of black people here and you are here to get justice and you will get justice.

"I don't want to be threatened after this trial . . . this is not a case I cherish; I live in this community too."

The trial proceeded with the complainant's lawyer, Larry Gibson, presenting a diagram of the area where the beating took place.

• • •

Cleveland Parrish testivied that he left Dundalk Junior High School at 3 p.m. and went to work at his father's grocery store at 4 p.m. and that at 8 p.m. he left to give his father the key and money from the store.

After 8 p.m., the teenager went to Dundalk Recreation Vocation School to roller skate.

He learned that the roller skating rinks wouldn't open tuntil 8 p.m. and so he walked from the school to the 711 Shop on Liberty Parkway near Sollers Point Road.

• • •

The teenager bought a slupee and sweet tarts from the store and started walking back towards the skating ring.

A this point the teenager testified that he saw about 10 boys going away from Shell Gasoline Station and that he went and sat down on the fence near the 711 Shop and began drinking his slupee.

He sat there drinking his slupee when he saw boys running.

"Hey, where are you going?" Cleveland said he asked. "Then somebody hit me."

"Somebody hit me in the chest; I was out a couple of seconds and when I woke up I saw Mr. Deems stomping me on the leg.

"Mr. Deems then grabbed me by the collar, lifted me up, turned me around, and kicked me in the butt and said: 'Go home N—r."

The teenager testified that the had no idea why the boys were running because he "didn't do nothing."

• • •

Neverthless, Officer Deems, a Baltimore County fireman for the past five years, testified that he and his wife were giving kids candy on Halloween when they saw about "20 black kids howling."

"I saw one boy throw something that hit my house" said Mr. Deems. "it was a bottle."

Mr. Deems testified that he chased the boys towards Liberty Parkway, passed two of the boys, and caught the boy (Cleveland Parrish) who threw the bottle."

Then, he testified, that he "pushed the boy to the ground and the boy rolled over, got up, and kept on running."

"I don't believe your story, Mr. Deems" said Magistrate DePazzo. "That looks like a good paste job over Cleveland's eye to me.

"I would like to know where the injuries came from

"Why didn't you apprehend the boy, Mr. Deem?"

Mr. Deem said that he didn't chase the boy into his neighborhood.

• • •

Magistrate DePazzo also stated that Cleveland Parrish's testimony was good and that the boy testified that he wore a dark coat that night so how could Mr. Deems keep his eyes on "25 kids running into the dark."

Mr. Deems lawyer said that Mr. Deems would lose his job as a result of the guilty verdict and, apparnetly, this moved Magistrate DePazzo to grant a $250 suspended fine.

"The pressures in this case are too great" said Magistrate DePazzo.

Setting the machinery for a mistrial, Magistrate DePazzo stated that he had read the AFRO article on the incident and that there were racial overtones in the article.

Many of the blacks were displeased with the verdict.

"If a black fireman had whipped a white boy, he would have gotten six months in jail" grumbled an irate woman.

SUN
OCT. 15, 1969

JUDGE SCORES AID MEMBERS

Says Some On Board Do Nothing For The Poor

By MICHAEL J. CLARK

Judge Joseph C. Howard, of the Supreme Bench of Baltimore City, contended last night that "certain members of the Legal Aid Bureau's board of directors use a lot of sophistication but do nothing for the poor."

The Judge, a member of the Legal Aid board, which includes lawyers and representative of the poor, added: "If we are not going to be advocates for the poor, we should get off the board."

Judge Howard made his remarks in an attempt to secure support for a motion that would allow the Legal Aid board to request $86,000 in available federal funds for two additional neighborhood Legal Aid offices at unspecified sites.

A few moments later, the Legal Aid board defeated the motion by a 11-to-12 vote margin. The board's action prompted Judge Howard to label the adverse vote as "ludicrous."

Took Exception

Several lawyers on the board took exception to Judge Howard's contentions. One lawyer, William J.McCarthy, said he was opposed to the motion because certain questions, such as the locations of the proposed neighborhood law offices, remain unanswered.

"We have to get all our ducks in a row and get some answers to vital questions before we go before the City Council to explain why we want the funds," Mr. McCarthy said.

Theodore S. Miller, president of the Legal Aid board did not vote on the motion, butl in reply to Judge Howard, he said: "Some of us differ in our philosophies, but we still want to help the poor." He also noted that the Bar Association f Baltimore city must approve the additional offices, and that to get the bar's support "some horse trading is required."

Minimizer Defeat

Joseph A. Matera, the bureau's director, minimized the effect of the defeat of the motion. He said the result of the board's vote was only to defer the matter until a Legal Aid board committee reports in the near future on suggested locations of the neighborhood offices.

Currently, the Legal Aid Bureau is operating two neighborhood law offices.

SUN
DEC 17, 1969

5 WALK OUT OF MEETING

Protest Legal Aid Board's Holding Closed Session

By MICHAEL J. CLARK

Declaring that they opposed the holding of a closed meeting of the Legal Aid Board, all five of the Negro members of the board, including a Supreme Bench judge and a lawyer, walked out in protest.

The secret board meeting was called to review complaints brought by two Peoples' Court judges against Joseph A. Matera, the director of Legal Aid, and one of his assistants, Lawrence B. Coshnear.

Judge Joseph C. Howard and Larry S. Gibson, a lawyer, left the executive session with three other board members, who are representatives of the poor. Eleven other members—nine lawyers and two judges—remained in secret session, after an 8-to-5 vote in favor of the executive meeting.

"I Don't Like This"

Before leaving the meeting, Mr. Gibson told the board: "I don't like this. Every time we have something controversial we go into a private session."

The secret session was held after Judge Henry L. Rogers, of the People's Court, made a statement saying that Mr. Matera and Mr. Coshnear were "unfairly" critical and "inaccurate" in remarks they made about the court.

Judge Rogers, who is also a Legal Aid Board member, said Mr. Matera's criticism of the People's Court during a November 23 television show "did much to do away with years of harmonious relationship between the People's Court and the Legal Aid Bureau." Mr. Matera reportedly called the court "a collection agency for the landlord" during a televised debate.

The judge was also critical of a December 11 letter that Mr. Coshnear wrote to William T. Tippett, Jr., the chief judge of the Peoples Court. He said the letter contained "what are probably malicious remarks about the court." A letter from Judge Tippett in support of Judge Rogers's contentions was entered into the record.

After a 30-minute executive session, the remaining board members returned to the open meeting, where they unanimously passed a resolution requiring Mr. Matera and Mr. Coshnear to reply to the board "in writing" on the complaints brought by the judges.

The board also required Mr. Matera to explain another complaint registered against him in secret session about "his appearance before the executive board of the Junior Bar Association" seeking their support for two additional neighborhood Legal Aid offices.

AFRO Dec 27, 1969

Legal Aid board members walk out in meet wrangle

Last week the community representatives of the Board of Directors of the Legal Aid Bureau, Inc., walked out of the board meeting to protest policies of Bar Association members whom, they say, call an "executive session" whenever a controversial issue appears before the board.

Six of the 11 community representatives, including Judge Joseph Howard and Attorney Larry Gibson, were present when the group walked out of the board meeting.

There are 14 bar members and three judges on the Legal Aid Board of Directors.

The controversial issue in question was a letter written to People's Court Judge William T. Tippert complaining of postponement of a rent case when the landlord didn't appear before Judge Henry Rogers.

* * *

The letter, written by Lawrence B. Coshnear of Legal Aid West, caused a disturbance in the meeting when Judge Rogers said that the letter was "malicious."

In the act of criticizing the letter, Judge Rogers berated Joseph A. Matera, executive director of Legal Aid, for a statement allegedly made during a November TV appearance.

Mr. Matera was said to have made the statement that the "People's Court is a collection agency for the landlords" on the show.

The community representatives claim that the members of the bar don't represent the poor and that they are there for one reason — to fatten their pocketbooks.

A statement will be issued by the community representatives of the Legal Aid Board of Directors in the upcoming issue of the AFRO.

SUN Dec 28, 1969

LEGAL AID EFFORT HELD WEAKENED

Negroes On Board Charge Polarization By Lawyers

By MICHAEL J. CLARK

The Negro members of the board of the city's Legal Aid Bureau have charged that "most of the legal community on the board" has undermined the bureau's efforts to serve the poor.

The 11 members, who were elected to the board by the Community Action Commission as representatives of the poor, made the allegation in a letter sent yesterday to Theodore S. Miller, president of the Legal Aid board.

"It should be apparent to all concerned," the Negro members said, "that an element of the Bar Association representatives are not only polarizing the board but, more importantly, they are dividing the bar itself both within and without the Legal Aid structure.

"It is probable that their suppression of Legal Aid services will not only reflect unfavorably upon all lawyers, but will destroy any semblance of a bar concerned with the problems of the poor."

Among the board representatives signing the letter were Judge Joseph C. Howard of the Supreme Bench and Larry Gibson, a lawyer and member of the city School Board.

Walked Out Of Meeting

Judge Howard, Mr. Gibson and three other members walked out of a Legal Aid board meeting last Tuesday.

In the letter, the 11 members said the walkout occurred because a secret session was called to review complaints made by two People's Court judges against Joseph A. Matera, the executive director of the bureau, and Lawrence B. Coshnear, a Legal Aid lawyer.

"The suspension of normal business for inquisitorial purposes was, in and of itself, unfortunate and unfair," the 11 Negro members also contended.

Mr. Matera and Mr. Coshnear were under fire for critical remarks they had made about the People's Court.

Mr. Matera also was called upon b ythe board to explain why he sought the endorsement of the Junior Bar Association for the addition of neighborhood Legal Aid offices in Cherry Hill and Southwest Baltimore.

The proposal for the two new offices has the board's backing, but has yet to receive the support of the Bar Association of Baltimore City, which is necessary before it can go into effect.

Specifically, the Negro board members claimed a majority of legal representatives on the board "have resisted much-needed expansion of the Legal Aid program, fought to reject funds offered by OEO [Office of Economic Opportunity], vetoed test cases in our courts, strangled the efforts of our Law Reform Unit, opposed the representation of groups of poor people, blocked Legal Aid attorneys from assisting children of the poor in Juvenile Court, and generally espoused the ludicrous theory that Legal Aid is doing too much, too fast, when the question is whether we are all doing too little, too late."

Of the 28 positions on the Legal Aid Board, 14 were held by lawyers chosen by the Bar Association of Baltimore City; 3 are judges named by the board and the remainder are representatives of the poor community.

AFRO DECEMBER 27, 1969

Legal Aid protest letter reveals community gripes

On Dec. 16, the community representatives of the egal Aid Board of Directors walked out of a board meeting in a protest of board policies.

As a result of this stunning action a statement was issued by the community sector of the Board of Directors listing their grivances.

The letter to the President of the Legal Aid Board of Directors, Theodore S. Miller follows:

"We the elected community representative of the Legal Aid Bureau have delayed this communication to you in order to give it the careful consideration which it deserves.

"We are deeply aware of our responsibility to develop and implement an effective legal services program for the indigent, and, consequently, we are distressed over certain conduct which continues to cripple and curtail the prescribed aims and aspirations of the Bureau.

"We are convinced that making competent counsel available to the poor, and thereby providing them to improve their position, is critical; and could serve to diminish polarization in our community offer an alternative to action in streets, and restore the lost confidence in our legal system.

* * *

"Pursauant to these basic beliefs, we have continuously and conscientiously endeavored to promulgate policy and promote programs that would be meaningful to those we week to serve.

Unfortunately, in the course of our service as Board members, we have become increasingly convinced that most members of the legal community on the Board are committed to the efforts of the Bureau to suberting and sterilizing materially improve the plight of the poor.

"These Board members have resisted much-needed expansion of the Legal Aid program fought to reject funds offered by OEO, vetoed test cases in our courts, strangled the efforts of our Law Reform Unit, opposed the representation of groups of poor people, blocked Legal Aid attorneys from assisting children of the poor in Juvenile Court, and generally espoused the ludicrous theory that Legal Aid is doing too much, to fast, when the question is whether we are all doing too little, too late.

"It is inconsistent, to the point of being hypocritical, for judges and lawyers, who ostensibly are advocates of the poor, to chastise staff for seeking the endorsement of the Junior Bar Association for a part expansion of its program, already approved by the Board, while at the same time surreptitiously undermining the same action of the Board with the Baltimore City Bar Association. It is equally inconsistent to public pronouncements to promote the Legal Aid program, and at the same time to condone their own pronouncements discrediting the program. Finally,we submit it is inconsistent to characterize Legal Aid attorneys' efforts to correct unfair court practices as "malicious" and at the same time deem similar efforts of attorneys representing non-indigent clients as acceptable. How can lawyers expect to maintain the respect of the community with these kinds of inconsistencies?

"We feel that the course of recent events suggest the nature and extent of damages that can be inflicted by these members upon the entire program, but we feel that the consequences are far greater. It should be apparent to all concerned that an element of the Bar ar e not only polarizing the Board but, more importantly, they are dividing the Bar itself both within and without the Legal Aid structure. It is probable that their suppression of Legal Aid services will not only reflect unfavorably upon all lawyers, but will destroy any semblance of a Bar concerned with the problems of the poor. It is equally probable that the frustrations engendered on the Board will be irrevocably transmitted with inestimable reprecussions inestimable reprecussions to both our staff and those we hope to service.

"The events which took place at the Board meeting of December 16, 1969, mark the latest of a series of acts on the part of these members in blatant and systematic disregard of the vital interests of the program and the community it seeks to serve.

"The meeting was scheduled to discuss nine items outlined on a previously distributed agenda. We believe that the setting aside of that agenda without notice, necessity or constructive prupose, was calculated and improper. The suspension of normal business for inquisitorial purposes was, in and of itself, unfortunate and unfair. But then to permit this matter to move from an obvious attempt to embarrass a staff attorney to a general vilification of the Executive Director and finally to sumarily convene an executive session to pursue the persecution, was, in our opinion, outside the realm of reason.

"Experience has taught us that when the press, public, Legal Aid staff and CAA representatives are dismissed from a meeting, this shroud of secrecy permits the obstructionist to intensify his efforts with a sense of security. Knowing these tactics to be incompatible with the spirit and interests of those were represent, we withdraw our participation from the meeting.

"However, because of this week's meeting and the series of events that have led thereto, toghether with the realization that the legal services program must goforward, we have resolved that it is our duty to take affirmative action to correct this cancerous condition.

NEWS-AMER
DEC 28, 1969

Battle Looms Over Legal Aid

By BARBARA BLUM
News American Staff Reporter

Liberal and conservative lawyers are forming their ranks now for an expected battle in January over proposed extension of free legal services into two local poverty areas.

The general membership of the Bar Association of Baltimore is expected to vote on the issue in mid-month. Its action will determine whether the Legal Aid Bureau, Inc., an anti-poverty program, can expand.

There are nearly 2,000 association members and no telling how many will appear for the vote or how many that do, will be for the expansion.

SERIOUS OPPOSITION among old-line lawyers already has been voiced—but so has sincere support among liberal and generally younger lawyers.

The opening of Southwest Baltimore and Cherry Hill offices was approved by the bureau's board of directors, which is composed of 14 member's of the bar association, three judges and 11 representatives of the poor.

But, pointed out Joseph A. Matera, staff executive director, the poor voted the expansion in. All but two lawyers present voted against it.

Further, James White, chairman of the legal contingent on the board, recommended to t association's executive committee that it reject the expansion, said Matera.

MEANWHILE, the Junior Bar Association, a group of 350 lawyers under 35 years of age, has voted to support the expansion.

Acting on a resolution adopted by 90 per cent of the membership at a special meeting on the issue, the young lawyers have decided to campaign among their colleagues to win a favorable vote in the parent bar association.

The liberal point of view is that expansion will bring the services closer to the people who need them and who find it difficult to travel to the Calvert Street headquarters or the two existing branch offices.

They are Legal Aid East at Aisquith and Gay Streets and Legal Aid West on Pennsylvania Ave.

Opponents feel the existing offices are adequate. However, one supporter of the expansion said the real reason many lawyers are opposing it is because of their conservative stance and dislike of government participation in the legal profession in general.

MANY LAWYERS view Legal Aid as "socialized law," he said. They feel private practice is threatened when people can get free service.

The representatives of the poor on the bureau's board walked out of the last meeting, angered by what they called the lawyer's insensitivity to the desires of the poor.

Judge Joseph C. Howard of the Supreme Bench, who led the group has promised it will take "affirmative action to correct this cancerous condition."

But he would not state exactly when, or what form the action will take.

The Office of Economic Opportunity already has reserved $6,000 for the expansion, said Matera. Three attorneys and clerical aid would staff each office, he said.

Beginning Legal Aid lawyers earn $8,500.

The News American
BALTIMORE MARYLAND
The Award-Winning Newspaper
6B ★ Tuesday, December 30, 1969

Legal Aid to the Poor

THE LEGAL profession here is bitterly split over the issue of whether or not to extend free legal services into two local poverty areas.

Already, the opposing factions have formed their ranks for the expected battle next month when the general membership of the Bar Association of Baltimore votes on the issue.

The association's action will determine whether the Legal Aid Bureau, Inc., an anti-poverty agency with extensive federal funding, can expand.

The proposed opening of the agency's Southwest Baltimore and Cherry Hill offices has, to be sure, already been approved by the bureau's board of directors, which is composed both of representatives of the legal profession and of the poor.

But it is significant that the poor voted in the expansion proposal; all but two lawyers present voted against it.

Those favoring the expansion argue that it would bring the legal services of the bureau closer to the people who need them and who now find it difficult to travel to the Calvert Street headquarters or the two existing branch offices.

Opponents claim the existing offices are adequate. Behind the opposition of the old-line lawyers, however, is a strong distaste for any kind of government participation in the legal profession. Also, many believe the bureau's executive director, Joseph A. Matera, has exceeded his mandate in aggressively championing the causes of the poor.

There are valid arguments on both sides of the controversy. Nevertheless, it is to be hoped that the advocates of the expansion program win the day.

Free legal services to the poor may not be as vital as medical care, food, or shelter. But in today's society they represent an important service indeed. Enabling the poor to take advantage of these services by bringing them within easy geographical reach should not be stymied by a hassle within the legal profession.

Feb 15, 1970

Edmondson Village group innocent in picket charge

Municipal Court Judge Robert J. Gerstung found 12 picketers of Goldseker Realty Co. innocent of the charge of disturbing the peace in Central Police Station Criminal Court on Sunday. The judge cited a lack of sufficient evidence to prove the charge.

Baltimore City policemen accused the dozen, which included six children of "shouting and howling" while picketing Goldseker Realty Co., 218 W. Franklin St. at approximately 1 p.m. Saturday, Feb. 7

One of the police officers stated that there were "35 to 40" people on the picket lines.

* * *

However, Howard W. Davis of the 800 block Kevin Road, one of the defendants, said there were only 12.

Two other defendants, Helen E. Henderson of 3700 block Colbourne Rd. and Ruben J. Jones Jr. of 3000 block E. Weaver Ave. were present at the trial

The three defendants attorney, Larry S. Gibson, stated that the "shouting and howling" was a chant in conjunction with the demonstration.

"We are going to ride your backs until you stop the tax" were the words of the chant.

The police officers said that the demonstrators blocked traffic because their actions diverted the eyes of drivers traveling on Franklin St.

Attorney Gibson voiced another opinion that, according to the statutes, the picketers didn't willfully obstruct or prohibit the flow of traffic and they didn't make "loud or unseemly noise in a neighborhood."

"There is no evidence that they willfully disturbed the neighborhood," said Attorney Gibson.

* * *

Two witnesses to the incident, Mrs. Catherine Barnes of 700 block Mt. Holly St. and Mrs. Rosalind Rokeby Road, said that six patrol cars came to the scene and that police officers went inside Mr. Goldseker's office and conferred with him before arresting the picketers.

The picketers were members of the Edmondson Village Community Association which has accused real estate companies of blockbusting.

June 17, 1970

RIGHTS CASE GETS NEW JURY TRIAL

Magistrate's Court Handling Cited By Commission

By DeWITT BLISS
[Towson Bureau of The Sun]

A jury trial was ordered yesterday in Baltimore County Circuit Court on the appeal of one of two Dundalk Magistrate's Court cases which have been cited by the County Human Relations Commission in criticizing the magistrate court system.

Mrs. Mamie B. Jones, of the 500 block main street in Turners Station, was appealing a suspended $25 fine for disorderly conduct.

Mrs. Jones was charged with disorderly conduct last February 28 by police who were investigating an assault. A man who was injured in the affray, was given a six-month suspended jail sentence and fined $500 for assaulting her.

Asks Change Of Judge

Larry S. Gibson, Mrs Jones's lawyer, said that he was requesting a jury trial and also that he wished the case to be tried by a judge other than John E. Raine, Jr., who was presiding in the county's criminal court yesterday.

In making the latter request, Mr. Gibson cited reports to him of remarks made by the judge while the attorney was out of the courtroom.

Mr. Gibson later said that he did not want to imply that Judge Raine would not have been fair, but that he had to make the request because of the reports. Mr. Gibson declined to say what the remarks in question were.

The case was called while the defense lawyer was in the court clerk's office, and Judge Raine was told by John L. Lucas, the assistant prosecutor, that he had been told Monday of the jury trial request.

Judge Downplays Case

The judge then asked if this was one of the Human Relations Commission cases. After being told that it was, he described the appeal as "making a mountain out of a molehill."

When Mr. Gibson appeared the judge explained that he simply meant, as he had said earlier, that a disorderly conduct case was not so important as to require a jury trial in the middle of the summer.

Earlier Judge Raine had said the case would have to wait until next fall for a jury trial.

Later in the afternoon, the county state's attorney's office asked that the case be tried July 8.

MARCH 14, 1970

STILL MYSTIFIED — Mrs. Mamie Jones, left, sits with her 18 year old daughter, Siria, and little friend from next door, 3-year-old Joy Curbean, while telling AFRO about peculiar conduct of white man who allegedy slapped her on Dundalk market parking lot. (AFRO photo by Frank Phillips.)

White man believes Dundalk is Miss.; black women say no

"I told him this wasn't Mississippi; that people don't get away with doing things to people just because they are black and then walk away."

Mrs. Mamie Jones of the 500 block Main St., Turner's Station, was telling the AFRO of her confrontation with a white man who allegedly slapped her without any apparent reason outside the shopping center on Merritt Boulevard in Dundalk on Feb. 28.

"I had my groceries and my daughter and I were returning to the car on the parking lot when I heard someone saying vile things about colored people.

"Evidently some black person had done something to this man, and he was saying some pretty awful things about black people in general.

"Then I was surprised to realize that he was talking to me. He said 'You're one of them. It's all your fault' and he was standing behind me as I bent over to place the groceries in the car.

"His wife, who was with him, told him to come on leave me alone. 'That woman has nothing to do with it,' she told him. But he just shoved her aside.

"Then he slapped me, and I don't remember much after that."

From all that can be pieced together after that, Mrs. Jones, using her car keys as weapon, proceeded to fight back at the man, later identified as Michael Joseph Patryn, 47, of Dundalk, striking him in several places and requiring him to be hospitalized.

Continuing with her story, Mrs. Jones said, "When police arrived, he kept on calling me names and every time I opened my mouth the police officer would tell me to shut up.

"I asked them why they didn't make him stop calling me names, and finally they charged me with disorderly conduct and took me to Dundalk Police Station.

"I had to spend $55 collateral to get out."

Mrs. Jones is scheduled to be tried March 24 at Dundalk.

She also secured a warrant against her allerged assailant, and he is scheduled for trial April 7, according to police at the Dundalk barracks.

Mrs. Jones had a closing blast for black men, whom she said were standing nearby while she was being struck.

"How can black men demand respect from white men if they don't defend black women? If that had been the reverse, white men would have jumped on the black man and killed him for slapping a white woman in public."

Mrs. Jones is a divorcee with a son, William, who is a student at Howard University Law School. Her 18-year-old daughter, Siria, is a senior at Dundalk High School, and plans to begin college this fall.

A cook for the Baltimore County Board of Education for 11 years, Mrs. Jones said this is the first time she has had any trouble with police.

She is a member of Mt. Olive Baptist Church.

VICTORIOUS — Mrs. Mamie Jones, left, tells her daguhter, Miss Siria Jones and 3-year-old friend, Joy Curbean, about court case in which Mrs. Jones was acquitted of assault charges against man who struck her.

—Turner Station

(Continued from Page 32)

claimed that the statement came while he was "trying to calm things down and get to the root of what had happened."

He went on to claim that his reason for arresting Mrs. Jones was based on the fact that a "crowd had gathered around the scene and I feared that the way she was carrying on" something might happen.

* * *

Witnesses for Mrs. Jones deny the patrolman's statement and flatly stated that "when the police arrived they never once questioned Mr. Patryn to find out what he had done.

"They immediately approached Mrs. Jones after asking generally what happened of the crowd. Officer Price yelled at her and shoved her into his car."

During the previous proceedings Mrs. Patryn had been convicted of assaulting Mrs. Jones and fined a total of $750.

This week's Appeal's Court decision relieved Mrs. Jones of having to pay the $50 fine levied against her by the Dundalk court in February.

Mrs. Jones' children, William L., 20 and Syria J. 18, are both students at Howard University, and she herself, a cook for the Baltimore County Board of Education, is a member of the Mt. Olive Baptist Church. She was defended by attorney Larry Gibson.

actor supplies food
e to the college.

can

READ THE AFRO

r. She and their
sed by dog and
without injury.
, Edwin were at
O at time. (Staff
ips).

below and were pronounced

court was told.

ASSAULT ON WHITE MAN

Turner Station mother acquitted

Mrs. Mamie Jones, the Turner Station mother of two who was convicted of hospitalizing 47-year-old Joseph Patryn a white man who attacked her in the shopping center on Merrit Boulevard in February this year, was found not guilty by a Baltimore County appeals jury Tuesday night.

The case which began on Feb. 28, when Mrs. Jones claims that she and her daughter "were returning to the car on the parking lot when I heard someone saying vile things about colored people.

"Evidently some black person had done something to this man, and he was saying some pretty awful things about black people in general.

"Then I was surprised to realize that he was talking to me. He said 'You're one of them. It's all your fault' and he was standing behind me as I bent over to place the groceries in the car.

"His wife who was with him, told him to come and leave me alone. 'That woman has nothing to do with it,' she told him. But he just shoved her aside.

"Then he slapped me, and I don't remember much after that."

* * *

Three trials, one in a magistrate's court which ended with Mrs. Jones being fined for disorderly conduct, one ending in a hung jury and the most recent one, revealed what Mrs. Jones didn't remember.

With her car keys she attacked Mr. Patryn and wounded him in several places.

Why she was arrested in the first place Mrs. Jones says she'll "never know. I was the one who had been assaulted without provocation and the police took me to jail."

The police officers who arrested Mrs. Jones told the court that she had been disorderly when they arrived "and had threatened, cursed and acted in a disturbing manner".

One of them, Patrolman Thomas Price, told the court that he overheard Mrs. Jones say, "If I had a blade I'd have killed the (so and so)". The officer

(Continued on Page 31)

Army life easier

Army life should be better in the future.

U.S. Army enlisted men and officers can expect beer at supper, an end to most reveille formations and the elimination of nightly bed checks.

Gen. William C. Westmoreland, the Army chief of staff, ordered "rapid and positive actions" to improve Army life as part of the Defense Department's goal in dispensing with "Mickey Mouse" restrictions.

Because of the new orders, unit commanders can serve the diluted form of beer, previously confined to post exchanges and service clubs, at evening meals in the mess halls.

The unit commanders were also authorized to install beer-vending machines in the barracks.

Gen. Westmoreland liberalized the Army's pass policy on curbing the distances men may travel while on pass. The requirement of signing-in and signing-out was eliminated.

It is hoped that through these tactics more young men will sign up for military careers and will consequently enable the Army to be an all-volunteer force.

THE SUN, BALTIMORE, FRIDAY MORNING, JULY 18, 1969

15 ACCUSED IN 'RIOT' CASE

Jury Takes Action Against Accused Protesters

Fifteen persons were accused by the grand jury yesterday of conspiring to incite riots at the Western District Police Station earlier this month during demonstrations over the biting of several persons by a police dog.

The grand jury action was followed by a bail hearing for five of the accused, three of whom were charged with a second riot attempt, a week after the original charge. During the hearing, Judge Solomon Liss declared the "law is an ass" if it cannot deny bail to accused persons who are again charged with crime while at liberty on bail.

Judge Liss made the comment in response to the argument that only the question of flight can be a factor in setting bail, and that the presumption of innocence prevents a judge from considering repeated accusations against the same man in bail hearings.

The conspiracy charges were returned against:

TYRONE BOYD, of the 1200 block Druid Hill avenue.
ULYSSES BAGWELL, also known as Uwey Zo Uhuri, 19, of the 400 block Mount Holly street.
PURCELL CHRISTIAN, also known as Ali, 17, of the 700 block East Preston street.
DONALD GAITHER, of the 4600 block Maine avenue.
RICHARD GOODE, also known as Weusi Okigwe Kwacha, 19, of the 500 block North Fremont avenue.
ROBERT HARPER, also known as Kenya Kenya, 18, of the 700 block George street.
GREGORY KANE, of the 400 block East 22d street.
ALVINE LOGAN, of the 800 block Wildwood parkway.
BEN McMILLAN, also known as Olugaba Olugbala, 37, of the 1200 block Mulberry street.
VICTOR MUREL, of the 1600 block Harlem avenue.
JOHN A. TEAGLE, of the 1800 block Edmondson avenue.
JAMES SMILEY, of the 1700 block Edmondson avenue.
FRED GILKS, of the 3300 block Powhatan avenue.
ROBERT E. DOUGHTON, JR., of the 500 block North Fremont avenue.
ZERITA LOLA SKATE, of the 2800 block Winchester street.

The 15 were also charged with disturbing the peace and disorderly conduct on July 3.

Of the 15, all but Mr. Gilks, and Mr. Doughton and Miss Skate were further accused of inciting to riot at the police station July 3. Mr. Gilks and Mr. Doughton were also charged with malicious destruction of a door on the police station July 9.

In a final presentment, Mr. Harper, Mr. McMillan, Mr. Bagwell, Mr. Gilks and Mr. Doughton were accused of inciting to riot, disturbing the peace and disorderly conduct on July 9.

The bail hearing came before Judge Liss on habeas corpus petitions filed by Mr. McMillan, Mr. Christian, Mr. Harper, Mr. Bagwell and Mr. Goode, whose original bail of $1,000 was rescinded by Judge Charles D. Harris after the second demonstration July 9.

Judge Liss reset the bail for Mr. Goode and Mr. Christian at $1,000 when Michael M. Kaminkow, the prosecutor, said no additional charges had been placed against them as a result of the July 9 incident which resulted in the door being broken.

The judge reserved a ruling on the other three pending the taking of testimony at 1.30 P.M. today.

AFRO
Feb 7, 1970

MOST CHARGES DROPPED:

250 crowd courtroom for K-9 protest trial

At Criminal Court, Tuesday, approximately 250 people turned out in a chilling, windswept rain to hear the trial of 15 members of the SOUL school who were being tried on charges stemming from a demonstration at Western District Police Station, last summer, after a K-9 dog attacked a woman sitting on her steps.

The "Baltimore 15" were arrested during a period of heightened tensions between the black community and the police department, when one of its officers, Alvin Nachman, unleashed his dog which attacked Mrs. Hilda Betters, after he ordered her to move off the steps of her home in the 2000 block Edmondson Ave.

75 stitches were required before the gaping wound in her leg could be closed. Other residents of the block were also bitten, and Donald Best required 32 stitches to close wounds inflicted in his side and leg.

* * *

The trial, originally scheduled for Part 5 of the Criminal Court Annex had to be moved to the main courthouse because the large crowd of supporters overran the halls, elevators, and Judge Solomon Liss's 9th floor courtroom.

"They should have moved it to the Civic Center," stated Olugbala, one of the S.O.U.L School directors, as court guards refused to admit anyone else to the jam packed courtroom.

Ougbala (Benjamin McMillan) appeared before Judge Liss wearing his Filaa (African Headpiece), and was told by Judge Liss: "I understand you wear the headpiece indoors for religious reasons. We (Jewish people) also wear ours. Under the circumstances, you can wear yours here. You have my permission to do so."

Interestingly enough, Olugbala was held in contempt of court by Judge Joseph Carter, last year, when he refused to remove his headpiece during an arraignment in Judge Carter's court. He spent three days in jail before being released on $500 bail.

* * *

In addition, the S.O.U.L. school director, along with a member, Lee Uhuru, were re-arraigned at Tuesday's trial on various riot charges, and pleaded not guilty through their attorneys Larry Gibson and Gerald Smith. Both men had their cases postponed until a later date and were continued on $2500 bail.

The bulk of the "Baltimore 15" however, were cleared of the charges against them, after the States Attorney, Luther C. West, did not prosecute their cases.

The eleven members who were freed are: Wzoori Weusi (James Smiley), Kenya Kenya Kenyetta Kiongozi (Robert Harper). Guine Onyango (John Teagle), Victor Merritt, Ali (Purcell Christian), Zaka (Alivn Logan), Donald "California" Gaither, Shabaka (Gregory Kane), Kwacha (Richard Goode), Tyrone Boyd, and Mrs. Zerita Skates, a public school teacher.

The only cass hat were heard and decided were those of Fred Gilkes, a 17-year-old student at the Calvert Educational Center and the son of a local physician; and Robert E. Dalton, an employee of Johns Hopkins Hospital.

Both youngsters pleaded guilty to disorderly conduct at Western on July 9, 1969. According to a "Statement of Facts" read before the court, young Gilkes emerged from a crowd in front of the station house and kicked the glass of the front door out.

Both he and Dalton were released on their own recognizance pending a presentence report from the probation department.

* * *

Many of the spectators who came out to see the controversial trial were sorely disappointed at not being able to get in the courtroom.

"The courts and the police are conspiring to keep the people from being educated about the true nature of the court system, by excluding them here today," stated Olugbala.

The mother of one of the defendants was refused entry to the courtroom.

AFRO PHOTO AT TOP shows a few members of the S.O.U.L. School awaiting trial. From (l-r) Kenya Kenyetta Kiongozi, Shabaka, Guine Onyango, Olugbala, and Tyrone Boyd. OTTOM PIX of more than 250 people who came to see the trial of the "Baltimore 15."

APR- MARCH 14, 1970

Spectators Searched In K-9 Trial

Part I of Criminal Court this week saw the long-awaited trial of Olugbala (Benjamin McMillan) and Lee Uhuru (Ulysses Bagwell) get underway with tight security conditions existing in the large-white marbled courtroom, which is the exclusive preserve of Judge J. Gilbert Prendergast.

All spectators, both male and female, and even the defendants themselves were thoroughly searched before being allowed to watch or participate in the trial.

Olugbala and Lee Uhuru were indicted on charges of riot, inciting a riot, and conspiracy to incite a riot, after they and other members of SOUL School staged protest rallies in front of Western District Police Station in July of last year.

The demonstrations followed the June 27 attack on several residents of the 2000 block Edmondson Ave. by a "K-9" dog under the command of former officer Alvin Nachman.

75 stitches were necessary before the gaping wound in Mrs. Helen Smith's leg could be closed, and Donald Best received 32 stitches in his side and leg.

Subsequent to the protest rallies, 12 people were arrested and three others later charged with a flurry of felonies and misdemeanors ranging from disorderly conduct to riot.

On Feb. 3, 11 of those arrested were released after the States Attorney failed to prosecute, apparently lacking sufficient evidence. Two others pleaded guilty to disorderly conduct and were placed on probation.

* * *

Judge Prendergast granted Olugbala permission to wear his filaa (African headpiece) based on the SOUL School's director's pre-trial explanation that the wearing of the filaa was part of his religious belief in "Ujamaa."

Judge Prendergast — "I understand that you wear the Filaa as part of your religious beliefs, Mr. McMillan."

Olugbala — "My name is Olugbala, and I wear my Filaa because I believe in Ujamaa, U-J-M-A-A."

OLUGBALA, director of the SOUL school is standing trial in connection with the June K-9 dog bite incident.

Judge Prendergast — 'Eh . . . Do you wear it in all public places?"

Olugbala — "Yes, I wear it in other public places because under the Constitution of the United States, people are supposed to have freedom of expression . . ."

Judge Prendergast — "What is this religion?"

Olugbala — "Ujamaa is an African religion which teaches people to share equally in all wealth. Under Ujamaa . . ."

Judge Prendergast — "I don't want to go into that. I will respect your religious beliefs, If his is your firm .YOUR . FIRM beliefs. You may wear the Filaa."

* * *

Afterwards, attorneys for the two defendants, Larry Gibson and Gerald Smith, offered motions for the dismissal of the cases on the grounds that the State had failed to present evidence of the commitment of crimes as stated in the indictments.

Gibson quickly pointed out that under the laws of Maryland, there was no such charge as "attempting to incite a riot." In upholding his position, he stated, "an analogy of that would be to charge a person with attempted perjury or attempting to be drunk. You either perjure yourself or you don't; you either are drunk or you aren't."

Furthermore, the youthful lawyer asked that the charges be dropped because the second count of two indictments read: "Incite a riot."

He argued that there was no such charge and that the indictments should have read: "Incite to riot." Further, Mr. Gibson motioned for "discovery of evidence" explaining that the police department had tape-recordings of the events at Western during the demonstration.

In rebuttal to the defense motions, Deputy States Attorney George Orlinsky, stated, first, that all evidence available to the prosecution had been seen by the defense, and that they knew nothing of the alleged recordings.

Secondly, the prosecutor requested that the charge of "attempting to incite a riot" be made "nolle pros' (dismissed), and third, he motioned for an amendment to the indictment, which read: "Incite a riot,' to read, "Incite to riot."

The judge granted the amendments, despite the objection of Gibson, who stated, "your honor, the defendants have pleaded, and I feel that the amendments place my clients in double jeopardy."

As to the other motions, Judge Prendergast said, "I cannot and will not rule on the motions at this time."

In attendance at the trial were top-ranking members of the police department, including Maj. Clarence Roy, involved in handling the recent student rebellion. In addition, court "decorum" was upheld as court-house guards walked through the aisles hunting for anyone found slumping, sleeping, talking, or taking notes; anyone other than reporters.

Once the motions were pidgeonholed, the business of selecting a jury got underyway. Approximately 90 men and women of both races filed into the courtroom. The jury selection procedure resulted in six blacks and six whites being designated to hear the case; in addition, two alternates, both black were selected.

The first witness for the state, after prosecutor Orlinsky made his opening remarks to the jury, was Officer James Mitchell.

* * *

Mitchell, a 13 and a half year veteran of the department told the court what he heard and observed during the July incident. In brief, Officer Mitchell said that he had observed Olugbala talking to a crowd with a bullhorn and that literature was being handed out by several other people.

He further testified that he could not remember exactly what Olugbala was saying on the bullhorn and that, "they weren't creating any disturbance so I couldn't see arresting them at that time."

In addition, he asserted that rocks and bottles were thrown at police officers from unknown persons in the crowd.

Under direct cross-examination, it was revealed that the policeman had conferred with Colonel Joseph Battalgia about the case, but, he said he was not able to recall what was said during the conversation.

Furthermore, under questioning by Gerald Smith, the officer stated that the most serious thing that happened that day was the throwing of the rocks and bottles. However, the lawyer pointed out that in filing his report, the officer had failed to mention it.

The next witness, a Lt. William McCarthy, an 18-year veteran of the force, said that he neither saw nor heard anything in reference to violence, but "I felt that it was necessary to place ten men around the station house for security. it was a warm night and people were out in the streets."

The lieutenant also stated that as far as he knew, the reasons the 12 people were arrested was because of their refusal to leave the stationhouse after being warned by Col. Battalgia. The trial is expected to resume today.

AFRO MARCH 17, 1970

K-9 trial now in second week

In the continuing trial of Olugbala (Benjamin McMillan) and Lee Uhuru (Ulysees Bagwell) in Part 1 of Criminal Court, it was revealed by Detective Elmer Moore Monday that an "office,' had been set-up across the street from S.O.U.L School and that pictures were taken.

Both Olugbala and Lee Uhuru are standing trial on charges of disorderly conduct, riot, inciting to riot, and conspiracy, stemming from last July's demonstrations in front of Western District Police Station protesting th June attack on several residents of the 2000 block Edmondson Ave. by a K-9 dog.

Detective Moore, who was assigned to the Inspectional Services Division at the time of the demonstrations, brought with him, tape-recording of the speeches made at the second demonstration July 9. 9.

Due to the poor acoustics of the courtroom, the two-hour tape was heard in the small grand-jury room, adjacent to the court. Several speakers, including the defendants, could be heard on the tape, but none of the speakers advocated using violence at Western or attacking policemen.

For the most part, the speeches dwelled on the "K-9" incident and demanded that officer Alvin Nachman, in charge of the attacking dog, face charges of assault with intent to murder. Prior to Detective Moore's testimony, high-ranking members of the police department appeared as witnesses for the state. They included Colonel Joseph Battalgia, Major Wilbur C. Miller, and Western District Commander Captain Dennis P. Mello.

Captain Mell. who took charge of Western in Oct. 1965, repeated under criss-examination, "I was all over the place." He testified that he was alerted at home of the demonstrations but was unable to identify his caller.

He further recalled that when he arrived there were about "10 or 15 men blocking the exit."

"I asked them, 'gentlemen may I speak to your representative of the group, they said, We are the representatives,'" Mello stated.

He added that he was familiar with "Mr. McMillan" and admitted that the S.O.U.L School had been critical of him, but went on to say, "We respect the S.O.U.L School."

A contradiction developed in the testimony of Major Miller, who said that he had heard Olugbala use the words "guns" and "kill the pigs."

"I distincly heard the words 'guns being used and 'kill the pigs,'" stated Miller.

His testimony was in direct conflict with the tape-recording of Olubala's speech, presented as evidence by Det. Moore. Funthermore, despite testimony by ohter officers that a policeman was stationed on the roof of the stationhouse with a shotgun, Major Miller could not remember if one was there or not.

"I can only say what the colonel told me," said the Major who also admitted that pictures of members of S.O.U.L School had been posted prior to the demonstrations, in the "roll-call room" of Western.

The jury of six whites and six blacks has been listening to testimony since last Tuesday, and testimony is expected to continue all this week with witnesses for the defense expected to appear.

APR
MARCH 21, 1970

K9 trial hears police indictment

"The name, Benjamin McMillan, I reject that; I'm not Scottish or Irish, I'm African. McMillian, that was the man that bought slaves. Whenever white and black people meet, there is a conflict of culture."

The electric atmosphere in Part I of Criminal Court was intensified Wednesday and Thursday, when Olugbala took the stand for the first time, in the long, two-week hearing on the K-9 dog case, which in reality is a trial of Olugbala and Lee Uhuru.

Both the S.O.U.L. School director and member are standing trial on charges of disorderly conduct, riot, inciting to riot, and conspiracy stemming from the July, 1969 demonstrations in front of Western District Police Station protesting the attack by a "K-9" dog on several residents, on Edmondson Ave.

Recounting the events which led up to the demonstrations, Olugbala told of the meeting that he and other members of the S.O.U.L. School had with Commissioner Donald Pomerleau.

"When we met with him, we presented three demands. First, we told him that we wanted Officer Alvin Nachman fired; we wanted him charged with assault with intent to murder, and we wanted the police dogs taken off the streets. Commissioner Pomerleau told me that I couldn't demand anything, and that if I went out and said one word over a microphone or bullhorn, I would be arrested."

Olugbala further testified that the police chief's statements and attitude increased his determination to "educate black people" about the dog-bite incident.

* * *

Olugbala's attorneys, Larry Gibson and Gerald Smith, maintaining that the police were biased against their client, asked Olugbala questions about those officers who testified against him.

Starting with Western District Capt. Dennis Mell, who had earlier denied under direct cross-examination, that the S.O.U.L. School had approached him about getting rid of the drugs in the area, Olugbala shouted: "Captain Mello lied."

The S.O.U.L. School leader testified that he had talked with Capt. Mello on numerous occasions about removing the drugs out of the black community and had even told him about a "syrup house two blocks from the station."

He further asserted that, "Mello wasn't doing anything for the community" and that a "white lieutenant" actually ran the district.

The defendant further testified "You have the most corrupt police department in the country and I'm going to see if I can't get States Attorney Charles Moylan and Commissioner Pomerleau indicted the same way that it was done in Newark."

The defendant was referring to the recent Federal Grand Jury indictments against high public officials in the N. J. town.

Denouncing the Internal Investigation Division, the militant said that he had taken countless complaints about police misconduct to the division, "but nothing was ever done about them, except for the times that I was arrested for allegedly filing a false report."

Asked to elaborate on what was meant by "community control of the police," Olugbala replied: "People who live in the community should have the right to hire, fire, and supervise the police in the area. If a policeman abuses a person in that community, he should be punished."

"Explain what you mean by punished," asked the lawyer.

"It is up to the community to decide what shall be done," Olugbala answered.

The defendant also pointed out that police intimidation, harassment, and violence had plagued S.O.U.L. School since its founding in March, 1968.

* * *

Prior to Olugbala's testimony, Attorney Gerald Smith, had moved for dismissal of the charges, basing the motion on the admission by police officers that 40 negatives of pictures taken on July 3 and the tape recordings of that date, had been destroyed.

He charged that Detective Elmer Moore, of the Inspectional Services Division had earlier testified that a tape made on the third could not be produced in court because it was inaudible.

"We attempted to record the speeches, but there was a malfunction in the audio control," he stated at the time.

However, another officer in the same division said, on the witness stand, that certain parts of that tape was clear and certain parts were not.

The lawyer argued that the destruction of the evidence, which was in the exclusive control of the police, was evidence that was favorable to his clients.

Furthermore, by destroying the evidence, according to the lawyer, the state damaged his client's case, making it impossible for them to get a fair trial.

This motion, including a motion for a "Judgement of Acquittal" were denied by Judge J. Gilbert Prendergast, who is hearing the case with a jury of six blacks and six white persons.

Court was adjourned until 10 a.m. Monday, after Judge Prendergast annocnced that he would not be in court today, (Friday) due to a meeting of the Rules Committee of the Supreme Bench.

BALTIMORE, MD., MARCH 24, 1970

POLICE, SPECTATORS CLASH

Fist Fight Disrupts K-9 Trial

T.V. films shown; case goes to jury

By WILLARD DIXON

Testimony ended Monday and both the defense and prosecution rested their cases in the "K-9" trial of Olugbala (Benjamin McMillan), 38 and Lee Uhuru (Ulysses Bagwell).

Both defendants, on trial since Tuesday, March 17, are charged with riot, disorderly conduct, inciting to riot, and conspiracy. Their case stems from the demonstrations staged in front of Western District Police Station on July 3 and 9 protesting the attack June 15 of last year on a black woman by a police dog. Police claim demonstrators broke the glass doors of western police station July 9.

The defense's last witness, Lee Uhuru, 19, testified that on July 3 he and several other persons went with Olugbala to the vicinity of the attack, in the 2000 block Edmondson Ave., "educating" community people about the dog-bite incident.

"Olugbala would stop at corners and he would state what had happened to Mrs. Helen Smith and he would state the three demands."

He added that Olugbala left and returned to the SOUL school to get literature to distribute saying he would meet them at Western District.

Chairman of the Black Student Union at the time, Uhuru said that he and other members continued in the general direction of the police station, but that he was not sure of the exact location of Western.

"We got into the 700 block Mount St. and we were collecting children and we couldn't actually turn them back; we told them to go back, but they didn't seem to listen."

When asked if any profanity or term "pigs" was used over the bullhorn in front of Western, Uhuru said that Black Student Union rules prohibited the use of profanity and derogatory terms.

"We refrain from the use of the word pig. It creates tension between the B.S.U. and the black community," he explained.

Describing the events which led to the arrest, Uhuru testified that traditional African culture dictated that the elders would take command of a situation, and that when Olugbala came back to Western he took the bullhorn and began to speak.

After being told to disperse, according to Uhuru, everyone left the stationhouse "immediately" and went to Mosher St. where the matter was discussed and everyone felt that they had "a constitutional right to be there and protest."

* * *

Returning to the station, he said that Olugbala got back on the bullhorn and a short time later Colonel Battalgia came over. He said that he overheard Battalgia, Chief of Patrol Division, state: "That's it, lock them up."

"Box Harris (Major William Harris) pointed to me, Kenya, and California and we were arrested. We didn't know what for, but we didn't offer any resistance, we got in the patrol wagon," he asserted.

After being released, he said he attended a meeting of the Black United Front that day, but left as City Solicitor, George Russell spoke.

He was arrested again on July 9th in front of the SOUL School. Uhuru stated; "I was talking to the people and telling them what the police had said about the dog being unmanageable. I was asking the community, why didn't the officer shoot the dog if it was unmanageable."

He added; "a policeman tapped on the car window and told me to stop talking. Since I wasn't doing nothing, I just looked at him. He tapped on the window again and said, 'stop talking.' Then he just opened the door and grabbed me out the door."

* * *

Also on the witness stand, Monday, was a cameraman from one of the local T.V. stations, who had shot different scenes during the demonstration at Western.

George Ward testified that the film depicted portions of the demonstration at Western. The film was then shown to the jury and during the filming, scenes were shown of Olugbala walking the street, talking

on the bullhorn. Very short, the film also showed Major William Harris, standing on the stairs of the police station, talking through the bullhorn owned by the police.

Another segment of the film, then depicted Major Harris and Major Wilbur C. Miller walking across the street to were Olugbala and and others were standing. It showed Major Harris saying something to Olugbala, Olugbala responding, and then Major Miller along with another officer dressed in riot gear, making the arrest.

In addition, clippings showed Kenya (Robert Harper) and Donald "California" Gaither were observed being frisked.

The crowd did not appear to be large, but only a few residents and a number of children.

After rebuttal witness for the state, Officer Vernon Townsend, of Inspectional Service testified as to the breaking of the window at Western, both sides rested their cases in preparation for final summations.

"This is the most shameful spectacle of deceit in law enforcement I have every seen," stated attorney Larry Gibson, who argued the defense's final remarks.

He pointed out what he called contradiction in the testimony of several police officers, stating that in none of the reports made out on the incident was there every any mention of bricks and bottles being thrown as several officers had testified on the stand.

* * *

He said that both Major Wilbur Miller and Col. Battalgia stated that they had made out separate and independent reports several days later, but when entered as evidence, both reports were identical.

Mr. Gibson said that conflicting testimony developed when Detective Elmer Moore, Inspectional Services, stated that tape-recordings on the 3rd of July were not made because of a malfunction in the "audio control," but Officer Brown of the same division said that a tape had been made although certain parts were not clear.

In addition, Mr. Gibson said that "all the evidence they (police) had gathered on the third was destroyed, by the police's own admission."

Defending the right of "free speech" he argued, "they were doing something they had the right to do, you have the right to do, and it will be a sad day in this country when we no longer have that right."

Attacking the police, the lawyer stated, "this kind of law-enforcement on the part of our police is a threat to this government."

He asked that the jury take into consideration the testimony of Mr. Yusef Ahmad, an officer with the Maryland State Human Relations Commission, who also filed a written report of the entire demonstrations and aftermath.

Summing up, Attorney Gibson repeated his charge that the police were the perpetrators of the entire incident and saw an opportunity to "get people who were needling them, off the streets."

* * *

Briefly, the States Attorney, George Orlinsky, based his case on the demonstrations that took place two years ago in Patterson Park. The incident which he referred to involved a rally sponsored by the National States Rights Party (a white-supremacy group), in which several black people were beaten up after the rally was over.

"Will we wait for another Lynch case to develop. I hope we have come a long way since Lynch."

JET
March 24, 1970

Arrest In Court Marks Trial Of 2 Riot Suspects

By GEORGE J. HILTNER

The protracted trial of two Soul School members was marked yesterday by the arrest of a defense sympathizer on charges of assaulting two courtroom officers who attempted to get him to observe courtroom decorum.

The two men on trial are accused of inciting a riot last July during demonstrations in front of the Western district police station held to protest the biting of a woman by a police dog.

They are Ben McMillan, 37, also known as Olugaba Olugbala, of the 1200 block of Mulberry street, and Ulysses Bagwell, 19, also known as Uwey Zo Uhuri, of the 400 block of Mount Holly street.

Judge J. Gilbert Prendergast will charge the jurors this morning before they retire to consider the verdict.

Purcell Christian, also known as Ali, allegedly refused to stand along with other spectators when Judge Prendergast left the bench for the noon recess yesterday.

Mr. Christian was later charged with assaulting Stanley Jastrzemski, a courthous security guard, and with attempting to strike Boyd Chriscoe, a deputy sheriff, when the two officials attempted to get him to stand. He also was charged with disorderly conduct.

K-9 trial 'perjury' may bring police indictments

MAR 28, 1970

Olugbala, (Benjamin McMillan) a director of the SOUL School, announced yesterday, that he intends to ask the States Attorney's Office to indict Police Colonel, Joseph Battaglia, and other policemen for committing "perjury" in testimony during the recent K-9 demonstrations trial this week.

Olugbala said that if the States Attorney, Charles Moylan refused to indict Colonel Battalgia, his next step would be to go directly to the Grand Jury and ask that they return indictments against him. His attorney, Harry Gibson, said that if the Grand Jury will not return indictments it is possible that Olugbala's charges against the police can go to the Federal Court.

Olugbala along with Lee Uhuru were freed Tuesday evening from charges of inciting to riot, riot, disorderly conduct, and conspiracy to incite a riot, stemming from demonstrations on July 3 and 9 of last year in front of Western District Police Station.

They, along with 13 other members were protesting the attack by a police dog and his handler, former officer Alvin Nachman, on several black residents of the 2000 block Edmondson Ave.

Two of the victims, Mrs. Helen Smith and Mr. Donald Best required a total of "107 stitches" to close wounds inflicted by the attack.

A mixture of joy and sadness ended the two-and-a-half week "K-9" trial of Olugbala and Lee Uhuru. At approximately 7:29 Tuesday evening, in Part I Criminal Court, a mixed jury of six whites and six blacks returned verdicts of innocent on five counts of two indictments charging the defendants with inciting to riot and conspiracy to incite a riot.

Another indictment, accusing the two men of the same charge resulted in innocent verdicts on two counts and a hung jury on one count of inciting to riot on July last year at Western District.

Jubilation followed the rendering of the verdicts, but was soon disspelled as States Attorney, George Orlinsky, the loser in the case, informed Judge Prendergast that there was a "capias" from the Sheriff's office for Lee Uhuru.

Lee Uhuru, 19, and a member of SOUL School was out on bail for attempted arson and possession of a molotov cocktail in connection with the alleged fire bombing attempt of an employment agency located on Dolphin Ave. Information has it that the States Attorney asked that the bail set in municipal court be revoked, and instead, recommended no bail.

Supporters of both Olugbala and Uhuru watched in stunned silence as Supreme Bench Guards and Sheriff's Deputies surrounded the youth, handcuffed him, and led him out of the court. One eager deputy sheriff was heard to say, "What about McMillan, does he go too?"

"No," stated another.

Jury deliberations on the case was temporarily halted when they sent a question to the trial judge, J. Gilbert Prendergast. Court was reconvened and the question, read by Judge Prendergast, was whether on not the jury had to agree on all counts of the indictments before a verdict could be returned.

The judge instructed them that this was not necessary. He then asked them could they possibly reach agreement of all counts, and the foreman of the jury replied, "No, I don't think so." The jury then retired again to attempt to hammer out a solution.

* * *

The trial was highlighted by several incidents in the courtroom itself. The most recent one occurred when Ali Shabazz (Purcell Christian) was arrested for fighting Supreme Bench guards, who attempted to hold him for contempt of court for allegedly refusing to stand when the court clerk gave the order, "All rise."

It is customary practice in courts of law for everyone to stand during the entrance and exiting of the judges. There is no formal law requiring people to stand, but the judge of that court has the prerogative to hold anyone not standing, in contempt of court.

* * *

Prior to the fist fight, Judge Prendergast had warned a young housewife that if she didn't stand up in court when ordered to do so, she would be barred from the court-room.

When the young woman asked the judge why she was required to stand and was there a law making it mandatory, Judge Prendergast, obviously angry, demanded to know whether or not she would stand up in court.

"Will you give me a reason why I have to stand up?" she asked. "I ask you again, are you going to stand up in court?" Judge Prendergast demanded to know. Finally, the spectator said that she would stand, but never returned to court.

Many spectators were "frisked" by the sheriff's deputies allegedly because Judge Prendergast had been threatened. It was confirmed that the judge was under heavy police protection.

Before the jury retired, Judge Prendergast "delivered his charge" to the jury, defining for them the legal definition of the charges against the two defendants, briefly outlining the arguments of both the defense and the prosecution, and cautioning them that the law requires a degree of "certainty" as to the innocence or guilt of the accused, before a verdict is returned.

With those set of instructions, along with a tape-recording and a film of the demonstrations at Western, the jury marched off to the jury room and began their long (7 hours 45 minutes) deliberations of the case.

After not guilty verdicts were rendered on all counts with the exception of the first count, Inciting to Riot, on the second indictment, Deputy States Attorney, George Orlinsky, told the APRO that he intended to re-indict the two defendants on that count.

News-American Mar 25, 1970

Hung Jury In Riot Case

Two men who used bullhorns to address a demonstrating crowd in front of Western Police Station last July were acquitted of all but one charge of inciting riot on that a mistrial was declared.

Innocent verdicts were returned for Ben McMillan, 37, alias Olugaba Olugbala, of the 1200 block Mulberry St., and Ulysses Bagwell, 19, alias Uwey Zo Uhuri, of Mt. Holly St. Both were identified as members of the Soul School.

Judge J. Gilbert Prendergast declared a mistrial on a charge of inciting to riot July 9, the date of a second demonstration at the police station, after a woman was bitten by a police dog. The panel of six white and six black jurors was unable to agree on a verdict.

Bagwell was re-arrested after the verdict on charges of attempted arson and possession of a Molotov cocktail. George J. Helinski, deputy state's attorney, said he believed the new charges against Bagwell involved an incident on Pennsylvania Ave. a few weeks ago.

News-American April 21, 1970

Judge Shows Leniency In Police Dog Protest

Two high school boys involved in a demonstration last summer protesting police dogs in the inner city have been placed on probation without verdict.

Although the teenagers pleaded guilty to disorderly conduct charges, Supreme Bench Judge Solomon Liss decided against convicting the pair because neither has a criminal record, both do well in school and plan to attend college.

The defendants, Robert E. Daughton Jr., 18, and Frederic Gilks, 17, were ordered to pay $160 to cover the cost of replacing a glass door broken during their scuffle with police.

The pair were arrested July 9 at the culmination of a series of demonstrations in front of the Western District Police station. The demonstrations protested the use of police dogs in black neighborhoods and were sparked when a German shepherd bit a Negro woman, requiring hospitalization.

After studying detailed Probation Department reports, Judge Liss said he thought the boys were "used by older, more sophisticated people." He told them that equal rights should be achieved by reason, not violence.

Daughton, who lives in the 3900 block Greenmount Ave., is a senior at Baltimore City College and a former member of the varsity cross-country team.

Gilks, son of Dr. Evan A. Gilks of the 3300 block Powhatan Ave., attends Calvert Adult Educational Center.

Related charges against 11 other persons have been dropped. Two others, Ben MacMillan and Ulysses Bagwell, stood trial and were found innocent of riot charges by a jury.

The News American
Tuesday, Dec. 29, 1970 ★ 1

Allen Names

Cardin His Deputy

Selects 63 Assistants; Exchange Jobs Monday

Milton B. Allen, who assumes office Monday as state's attorney of Baltimore, has appointed outgoing State's Attorney Howard L. Cardin his deputy.

HOWARD L. CARDIN
. . . to be deputy.

Allen has notified the judges of the Supreme Bench of the appointment of Cardin and 63 assistant state's attorneys, most of them holdovers from Cardin's staff.

It will be merely an exchange of positions for the pair. Allen is currently the deputy state's attorney.

ALTHOUGH THEY were rivals in the Democratic primary election last September, they have functioned as a team in the state's attorney's office for the past month and a half.

Immediately after the November general election, Cardin appointed Allen deputy state's attorney to familiarize him with the administration of the office.

Allen, 52, a veteran trial attorney who has long specialized in criminal law, will be Baltimore's first Negro state's attorney.

CARDIN, 30, became state's attorney last July under circumstances which caused such controversy that his hopes for election to the office were doomed.

He was an assistant prosecutor until the Supreme Bench promoted him to state's attorney to replace Charles E. Moylan Jr., who assumed a judgeship on the Maryland Court of Special Appeals.

Cardin comes from a poiltically-powerful family and his father is a judge of the Supreme Bench, which rejected the tradition of elevating the deputy state's attorney — then George J. Helinski — to the top office.

THE CARDIN appointment as state's attorney was attacked as a political move, but he entered the Democratic primary election with strong financial and organizational support.

However, he could not recover from the public controversy over his appointment to the office, and he ran third in the primary election behind both Allen and Helinski.

Since the general election, Cardin and Allen have been working together to improve the efficiency of the office, speed the trial machinery and reduce the backlog of cases.

CARDIN SAID today that as deputy, he will "be able to work well with Mr. Allen.

"I agree with most of his policies and philosophies and I think we can work well together," he said.

Among the 63 full-time assistants, the following are newly appointed: Michael S. Libowitz, T. Paul Cocoros, Thomas F. Howard, Walter T. Seidel, H. Gary Bass, Devy J. Bendit, Michael S. Glushakow, Alex Rothenberg, C. Raymond Hartz, Jerome W. Taylor, A. Lamar Benson, and Rodney M. Watts.

THE EVENING SUN

BALTIMORE, TUESDAY, DECEMBER 29, 1970

Strange Appointment

Milton B. Allen, not yet sworn in as the new state's attorney, has taken the puzzling and far from reassuring step of restoring Howard L. Cardin to official life as his deputy prosecutor. Mr. Cardin is best known to Baltimoreans as the man who, when he sought the state's attorney's job for himself, staged a campaign so shot with maneuver and political power plays that the legal profession was shocked and that Democratic voters knocked him down not to second place but to third place in their party primary. At that time, Mr. Allen wore the cloak of political rescuer and went on to victory in the general election. Now, suddenly reaching back for Mr. Cardin, he seems to be treating the prosecutor's office as a political chess table after all.

Whatever can Mr. Allen be up to?

A hope merely to heal wounds after a hard election season would have made at least a reasonable motive: to that end, the most constructive appointment would have been that of George J. Helinski, who had been deputy before and who was just nosed out by Mr. Allen for the Democratic nomination. But that is not the way Mr. Allen turned. Mr. Helinski is a relatively non-political figure; Mr. Cardin is the scion of a political family rich in connections which run through the state Democratic hierarchy up to Governor Mandel. A supposition hard to down in the Court House is that Mr. Allen has larger plans for his own future and that, by embracing the Cardin family, he is laying the political groundwork betimes.

What makes all this disquieting is the danger that the prosecutor's office, an essential link in the Baltimore tradition of non-political justice, may be laid open to influences other than legal. Other city offices—Mayor, City Council and the like—are frankly and probably inescapably political. The courts and the state's attorney's office are special, or should be if Baltimoreans are to preserve their confidence that justice here is a clear matter of guilt or innocence—not of whom you know where. Mr. Allen and, for that matter, Mr. Cardin are quite aware of this distinction and are competent to maintain it if they choose. The pity is that different, less comforting possibilities arise at all.

Court Corruption Alleged In County

By Gerald Parshall

[Baltimore County Bureau]

The chairman of the Baltimore county Human Relations Commission urged today that Governor Mandel consider removing some county magistrates from office, citing allegations of corruption and "political manipulation' 'in the county's lower courts.

"The magistrate court is so subject to political manipulation that there isn't any respect for it. It makes people contemptuous of law and order," Thomas D. Dawes, the chairman, declared.

Telegram Sent

Mr. Dawes made the comments in explaining a telegram he sent yesterday to Governor Mandel calling for an investigation of "malfeasance in the magistrate courts of Baltimore county."

The telegram stated: "Urgent that you meet with citizens, both black and white, who feel justice is not possible in the magistrate courts."

Mr. Dawes said he asked the Governor to meet as soon as possible with citizens who have complained about alleged corruption to commission members.

The chairman said the commission heard such complaints at a meeting in Dundalk attended by about 100 people earlier this week. Another such

[Continued, Page C 3, Col. 4]

Human Relations Leader Claims Courts Corrupt

[Continued From Page C 28]

meeting will be held in Dundalk May 13, he said.

"We want to get as many people ready as possible to tell their stories to the Governor. We ought to be able to come up with at least a dozen cases," Mr. Dawes said.

Mr. Dawes said the allegations focused on the Dundalk Magistrate Court but he hoped the Governor would investigate magistrate courts throughout the county.

Asked about the allegations of malfeasance, Louis DePazzo, the Dundalk magistrate, said he had "no idea what he's talking about."

No Comment

Fred E. Waldrop, Towson magistrate and chairman of the county magistrates, said he had "no comment whatsoever" on Mr. Dawes's statements or his request for an investigation.

"The whole judicial system is in disrepute at the local level," Mr. Dawes charged. "The people feel that you can't get justice unless you know somebody or unless you can pay. If you lack funds or you're black, they'll sock it to you."

An *Evening Sun* survey published earlier this month showed that the rate of dismissals of drunken driving cases in the Baltimore county magistrates courts was three times state and national averages last year.

Criminal Cases

However, Mr. Dawes said most of the complaints to the commission so far have concerned the magistrate courts' handling of criminal rather than traffic cases.

"The police are frustrated in carrying out their duties because of the way the courts are functioning. . . . It's very frustrating to the police when the people they bring in are set free time after time," he said.

Mr. Dawes said he complained to Samuel A. Green, Jr., the Baltimore county state's attorney, about the Dundalk magistrate court's handling of two recent cases.

"Sam said, 'Take it to the Governor. He appoints the magistrates,'" the commission chairman said. "In a sense what we're doing now is following his (Mr. Green's) advice."

Political Problem

He said he recognized an investigation such as the one he has proposed would present "practical" problems in an election year.

"Politically, it's tough for Sam Green or the Governor to get too reform-minded about what goes on in solidly Democratic areas, but I think they've got to do it regardless. People are just fed up with this system."

Magistrates are appointed by the Governor to two-year terms on the recommendation of local senators. The part-time posts pay only $2,500 to $5,400, but traditionally have been much coveted by party regulars.

AFRO MAY 16, 1970

INCORPORATED — The Whitmore Rifle and Pistol Club, affiliated with the Associated Gun Clubs of Baltimore, was incorporated last week by Atty. Larry S. Gibson. Seated from left are Jerome Brooks, chief instructor; Moses J. Newson, secretary; Lester McCrea, president; and Mr. Gibson, who presents seal. Other members of the target shooting club on hand for the ceremony were, standing from left: Samuel G. Hill executive officer; Coleman Howard, Irving Cooper, Wiliam Hightower, Mack Flood treasurer; Jeffrey Brooks, vice president; Leon and I. Henry Phillips Sr.

June 2, 1970

Morgan students to appeal demonstration convictions

An ice cream truck vendor and five Morgan State College students were convicted of disorderly conduct in Southwestern Police Station Friday.

Three other persons, including a Morgan student, were found not guilty.

Judge Jerome Robinson imposed fines following a four-hour hearing. Charges of disorderly conduct had been filed by police after a May 15 campus demonstration.

Some 200 Morgan students had staged a campus protest which tied up traffic in the area of Hillen Rd., and Cold Spring Lane, as part of the nationwide campus protest of killings of two Jackson, Miss. State College Students.

* * *

The students convicted were:

Melvin Butler, Morgan senior, 5500 block Cadillac Ave., $25 and costs

Joseph Pearson, Morgan junior, $10 and cost

George Stokes, Morgan junior, $25 and costs

Wilbert Simms, Morgan freshman, $25 and cost

Ronald Barrett, Morgan senior from New York City, $25 and costs.

Glenn Granger, Good Humor driver of the 600 block Hillview Rd., was also found guilty and fined $75 and costs.

* * *

Those found innocent were:

John Carter, insurance salesman of 2405 Loyola Northway.

Cecil Flamer, a public accountant of 1621 E. Cold Spring La.

Earl Coles, a Morgan student from New York City.

* * *

Testimony was that Mr. Granger drove his truck up to the students who were demonstrating at the Cold Spring and Hillen Road intersection.

Police charged he stalled his truck on purpose, but he contended his car was legitimately stalled.

Judge Robinson fined him on the disorderly conduct charge.

* * *

The hearing was taken up with charges of police brutality by defendants and other student witnesses. They contended police did not ask the demonstrators to move but charged in and used mace and sticks.

Judge Robinson ruled such contentions should not be raised during the police court hearing. He told Larry Gibson, attorney for the students, the courtroom was not the proper forum.

Mr. Gibson told the AFRO after the hearing he would appeal the convictions.

TALKING IT OVER outside courthouse are students arrested during Morgan State College demonstration with their attorney, Larry Gibson, left. Tried at Southeastern Police Station, the students were found guilty of some charges and acquitted on others. They say they will appeal from the guilty verdicts. Those in photo are Joseph Pearson, Melvin Butler and Ronald Barrett.

Student faces charges after tilt with police

A 21-year-old math major at the University of Maryland will be tried April 24 in Bowie, Md., for interferring with a Hyattsville policeman, following student protests.

The accused student, Christ Young, sustained broken arm by a policeman's club in the scuffle which led to his arrest on March 22.

Mr. Young explained to the AFRO his version of the incident "I was leaving the police station in Hyattsville when suddenly a policeman rushed up the steps that I had just walked up with several other people. I asked him "What the hell' going on' and then he started to beat me with his club.

"Later on in the jail cell I saw the swelling in the arm and asked that they take me to a hospital. At the hospital it was discovered that my arm was broken."

Besides the aformentioned comment to the officer, Mr. Young denies saying or doing anything else to the policeman.

The officer involved in the incident was not available for comment. However, Mr. Young is still being charged with interferring with an officer.

The situationwhich led to Mr. Young's arrest is a complicated series of events which started late on Saturday, March 21.

That evening, according to Black Student Union officals, five BSU members at the University of Maryland left a dance en route to the "Pizza Hut," a food service which caters to college students.

Leaving the Pizza Shop on Route 1 the party-goers tell the AFRO that they were nearly run over by a car of six white boys; who the BSU identified as University of Maryland students.

The 1963 convertible sped off the adjacent highway and curved closest to Malick Irving, according to the passengers in the BSU vehicle.

Questioning the driver regarding the student's narrow escape, Mr. Irving and Karl Wyatt were invited to "do something about it.

A fight broke out among the students while about 10 other white boys left their cars to join in the scuffle, says the BSU representatives.

When the police came both sides decided that they didn't want to press charges, but several BSU members were reportedly upset because the white students were allowed to go free while they were still being interrogated.

In the heat of the argument Sheila Parker, one of the passengers in the BSU car, placed in an arm lock, reports that "Audrey Randall (another BSU member was snatched from her car, and thrown into the county police auto."

During the following hassle Karl Wyatt was also arrested even though he claims he was doing nothing to warrant this action.

Both were charged with disorderly conduct and placed on $107 collateral. Wyatt reports to the AFRO that they were not allowed to make a phone call and were not told of their rights.

Later in the evening nine representatives from the BSU came to the station to see if they could help their comrades. They were told by police that the two arrested persons could not be released on collateral because they had not given their names, reports Chris Young.

At this time the police asked seven of the leaders to leave because they belived it "didn't take that many people to get this straightened out," saya Malik Irving.

When the seven students went to leave the station, the incident concerning Chris Young's arm occurred according to the young man. Mr. Young can't recall anything that was said

(Continued on Page 21)

-Student faces

Students faces charges

or done to precipitate the officer beating him with the club. Eventually the two other students were released.

Larry Gilmon, Baltimore attorney, represents Mr Young.

Firm Ordered To Stop Bolton Hill Rentals

By THEODORE W. HENDRICKS

A federal judge yesterday enjoined Pierre C. Dugan and Nephew Realtors from renting any one-bedroom apartments in Bolton Hill after a suit alleging illegal bias against Negro tenants was filed.

No Hearing Date Set

Judge R. Dorsey Watkins signed the temporary injunction against the Dugan firm and Mrs. Mary Rich Robertson, an agent, preventing them from executing leases until the charges are heard by the Federal Court.

Suit was filed under the Civil Rights Act which bars discrimination in renting apartments based on race or color. No date was set for a hearing.

According to the complaint, two specific apartment houses were designated in the injuction —those at 1315 and 1731 Park avenue—as well as the Bolton Hill area generally. This area was defined as bounded on the north by North avenue, Mount Royal avenue on the east, Lanvale street on the south and Linden avenue on the west.

Charges of discrimination in the renting of apartments were made against the Dugan firm by William G. Harris, a probation officer. He was assisted by Baltimore Neighborhoods, Inc.

Mr. Harris stated that he answered a newspaper advertisement for an apartment in the Bolton Hill area on December 13 by calling Mrs. Robertson to make an appointment.

According to Mr. Harris, he

(Continued, Page B 5, Col. 6)

Firm Enjoined From Renting In Bolton Hill

(Continued from Page B 16)

was told a one-bedroom apartment was available for $100 to $110 a month but he failed to get an appointment to see it.

After waiting a day, Mr. Harris asked a woman co-worker to call and she was immediately given an appointment to see the apartment at the address he had inquired about, the suit states.

Mr. Harris, a Negro, said he accompanied the co-worker, Mrs. Stacia Hilder, a white woman, to see Mrs. Robertson about the apartment.

Since he was not interested in renting this apartment, Mr. Harris said that inquiries were made about other buildings but Mrs. Robertson discouraged him from looking at them.

Mr. Harris said that he called Mr. Dugan to report on his conversations with the real-estate agent and was told he would be considered at a later date.

In affidavits filed by Larry S. Gibson, attorney, two investigators for Baltimore Neighborhoods, Inc. indicated they had no difficulty viewing apartments and getting dates when they would be available from Mrs. Robertson.

In asking for a temporary order, Mr. Gibson pleaded that Mr. Harris would not be able to get an apartment in the Bolton Hill area unless the real-estate firm was prevented from renting them to others while the suit is pending.

Besides a temporary order, Mr. Gibson seeks a permanent injunction ordering the Dugan firm to show apartments to Negroes under terms and conditions offered to white citizens generally.

The complaint also asks a total of $1,500 damages, including $500 compensatory damages and $1,000 punative damages.

'UNIQUE ACHIEVEMENT':

CORE Target City approved to build homes

Milton Holmes, president, CORE Target City Project Inc., announced today that the Federal Housing Administration has approved CORE Target City Project Inc. as a nonprofit sponsor for housing development in Baltimore.

Target City Project Inc. is a subsidiary of CORE specifically formed to sponsor non profit housing development.

Mr. Holmes called this an "unique achievement" for a black nationalist organization and is "long overdue."

The Housing and Urban Development Act of 1968 stated specifically that it needs to produce 600,000 houses annually for low and moderate income families.

Today, approximately 100,000 units are produced annually for federally assisted families which is a far cry from the total needed for progressive gains. The administration must place additional emphasis on housing development.

Target City Project Inc. worked with the Project Area Committee, headed by Mrs. Lucille Gorham, to initiate plans for the development of Lot No. 1 in Gay Street Urban Renewal Area.

The lot is bounded by Monument, Madison, Broadway and Bond Streets. The name of the project is CORE Community. CORE is emphasizing quality low cost housing for its people in this project.

* * *

CORE Community will consist of 98 housing units: 70 — 2 bedrooms, 3 story walkup; 18 — 3 bedrooms, 3 stry townhouse; and 10 — 4 bedrooms, 3 story townhouse.

All units will be equipped with air conditioning, range, refrigerator, garbage disposal, and access estimate cost is $1.5 million.

These units will be for rental and sale. Families who were dislocated out of the area will have first preference to either purchase or rent.

Rental cost will be based on income.

The poject team consists of: Weaver Bros. Inc., mortgagee: Collins and

(Continued on Page 23)

--Target City

(Continued from Page 28)

Kronstadt, architectural firm; Thomas P. Harkins, Inc., general contractor; and Larry S Gibson, legal counsel.

Collins and Kronstadt has employed one printing trainee from CORE Target City Youth Program

Thomas P. Harkins, Inc. will utilize Black subcontractors to the maximum extend to increase their bonding capacity. This project will be tied in with a training program for blacks in home improvement and general maintenance.

The project will be black-managed with residential participation.

Members of the local board of directors are: President, Milton Holmes, Project Director, TCYP; Vice President H. Roy Compton, Vice President, AFGE, Local 1923; Vice President, Harry Woods, Vice President, AFGE, Local 1923; Secretary, Ronald Ferguson, Supervisor of Job Training, TCYP; Asst. Secretary, Francis Pullen, Chapter Chairman, CORE; Treasurer, Joseph V. Dixon, Deputy Director, TCYP.

Other members are Haywood Byrant, Proprietor, Byrant's Esso; John W. White, President, Baltimore Branch NAPFE; Melvin

CORE, Model Cities To Air Pact Dispute

News Am Nov 25, 70

By BARBARA BLUM

The Model Cities Agency has been ordered to show cause at a Dec. 3 hearing why it wants to break a contract with the Congress of Racial Equality and award a new one to a group of "renegade" ex-CORE employes.

The national civil rights organization won an injunction barring MCA from terminating its contract until then. MCA had planned to ask the Board of Estimates to approve transfer of the $93,685 contract at this morning's board meeting.

The contract is for the operation of a halfway house on Gay Street for juvenile ex-convicts.

William A. Sykes, MCA director, wrote Roy Innis, CORE national director, on Nov. 12 that it was his agency's intention to contract the people they had worked with in the past and who had set up the house, rather than the national office.

ON OCT. 14 national CORE fired Milton Holmes, precipitating a sympathetic walkout among all his colleagues in the Baltimore Target City job training and halfway house project.

With the aid of attorney Larry Gibson, who CORE says it had retained, Holmes devised a new corporation, independent of CORE, to run the halfway house and sought the mayor's and MCA's approval to run it. The MCA policy steering board approved the contract transfer.

William Murphy, attorney for national CORE, said Tuesday Holmes attended a closed door session and won MCA support before the matter came up at the public meeting.

Holmes was fired because he had set up a corporation to vie with CORE's for operation of Baltimore's Target City youth training projects. This involves from $2 to $3 million in contracts from the Department of Health, Education and Welfare.

GIBSON SAID Holmes took this action because HEW was reluctant to fund CORE, disapproving of its "wasteful overspending for unnecessary things like consultant fees and travel expenses."

CORE brought in its lieutenants from across the country to man Target City offices, although no classes are in session, and to try and regain lost support among city and federal funding authorities.

They also launched an investigation into the cashing of 12 checks from CORE's account after Innis and Victor Solomon, his deputy, signed new signature cards at the bank. The new signature cards, the group claims, gave them sole authority to cash checks.

Murphy said he is awaiting a reply from Maryland National Bank to his request that it refund $20,245.36 in checks drawn by the other group between Oct. 22 and Oct. 26.

HE SAID more money is actually involved because CORE gave the bank oral notification of its wishes on Oct. 16.

CORE officials also expressed concern about the alleged disappearance of $34,875.

Murphy said CORE was charged $2,475 a month to cover rent of a building at 2200 Sherwood Ave. The building, he said, housed CORE's printing trade training center. Murphy said he learned, however, that the rent actually was only $750 a month from May of 1969 to May of 1970 and $450 a month thereafter.

Councilman Reuben Caplan (D., 5th), whose judiciary committee held a public hearing on the two Block-theater applications, told the Council last night that approval of the ordinances would simply mean that the applicants could seek building permits to establish the theaters.

Sun, Feb 17, 1971

TESTIMONY JARS IN CORE TRIAL

Lawyer Differs With Head Of Northeast Region

Larry S. Gibson, an attorney and city school commissioner, testified yesterday in Federal Court that he never handled any Congress of Racial Equality projects in the Baltimore area.

But Waverly B. Yates, chairman of the Northeast Region for the national CORE office, testified that Mr. Gibson was active as a legal aide to Milton L. Holmes, Baltimore project director.

The conflict in testimony came as Judge Roszel C. Thomsen began hearing a special motion in an injunction and $3.6 million damage suit filed by he national Congress of Racial Equality against seven local men who ran CORE projects in Baltimore.

Judge Thomsen said he would continue today a hearing on a motion filed by national body that would ban Mr. Gibson as a defense attorney for the seven defendants, including Mr. Holmes.

According to the motion filed by William H. Murphy, Jr., attorney for the New York office of CORE, Mr. Gibson should remove himself from the case because he was involved in earlier litigation on behalf of the national office.

Mr. Murphy asserted that Mr. Gibson was in no position to take up litigation against the local group when he was himself involved in part of the dispute.

However, Mr. Gibson asserted that he had never been employed by CORE as an attorney. He said he represented Mr. Holmes only in a corporate matter involving a housing project plan.

GIBSON ACCEPTED AS SUIT COUNSEL

Sun Feb 18, 1971

CORE Dropping Motion To Remove Defense Lawyer

By THEODORE W. HENDRICKS

Lawyers for the Congress of Racial Equality told the Federal Court yesterday they wanted to drop a special motion that sought to remove Larry S. Gibson as defense lawyer for seven people sued by the national office.

William H. Murphy, Jr., attorney for the national office of CORE, told Judge Roszel C. Thomsen that he would withdraw the motion as a result of a hearing held Tuesday.

National Office Suit

Mr. Gibson, who is also a city school commissioner, is representing a group of local persons sued for $3.6 million by the national office of CORE. CORE also seeks an injunction against efforts by the local group to set up poverty programs.

Mr. Murphy told the court yesterday that he was satisfied that Mr. Gibson "was not involved in any conflict-of-interest situation" in filing papers as a defense attorney.

He added that "he was sorry to inconvenience Mr. Gibson" by making him appear at the hearing on the motion held by Judge Thomsen.

Withdrawing Objection

Originally, Mr. Murphy had claimed that Mr. Gibson worked for CORE at a time the dispute arose with the local people. He said that as a result of testimony from Mr. Gibson and others he was withdrawing his objection.

National CORE officers claim a local group handling Target City programs in Baltimore undermined the New York office control and formed independent programs to compete for government grants.

A hearing on a motion to dismiss the suit, filed by Mr. Gibson, will be heard later by Judge Thomsen.

SUN, BALTIMORE, THURSDAY MORNING, MAY 27, 1971

CORE, Office Here End Suit

National Group Says Rivalry Over Funds Has Been Fixed

By THEODORE W. HENDRICKS

The national office of the Congress of Racial Equality yesterday dropped its Federal Court suit against the group's local officials who were accused of setting up programs that would compete for aid with the national group's anti-poverty activities.

Judge Roszel C. Thomsen said that he would dismiss the suit with prejudice and require the national office to pay all outstanding costs.

Action on the injunction request came after the Baltimore defendants pointed out to Judge Thomsen that the time had expired for filing certain pre-trial motions.

William H. Murphy, Jr., attorney for the national office, said that his clients wanted the case dismissed. He said that the dispute had been worked out and the programs' financing arranged with local officials.

The national office originally sought a Federal Court injunction to prevent its employees here from setting up a rival organization that would compete for anti-poverty funds.

They claimed that a local group handling Target City programs in Baltimore undermined the New York office's control and that it had formed an independent program to seek government grants.

Earlier, Mr. Murphy withdrew a motion that sought to bar Larry S. Gibson, an attorney and city school commissioner, from representing Milton L. Holmes, a defendant and project manager for the local group.

$550,000 Drug Study Backs Findings on Urban Addicts

News Am Nov 25, 70

By MICHAEL OLESKER

A two-year computer study of 6,500 drug addicts, comprising 28 volumes and costing taxpayers $550,000, was released Tuesday and told us everything most of us already knew.

Conducted under a contract for the U.S. Office of Economic Opportunity by the Friends of Psychiatric Research Inc., a nonprofit Catonsville research organization, the drug-use study covers addicts in seven major cities from coast to coast.

There is, as Friends' spokesman Doug Kirk related at a Tuesday, "nothing new in the report, except now we know that what we suspected is true."

THE REPORT, conducted in Los Angeles, Washington, D.C., Chicago, New York City, San Antonio Tacoma and the state of New Jersey, yields such nonrevelations as these:

- Most of the addicts were born in urban areas.
- Most had been arrested at one time or another.
- Most had never been in the armed forces.

And now, that the data has been compiled, there is confusion over just how it will be used.

Asked if his program would make any use of the data, Friends Executive Director Richard Meacham said: "It will help us very little in running a program here."

Lloyd Jones, statistical analyst for Friends, added: "No one will tell you the report is of the highest scientific order. There are many, many holes in it."

Friends' representatives said additional studies will have to be made — on the basis of the newly-compiled data, and at further cost — before anyone will be able to do anything with what has just been compiled.

MEACHAM DEFENDED the use of $550,000 by pointing out the growth of drug abuse over the years with government spending failing to respond.

However, he said, $550,000 could have treated more than 600 addicts for one year at Friends.

Kirk said: "No one has a plan to fight drug abuse. There is no master plan for research, treatment or tackling the entire drug problem. We hope someone might use this report as a basis.

But even those findings he thought revelatory are filled with holes.

"There are definitely people," Kirk said, "who have certain psychographic traits who start out with marijuana and end up with opiates."

What these psychographic factors are, however, the report does not point out and Friends' representatives can not tell you.

KIRK SAID the report shows a "majority" of hard core addicts who have used marijuana, amphetamines, barbiturates and opiates do so in that specific order.

But the only figures Friends' analysts would produce at the press conference showed only 57 of 348 people interviewed in Chicago as having followed that route.

And, as Meacham said, "We have had no success whatsoever in predicting which individuals will follow the progression. We really need more study."

The study doesn't say that one abuse leads to another, only that there is — sometimes — a definite pattern.

Kirk also said the study focused on lower income groups living in inner city areas, but the report purports to show "the typical pattern of hard core narcotics in American cities."

Other reports indicate hard core narcotics are no longer confined to the inner cities.

Eve. Sun Nov. 20, 1971

Wyche Gets 2 Years Probation In Gun Possession Case

Charles L. Wyche, 31, acquitted in April of murdering a suspected Black Panther informant, was given two years probation in federal court yesterday for possession of a sawed-off shotgun in April, 1970.

Wyche had the weapon when he was arrested in predawn raids by police of Black Panthers suspected in the shotgun slaying of Eugene L. Anderson, a car painter, whose skeleton was found in Leakin Park in October, 1969.

A Criminal Court jury deliberated two-hours before finding Wyche innocent in the Anderson case after Larry S. Gibson, his attorney, had produced witnesses who said Wyche was with them the night of the shooting.

A two-count indictment charging Wyche with manufacturing and possessing the sawed-off shot gun was obtained by Charles G. Bernstein, assistant U.S. attorney, in July. Wyche pleaded guilty and was sentenced by Judge R. Dorsey Watkins.

Refused By Another

Another federal judge yesterday refused to halt the second murder trial of Arthur F. Turco, Jr., tentatively set to begin November 29 in Baltimore City Criminal Court.

Judge Herbert F. Murray did, however, withhold ruling on a claim for $1 million in damages from "malicious prosecution" pending the outcome of the second trial.

Mr. Turco was freed on $10,000 bail in June after a jury failed to reach a verdict in his trial as an accessory to the murder of a suspected Black Panther police informant in July, 1969.

The skeleton of Eugene L. Anderson, 20, a car painter, was discovered in Leakin Park three months later and identified by University of Maryland dental records.

Perjury Charged

Through his attorney, William M. Kunstler, Mr. Turco charged the Baltimore City Police Department had obtained perjured testimony from three state's witnesses through coercion and intimidation.

In an all-day hearing before Judge Murray November 4 Mr. Kunstler charged the police department and the state's attorney's office of Baltimore city with "bad faith" prosecution.

"If there is any merit to plaintiff's contention of a bad faith prosecution, that determination should be made by the courts of Maryland which has supervisory power over the prosecution and which are fully capable of judging the bona fides of prosecuting officers who appear before them," Judge Murray said in his 22-page memorandum.

An evidentiary hearing, requested by Mr. Turco, "could only serve to disturb the delicate balance between federal and state relations," the judge said.

Wyche free; relives year spent in jail

• Terror

By AL RUTLEDGE...

"The most tragic thing of all," Charles Wyche said settling down on a sofa in the office of his attorney, Larry Gibson, "is the way they treat the men in the jail who haven't even been convicted of a criminal offense."

Mr. Wyche, a Black Panther, had just been acquitted of kidnap-murder charges by a 12-member jury. He had spent almost 12 months in City Jail awaiting trial in connection with the death of Eugene Leroy Anderson.

Ironically, he was more concerned with the plight of fellow inmates than with his own near-tragic fate.

A jury of seven women and five men had spent five days listening to testimony

(Continued on A-7)

• Free!

By EDITH HOUSE

When the jury returned after two hours of deliberation on the destiny of Charles Wyche, Criminal Court Part III was a room of mummies focusing in one direction — the jury's.

The friends and spectators who waited those two seemingly endless hours were on the edge of their seats. Even the policemen stood erect, focusing on the jury.

The foreman of the jury stood up to read the verdict as Wyche's friends held hands and crossed fingers.

Wyche stood up and faced the jury with his faded forest green pants bagging. The pea-green shirt seemed brighter and the gold cardigan sweater fitted him snuggly.

This short man with a slight limp rose from his seat to hear his fate. His attorney, Larry Gibson, remained seated with his head tilted to the side, but looked straight at the jury.

* * *

The foreman stood straight, showing no emotion whatsoever and said, "We find the defendant not guilty of murder in the first degree ..."

Young women began screaming and jumped out of their seats. Judge Anselm Sodaro tapped his pen and gave a stern look that told the audience to remain silent.

While the court continued the formality of asking each juror if he or she agreed with the verdict, the defendant's friends sobbed and hugged each other.

A GRIPPING SCENE — Charles Wyche who was just acquitted of kidmap-murder charges in the 1969 shotgun death of Eugene Leroy Anderson, an alleged Black Panther Party member turned police informant, is seen here with his attorney Larry Gibson. Mr. Wyche spent almost one year in jail awaiting trial which itself last five days before the jury went out to deliberate and returned the not guilty verdict in just two hours.

The jurors filed out of the courtroom, and Wyche looked over from his seat and said, "Thank you." Some of the jurors returned the look and smiled.

Then his friends had their chance. Wyche and Gibson were bombarded by both black and white.

Policemen were trying to maintain the court's formal air, but some of them were smiling too. They asked the people to clear the court-[illegible]m several times, but no one was listening.

Finally, they cut off the lights and people began to leave.

* * *

During all of the tears and hugging, Hillary Caplan, state prosecutor, had gathered his belongings and walked out with a defeated look on his face.

One spectator said, "I think if he wasn't a man, he would have cried. His nose was red and he looked like he was carrying the weight of the world on his shoulders."

During the trial one policeman had gone through Mr. Caplan's first summation. However, when Gibson was speaking he was wide awake.

Mr. Gibson had the jurors hanging on his every word. The audience, the policemen, the judge and the clerks also seemed entranced.

Hiliary Caplan commented on the eloquence of Mr. Gibson's closing argument. Gibson had stressed that the 12 jurors had the responsibility to prove Wyche guilty beyond a reasonable doubt and to a moral certainty.

He had told the jurors that they had the "destiny of one man in their hands."

* * *

Continued

—Terror

(FROM PAGE ONE)

which included statements made by Arnold Loney and Hannibal Kebe, both of whom accused Mr. Wyche of not only conspiring to murder Anderson but of actually having pulled the trigger.

* * *

"We weren't really friends," Wyche said of the State's star witnesses. "We worked together in the Party and I was surprised when they did what they did."

There was no trace of bitterness in the voice of this 30-year-old father who had lost job, credit standing, automobile and a year of his life.

"In fact," he said, when questioned about the trial, testimony and his personal hardship, "I don't want to talk about that really, it happened, it's over for me but not for those brothers still locked up in that dungeon."

For those brothers still locked up in that dungeon, Charles Wyche charges "they are subjected to the most brutalizing conditions."

He told of how he first entered the institution:

"They immediately put me on L-Section. I hadn't broken a rule. I hadn't been tried and proven guilty of any crime and I was immediately locked up under maximum security conditions in the punishment area."

Such treatment "is the fate of all members of the Black Panther Party" he declared.

* * *

During his stay in the jail, Charles Wyche swears that except for 10-minute periods three times weekly he was locked in his cell 24 hours a day.

"We got no exercise, no yard time and weren't allowed to walk to the commissary. I defy anyone to live in that jail 24 hours," he stated sternly. 'If all that wasn't enough, the food they serve the men in there is horrible and the medical attention is worse," he concluded.

Men on L-Section are kept in cells individually so that they see only guards and walls. They are not allowed magazines or books and "the rats are so plentiful the men tried to work out a treaty with them so that they can live their lives and we live ours," Wyche revealed.

* * *

"Mail comes in," he continued "but sometimes they let it pile up for six or seven weeks before you get it then it may have sections cut out or blotted out so you can't read it."

City Jail and the ordeal of the trial are both behind Charles Wyche now but his friend and former supervisor, at the Self Help Project, Jehonadah Jehu Wittle, is the first to declare that "that ain t all.

"They owe the man something if it's nothing but an apology. They snatched him up for a whole year and now they tell him to go on back home and do the best you can,' he said, nearly shouting.

* * *

Mr. Whittle was one of the chief defense witnesses in Mr. Wyche s trial. He produced work records showing that Mr. Wyche was at work on the day the state contended he was with the persons planning to kill Eugene Anderson.

"I can understand the State's Attorney's office trying to win a case,' Mr. Whittle stated as our interview came to an end, "but what they did was overlook evidence favorable to the defendant.

' That meant they only got one side of the story and it made them look like fools when they tried to put that stuff over on thinking people.

What Charles Wyche is going to do from here on is questionable. I'm out of a job, I have a family and I don't even know how I'm going to feed them," he admitted. 'I don t know where I'm going from here.'

FREE

As Wyche walked up the street with his attorney, he told his friends, "it feels funny to walk the street without having a guard beside you."

He had been in the Baltimore City Jail for 11½ months awaiting trial. He was charged with the kidnapping and murder of Eugene Leroy Anderson, 20, whose body was found in Leakin Park over a year ago.

This was the first time since April, 1970 that 30-year-old Wyche had walked the streets of Baltimore a free man.

"You know what Larry, you are a pretty good lawyer," he told attorney Gibson, and everyone burst into laughter. Gibson replied with a smile, "Thank you Wyche."

* * *

As Mr. Gibson turned on to the 1800 block of N. Castle St., people were standing in doorways, waiting for Wyche's arrival.

When he got out of the car, people came from all directions. Children were dancing in the street. Finally, they got him inside of Mrs. McCarty's house.

There, he got more of the royal treatment. One little girl started rolling on the floor and another little girl jumped on his hip.

People sat around in chairs and on the floor rejoicing.

But what was so amazing was that the people who were so intimately involved, including Wyche, had the ability to laugh after all they had gone through.

There wasn't a trace of bitterness in that house, only love and joy.

When Wyche was asked what he would do his first night home, he said, "I am going to sit up all night and look at everything."

He walked Mr. Gibson to the front door with his hand around Peggy and said, "Thanks, Larry, for everything."

Peggy reached over to kiss Mr. Gibson and Wyche said with a grin on his face, "Hey, Gibson, watch that."

Everyone laughed and one woman commented, "Charles I can tell you are definitely home."

A GRIPPING SCENE — Charles Wyche who was just acquitted of kidmap-murder charges in the 1969 shotgun death of Eugene Leroy Anderson, an alleged Black Panther Party member turned police informant, is seen here with his attorney Larry Gibson. Mr. Wyche spent almost one year in jail awaiting trial which itself last five days before the jury went out to deliberate and returned the not guilty verdict in just two hours.

Panther-Slaying Suspect Freed

Jury Acquits Wyche In Torture, Murder Of Party Sympathizer In July, 1969

By GEORGE J. HILTNER

A Criminal Court jury deliberated two hours last night and then acquitted Charles Wyche, 30, of kidnaping and murdering a 20-year-old Black Panther party sympathizer who was suspected of being a police informer.

Mr. Wyche was accused of being the gunman in the fatal shooting of Eugene Leroy Anderson, 20, who was taken on a so-called "death ride" to Leakin Park in July, 1969, and felled with a shotgun blast. His skeleton was found in the park three months later.

The verdict at the end of the five-day trial was greeted with loud screams from about 20 young males and females who had attended most of the court sessions.

The presiding judge, Anselm Sodaro, cautioned against further outbursts, but several of the young men slapped each other on the chest in their exuberance and a number of the spectators embraced and kissed Larry Gibson, the defense lawyer, after court recessed.

Hilary Caplan, the prosecutor, asked that the jurors be polled to determine whether all agreed with the verdicts, as announced by their foreman. All said they did.

Mr. Caplan then dropped another indictment against Mr. Wyche accusing him of conspiring to murder Mr. Anderson.

Mr. Wyche is the second of 12 accused persons to be tried on charges of alleged participation in the torturing and slaying of Mr. Anderson.

Not Present

In testimony that Mr. Wyche did not dispute, the jurors were told by two former Black Panther party members that Mr. Anderson first was tortured at party headquarters on North Eden street before he was taken on the "death ride" and slain.

Mr. Wyche's defense was that he was not present during the alleged acts of violence or during the death ride, and presented evidence to show that he was at the home of his fiancee arranging for her birthday party during that time.

The defendent did not take the witness stand in his own defense, but offered the testimony of several alibi witnesses.

The first trial growing out of Mr. Anderson's death resulted in the first-degree murder conviction of Irving Young, a Morgan State College senior. He was sentenced to life imprisonment.

Identifed As Driver

Mr. Young was identified as the driver of the auto that took Mr. Anderson to Leakin Park. There, according to testimony, Mr. Anderson was escorted into the woods by three men, a shotgun blast was heard and the three returned to the car.

Arnold Loney, 22, the key state's witness and an occupant of the car that went on the "death ride," testified that Mr. Wyche carried the shotgun into the woods, returned with it and later in the car stated, "I shot him."

A loaded, sawed-off shotgun found later by police at Mr. Wyche's residence in the 1800 block of North Castle street was identified by Mr. Loney as the murder weapon.

Mr. Wyche's lawyer rebutted

(Continued, Page C 9, Col. 7)

Wyche Acquitted In Slaying Case

(Continued from Page C 24)

state's evidence that Mr. Wyche was at the party headquarters in the 1200 block of North Eden street on the day of the torturing by producing testimony that the accused was at his job with Self-Help Housing, Inc.

Hanging Curtains, Blinds

To establish that Mr. Wyche later that day and throughout the night was at home or shopping with his fiancee and others, the defense offered witnesses who told of hanging curtains and blinds and generally preparing for the birthday party.

From the outset of the trial, the defense did not contest the fact that Mr. Anderson was tortured and beaten with bed slats, a hot knife dipped in boiling sugar water, lighted cigarettes and fists, and later shot in the park.

The jury that acquitted Mr. Wyche included seven Negroes and five whites. Seven of the jurors were women.

Jury Acquits Wyche In Black Panther Murder

Baltimore Afro-American

BALTIMORE, MD., APRIL 13, 1971

PANTHER TRIAL

Jury frees Wyche after two hours

Cheers, kissing and loud whoops of joy greeted the announcement that a racially mixed jury of seven women and five men had found Charles Wyche not guilty of the kidnap-murder of Eugene Leroy Anderson, an alleged police informant and Black Panther Party sympathizer.

The jury went out at 4:10 p.m. Monday and returned its verdict at 6:15 p.m.

Wyche, age 30, had been on trial five days during which time his attorney Larry Gibson argued that the state had based its case on the "obviously conflicting" testimonies of the prosecution's chief witnesses.

* * *

Using evidence supplied by the Medical Examiner who suggested that within a reasonable medical certainty it was safe to assume that Mr. Anderson had been killed by a right handed gunman. Mr. Wyche is left handed.

Mr. Gibson was also able to produce the testimony of George Arrington, director of the Self Help Project where Mr. Wyche was employed.

Mr. Arrington displayed before the jury a time card which showed that Mr. Wyche had been at work from 8:20 a.m. to 4:54 p.m. on July 11.

* * *

Arnold Loney, the State's star witness, had told the jury that Mr. Wyche had been "in the car" when he and two other persons "went out that morning to find someplace to kill Anderson."

Mr. Loney also testified that Mr. Wyche Irving Young and Melvin Johnson had taken Eugene Anderson into the woods at Leakin Park and that when they returned Mr. Anderson was not with them.

"I shot him," Mr. Loney told the court the defendant had told him.

* * *

In his summation attorney Gibson accused the State of "acting upon unreliable information" and he added, "the State knowingly presented perjured testimony by presenting two conflicting statements on Loney and Hanibal Kebe (the second State's witness."

Mr. Gibson brought two questons to the attention of the jury during his summation. "First you must determine whether Whyche was there in the car as the State contends," he declared.

"Secondly, if he was there (at Panther headquarters) did he go with the others in the car. If there is any whatsoever about one or the other or both these questions," he concluded, "you must acquit my client."

* * *

After hearing the not guilty verdict, Mr. Whyche turned to the jury and quietly said, "I thank you."

It was celebrating and party time for Mr. Whyche, his friends, relatives and neighbors in the 1800 block Castle St. last night as dozens of persons visited the Whyche home to welcome him back.

Several other persons have yet to be tried in connection with Mr. Anderson's trial Irving Young, a 31-year-old Morgan student, was convicted earlier and sentenced to life in prisonment.

APRIL 8, 1971

STATE RESTS EX-PANTHER'S PROSECUTION

Witness Claims Wyche Admitted Triggerman Role In Slaying

By GEORGE J. HILTNER

The state rested its murder and kidnaping case yesterday against Charles Wyche, 30-year-old former Panther party member, after producing testimony that Mr. Wyche had admitted the shotgun slaying of a party sympathizer suspected of being police informer.

Defense testimony is expected this morning when the trial resumes before a Criminal Court jury under Judge Anselm Sodaro.

Judge Sodaro rejected defense motions for dismissal of the charges on the grounds that testimony of two key witnesses, both party members at the time of the alleged torturing and murder of Eugene L. Anderson, 20, was uncorroborated. Both witnesses, it was argued, are accomplices.

Defendant Identified

Mr. Wyche was identified as the slayer of Mr. Anderson by Arnold Loney, 22. Mr. Loney said the defendant was with two other men who walked the victim into Leakin Park in July, 1969, and was carrying a shotgun.

A shotgun blast was heard and Mr. Wyche still was carrying the weapon when the three emerged from the wooden area, Mr. Loney testified.

Mr. Wyche was quoted by the prosecution witness as saying on the ride back to Baltimore, "I shot him."

Mr. Loney, who has been held in protective custody by the police for almost a year, recounted details of the so-called "death ride" which at first took Mr. Anderson to the original planned murder site near Glen Burnie, and later to Leakin Park.

Skeleton Found

The skeleton of the victim was found in the park about three months later.

Mr. Loney's testimony was similar to that he gave last December in the trial of Irving H. Young, 31-year-old Morgan State College senior and driver of the car that carried the victim to his death.

Mr. Young was convicted of first-degree murder and given a life-imprisonment term.

Earlier testimony at the trial disclosed that before taking Mr. Anderson on the death ride, Black Panther Party members subjected him to beatings and attacks with bed slats, a hot knife, a pistol butt, belts, a lighted cigarette and long fingernails.

Hilary D. Caplan, the prosecutor, ended the state's evidence after two days of testimony. Monday was used in the selection of the jury panel.

Larry Gibson, defense counsel, told the jurors in an opening statement that Mr. Wyche did not go on the "death ride" because he was elsewhere at that time.

SUN, BALTIMORE, FRIDAY MORNING, APRIL 9, 1971

Defense Rests In Panther Trial

Defendant Chooses Not To Take Stand In Kidnap Slaying

The defense rested its case yesterday in the kidnap-murder trial of a former Black Panther party member after the defendant chose not to testify in his own behalf.

Larry Gibson, attorney for Charles Wyche, the 30-year-old defendant, announced that the defense had rested after producing testimony to show that Mr. Wyche was at his fiancee's home at the time he allegedly felled the murder victim with a shotgun blast.

Possible Rebuttal

Possible brief rebuttal testimony will be heard when the trial, before a jury under Judge Anselm Sodaro, resumes Monday. Judge Sodaro told the jurors they should be deliberating on a verdict after noon of that day.

The defense did not challenge the fact that Eugene Leroy Anderson, 20, was tortured in Panther headquarters in July, 1969, because he was suspected of being a police informer, and that he was later shot in Leakin Park. It contended that Mr. Wyche was not a party to the crimes.

Mr. Anderson's skelton was found in the park three months later.

The case against Mr. Wyche was based primarily on the testimony of two other former Black Panther party members, who testified that he was in the headquarters, went along on the "death ride" to Leakin Park and fired the fatal shot.

Admitted Accomplice

Arnold Loney, the key witness, and admitted by the state to have been an accomplice in the two crimes, told the Criminal Court panel that Mr. Wyche carried the shotgun when Mr. Anderson was escorted into the woods by three men and that Mr. Wyche returned with the weapon after one shotgun blast was heard.

Later, on the return trip to headquarters, the defendant admitted shooting the victim Mr. Loney added. The witness identified a sawed-off shotgun which police found at Mr. Wyche's home in the 1800 block North Castle street as the one used in the murder.

Mrs. Margaret McCarty, 31, who said she has nine children, seven by her estranged husband and two by Mr. Wyche, testified that her fiance was at home on the night of July 11, 1969, and the early morning hours of the next day when Mr. Anderson was taken on the "death ride."

Birthday Party

She said she remembers the day because she and the accused had made some purchases and hung new curtains in preparation for her birthday party. She told the jury she was testifying for Mr. Wyche "because I love him and because he is innocent."

Mrs. McCarty said she saw the sawed-off shotgun at her home in November, 1969, and explained that Mr. Wyche brought it there when she complained of needing "more protection for the home." She said she lived in a "crime area" and had been burglarized twice.

Hilary D. Caplan, prosecutor, asked the witness if she had not testified under oath at a preliminary hearing that she had seen the same shotgun earlier at the home of Mr. Wyche's father. She did not recall saying that.

Final Defense Witness

The final defense witness was Jehonadab J. Whittle, of the 1900 block East 30th street, who testified that Mr. Wyche had put in a full day's work July 11. He said he also visited the defendant's home that evening to collect $5 due him on a loan.

Panther Case Nearing End

The defense rested its case Thursday in the trial of Charles Wyche for the kidnap-murder of Eugene Leroy Anderson, 20, a Black Panther sympathizer who allegedly was a police informer.

Final arguments are expected to come Monday and the case probably will go to the jury the same day.

Thursdays, Wyche's fiance, Mrs. Margaret McCarty, 31, testified she and Wyche went shopping for materials for her birthday party on the night of July 11, 1969, about the time Anderson was taken on a "death ride" to Leakin Park where he was killed by a shotgun blast.

Prosecution witnesses have already testified Wyche was one of four men who took the victim to the park, where his body was found three months later. Arnold Loney, 22, a former Panther turned state's evidence, testified he saw Wyche disappear into the bushes with Anderson and a shotgun and later heard him admit killing Anderson.

Jury Acquits Wyche In Panther Slaying

A Criminal Court jury of seven women and five men has acquitted Charles Wyche, 30, of charges of kidnapping and murder in the July, 1969, torture-slaying of Eugene Leroy Anderson, 20, a Black Panther sympathizer suspected of being a police informer.

The jury deliberated nearly two hours Monday before returning its verdict, which was greeted with loud shouts from about 20 of Wyche's sympathizers. Judge Anselm Sodaro ordered the courtroom quieted, but a number of spectators ran up to congratulate the defendant and embrace defense lawyer Larry Gibson after court adjourned.

Wyche was accused of being one of four persons who took Anderson on a "death ride" to Leakin Park following his torture at Panther headquarters, then in the 1200 block N. Eden St. He was also accused of being the gunman in the shotgun slaying of the victim in some bushes in the park. Anderson's skeleton was found in the park three months later.

After the verdict was announced, prosecutor Hilary Caplan asked that the jurors be polled. When all agreed with their foreman's announcement Caplan dropped another indictment against Wyche accusing him of conspiring to murder Anderson.

Wyche is the second of 12 persons accused in the case to be brought to trial. Last December Irving Young, 31, a former Morgan State College student, was convicted of first-degree murder for his part in the torture-slaying. Young was identified as the driver of the car that took Anderson to the park. He received a life sentence in February.

Evening Sun April 13, 1971

Wyche, Black Panther, Acquitted In Slaying

A Criminal Court jury has found a 30-year-old Black Panther party member innocent of the kidnaping and murder of a party sympathizer and suspected police informer.

Charles Wyche, the defendant, was acquitted of the charges after about two hours of jury deliberation last evening.

Mr. Wyche was accused of being the gunman in the shotgun death of Eugene Leroy Anderson, 20, in the city Leakin Park in July, 1969. Mr. Anderson's skeleton was found in the park about three months after the slaying.

Jurors Polled

After hearing the jury's verdict, Hilary Caplan, the prosecutor, polled the jurors and then dropped another indictment against Mr.Wyche charging him with conspiring to murder.

The state had based its case on the testimony of two party members, who told the court that Mr. Wyche was present when Mr. Anderson was tortured at Balck Panther headquarters, then taken on a "death ride" and slain.

One of the witnesses, Arnold Loney, 22, testified that Mr. Wyche and two others had accompanied Mr. Anderson into a wooded area from which a shotgun blast was heard. Mr. Loney said that later in the car, Mr. Wyche stated, "I shot him."

Identified As Weapon

A loaded, sawed-off shotgun later found by police at Mr. Wyche's home was identified by Mr. Loney as the murder weapon.

Defense lawyers rebutted the prosecution testimony by presenting a series of witnesses who told the jurors Mr. Wyche was at work and later at home and shopping with his fiance the day of the murder.

Mr.Wyche himself never took the stand.

Mr. Wyche was the second of 12 persons charged in connection with the Anderson murder to come to trial. The first, Irving Young, was found guilty of first-degree murder and sentenced to life imprisonment.

Ex-Panther Says He Saw Suspect Carrying Gun

By NEIL GRAUER
State Court Reporter

A former Black Panther testified today that he saw Charles Wyche, 30, carry a sawed-off shotgun into Leakin Park the night Eugene Leroy Anderson, 20, was kidnaped and murdered and heard Wyche admit he had shot Anderson.

The witness was Arnold Loney, 22, of the 1500 block Bethel St., who has been under protective custody since being granted immunity for his part in the killing of Anderson.

LONEY SAID THAT he was in the car in which Anderson was driven to his death along with Irving Young, 31, serving life for his part in the crime; Melvin Johnson, 19, of the 1200 block N. Washington St., yet to be tried; Wyche and the victim.

Loney testified that Young, Johnson and Wyche escorted Anderson into the woods while Loney stayed behind in the car as a lookout. Loney said that Wyche carried the shotgun. He said he heard a gun go off, and Wyche returned with the gun in his hand and admitted he had killed Anderson.

Earlier, another former Black Panther told how Anderson was tortured.

Mahonney Kebe, 22, presently being held in protective custody, described in detail how Anderson, suspected by the Panthers of being a police informer, was literally skinned alive during the beating at the Panther headquarters, then in the 1200 block N. Eden St., in July, 1969.

Kebe testified the victim was first stunned with a pistol blow to the head during the two days of torturing. He said Anderson was kneed in the abdomen, gouged in the eyes with fingernails and scratched by women party members and had flesh torn from his already bruised forehead with a hunting knife that had been dipped in boiling sugar water.

Kebe said he had been in protective custody for nearly a year and receives $40 a week to buy his own food and other necessities.

Wyche is one of 12 charged in the torture-slaying of Anderson, whose skeleton was discovered in Leakin Park some three months following his death.

Kebe testified that while he saw Wyche present during portions of the torturing and beating, he said he couldn't remember seeing him help beat the victim.

Kebe testified he himself took part in the beating, primarily because he was afraid to refuse after being ordered to strike Anderson.

Kebe aid he saw several others also charged in the case beat and torture Anderson and later take him from the headquarters.

He described for the Criminal Court jury of seven women and five men how a hot hunting knife was placed in a mixture of boiling water and sugar and used to remove portions of Anderson's skin.

KEBE SAID HE decided to tell his story to police after having been approached to do so, and then making what he termed a "moral" as opposed to "a political" decision. He said if he had decided the other way, "I might be where Charlie (Wyche) is today."

Kebe's testimony follow
opening statements by Ass
State's Attorney Hilary D.
and defense attorne
Gibson, as well as te
the police officer wh
Anderson's skeleto
who identified th
cause of death.

Judge Anseln
ing over the
pected to last

Ex-Panther Testifies Victim Was 'Skinned'

By NEIL GRANER

A former Black Panther turned state's witness testified Tuesday during the opening day of the trial of Charles Wyche, 30, charged with kidnaping and murdering Eugene Leroy Anderson, 20.

Mahonney Kebe, 22, presently being held in protective custody, described in detail how Anderson, suspected by the Panthers of being a police informer, was literally skinned alive during the beating at the Panther headquarters, then in the 1200 block N. Eden St., in July, 1969.

Kebe testified the victim was first stunned with a pistol blow to the head during the two days of torturing. He said Anderson was kneed in the abdomen, gouged in the eyes with fingernails and scratched by women party members and had flesh torn from his already bruised forehead with a hunting knife that had been dipped in boiling sugar water.

Kebe said he had been in protective custody for nearly a year and receives $40 a week to buy his own food and other necessities.

Wyche is one of 12 charged in the torture-slaying of Anderson, whose skeleton was discovered in Leakin Park some three months following his death.

THE FIRST DEFENDANT tried, Irving Young, 31, was convicted by a jury last December and then sentenced to life in prison for his part in the slaying.

Kebe testified that while he saw Wyche present during portions of the torturing and beating, he said he couldn't remember seeing him help beat the victim.

Kebe testified he himself took part in the beating, primarily because he was afraid to refuse after being ordered to strike Anderson.

Kebe aid he saw several others also charged in the case beat and torture Anderson and later take him from the headquarters.

He described for the Criminal Court jury of seven women and five men how a hot hunting knife was placed in a mixture of boiling water and sugar and used to remove portions of Anderson's skin.

KEBE SAID HE decided to tell his story to police after having been approached to do so, and then making what he termed a "moral" as opposed to "a political" decision. He said if he had decided the other way, "I might be where Charlie (Wyche) is today."

Kebe's testimony followd opening statements by Assistant State's Attorney Hilary D. Daplan and defense attorney Larry Gibson, as well as testimony by the police officer who uncovered Anderson's skeleton, and doctors who identified the remains and cause of death.

Judge Anselm Sodaro is presiding over the trial, which is expected to last at least a week.

DETAILS GIVEN OF TORTURE IN PANTHER CASE

Morning Sun 4-7-71

Witness's Story Begins 2d Trial In Killing Of Alleged Informer

By GEORGE J. HILTNER

Details of the alleged torturing of a suspected police informer in the Black Panther party headquarters, including the use of a hot knife, a pistol butt, bed slats, belts and a lighted cigarette were given in Criminal Court yesterday.

The torturing—which also included eye-gouging, scratching and fist blows to all parts of the body—allegedly preceded taking the victim to a deserted area in Leakin Park where he was finally killed with a shotgun blast, according to statements and evidence.

The details were outlined to a Criminal Court jury under Judge Anselm Sodaro at the trial of Charles Wyche, 30. Mr. Wyche is accused of kidnaping and murdering Eugene Leroy Anderson, 20, in July, 1969.

Leroy Gibson, Mr. Wyche's attorney, contended in an opening statement to the jury that Mr. Wyche was not present at the alleged events.

Mr. Anderson's skeleton was found in the park in October, 1969, and subsequently 12 persons were indicted on charges of being involved in the torture-slaying.

One, Irving Young, a former Morgan State College senior, already has been convicted of first-degree murder and sentenced to life imprisonment. At his trial, Young was identified as the driver of the car that took Mr. Anderson on the so-called "death ride."

In his opening statement, Hi-

(Continued, Page C 7, Col. 5).

Torture-Killing Detailed In Panth

Morning Sun - 4-7-71

Witness's Story Begins 2d Trial In Death Of Alleged Informer

(Continued from Page C 22)

lary D. Caplan, the prosecutor, told the jurors the state would attempt to prove that Mr. Wyche carried a shotgun when Mr. Anderson was escorted into the wooded area, that one shotgun blast was heard and that Mr. Anderson was not with the group that returned to the car.

The defense attorney said Mr. Wyche, of the 1800 block North Castle street, does not contest evidence that Mr. Anderson was tortured at the party's headquarters, then in the 1200 block North Eden street, and later shot in Leakin Park.

The evidence concerning the torturing was given yesterday by Mahonney Kebe, a 22-year-old former Cherry Hill grade-school teacher and ex-member of the Black Panther party.

Mr. Kebe said he has been in protective custody for nearly a year and receives $40 a week to buy his own food and other necessities.

He said he decided to tell police about what he saw at the party headquarters only after being caught between a "political" and a "moral" choice.

He told the jury he decided "not to make a political decision, but rather a moral one, because I could not see life being used by persons . . . who could not see right from left or up from down."

He said he was aware that he could be a marked man, that "they can bomb by house at any time. But if they do it, it only proves that what they are doing is a lot of gobble-de-gook."

Mr. Kebe described in detail how Mr. Anderson was tortured after being labeled a "pig agent." He said the victim, the father of one child, was held at the order of Arthur Turco, a New York lawyer also charged in the killing, and taken to a room where party members, including himself, were instructed to inflict punishment.

The young victim was first stunned with a pistol blow to the head during the two days of torturing, then "kneed" in the abdomen, gouged in the eyes with fingernails and scratched by women party members and had flesh torn from his already-bruised forehead with a hunting knife that had been dipped in boiling sugar water, Mr. Kebe said.

Whe
screar
into hi
ther te
Late
to do
was
those
on th
bed sla
Mr.
was p
tortur
could
any, th
He
structe
edly
after
taken
headqu
The

News American - 4-6-71

Jury Hears Testimony In Panther Slaying

A criminal court jury of seven women and five men today began hearing testimony in the murder trial of a former Black Panther member.

On trial in the court of Judge Anselm Sodaro is Charles Wyche, 36, who is accused of taking part in the torture and slaying of Eugene Leroy Anderson, 20, a painter suspected by the Black Panthers of being a police informer.

Anderson's skeleton was found in Leakin Park in October of 1969.

Wyche is the second man to go on trial in the case. Irving Young, 31, a former Morgan College student, was assessed a life sentence after his conviction last December.

Young was identified as the driver of a car which took Anderson from the Panther headquarters to the park, where he was killed with a shotgun.

Testimony in Young's trial revealed Anderson suffered torture for 24 hours before he was given his death ride.

Patrolman John Barrick was scheduled to be today's first witness. He answered a call to the park after two children found the skeleton.

Other witnesses scheduled to testify for the state today included Dr. Werner Spitz, deputy medical examiner, and Dr. Donald Olson of the University of Maryland Dental School.

Torture-Killing Detailed In Panther Case

Morning Sun - 4-7-71

Witness's Story Begins 2d Trial In Death Of Alleged Informer

(*Continued from Page* C 22)

lary D. Caplan, the prosecutor, told the jurors the state would attempt to prove that Mr. Wyche carried a shotgun when Mr. Anderson was escorted into the wooded area, that one shotgun blast was heard and that Mr. Anderson was not with the group that returned to the car.

The defense attorney said Mr. Wyche, of the 1800 block North Castle street, does not contest evidence that Mr. Anderson was tortured at the party's headquarters, then in the 1200 block North Eden street, and later shot in Leakin Park.

The evidence concerning the torturing was given yesterday by Mahonney Kebe, a 22-year-old former Cherry Hill grade-school teacher and ex-member of the Black Panther party.

Mr. Kebe said he has been in protective custody for nearly a year and receives $40 a week to buy his own food and other necessities.

He said he decided to tell police about what he saw at the party headquarters only after being caught between a "political" and a "moral" choice.

He told the jury he decided "not to make a political decision, but rather a moral one, because I could not see life being used by persons . . . who could not see right from left or up from down."

He said he was aware that he could be a marked man, that "they can bomb by house at any time. But if they do it, it only proves that what they are doing is a lot of gobble-de-gook."

Mr. Kebe described in detail how Mr. Anderson was tortured after being labeled a "pig agent." He said the victim, the father of one child, was held at the order of Arthur Turco, a New York lawyer also charged in the killing, and taken to a room where party members, including himself, were instructed to inflict punishment.

The young victim was first stunned with a pistol blow to the head during the two days of torturing, then "kneed" in the abdomen, gouged in the eyes with fingernails and scratched by women party members and had flesh torn from his already-bruised forehead with a hunting knife that had been dipped in boiling sugar water, Mr. Kebe said.

When Mr. Anderson screamed, a rag was stuffed into his mouth, the witness further testified.

Later, the victim was forced to do push-ups and then while he was in the act of carrying out those instructions he was struck on the buttock and head with bed slats, Mr. Kebe said.

Mr. Wyche, the witness said, was present during part of the torture. But Mr. Kebe said he could not recall what part, if any, the defendant took.

He said Mr. Wyche was instructed to get the vehicle allegedly used for the "death ride" after Mr. Anderson had been taken into an alley alongside the headquarters.

The trial will continue today.

News American - 4-6-71

Jury Hears Testimony In Panther Slaying

AFRO APR 6 1971

Attorneys set for 'Bag' and 'Pipe' trials

Criminal attorneys and prosecutors from the State's Attorney's office squared off yesterday (Monday) and began choosing the juries which would try two of the city's most publicized murders.

In Criminal Court Part II before Judge Anselm Sadaro, attorney Larry Gibson and Assistant State's Attorney Hillary Caplan screened more than 100 persons before picking 14 to try Charles Wyche.

Mr. Wyche, 21, is charged with murder, kidnapping and conspiracy to murder former Black Panther and alleged police informer Eugene Anderson.

Mr. Anderson's skeleton was discovered in a duffel bag in Leakin Park last October, two months after he was reported missing.

Irving Young, a 31-year-old Morgan student has already been convicted in connection with the murder and sentenced to life in prison.

Witness have testified that Mr. Anderson was tortured and "skinned" before he was shotgunned to death.

Courtroom observers speculate that this trial may last as long as three weeks.

Attorney Gibson is taking special precautions in picking the jury. While some 300 probable jurors sat in the large courtroom, Mr. Gibson asked the usual questions as to the knowledge and prejudices about the case.

Then, in an unprecedented move, he asked that each juror be screened individually in the privacy of Judge Sodaro's chambers where he asked questions dealing specifically with the Black Panthers.

The first ten jurors were dismissed before one was accepted.

In the other case Milton Rothstein, is representing Norman Allen Ayers, a 17-year-old youth charged with the murder and forcefully, carnally knowing" Mrs. Margaret White, last

Panther murder case back to court Monday with Charles Wyche on trial

Charles Wyche, 29, 400 block N. Collington Ave., will go on trial for murder, kidnap and conspiracy Monday morning. The hearing before a jury is expected to last at least a week.

Appearing before Judge Anselm Sodaro, Wyche will be represented by Larry Gibson, attorney, on charges stemming from the July 11, 1969 murder-torture of ex-Panther member Eugene Leroy Anderson. Anderson's skeleton was found in Leakin Park.

In the incident, known as the "Bag of Bones Murder Case," Irving Young, a 27-year old Morgan State College student, was sentenced to life imprisonment on Feb. 1, by Judge Sodaro after a jury recommended "without capital punishment."

Mr. Young has filed an appeal.

Also indicted in the case are New York lawyer, Arthur Turco, white; Larry Wallace, 20; Clarence Melvin Johnson, 18, Charles Lemuel Jackson, 23, and Henry Mitchell, 20.

* * *

On Wednesday, another defendant, 17-year-old Victor Delly, 700 block N. Collington Ave., was ordered released from jail under $5,000 bail by Judge Sodaro.

The teenager has been in jail under charges of assault with intent to murder Anderson since July 11, 1970.

Turco, who police claim ordered the assassination of Anderson for "telling the police about his Panther brothers affairs," has been denied bail by Federal Court order as of March 3. Turco has been lodged in Baltimore City Jail since Dec. 9, 1970.

A Eno APR 3, 1971

Wyche On Trial In Slaying

Evening Sun - 4-6-71

Opening arguments were to be presented today in the trial of Charles Wyche, who is accused of kidnapping and murdering a young man alleged to be a police informer against the Black Panthers in Baltimore.

Mr. Wyche, 30, of the 1800 block North Castle street, is the second man to face trial for the slaying of Eugene Leroy Anderson, 20, who was shotgunned in Leakin Park in July, 1969, after he allegedly was taken on a "death ride" from Panther party headquarters in the 1200 block North Eden street.

Irving Young, a Morgan State College senior at the time of the killing, is appealing a life prison term in the case.

Selection Of Jury

Prosecution and defense attorneys spent most of yesterday in chambers with Criminal Court Judge Anselm Sodaro while selecting a jury of seven women and five men, with twi female alternates.

The unusual procedure was requested by the defense attorneys, Larry S. Gibson and David Allen, to determine if prospective jurors were prejudiced against the Black Panthers.

Following general questions put to the entire jury panel as a group, proceedings were continued in chambers where the members were questioned one at a time.

In the private session, Mr. Gibson asked each prospective juror's opinion of the Panthers.

He also inquired whether the juror owned a firearm and whether he would be prejudiced against someone who kept a gun at home.

The murder of Mr. Anderson was not discovered until his skeleton was found in the park in October, 1969.

A dozen persons were indicted on barious charges in the case, including conspiracy and mayhem, following a series of police raids a year ago.

Whyche defense set in Panther trial

The defense of Charles Lee Whyche, Black Panther charged with the kidnap-murder of Eugene Anderson in 1970, continues today before Judge Anselm Sodaro and a 14-member jury.

Defense witness Mrs. McCarthy tald the court that Whyche "could not have been with them," on the night of July 11 (the time Anderson was allegedly tortured and killed) "because he was with me and another couple the entire evening of the 11th and into the morning of the 12th."

When asked why she was offering her testimony, Mrs. McCarthy said "because I love him (Whyche) and he's innocent."

Hannibal Kebe and Arnold Loney, both former members of the Black Panther Party, named Mr. Whyche as one of the four men who accompanied Eugene Anderson on the "death ride."

Lonely, who admits that was one of the men who "decided to kill Anderson and who helped to choose the original death spot, told the court that he, Whyche, "Melvin Johnson and Irving Young," took Anderson to Leakin Park.

He testified that he stayed in the car while "Johnson, Young and Wyche took Anderson into the bushes."

The three men allegedly returned to the car after a "real loud shot" was heard "without Anderson."

According to Loney, Whyche admitted to killing Anderson and said flatly "I shot him."

Mr. Anderson's remains were discovered by kids playing in Leakin Park three months after he was killed. Some 18 Panthers are awaiting trial in connection with the killing.

Sun June 28, 1970

STATE BARES EVIDENCE IN PANTHER CASE

Reveals Details At Bail Hearing; Defendant Denied Release

By GEORGE J. HILTNER

Details of the alleged torture at the Black Panther party headquarters and subsequent murder of a man suspected of being a police informer were revealed yesterday in Baltimore City Court, where bail was denied to a civil rights worker who is one of the defendants.

Written statements of four state's witnesses who are in protective custody were given to Judge Shirley B. Jones in connection with the request for release on bail of Charles Wyche, 36. He is a supervisor for Self-Help Housing, Inc., a publicly-supported agency.

Judge Jones denied bail to Mr. Wyche, despite testimony from several civil-rights leaders that the accused has been a good influence in civil rights groups, often counseling moderation where violence was being advocated.

Called Participant

In the statements, Mr. Wyche was identified as one of the participants last July in the killing of Eugene Leroy Anderson, 20, whose skeleton was found last November in Leakin Park.

The statements alleged that Mr. Anderson, of the 1500 block North Bond street, had been helping Black Panther members distribute literature throughout the city and paint their headquarters in the 1200 block Eden street, all in hopes of being accepted as a member of the party.

However, according to the court documents, he was suspected by them of being a police informer.

A total of 12 persons have been indicted by the grand jury in connection with the death of Mr. Anderson.

One of the accused is a man identified in the statements as a white lawyer from New York, Arthur Turco. Mr. Turco, who is charged with conspiracy, assault, soliciting to commit murder and being an accessory, conducted political classes at the headquarters, the witnesses said.

The witnesses' statements said some of the defendants heated a hunting knife in hot, sugared water and then placed it against Mr. Anderson's skin until the skin loosened and peeled off.

Arnold Frederick Loney, 21, of the 1500 block Bethel street, one of the prosecution witnesses who said he was present when the victim was taken to Leakin Park and shot, quoted Mr. Wyche as taking reponsibility for the shotgun killing.

According to the statements given to police, Mr. Anderson was at first taken to a previously selected spot in an isolated area near Glen Burnie. Because of numerous cars there, another site was said to have been chosen.

Mrs. Carol Ann Martin, 19, of the 2300 block East Preston street, another state's witness, asserted in her statement that she put a lighted cigarette out by "mashing it against the forehead" of Mr. Anderson.

She said two other women did likewise, and that subsequently in a third floor bedroom of the party headquarters, the victim was beaten with fists and bed slats.

Mrs. Martin said that Donald Cox, whom she identified as the "Black Panther field marshal from California," was at the headquarters on the night of July 11, when Mr. Anderson is said to have met his death.

Donald Vaughn, 18, of the 1600 block East Federal street, another of the prosecution witnesses whose statement was offered by Hilary Caplan, assistant state's attorney, that alcohol was rubbed on Mr. Anderson's open wounds.

One of the participants, according to Mr. Vaughn, told Mr. Anderson: "All pigs to the slaughter house—today's pig is tomorrow's barbecue." Mr. Vaughn said he allowed the victim to read a book entitled "Quotation by Chairman Mao-Tse Tung."

A statement given police by a final witness, Mahonney Kebe, alledged that Mr. Cox was critical of the treatment given Mr. Anderson, but that Mr. Turco declared: "We've got to get rid of the body and the man now we've done gone and done all this."

Evening Sun June 28, 1970

Bail Plea In Panther Slaying Case Rejected

Criminal Court Judge Shirley B. Jones today denied a defense counsel motion that Charles Wyche, charged by police with the kidnaping and murder of a man identified as a member of the Black Panthers, be released on bail pending his trial.

Mr. Wyche, 36, a supervisor for Self-Help Housing, Inc., was one of 12 persons indicted last month after a roundup of Black Panther members and sympathizers in connection with the death of a 20-year-old Negro.

The victim's skeleton was discovered in a remote section of Leakin Park last November.

Hilary D. Caplan, assistant state's attorney, said Judge Jones denied the bail release request because she felt the crime was "too severe" and the chances the defendant "would flee" were too great.

Sun June 14, 1970

Bail Witnesses Call Wyche A Moderate Rights Leader

Charles Wyche, a 36-year-old supervisor for Self-Help Housing, Inc., was described yesterday as a civil rights leader respected for ihs moderate views by witnesses who were called in Baltimore City Court Court in support of Mr. Wyche's plea for release on bail pending his trial on murder and kidnaping charges.

Mr. Wyche, of the 1800 block North Castle street, is one of 12 persons indicated by the grand jury last month after a round-up of Black Panther members and their sympathizers in connection with the death last July of a 20-year-old Negro the police identified as a Black Panther Party member.

Skeleton Found In Park

The charges stem from the alleged burning, beating and shooting of Eugene Leroy Anderson, whose skeleton was found in Leakin Park last Novemeber.

The bail hearing will continue this morning before Judge Shirley B. Jones. Testimony or written statemeents of four key state winesses now in protective custody may be bared when the trial is resumed, according to Hilary Caplan, assistant state's attorney.

Statements from the witnesses, all said to be former members of the Black Panther party, were taken by Detective Patrolmen Phillip Smith and Elmer Moore, who investigated the kidnap-murder of Mr. Anderson.

The witnesses were identified as Arnold F. Looney, Mahonney Kebe, Donald Vaughn and Carol Ann Martin.

Job Held Open

Mr. Wyche's girl friend testified that he was at home with her helping to plan her birthday party during all of the early evening and until about 12.30 A.M. on the days of the alleged kidnaping and killing of Mr. Anderson.

Jehonadad J. Whittle, of the 1900 block East 30th street, assistant director of Self-Help Housing, described Mr. Wyche as a "good, capable employee," and told Judge Jones that the man's job has been held open for him since nis arrest.

"The administration feels Mr. Wyche is innocent and we left the job open to let him know we are on his side," the witness testifiea.

Moderating Influence

Mr. Wyche's work in civil rights causes was praised by Stuart Wechsler, of the 3600 block Ednor road, a mortgage underwriter and civil rights leader, and by Walter Lively, who said he first became familiar with Mr. Wyche as a member of the Union for Jobs or Income Now.

The witnesses said Mr. Wyche earned respect because of his ability to bring about moderation among some rights advocates who leaned to violence.

Because of his views, Mr. Wyche was selected as one of the Action 8 who ran for election to the Maryland Constitutional Convention, the character witnesses told the court.

—AP Wirephoto.

News-Amer. June 19, 1970

Informants to Testify In Panther Bail Hearing

By HOLLACE WEINER
Court Reporter

Two informants who supplied police with information about a torture-slaying allegedly perpetrated by the local Black Panther Party are expected to testify in Superior Court today.

The informants, who are out of town in protective police custody, were identified in court yesterday as Arnold Frederick Loony and Mahonney Kebe, both former Black Panthers.

They may be called to testify at the habeas corpus hearing of Charles Wyche, who is being held at the city jail on charges of murder, kidnaping and consporacy in connection with the death last July 12 of Eugene Leroy Anderson.

LARRY GIBSON, lawyer for the 36-year-old defendant, has filed a petition requesting that Wyche be released on bail.

The state is expected to call Loony and Kebe to the witness stand in an effort to bolster its case for keeping Wyche behind bars.

Assistant State's Attorney Hilary Caplan revealed yesterday that police also obtained inside information about the murder from former Black Panthers Carol Ann Martin and Donald Vaughn. Vaughn is in protective custody.

Caplan said he doesn't want to call all four informants to the stand today. He said: "I don't want to air the whole case."

Wyche is charged with participating in the torture-slaying of Anderson, 20-year-old friend of the Panthers who did sone painting at the party headquarters.

Party members suspected him of being an undercover policeman, Caplan disclosed, and in early July Anderson was tortured, killed with a shotgun and dumped in a secluded area of Leakin Park.

HIS SKELETON was discovered Last November, and on April 30 police charged 12 persons in connection with the slaying. Five suspects are still at large.

Only one defendant, Reva White, has been released on bail.

Wyche, who maintains residences in the 1800 block N. Castle St. and the 400 block N. Collington Ave., was an unsuccessful candidate for the Constitutional Convention.

At the time of his arrest he was a tool pool supervisor for Self Help Housing, a third party contractor of the Community Action Agency.

Jehonadab J. Whittle, assistant director of Self Help Housing, described Wyche as capable and efficient. His job slot has been left unfilled in expectation of his return to work.

WYCHE'S GIRL friend, Margaret McCarty, testified that during the hours the torture slaying allegedly took place, Wyche was either in her home or out with her on a shopping spree. She also testified that he owned a shotgun.

Other witnesses brought out that Wyche has been active in the Associated Negro Appeal, Tenants for Justice Housing and the Union for Jobs, Income Now. Miss McCarty said Wyche resigned from the Black Panther Party in June, 1969.

MAY 1, 1970

Police, FBI Hunt 11 In Panther Case

Baltimore city police and the FBI are seeking 11 persons today to complete a Black Panther sweep that rounded up 10 suspects yesterday on a variety of charges.

More than 150 police hit eight locations in the city yesterday, carrying warrants that were served on six persons, including two girls, in connection with the murder last summer of a man identfied by police as a Black Panther.

All Four Are Charged

Four other suspects were picked up without warrants when they were spotted loading a number of rifles and other weapons into a car in the 1700 block of North Aisquith street.

Deadly weapons charges were filed against all four, identified as Black Panthers.

The arrests prompted an all-night vigil at Black Panther headquarters, 1248 North Gay street, involving about 15 white and 20 black youths.

Hopkins Students

Several of the whites, who said they were students at the Johns Hopkins University, handed out leaflets proclaiming that the "Black Panther Office Is Under Siege."

They described yesterday's raids as being conducted by "carloads of Baltimore city pigs," charged "Nazi-like tactics" and said the attacks "are part of a racist genocide."

"We must defend the Panther information center around the clock," the leaflets said.

At the request of Francis B. Burch, state attorney general,

[Continued, Page C 2, Col. 1]

having the evidence and making the arrests," the Senator said.

Senator Verda Welcome (D., 4th Baltimore) said she had thought of the Black Panthers in connection with their breakfast program for underprivileged children.

Violent Literature

"I had no idea they were handing out violent literature," she said.

Those arrested, charged in connection with the slaying of Eugene Anderson last summer and being held without bail are:

LARRY WALLACE, 21, of the 1200 block North Gay street, who is charged with murder, kidnaping Mr. Anderson and committing mayhem and assault with intent to murder. His address was identified as Black Panther party headquarters.

CHARLES WYCHE, 36, of the 1800 block North Castle street, who is charged with murder, kidnaping and conspiracy to commit murder.

CLARENCE MELVIN JOHNSON, 19, of the 1200 block North Washington street, who was charged with murder, kidnaping and assault with intent to murder.

IRVING YOUNG, 31, of the 1300 block St. Paul street, who is charged with murder and with being an accessory to the fact.

Two women, also denied bail in the same case, are:

REEVA WHITE, 22, of the 2100 block St. Paul street, charged with assault with intent to murder and with mayhem.

ANGELINA EDISON, 20, of the 800 block Abbott court, held in lieu as a state's witness.

Also charged as an accessory in Mr. Anderson's murder is Marshall E. Conway, 24, of the 1400 block Argyle avenue. He already is in City Jail, charged with homicide in the death of Patrolman Sager last week.

5 Witnesses Sought

Five other persons are being sought as State's witnesses in Mr. Anderson's death and two others are wanted locally in connection with the crime. Police have refused to identify them.

Four out-of-State suspects for

Police, FBI Hunt 11 More In Black Panther Case

[Continued From Page C 28]

Judge James A. Perrott yesterday issued a 10-day injunction against the distribution of inflammatory literature by the Black Panthers.

The injunction could be extended after a hearing.

In an affidavit accompanying his request, Mr. Burch said that Panther publications played an important part in the ambush of two city policemen last Friday.

"This Method Followed"

The Attorney General pointed out that a search of the home of one suspect in the shooting "produced a photocopy of a graphic description of how to ambush and assassinate police officers."

"This said method of ambush and assassination was followed in the shooting of Officers Sager and Sierakowski," the affidavit said.

Patrolman Donald Sager was killed in a hail of bullets as he sat in a police car in the 1200 block Myrtle avenue writing out a report.

His partner, Patrolman Stanley Sierakowski, was wounded critically.

Both Governor Mandel and Donald D. Pomerleau, police commissioner, insisted that yesterday's raids had nothing to do with the shooting of the two officers.

Torture-Death Link

Six of the arrested Panthers, they said, had been linked with the torture death of Eugene Anderson, 20, another Black Panther, whose skeleton was found in Leakin Park in October.

State Senator Clarence M. Mitchell 3d (D., 4th Baltimore) said he had been briefed by Commissioner Pomerleau and found that the raids were entirely separate from the Sager-Sierakowski shootings.

"It was obviously a case of

New York lawyer who ... fended Black Panthers here.

HENRY MITCHELL, whose last known address was in Baton Rouge, La.

EDWARD M. MARTIN, whose last known address was Washington.

DONALD LEE COX, whose last known address was San Francisco.

Those picked up in the 1700 block North Aisquith street yesterday are:

JOHN CLARKE, 30, of the 1200 block North Gay street, a Black Panther party captain, who is charged with possession of deadly weapons. He was held at the Eastern police station in lieu of $1,000 bail.

WILLIAM COATES, 24, of the 1100 block Cherry Hill road, who is charged with possession of deadly weapons and with four counts of assault with intent to murder by pointing a weapon. He is being held in lieu of $20,000 bail at Eastern.

RONALD DAVIS, 17, of the 1700 block North Aisquith street, who is charged with possession of deadly weapons. He is being held in lieu of $1,000 bail at Eastern.

WILLIE JOINER, 30, of the 1400 block Montpelier street, who is charged with two counts of possession of deadly weapons and is being held in lieu of $2,000 bail at Eastern.

MAY 14, 1971

Negro Bar Group Dropped From City Injunction Fight

By GERALD A. FITZGERALD

The Monumental City Bar Association, the professional organization of Baltimore's Negro lawyers, was dismissed as a party yesterday in the civil injunction proceeding initiated two weeks ago by city police against distributors of leaflets advocating attacks on policemen.

Exactly who moved for the dismissal was a subject of dispute, however, after Judge James A. Perrott ruled that the association had not shown a sufficient legal interest in the injunction to remain an active participant in the proceeding.

"They asked to be dismissed generally," Judge Perrott said when asked later to explain his ruling. The judge added that in dismissing the group as a party, he had only granted the motion of its own lawyer.

Motion Called Inadvertent

But Larry S. Gibson, the group's advocate for the past eight days at the hearing in Baltimore city Circuit Court, protested that even if he had so moved, the motion was inadvertent and not what he intended.

The lawyer said that his motion, along with those of other defense lawyers, was aimed at dissolving a temporary injunc-

April 30, and extended for an

other 10 days last Friday.

"I gave one additional reason," the lawyer continued, "I said you can't enjoin the whole world."

The court reporter's notes were not available late yesterday to show exactly what Mr. Gibson said to the court.

Notes Quoted

In a portion of the notes that had been transcribed for the court, however, the judge was quoted by the reporter as saying that the association could never be bound by the injunction unless it "became distributors . . . of this literature."

The judge added that the interests of the general public, insofar as the public may be affected by the injunction, were being adequately protected by the remaining defense lawyers in the case.

The defendants, the Black Panther party, three of its members and local officers, and a "Jane" and "John Doe," are represented by William H. Murphy, Jr., and William Zinman, a member of the Maryland branch of the American Civil Liberties Union.

After the judge refused yesterday to dissolve the injunction at the close of the state's case, the defense lawyers said they would put on witnesses today to show that the order is an unconstitutional infringement of free speech and press.

MAY 16, 1971

City Aide Calls Panther Leaflet Injunction Risky

By GERALD A. FITZGERALD

The city's community relations director opposed yesterday a permanent court injunction against distributors of leaflets advocating attacks on policemen, calling such a ban "risky in the extreme."

David L. Glenn, staff director of the Community Relations Commission, said that any court action that would raise the potential for confrontation between police and black residents of the city would also increase the possibility of racial disorders.

Mr. Glenn said he opposed "giving 3,300 policemen the opportunity, many times a day, to make judgments we don't think many of them are capable of making."

Lawyers representing the Police Department did not challenge Mr. Glenn's statements directly, suggesting instead that the witness, along with others who endorsed a statement criticizing the department two weeks ago, had prejudged the issue that is before the court.

The statement by a group of lawyers, university professors and clergymen, which criticized issuance of a temporary injunction and the arrests of more than a dozen people allegedly connected with the Blank Panther party, brought forth a bitter denunciation last week from Donald D. Pomerleau, the city police commissioner.

Mr. Pomerleau called the statement "a very offensive and inaccurate paper," and told the court that it was "very inflammatory."

In his cross-examination yesterday, Edward F. Borgerding, an assistant attorney general, directed the witness to read each of the statemen't six paragraphs and to indicate which were backed by "facts" and which by "feelings."

Mr. Glenn replied that he had not questioned the statement in detail when it was read to him over the telephone, but added that he subscribed to all of its contents even though he might have "written it a ilttle differently."

"Isn't this the exact party line of the Black Panthers?" Mr. Borgering asked, pointing to the statement.

"I don't know," the witness replied. "I'm not sure I know what their party line is."

Not Taken Seriously

Earlier, Mr. Glenn told the court that the material the police department wants to have enjoined is not taken seriously by most black residents of Baltimore.

"Some, particaularly older black people, handle it with disgust," the witness said. "Younger people just laugh at it."

Mr. Glenn said that he has watched people distributing both the newspaper published by the Blank Panthers and leaflets identified with the Ku Klux Klan in Baltimore but has never witnessed anyone take violent action as a result of reading either of them.

The witness reported that whites, on accasion, have distributed leaflets on Gay street which attack blacks "and nothing has happened to them."

Court Views Protest Films

Sun Mar 12, 1970

By GERALD A. FITZGERALD

The state court that enjoined distribution of leaflets advocating attacks on policemen two weeks ago viewed a group of films yesterday of the demonstration in downtown Baltimore last Friday against extension of the Vietnam war into Cambodia.

The films, which showed demonstrators at City Hall plaza, Hopkins plaza, and marching up Charles street after the rallies, were taken by members of the Police Department's inspectional services division, a unit charged with monitoring organized criminal and subversive activities.

Lawyers Object

The films entered the record of the protracted civil injunction proceeding over the objections of a group of civil liberties lawyers, who complained that "no connection" had been shown between the rallies and the literature under attack.

Judge James A. Perrott let it in, however, after an assistant state attorney general told him that the films were meant only to show the level of "tensions" in the city last Friday, and not to "encourage the court to ban rallies."

Judge Parrott announced from the bench Monday morning that one of the reasons he extended the temporary injunction for another 10 days last Friday was the existence of the same "tensions" to which the state's advocate referred.

The films also caught a small army of young Negroes in the act of selling the current issue of the Black Panther party's newspaper.

The issue contains a cartoon similar to drawings, reproduced from earlier issues of the same newspaper, that the state has entered as exhibits in the injunction proceeding.

Earlier yesterday, a psychiatrist told the court he was "not sure" whether readers or viewers of the material the state alleges to be inflammatory would follow suggestions the state says the material contains.

Among the exhibits shown to the witness, Dr. James E. Smith, assistant medical officer of the Baltimore Supreme Bench, were the following:

A crudely drawn cartoon showing a sleeping pig in an automobile surrounded by armed black men and women; and illustrated texts showing how to make Molotov cocktails and "people's hand grenades."

"I don't know if I can state with medical certainty that an individual would take such action," he said in reply to a question about the suggestibility of the material.

"I'm not sure there would be a probability," he added, "because there are a lot of other factors."

Mandel To Address Club

Governor Mandel will speak to the Mount Royal Democratic Club at 9 P.M. tomorrow at 924 St. Paul street, according to State Senator Julian L. Lapides, (D., 2d Baltimore), the club president.

AFRO JUNE 21, 1969

Files Discrimination Suit

Names Catonsville project in suit

The third suit charging a Baltimore County builder with racial discrimination has been filed in Federal Court by a Baltimore City Policeman.

Western District plainsclothes policeman, Milton Spencer complains that on May 18, he, his wife and two children visited the Rolling Green housing development in Catonsville, Md.

In his complaint Mr. Spencer contends that in the development there are six types of designs "called Annapolis, Brandywine, Cambridge, Dunkirk, Easton and Frederick.

"The saleslady," he continues told him that "there were plenty of lots available."

Also the complaint states, "she then informed us of its cost and told us that we would have to put $100 down on the lot, that each lot cost about $4,000 and that we could contract for the house, but we would have to put $1,000 down."

The Spencer's decided on the Annapolis model, Mr. Spencer's complaint points out, and were told "we could not see the model of the Annapolis because the one that was there, not far from the sales office, had been sold, but that we could see one in six weeks."

According to the complaint Mr. and Mrs. Spencer then made arrangements with someone in the office of Walter S. Stefanowicz and Sons, Inc. the contractor who is building the settlement, to come in on May 20th, make his $100 down payment on the lot and to return on the 24th to make the payment of $1,000 and draw up the contract.

At 10:30 a.m. on May 20th Mr. Spencer claims he returned to Rolling Green where he met a woman who identified herself as Mrs. Marian Smith.

He says, "Mrs. Smith informed me that she had come to tell me that there are no lots available because the engineers had not made any new ones."

In the complaint Mr. Spencer further states that on three subsequent occasions he talked to either a person identified as Mrs. Stefanowicz or someone connected with the company.

Each time he was informed that the information he received on his first visit was erroneous and that there were absolutely no vacant lots on which the Annapolis type home could be built.

Attorneys for Mr. Spencer, Larry Gibson, Ronald M. Shapiro, and Peter Axelnad have filed affidavits of three white couples who each claim to have been told that the Annapolis could be constructed on two or more of the vacant lots.

John and Jean Etzel, acting as testors for Baltimore Neighborhood, Inc. state that on June 15, they arrived at Rolling Green and were told by a woman who identified herself as Mrs. Stefanowicz:

"There were five lots available upon which these models (Annapolis and Frederick) could be built. By way of explanation she informed us that the Frederick and Annapolis required a frontage of 65 feet or more.

"She informed us that, if we decided on either of these models, they could be delivered by October 15, 1969."

Affidavits from Bernie and Patricia Douglass were also filed in the suit. The Douglass' claim that on May 25, they visited the development.

They state: "The saleswoman, a Mrs. Stfanowicz, informed us that approximately six of the larger 65' x 100' (the size required for the Annapolis model) were available in the present section of the development.

"These lots, she said, could accommodate all of the models that could be built." The Douglass' were testing for BNI.

Dr. and Mrs. John Boitnott visited the development on June 16.

In their statement they claim to have spoken to "a Mrs. Stefanowicz."

"She informed us that a house could be available on any of these lots by October, 1969.

We asked her again whether any model could be built on any lot.

"She reiterated that a number of lots with a frontage of 65 feet or more were available and that any of the six models, including the Annapolis, could be built on these lots." The Boitnotts were testing for BNI.

Last week a Federal Court judge signed a "Show Cause" order against the developer Walter S. Stefanowicz and Sons, Inc.

The order declares that they must show cause as to why an injunction should not be placed on the settlement.

The "Show Cause" order is dated for July 2. On that day a hearing on the suit will be held.

Sun July 31, 1967

NEGRO WINS HOME IN ROLLING GREEN

Patrolman Triumphs In 1st Such Case In This Area

Developers of the new Rolling Green subdivision in Catonsville agreed yesterday to sell a house and lot to a Baltimore Negro policeman and his wife who had charged the developers with racial discrimination.

The agreement, contained in a consent decree signed in Federal Court by Judge Edward S. Northrop, was the first of its kind in the Baltimore are volving the sale of single-family homes in a private development.

The Plaintiffs, Detective Patrolman and Mrs. Milton Spencer, charged in a civil rights suit last month that discrimination had been practiced on them when they were told by the developer's agents that no lots were available in the subdivision for the type of house they wished to build.

Walter S. Stefanowicz & Sons, Inc., the developers, did not expressly admit the charge ina stipulation submitted to the court.

But the decree contained the firm's pledge not to discriminate in the future, either with regard to the Spencers or to anyone else seeking to purchase homes in the development. In agreeing to sell the Spencers an available lot of their choice, the builder also pledged to build a house on the lot for the price that was in effect for the model they chose on May 20, the day the couple visited the development.

The asking price for the same house is now $500 higher than it was when the Spencers inspected a model in May, the court was told.

Evening Sun Tue July 31, 67

Negro Wins Housing Case

By Jeffrey Jones

Federal Judge Edward S. Northrop today ordered a Catonsville housing developer to sell a house to a Negro policeman at a reduced price after the developer admitted practicing racial discrimination in refusing earlier to sell the house to the Baltimore patrolman.

At the same time, Judge Northrop ordered the defendants, Walter S. Stefanowicz & Sons, Inc., and is agents, not to discriminate on racial grounds in the future.

The court action resulted from a suit filed against the company June 20 by Milton Spencer, now living at 4700 Ivanhoe avenue, alleging the developer refused to sell him a house because he was a Negro.

Civil Rights Act

At that time Judge Northrop ordered the defendants to show cause why an injunction order should not be issued against them udner the open housing provisions of the Civil Rights Act of 1966.

The 40-year-old veteran of 14 years as a policeman claimed he and his wife had been prepared to put a $100 down payment on a new house in the Rolling Green development, a Catonsville subdivision, but were told at the last minute no lots were available for the type of house they wanted.

Mr. Spencer alleged that several white couples who later requested the same type of houses were told lots were available.

First Case

Today's judgment, made in the form of a "consent decree," is the first such action taken in Maryland against a county housing developer, according to Donald Milles, Assistand Directof of Baltimore Neighborhoods, Inc. A consent decree is a formal court order based on the settlement of a civil suit agreed to by both parties in the suit.

Attorneys for Mr. Spencer were Ronald M. Shapiro, Larry S. Gibson and Peter F. Axelrad.

Before trying to purchase the house, which will now be sold to him at a $500 reduction, Patrolman Spencer has spoken as an unofficial police department spokesman on race relations.

News-American July 30,

Judge Orders Sale of Lot

Judge Edward S. Northrop in Federal Court today signed an order requiring the owner of the Rolling Green development on Bathurst Rd. in Catonsville to sell a lot to a Negro couple.

The couple, Detective and Mrs. Milton Spencer, of the 4700 block Ivanhoe Ave., alleged in their complaint that they were told there were no lots available for the type of house they wished to build.

THEY ALLEGED that on May 18 they spoke to Mrs. Walter S. Stafanwicz, wife of the owner of the development, on which about 150 homes are to be built, and were told that lots were available. They were later informed that none was suitable for their type of house.

The owner stipulated in court that he would not discriminate against any buyer because of race, religion or national origin. Judge Northrop made the stipulation part of the court order in settling the case.

Fort Meade Mechanic Charges Injustice

By Lee Baylin

A civilian mechanic at Fort Meade has filed a complaint with the Civil Service Commission charging that he has been denied promotions because he is Negro.

Milford H. Elsey, a 50-year-old automobile mechanic, also charged the Equal Employment Opportunity Commission branch at Fort Meade with unfair and unjust administration, and his superiors with taking reprisals for filing complaints.

Mr. Elsey, who has a total of 18 years experience with the government, filed a complaint with EEOC at Fort Meade in October, 1968, but he said was "coerced into withdrawing" it by George L Fountain, deputy EEOC officer there.

Others Were Promoted

Mr. Fountain, in a report at that time said he could not substantiate Mr. Elsey's charge of racial discrimination, although records "reveal that some Caucasians with very meager qualifications have been getting promotions to responsible positions.

"In reviewing records of a number of other civilians (at the Fort found it unusual for a Caucasian to be holding a high GS (General Service) rating and be assigned to a responsible position, yet be a high school dropout or in some instances never have attended a high school," his report said.

However, Mr. Fountain added in his report that it is rare to find a Negro in a responsible job without "at least a high school education."

Refused Seven Times

Since Mr. Elsey withdrew the complaint filed with Mr. Fountain, he has applied for seven promotions, but received none of them, according to the complaint.

Records filed with his complaint said Mr. Elsey ws judged to be qualified for five of the promotions, and among the best qualified applicants for three of them, but he was not selected.

Among his list of qualifications, Mr. Elsey said he has 41 five mechanic courses and taught automotive mechanics college credits, had completed for the Baltimore city school system.

EVENING SUN, JULY 18, 1969

Negro Civilian Attacks Meade Promotion Policy

By PERRING CRONE
Staff Reporter

A Negro civilian working at Fort Meade has hurled charges at officers connected with the base, that promotional advancement is slower for Negro workers than white workers.

In a complaint filed with the Civil Service Commission in Philadelphia, Milford H. Elsey, who has worked 18 years for the government, stated that on 25 occassions he was classified among the best qualified but was never promoted.

Elsey charged today that he was coerced into withdrawing an earlier complaint, made to the base commander. Elsey said in his complaint that he remained in the office of George L. Fountain, deputy Equal Employment Opportunity officer, for more than eight hours during which time, "Mr. Fountain tried to persuade me to drop my complaint."

MR. ELSEY CHARGED that, "near the end of the day he indicated that if I did not withdraw my complaint, he personally wouldn't help me get anything."

The 51-year-old combat vehicle repair mechanic withdrew his orignal complaint in July, 1968. Mr. Elsey said he felt he would receive the promotion he deserved.

Mr. Fountain submitted a report shortly after Mr. Elsey withdrew his complaint. In the report Mr. Fountain stated that Ft. Meade officials did not promote workers fairly.

"IN REVIEWING THE records of a number of other civilians at Fort Meade, I found it to be not unusual for a Caucasian to hold a high GS rating and assigned to a responsible position yet be a high-school drop-out or in some instances never have attended high school" the tardy report read.

"However," it continued, "it is rare to find a Negro employe at Fort Meade who has a rating of GS-9 or higher that has not at least a high school education, and many have college degrees," the report said.

Mr. Elsey charged that the report substantiates his original allegations.

In his complaint Elsey said he is a certified teacher with two years college education.

HE CONTINUED "On 25 occasions I was classified among the best qualified applicants although not promoted. I have been promoted once in the three years I have been employe at Fort Meade. My inability to gain promotion cannot be attributed to a lack of ability."

Elsey charged his employer with:

- Racial discrimination in job promotion.
- Unfair and unjust administration of the Fort Meade branch of the Equal Employment Opportunity Center.
- Subjecting him to reprisals for filing his complaint.

Mr. Fountain revealed in his report, which Mr. Elsey charged was incomplete, that "as of June 30, 1968. . .635 or 30.2 percent of the total population at the base were Negro. Of the 163 GS employes at Post in graded GS-9 through GS-13, only 14 or 8.5 percent were Negro."

JC ~ Dec 24, 1970

Firm Ordered To Stop Bolton Hill Rentals

By THEODORE W. HENDRICKS

A federal judge yesterday enjoined Pierre C. Dugan and Nephew Realtors from renting any one-bedroom apartments in Bolton Hill after a suit alleging illegal bias against Negro tenants was filed.

No Hearing Date Set

Judge R. Dorsey Watkins signed the temporary injunction against the Dugan firm and Mrs. Mary Rich Robertson, an agent, preventing them from executing leases until the charges are heard by the Federal Court.

Suit was filed under the Civil Rights Act which bars discrimination in renting apartments based on race or color. No date was set for a hearing.

According to the complaint, two specific apartment houses were designated in the injuction —those at 1315 and 1731 Park avenue—as well as the Bolton Hill area generally. This area was defined as bounded on the north by North avenue, Mount Royal avenue on the east, Lanvale street on the south and Linden avenue on the west.

Charges of discrimination in the renting of apartments were made against the Dugan firm by William G. Harris, a probation officer. He was assisted by Baltimore Neighborhoods, Inc.

Mr. Harris stated that he answered a newspaper advertisement for an apartment in the Bolton Hill area on December 13 by calling Mrs. Robertson to make an appointment.

According to Mr. Harris, he (Continued, Page B 5, Col. 6)

Firm Enjoined From Renting In Bolton Hill

(Continued from Page B 16)

was told a one-bedroom apartment was available for $100 to $110 a month but he failed to get an appointment to see it.

After waiting a day, Mr. Harris asked a woman co-worker to call and she was immediately given an appointment to see the apartment at the address he had inquired about, the suit states.

Mr. Harris, a Negro, said he accompanied the co-worker, Mrs. Stacia Hilder, a white woman, to see Mrs. Robertson about the apartment.

Since he was not interested in renting this apartment, Mr. Harris said that inquiries were made about other buildings but Mrs. Robertson discouraged him from looking at them.

Mr. Harris said that he called Mr. Dugan to report on his conversations with the real-estate agent and was told he would be considered at a later date.

In affidavits filed by Larry S. Gibson, attorney, two investigators for Baltimore Neighborhoods, Inc. indicated they had no difficulty viewing apartments and getting dates when they would be available from Mrs. Robertson.

In asking for a temporary order, Mr. Gibson pleaded that Mr. Harris would not be able to get an apartment in the Bolton Hill area unless the real-estate firm was prevented from renting them to others while the suit is pending.

Besides a temporary order, Mr. Gibson seeks a permanent injunction ordering the Dugan firm to show apartments to Negroes under terms and conditions offered to white citizens generally.

The complaint also asks a total of $1,500 damages, including $500 compensatory damages and $1,000 punative damages.

AFRO May 16, 1970

MAY 16, 1970

Md. High Court slaps down Judge Carter in 'hat' case

By BETTYE MOSS

'We are of the opinion that the trial judge erred in citing the defendant for contempt and the judgment of the lower court should be reversed.

This is the ruling which the Maryland Court of Appeals handed down Monday upsetting the conviction of Benjamin McMillan, also known as Olugbala-Olugbala.

The eight-page unanimous opinion, written by Judge Thomas B. Finan, found that Supreme Bench Judge Joseph L. Carter should not have sentenced Olugbala to jail because he kept his hat on during his arraignment on a riot charge on Sept. 17, 1969.

Rather, the state's high court ruled, Judge Carter should have permitted the defendant to wear his hat just as Judge J. Harold Grady did during another lower court proceeding.

The court said there was no evidence then that his hat-wearing disturbed the decorum of the court.

The Finan ruling noted that Olugbala calls himself a member of the religious sect known as Ujamma, and that his religion 'compels' him to wear his filaas (hat) before any of his oppressors.'

This right, the court said, is granted under the free exercise clause of the First Amendment of the U.S. Constitution and the Declaration of Rights of the Maryland Constitution.

The High Court also spanked Judge Carter for not listening to the circumstances of the defendant's espousal of his religious beliefs although his attorney, Larry S. Gibson, had pleaded with the court to do so.

Mr. Gibson said: 'Your Honor, this is not an individual who is wearing a hat

(Continued on Page 2)

LARRY S. GIBSON
'Even the police officer is wearing a hat...'

JUDGE JOSEPH L. CARTER
His 'hat' ruling overturned in 8-page opinion

OLUGBALA-OLUGBALA
His conviction thrown out by Md.'s High Court

JUDGE THOMAS B. FINAN
'The trial judge erred...' in convicting him

JUDGE J. HAROLD GRADY
He permitted hat wearing in court

out of contempt of court, but wearing it in recognition of a religious belief very much the same as a yarmulka to a Jew.'

This dialogue followed between Attorney Gibson and Judge Carter:

Judge Carter: If a Jew were in here with a yarmulka on, he would remove move it.

I am not hard to get along with, but this is one rule that has got to be followed, and he has to follow it the same as anybody else. I an not going to wait much longer. He will remove it or he will be found in contempt.

Attorney Gibson: The defendant has informed his attorney that his religious beliefs are compelling and over-whelming and because of these beleifs he will not remove his hat, etc.
it.

Attorney Gibson: Even the police officer is wearing a hat as part of their uniform. This man is wearing it as part of his religious belief."

Judge Carter: In this Court he will remove his hat. Sorry, I don't agree with you. I am in charge of this Court and he will re-remove it, etc.

Judge Carter: Very well, I find him in contempt and confine him until such time as he purges himself. That will be when he comes back in and removes his hat.

In his testimony, Olugbala-Olugbala had explained his (Ujamma), is a sect which had its origin in Tanzania, Africa.

He said it is based on social, economic, political and religious beliefs and he had been a member two years.

He asserted his religion 'compelled' him to wear his filaas (skull cap) before any of his oppressors whom he described as "the white people of this country who are oppressing black people." He included the court among his oppressors.

Further, he was 'compelled' to keep his head covered 'even if, as a consequence, I have to go to the gas chamber.'

He stated he believed God to be nature and; nature let the sun shine as hard on me as it does on anybody else.

In commenting on this, 'The courts can not weigh 'The courts can not weigh the theological merits of religious belief . . ..'

At another point, the court noted the U.S. Constitution and the Md. Consituation 'give extensive protection to religious liberty . . . and this includes not only protection to . . . univerally known and conventionally accepted religions, but a myriad of seldom heard-of, off-brand and off-beat religious concepts.'

In addition to Judge Finan, other judges who concurred in the opinion were: Judges Wilson Barnes, Marvin H. Smith James Digges and Hall Hammond, chief judge Judge Barnes wrote a separate concurring opinion.

AFRO Aug 17, 1968

Pickets expose 'barbaric' cells

Six persons arrested Saturday while protesting what they termed "unfair" pricing policies of the Morris Goldseker Realty Company, told Municipal Judge Avrum Rifman that conditions in the Central district cell block were "unfit" for human beings.

The cells are "inhuman and disgraceful." said Horace W. Davis, chairman of the Edmondson Village Community Association.

"Indecent" and "unhealthy," Sampson Green, Jr. chairman of Activist Inc., called the cells.

* * *

In Central district court Sunday, Judge Rifman agreed with the six defendants, who appeared before him charged with trespassing after they tried to present a letter to the owner of the Goldseker Co.

Judge Rifman not only agreed with the defendants' description of the cells, but referred to them as being similar to the "black hole of Calcutta." And he said that the conditions back there are barbaric.

The AFRO was present in the court when the jurist said that he had warned the police department privately in the past about the condition of the Central lockup.

* * *

The chairman of the Montebello Community Association, the Rev. James E. Wills, told the judge that he asked "three officers" what the charges were against him, but no one gave him an answer.

"I asked what I was being booked for, and the offiecr said, 'I don't know." I went back into the hell hole. It was all dumb. No one told me what my charge was," said the Rev. Mr. Wills.

Judge Rifman said that he was sure "ordinary citizens brought to Central district lockup have found it quite a shock."

A photographer arrested with the group, Phillip L. Marcus, told the court that an inmate "in the cell across from us was denied a glass of water and the opportunity to make a telephone call for five hours."

Taking notes throughout the unusual hearing,, Judge Rifman told the defendants that he would file a "detailed, written report" on their complaints and submit it to Police Commissioner Donald D. Pomerleau.

Judge Rifman predicted that if conditions in the cell block weren't corrected, the police department could be faced with a condition that could "blow up in their faces."

After hearing about two hours of testimony Judge Rifman refused to render a decision on the trespass charges until November 10.

The delay, he explained, was made "pending the outcome of a civil case between the parties in Circuit Court."

The Goldseker Co. has sought an injunction against the groups which have been picketing its offices.

The six defendants also complained about the fact that the arresting officers were all white while the majority of the pickets were black.

Those charged with trespassing were:

Rev. James E. Willis, 34, of the 3000 block Harford road, chairman of the Montebello Community Association. Sampson Green Jr., 42, of the 3400 block Wabash Ave., chairman of Activist, Inc., Roosevelt Lewis, 33, of the 100 block N. Dennison St., Phillip L. Marcus, 27, of the 3100 block Abell Ave., photographer for the Guardian Newspaper, New York.

Horace W. Davis, 38, of the 800 block Kevin St., chairman of the Edmondson Village Community Association; Killes G. Robinson, 27, of the 2700 block the Alameda.

All six were represented in court by Larry Gibson, attorney.

William Morrissy, police department public information officer, told the AFRO that the conditions of the central lockup were cited "long ago as one of the problems of the old building."

He explained that until the new police building is built, "we will make periodic checks to make the Central District lockup as humane as possible, considering the old facilities."

MAY 14, 1971

Negro Bar Group Dropped From City Injunction Fight

By GERALD A. FITZGERALD

The Monumental City Bar Association, the professional organization of Baltimore's Negro lawyers, was dismissed as a party yesterday in the civil injunction proceeding initiated two weeks ago by city police against distributors of leaflets advocating attacks on policemen.

Exactly who moved for the dismissal was a subject of dispute, however, after Judge James A. Perrott ruled that the association had not shown a sufficient legal interest in the injunction to remain an active participant in the proceeding.

"They asked to be dismissed generally," Judge Perrott said when asked later to explain his ruling. The judge added that in dismissing the group as a party, he had only granted the motion of its own lawyer.

Motion Called Inadvertent

But Larry S. Gibson, the group's advocate for the past eight days at the hearing in Baltimore city Circuit Court, protested that even if he had so moved, the motion was inadvertent and not what he intended.

The lawyer said that his motion, along with those of other defense lawyers, was aimed at dissolving a temporary injunc- April 30, and extended for an- April 30, and extended for another 10 days last Friday.

"I gave one additional reason," the lawyer continued, "I said you can't enjoin the whole world."

The court reporter's notes were not available late yesterday to show exactly what Mr. Gibson said to the court.

Notes Quoted

In a portion of the notes that had been transcribed for the court, however, the judge was quoted by the reporter as saying that the association could never be bound by the injunction unless it "became distributors . . . of this literature."

The judge added that the interests of the general public, insofar as the public may be affected by the injunction, were being adequately protected by the remaining defense lawyers in the case.

The defendants, the Black Panther party, three of its members and local officers, and a "Jane" and "John Doe," are represented by William H. Murphy, Jr., and William Zinman, a member of the Maryland branch of the American Civil Liberties Union.

After the judge refused yesterday to dissolve the injunction at the close of the state's case, the defense lawyers said they would put on witnesses today to show that the order is an unconstitutional infringement of free speech and press.

MAY 16, 1971

City Aide Calls Panther Leaflet Injunction Risky

By GERALD A. FITZGERALD

The city's community relations director opposed yesterday a permanent court injunction against distributors of leaflets advocating attacks on policemen, calling such a ban "risky in the extreme."

David L. Glenn, staff director of the Community Relations Commission, said that any court action that would raise the potential for confrontation between police and black residents of the city would also increase the possibility of racial disorders.

Mr. Glenn said he opposed "giving 3,300 policemen the opportunity, many times a day, to make judgments we don't think many of them are capable of making."

Lawyers representing the Police Department did not challenge Mr. Glenn's statements directly, suggesting instead that the witness, along with others who endorsed a statement criticizing the department two weeks ago, had prejudged the issue that is before the court.

The statement by a group of lawyers, university professors and clergymen, which criticized issuance of a temporary injunction and the arrests of more than a dozen people allegedly connected with the Blank Panther party, brought forth a bitter denunciation last week from Donald D. Pomerleau, the city police commissioner.

Mr. Pomerleau called the statement "a very offensive and inaccurate paper," and told the court that it was "very inflammatory."

In his cross-examination yesterday, Edward F. Borgerding, an assistant attorney general, directed the witness to read each of the statemen't six paragraphs and to indicate which were backed by "facts" and which by "feelings."

Mr. Glenn replied that he had not questioned the statement in detail when it was read to him over the telephone, but added that he subscribed to all of its contents even though he might have "written it a ilttle differently."

"Isn't this the exact party line of the Black Panthers?" Mr. Borgering asked, pointing to the statement.

"I don't know," the witness replied. "I'm not sure I know what their party line is."

Not Taken Seriously

Earlier, Mr. Glenn told the court that the material the police department wants to have enjoined is not taken seriously by most black residents of Baltimore.

"Some, particaularly older black people, handle it with disgust," the witness said. "Younger people just laugh at it."

Mr. Glenn said that he has watched people distributing both the newspaper published by the Blank Panthers and leaflets identified with the Ku Klux Klan in Baltimore but has never witnessed anyone take violent action as a result of reading either of them.

The witness reported that whites, on accasion, have distributed leaflets on Gay street which attack blacks "and nothing has happened to them."

News-Amer Apr 24, 1971

Income Levels Raised

New Legal Aid Ruling

By BARBARA BLUM

The Legal Aid Bureau has raised the eligibility income levels for persons who receive its free legal services.

Now a single person must take home less than $65 a week, instead of $50, to be eligible.

A married couple must take home less than $85, instead of $70, and less than $10 for each additional child. A sliding scale working down from $10 was previously used for each child

Joseph Matera, director of the bureau, said the board of directors unanimously adopted the new standards at its meeting this week. The eligibility guidelines hadn't been revised since 1965, when the bureau was created, he said.

"THE COMMUNITY people were in favor of the changes. There was a feeling the standards were too low, and not in accordance with present income levels," Matera said.

At the same meeting, the board, also by a unanimous vote, decided to allow Legal Aid lawyers to practice in Juvenile Court.

The bureau had done so several years ago, but the board decided in 1968 that this practice was contrary to the spirit of the law.

However, this opinion has been reversed and Judge Robert I. H. Hammerman, head of the Juvenile Court, has made it clear he would welcome the poverty agency lawyers.

MATERA SAID, "When the next case comes in that involves a juvenile, we'll go in."

Larry Gibson, a lawyer and member of the board, authored a motion directing the board to send a letter to the Baltimore City Bar Association demanding the bar unilaterally relinquish its power to veto board decisions to expand Legal Aid offices.

The Office of Economic Opportunity which funds the legal program has made it clear it is considering cutting off the Baltimore program if the veto isn't surrendered.

Although the motion passed unanimously with three lawyers present, Matera fears other lawyers on the board will block attempts to remove the veto. Both the board and the bar membership must repeal it.

On next month's meeting agenda, the board is slated to vote to amend its by-laws to repeal the veto. Gibson's motion would demand the bar do so, whether or not the board repeals it.

New City Districts Challenged In Suit

Sun July 17, 1971

By THEODORE W. HENDRICKS

A federal court suit filed yesterday charged that the new City Council redistricting plan discriminated against Negroes by reducing black voter strength in two election districts.

The suit asked that the September 14 mayoral primary and November 2 election be enjoined until new and more equitable boundaries are drawn. The eight plaintiffs assert that they are a class of adult Negro citizens who have been denied rights when the Supreme Court's "one-man, one-vote" mandate is applied to the redistricting plan adopted April 1 by the City Council.

The suit was filed against Mayor D'Alesandro, the City Council and Board of Supervisors of Elections. The plaintiffs reside in the six city districts.

The suit contended that present councilmanic election district boundaries were not drawn to rebalance districts to meet the Supreme Court's mandate and new census figures, but to accomplish another purpose.

The suit charged that City Council members acted to "swap black and white populations back and forth" in changing election district lines so that the racial composition of several districts was altered.

Negroes were concentrated in the Fourth district, while the black majority in the Fifth district was reduced to a minority, the suit said. A strong Negro minority in the Sixth district was reduced to a lesser black minority, it claimed.

5 Areas Of Relief

The suit asks five areas of relief from the Federal District Court. The plaintiffs asked the Court:

1. To declare the so-called New Plan adopted by the City Council in violation of the United States Constitution.

2. To order the Mayor and City Council to present an entirely new plan to redistrict the city before any primary or general councilmanic election is held.

3. To prepare a constitutional redistricting plan for the pending elections to be used if the

(Continued, Page B 5, Col. 1)

New City Districts Challenged In Court

(Continued from Page B 18)

defendants fail or refuse to submit a new plan to the court.

4. To enjoin the September 14 primary and November 2 general election from being held under the New Plan, which is now in effect, until the redistricting of the city is made constitutional.

5. To grant the plaintiffs costs of the suit and such other relief as the court may deem proper.

Immediate Steps

With the primary election only about two months away, Paul R. Schlitz, Federal Court clerk, said he would take immediate steps to assign a judge to the case, despite the summer schedule.

City lawyers are expected to file a prompt motion to dismiss the suit that will clear the way for a hearing. An injunction to delay the election would be discussed at that time.

Filing the suit were the Rev. Vernon N. Dobson, of the 3400 block of Cedardale road; Homer E. Favor, of the 1400 block of North Linwood avenue; James Sesley, of the 600 block Cator avenue.

Study By Committee

Also, John A. Smith, of the 1800 block of Keane avenue; Wendell H. Phillips, of the 3600 block of Edgewood road; Michele Bland, of the 4000 block of Liberty Heights avenue; James A. Carter, of the 500 block of Cherry Hill road and Joyce Gray, of the 100 block of Aisquith street.

The suit arose out of a study made by the Baltimore City Bar Association's study group known as the Equal Justice Under Law Committee, but was not filed by the committee.

HOMER E. FAVOR *REV. VERNON N. DOBSON*

Two of plaintiffs alleging bias in redistricting

Lawyers include Wilbur D. Preston, Jr.; Larry S. Gibson, a Baltimore School Board member, and Robert E. Sharkey.

The 1970 census forced a redrawing of councilmanic district lines in the city. A proposed redistricting plan was outlined in a report handed to Mayor D'Alesandro in January.

"Minimal Shifts"

Known as the Bard plan, after Dr. Harry Bard, the chairman of the group which prepared it and president of the Community College of Baltimore, the plan proposed to shift persons from overpopulated districts and add them to underpopulated districts.

The suit asserts that the Bard Plan would have caused "minimal shifts of population without the accompanying trading off of population blocks among districts." The district boundary lines would have changed little, it was said.

The Board Plan would have left a black majority in the Second, Fourth and Fifth Districts and a white majority in the First, Third and Sixth districts, it was maintained.

Encircling Claimed

According to the suit, the plan was rejected by the City Council and one drawn up by Councilman Reuben Caplan (D., 5th) was introduced and advanced to a second reading.

It said that the lines of the proposed Fifth councilmanic district were drawn in such a way as to largely encircle the proposed Fourth district. The percentage of Negroes in the Fifth district was reduced from 58 per cent to 38 per cent, it was contended.

"The purpose and effect of the Caplan Plan was to protect the seats of white members of the City Council by containing a great portion of the city's black population in the Fourth district," the suit continued.

The plaintiffs claimed that public outcry led the City Council to reconsider the Caplan Plan, and the New Plan then was adopted April 1. It was "only a slight modification of the Caplan Plan," it was said.

The suit charged that the New Plan imposes on the plaintiffs and the class they represent a Plan imposes on the plaintiffs and the class they represent a badge of slavery outlawed by the 13th Amendment anl denies them equal protection under the 14th Amendment.

The plaintiffs concluded that another basic constitutional right denied to them by the new councilmanic redistricting is the full effectiveness of voting rights granted by the Fifteenth Amendment.

Blacks Sue to Ban Voting Until Lines Are Redrawn

Black voters have gone to federal court to halt the coming mayoral primary and general elections until revision of councilmanic district boundaries they claim were designed to confine black voting power to the Fourth District.

The suit charges that the city council acted to "swap black and white populations back and forth" to concentrate the black vote in the Fourth District, trim a black majority in the Fifth to a minority and shave a strong black minority in the Sixth to a less potent one.

The eight plaintiffs living in six districts charged that when the 1970 census results made redistricting necessary, an equitable plan called the Board Plan was scuttled and a discriminatory council plan was substituted for it.

THE COUNCIL plan was slightly modified when the city solicitor ruled it couldn't pass the Supreme Court's "one man, one vote" test.

The U. S. district court was asked to do five things:

- Declare the existing council boundaries unconstitutional.
- Order the mayor and council to present an entirely new plan to redistrict the city before any primary or general councilmanic election can be held.
- Prepare a constitutional redistricting plan to be used if the defendants fail or refuse to submit a new plan.
- Enjoin the Sept. 14 primary and tpe Nov. 2 general election from being held until the districts are made constitutional.
- Order the city to pay the costs of the suit.

Paul R. Schlitz, federal court clerk, said he would take immediate steps to assign a judge to the case. The city is expected to file a prompt motion to dismiss the suit, clearing the way for an early hearing.

"The purpose and effect . . . (of the council plan)," the suit contended, "was to protect the seats of white members of the City Council by containing a great portion of the city's black population in the Fourth District."

THE PRESENT plan, it was alleged, imposes on the black plaintiffs a badge of slavery outlawed by the 13th Amendment to the Constitution, denies them the equal protection required by the 14th Amendment and denies them the full effectiveness of their vote granted by the 15th Amendment.

Plaintiffs are the Rev. Vernon N. Dobson of the 3400 block Cedardale Road, Homer E. Favor of the 1400 block N. Linwood Ave., James Sesley of the 600 block Cator Ave. John A. Smith of the 1800 block Keane Ave., Wendell H. Phillips of the 3600 block Edgewood Rd., Michele Bland of the 4000 block Liberty Heights Ave., James A. Carter of the 500 block Cherry Hill Road, and Joyce Gray of the 100 block Aisquith St.

FRANKLIN'S PERSPECTIVE

What is Africa to me:
Copper sun or scarlet sea,
Jungle star or jungle tract.
Strong bronzed men,
or regal black
Women from whose
loins I sprang
When the birds of
Eden sang?

Countee Cullen's significant poem "Heritage," reversed a favorite image; Africa, and not America, is seen as the Garden of Eden.

Although the poem was written during the twenties, it seems, to have more relevance today. African culture is everywhere. Walk into any "Uhuru" shop and you will find dashikis, afro combs, a few revolutionary books, and lots of jewelry.

Brothers are changing their names, while Swahili and Arabic are slowly coming into the 'patois.' It is as if the 'sweet chariot' has finally swung low and lifted us out of the cotton fields and landed in the Garden of Eden: Africa.

But take some of these same brothers who want to speak Swahili and Arabic and ask them to name three African writers, especially novelists, and you may meet an empty stare. "African Novelist?" he might say as he strokes his over cultivated beard. "Yes, Man, African novelist."

* * *

How else are we going to understand what the African thinks of himself, and us, if we don't read what he is saying?

The situation is analogous to the beginning of our struggle when we were complaining that white folk were taking over the movement.

The rallying cry was: 'What about us, the blacks who are being discriminated against. . . .ask us what we think."

The rest, of course, is history; the complexion and direction of the movement changed.

One only has to look around at African writers to hear names like Mongo Beti, Amos Tutola, Chinua Achebe, Yambo Ouologuem, Cyprian Ekwensi and Ezekiel Mphahlele to name a few. (Take another look, they're really not that difficult to pronounce).

* * *

Zeke Mphahele (Ma-fa-le-le), a South African writer who has left his country and has chosen a life of exile, endless wandering from country to country, has published a new novel, **The Wanderers** (Macmillan).

* * *

The novel is interesting because Zeke Mphahlele is a South African, and the official policy of that country has left the Africans who comprise about 2/3 of the population as virtual slaves in their own land. So we get a true glimpse into the frustrations and violence, black against black and white against black, of that familiar situation.

South African blacks, the few that do work in the cities (they must return to their homes outside the cities after dark) have a lot in common with American blacks. They are, for the most part, westernized.

* * *

The Wanderers exposes for the first time the South African in exile. Timi Tabane, the central character in the novel, is a journalist in South Africa who printed the truth about a kidnapping and murder on a South African slave farm and is forced to run for his life.

So the odyssey of Timi Tabane and his family begins; a trek all the way to West Africa where Tabane gets a job in a free African country as a teacher.

* * *

Teaching in high schools and universities, Tabane realizes that there is no asylum for black exiles even in black Africa.

He leaves again for East Africa and a job in a university, realizing that drifting from one country to another, he is a victim and perpetrator of the violence that has enslaved him.

Mphalele writes with a clarity of expression, and forcefulness, that makes you race through the book.

But beneath Tabane's observation on Africa is a kind of demystification.

The reader is exposed to the comic opera rule of a black government dressed in British Colonial conventions and white imperialist money, of black power and white power, and Pan-Africanism.

The Wanderers is also an emotional experience of the depth that reaches the soul of black/brows/white/yellow/ red men.

As Tabane says: "How can I make my children understand we have wandered away from something — all us blacks; that we are not in close contact with the spirit of Nature, although we may be with its forces, that growing up for us is no more the integrated process it was for our forebears, but that this is also a universal problem."

It may help us American blacks come to terms with our "universal problems." Then the birds of Eden will sing again.

Birds Of Eden Will Sing Again

BUTCH FRANKLIN

Two State Law Employes Arrested In Drug Raids

Two employes of the Governor's Commission on Law Enforcement and Administration of Justice were arrested early today in simultaneous narcotics raids at their homes.

The suspects were identified as O. St. Clair Franklin, Jr., 25, director of public affairs for the commission, and Mrs. Danielle D. Barron, 25, an account clerk.

A third suspect, James M. Logan, 23, was arrested at his home in the 900 block St. Paul street. He was listed on police records as an auditor for the state.

Mr. Franklin, who was seized at his apartment in the 1200 block North Calvert street, was charged with possession and sale of marijuana and hashish and maintaining a nuisance house.

Mrs. Barron, arrested at her apartment in the 4600 block Old Court road, Baltimore county, was charged with "distribution of marijuana."

Suspended Without Pay

As the result of the arrests, Mr. Franklin and Mrs. Barron were suspended from the agency without pay and "will remain in that status until their income

[Continued, Page C 17, Col. 1]

2 Md. Employes Seized In Raids

[Continued from Page C 24]

or guilt is determined", according to a statement by the commission chairman and executive director.

The statement added:

"Richard C. Wertz, executive director, was first informed about the possibility of these arrests in October, when he was briefed by city police officials but asked to take no action which would interfere with the police investigation."

Sgt. Stephen Tabeling, who was in charge of the 12.15 A.M. raids, said the raids followed two months of investigation.

Quantities of suspected hashish and narcotics paraphernalia were confiscated in the raid on Mr. Franklin's home, the officer said.

Director of Law Unit Arrested

State Aide, Dope Seized

A top official of the Governor's Commission on Law Enforcement and the Administration of Justice was arrested early today when narcotics squad detectives raided his Calvert Street apartment, seized hashish and marijuana and charged him with selling drugs to undercover police officers.

Oliver St. Clair Franklin Jr., 25-year-old director of public affairs for the commission, appeared at a preliminary hearing in Central Municipal Court before Judge Harold Lewis and was released on his own recognizance pending trial Jan. 12.

Police said two other persons were arrested in separate raids. They were identified as James Logan, 23, 900 block St. Paul St., an employe of the state Division of Audits; and Laneille Ruth Barron, 25, 4900 block Old Court Road, who was identified as a secretary for the state law enforcement commission.

SPECIFICALLY, Franklin, a graduate of Oxford University, is charged with two counts of selling marijuana to police; possession of marijuana with intent to distribute; maintaining a common nuisance, and conspiracy to violate the narcotics laws.

Also seized in the 12:15 a.m. raid was a marked $50 bill police said was used by them to purchase marijuana.

Richard C. Wertz, executive director of the commission, said Franklin and Barron would be suspended without pay until the results of their trials are known.

"WE WERE informed about the possibility of the arrests in October this year by city police but wee asked to take no action which would interfere with their investigation," Wertz said in a prepared press release issued by his secretary. BZ

Gov. Mandel, meanwhile, maintained a "no comment" policy on the incident.

According to police, four narcotics agents from the city's Criminal Investigation Division, led by Sgt. Stephen Tabling, rang Franklin's doorbell at his apartment in the 1200 block N. Calvert St.

Police said Franklin answered the door and offered no resistance when he was told of his impending arrest on a search and seizure warrant.

CONFISCATED in the apartment, police reported, was a

Turn to Page 2A, Column 8

Dope Raiders Arrest State Law Official

Continued from Page 1A

quantity of hashish found on a mantlepiece; a "small" amount of marijuana and several smoking pipes.

Police said they also seized a brass pipe from Franklin's pants pocket.

Sgt. Tabling said the raid culminated a two-month investigation in which Franklin allegedly made two drug sales to undercover police.

Logan was charged with conspiracy to violate the narcotics laws and Miss Barron was charged with distribution of marijuana.

Sgt. Tabling said a fourth person is being sought in connection with the probe.

No drugs were found in the Barron or Logan homes, police said.

The raids were made, police said, on a search and seizure warrant signed by Supreme Bench Judge Charles Harris.

Turning On for Fun

By ERICH GOODE

When the question, "Why do kids smoke marijuana?" is asked of someone society calls an "expert" on drugs —typically, a local policeman, a gym or "health" teacher, or general practitioner—the expected answer is supposed to sound something like this: 1) marijuana use is an "escape from reality"; 2) kids today are troubled, frightened, insecure, and grass is a misplaced effort at solving problems; 3) smoking marijuana is an ego-boost for youngsters with weak egos and a low self-esteem; 4) when a kid is depressed, when he's in trouble, when he can't handle the complexities of life—he reaches for a joint; 5) marijuana use is a product of a too "permissive" society; 6) smoking marijuana is a result of social pressure, a desire to be fashionable, to be in the swim; 7) smoking grass is a form of rebellion, of shocking one's parents, a desire to do something daring and dangerous.

The simple fact is, marijuana is fun to smoke. Now, this will seem like a flabby justification to anyone who has not allowed himself much pleasure in the past forty years, but hedonism carries a great deal of weight in some circles. In my own study of marijuana users, pleasure emerged as the dominant motive for continued use. Almost 70 per cent said that sex was more enjoyable high. Almost 90 per cent said that the simple act of eating became more fun. Almost 90 per cent said that listening to music was a richer, more exciting adventure.

What does this portend for future marijuana use? The fear today is that the "hard" drugs have replaced grass, that marijuana is passé, and that the kids have moved on to much more dangerous drugs. No one doubts an increase in heroin use in the past few years. But recent studies still indicate that something like 90 per cent of all episodes of drug use among adolescents and young adults involve marijuana—and that heroin is still a relative rarity, hysterical cries of "epidemic" to the contrary.

Marijuana has become, and will continue to be, increasingly, a *recreational* drug, and for larger and larger numbers of young (and not so young) people. This will not disappear, and it will not abate; drug "education" campaigns are doomed to failure.

In nearly all cases, smoking marijuana does not "lead to" heroin (whatever that might mean); it does not, with extremely rare exceptions, touch off what psychiatrists call a "psychotic episode"; it produces about as much psychological dependence as chewing bubble gum; it does not cause violence, or anything like it; it does not produce a way of life characterized by apathy; one's ability to drive an automobile is relatively unimpaired under the influence of pot—and as far as the long-term organic damage is concerned, the worst that could be said is that there is as yet no proof of it. So the question has to be: Why *not* smoke grass?

In the ideological struggle between the pots and the anti-pots, the liquor-marijuana comparison is perhaps characteristic. This issue, like so many others in the debate, releases displays of rhetoric and polemics from both sides, rather than solid thinking. On hedonism grounds, grass wins hands down: there is more pleasure and less pain packed into each episode of being high on a joint of marijuana than in being lush-drunk.

But observers who argue against the weed discount the comparison with alcohol. Their feeling is that *any* addition to society of another psychoactive drug is a loss, regardless of how low the risk, or how great the pay-off in pleasure. (In fact, it is not uncommon to encounter the argument that marijuana is dangerous and damaging precisely *because* it is pleasurable.) Marijuana's potential dangers have to be *added*, this argument goes, to alcohol's actual dangers—making society worse off than before.

On the other hand, the pro-marijuana side takes very seriously the alcohol-marijuana comparison, because by almost any conceivable set of criteria, marijuana comes out ahead. But the point is—both sides are wrong, as well as right, at the same time. Society's toleration of marijuana use would, in fact, decrease the total amount of liquor consumption—which has to be a gain. But at the same time, this would increase the total number of individuals walking around stoned. Is *that* a gain? It is impossible to say, and depends on your political, ideological and moral persuasion.

It is time for the propaganda machinery to re-tool. The attempt to justify society's marijuana laws has made their supporters appear foolish. And if they lack credibility on the pot issue, the young adult begins to question their truth-value on the hard drugs as well. It is time to realize that enforcing the marijuana laws is a hopeless enterprise. Outlawing fun has always been a tough job.

Erich Goode, Associate Professor of Sociology at the State University of New York, Stony Brook, surveyed over 200 marijuana uses for a research project on drug use. His book, "The Marijuana Smokers" details the results.

Minister's son on probation

Afro
Nov 27, 1971

Oliver St. Claire (Butch) Franklin Jr., 26, a former public affairs director of the Governor's Commission on Law Enforcement, was found guilty of narcotic violations on Wednesday in Criminal Court.

The brilliant young man is the son of Rev. Dr. O. St. Clair Franklin Sr., former pastor of Mt. Zion Methodist Church in Baltimore and now a pastor of a Washington church.

Mr. Franklin pleaded guilty to the second count of an indictment which alleged he sold marihuana to an undercover policeman in October, 1970, in the 1200 block N. Calvert St.

The defendant admitted under testimony before Judge James W. Murphy he purchased marihuana valued at $100 for the former high school friend, who he did not realize was acting as an undercover policeman.

Judge Murphy imposed a two-year prison sentence, but suspended it and placed Mr. Franklin on three years probation.

However, he denied a request by Defense Attorney Larry S. Gibson, that the court use a statute

—Minister's son

(FROM PAGE ONE)

which would "wipe the slate clean" for the first time offender, because of "peculiar facts" in the case.

* * *

According to Mr. Franklin, he met Officer John Price of Washington last year and recognized him as a friend from high school days 10 years ago in North Carolina.

However, the defendant testified, Officer Price used a false name (Reggie) and stated he had recently returned from Vietnam where he had acquired a drug habit.

Mr. Franklin, who holds several degrees in economics and is presently a doctoral candidate, also testified the undercover policeman "pressured" him into purchasing drugs for him.

According to Mr. Franklin, he purchased hashish valued at $100 which he sold to Officer Price. According to the defendant, he "brought it for "Reggie."

Mr. Franklin stated Officer Price picked up the hashish but reportedly left some in his apartment and returned later on Dec. 7 last year, with a search warrant and arrested the defendant.

Defense Attorney Gibson contended, "Mr. Franklin" who lost his job, is a young man whose reputation

O. ST. CLAIR FRANKLIN JR.
pleads guilty

locally has been destroyed by the incident. Justice has been served."

However, Judge Murphy stated, "I feel very sympathetic to this young man, but for a man if his intelligence and educational background, I can't understand it."

Mr. Franklin is presently a doctoral candidate in African Studies at Oxford University in London.

He earned a M.A. degree in African economics at Edinburgh University.

Mr. Franklin completed undergraduate work at Lincoln University, where he graduated with honors with a B.A. degree in economics.

AFRO Jan. 29, 1972

Minister's son gets conviction removed

A Criminal Court judge, who previously convicted a former public affairs director of the Governor's Commission on Law Enforcement of a narcotics violation, modified his original judgement last week.

Judge James W. Murphy changed his earlier guilty

(Continued on Page A-2)

OLIVER ST. CLAIR FRANKLIN

—Minister's son

(FROM PAGE 1)

verdict of possession of marihuana for defendant Oliver St. Claire Franklin by striking the guilty pleas and vierdict from court records.

In addition, during the Jan. 19 court hearing, Judge Murphy ruled the previous two-year prison sentence and $500 fine he imposed upon the defendant were also to be removed from the record.

However, the jurist continued the three years probation imposed upon the defendant at his first criminal court trial held approximately two months ago, on Nov. 24.

The defendant, who pleaded guilty to unlawful possession of the drug, was initially found guilty by Judge Murphy, sentenced to two years imprisonment and placed on three years probation.

Mr. Franklin is the son of the Rev. Dr. O. St. Claire Franklin Sr., a former pastor of Mt. Zion Methodist Church in Baltimore and now pastor of a Washington church.

According to a statement of facts at the November hearing, the defendant reportedly sold marijuana in his apartment to an undercover policeman on Dec. 4 1970 in the 1200 block N. Calvert St.

He admitted under testimony purchasing the drug valued at $100 for the former high school friend, who he did not realize was acting as an undercover policemen.

Defendant Franklin told the court he purchased hashish for Officer John Price of the Narcotic Unit of the Metropolitan Police Department of Washington.

According to Mr. Franklin, who holds several degree's in economics and is presently a doctoral candidate the undercover policeman used the name "Reggie" and "pressured" him to purchase the drugs for him.

Mr. Franklin is presently a doctoral candidate in African Studies at Oxford University.

He holds a M.A. degree in African economics and completed undergraduate work at Lincoln University where he graduated with honors with a B.A. degree in economics.

Minister's son gets conviction removed

Afro · Jan 29, 1972

A Criminal Court judge, who previously convicted a former public affairs director of the Governor's Commission on Law Enforcement of a narcotics violation, modified his original judgement last week.

Judge James W. Murphy changed his earlier guilty

(Continued on Page A-2)

OLIVER ST. CLAIR FRANKLIN

verdict of possession of marihuana for defendant Oliver St. Claire Franklin by striking the guilty pleas and vierdict from court records.

In addition, during the Jan. 19 court hearing, Judge Murphy ruled the previous two-year prison sentence and $500 fine he imposed upon the defendant were also to be removed from the record.

However, the jurist continued the three years probation imposed upon the defendant at his first criminal court trial held approximately two months ago, on Nov. 24.

The defendant, who pleaded guilty to unlawful possession of the drug, was initially found guilty by Judge Murphy, sentenced to two years imprisonment and placed on three years probation.

Mr. Franklin is the son of the Rev. Dr. O. St. Claire Franklin Sr., a former pastor of Mt. Zion Methodist Church in Baltimore and now pastor of a Washington church.

According to a statemen of facts at the Novembe hearing, the defendant reportedly sold marijuana in his apartment to an undercover policeman on Dec. 4 1970 in the 1200 block N. Calvert St.

He admitted under testimony purchasing the drug valued at $100 for the former high school friend, who he did not realize was acting as an undercover policemen.

Defendant Franklin tol the court he purchased hashish for Officer John Price of the Narcotic Unit of the Metropolitan Police Department of Washington

According to Mr. Franklin, who holds several degree's in economics and is presently a doctoral candidate the undercover policeman used the name "Reggie" and "pressured" him to purchase the drugs for him.

Mr. Franklin is presently a doctoral candidate in African Studies at Oxford University.

He holds a M.A. degree in African economics and completed undergraduate work at Lincoln University where he graduated with honors with a B.A. degree in economics.

THE SUN, Thursday, November 4, 1971 C-7

Bribe laid to DMV examiner

A 56-year-old Department of Motor Vehicles employee was accused of taking a $10 bribe yesterday while giving a driving test to a pretty State Police undercover agent.

Morsell Hines, of the 2100 block Whittier avenue, was later released on his own recognizance, pending a November 18 hearing in Millersville District court on a charge of accepting a bribe while performing his public duty.

Ejner J. Johnson, motor vehicles commissioner, said Mr. Hines was arrested about noon yesterday immediately after giving a driver's test in the course behind the motor vehicle building in Glen Burnie.

Marked $10 bill

Mr. Johnson said the license examiner had finished giving a test to Jeannette Ann Karmann, a 23-year-old State Police agent, whom he described as "a rather attractive young girl."

During the test, Mr. Hines is accused of accepting a marked $10 bill from Miss Karmann, who was posing as a driver whose learner's permit would expire later this week.

Mr. Hines is accused of giving Miss Karmann points and making it appear she was about to

See BRIBE, C7, Col. 3

DMV examiner charged in bribe

BRIBE, from C20

flunk the test. Sixteen points or more is a flunking grade, said Mr. Johnson. Miss Karmann had accumulated 11 when a bribe was solicited, he said.

The investigation, conducted by DMV inspectors and the State Police, was launched when another young license applicant complained of a similar bribe solicitation two weeks ago Mr. Johnson said.

The commissioner said Mr. Hines was immediately suspended. Administrative steps were also begun to fire him. Mr. Hines has been with the DMV since November, 1961, Mr. Johnson said.

76 Negroes, 2 Groups Sue Goldseker On Bias Issue

By Lee Baylin

Two neighborhood associations and 76 Negro homeowners today filed a lengthy housing discrimination suit in federal court against Morris Goldseker and 18 of his corporations.

The suit, which charges violation of federal civil rights laws, illegal antitrust conspiracy and violation of Maryland usury laws, seeks over $2 million in damages and injunctions against Mr. Goldseker's real estate companies.

Those Filing Suit

Mr. Goldseker, one of the city's largest real estate speculators, has long been a target of civil rights groups in the city.

The suit filed today was brought by the Montebello Community Association, the Edmondson Village Community Association, and 76 homeowners who live in those two areas.

In addition to Morris Goldseker, his nephew Sheldon and three employes are named in the suit. Eighteen corporations in which Mr. Goldseker has an interest are also named in the suit.

The two neighborhoods, Montebello and Edmondson Village, have changed from predominantly white to predominantly black in the last two decades.

The suit notes that 24 census tracts in the area had a 97 per cent white population in 1950 and only a 7 per cent white population in 1967.

"For many years there has existed in Baltimore city a custom and usage of residential racial discrimination" which has limited Negroes to purchasing and renting "only in certain geographical areas," the suit said.

"Exploited Custom"

Mr. Goldseker and his corporations "have participated in, advanced, supported and exploited this custom and usage in their buying, selling, renting and leasing practices," it said.

The suit claims that Mr. Goldseker was able to buy houses below market value from whites and resell them to Negroes at inflated prices and under unfavorable terms.

The suit is divided into four sections.

The first section, under the federal civil rights acts of 1870, 1871 and 1968, charges that Mr. Goldseker took advantage of the discriminatory housing pattern in Baltimore in his real estate dealings.

Contracts Challenged

Under that section, the suit seeks to have the contracts under which the homeowners purchased their houses either declared void or changed.

In addition, each of the 76 plaintiffs is seeking $25,000 in punitive damages and attorneys' fees.

Two sections of the suit charge that Mr. Goldseker, his employes and couporations and other real estate speculators illegally conspired to violate the Clayton Antitrust Act.

It charges that illegal agreements were made "to fix, stabilize and maintain prices for the sale of housing to Negroes "at approximately $4,000 to $10,000 per unit above the fair market value."

Corporation Control

In the antitrust sections of the suit, the plaintiffs are asking that the court require the defendants to "divest themselves of any interest in, or control of, such defendant corporations as the court deems just and necessary."

In the fourth section, the suit charges that the defendants "willfully and wrongfully induced plaintiffs to sign contracts and leases containing unlawful and unconscionable provisions and calling for unconscionable and excessive interest charges and rentals."

Three types of contracts, "lease and option," "land installment," and "double mortgage" were used in the sale of homes by Mr. Goldseker to Negroes, the suit charges.

"False Representations" Charge

It charges that false represetations were made in the use of these three types of contracts in selling homes to Negroes.

In the section of the suit brought under Maryland usury statutes and common law, the plaintiffs are seeking reimbursement of "twice the total of all interest, discount and charges paid by each of the plaintiffs, under the installment and lease option contracts."

The suit resulted from several months of investigation by at least two community organizations active in civil rights and fair housing.

The two attorneys who prepared the suit, Ronald M. Shapiro and Larry S. Gibson, have represented a number of Negroes in other housing actions in recent months.

The case has been assigned to be heard by Chief Judge Roszell C. Thomsen. No date for a hearing has been set.

Sun Dec. 23, 1967

HOUSING BIAS SUIT FILED BY HOMEOWNERS

Negroes Say Goldseker, Associates Maintain Racial Segregation

By THEODORE W. HENDRICKS

A group of 76 Negro homeowners filed suit in Federal Court seeking an injunction to halt real estate practices allegedly used by Morris Goldseker and his associates to maintain illegal racial segregation.

The suit was filed under the Civil Rights Act. It seeks an end to the use of various types of land-installment contracts as well as a refund and $25,000 in punitive damages to each plaintiff.

Usury Statute

A separate section of the suit asserts that a total of 18 firms and 7 individuals engaged in a conspiracy in violation of Federal anti-trust laws. Treble damages were asked under this section.

In a section of the suit brought under Maryland usury statutes, the plaintiffs seek reimbursement of interest paid under installment and lease-option contracts.

Damage under the suit could amount to more than $2 million against the real estate firms.

The suit asserts that Mr. Goldseker and his associates have "exploited" a system of real estate dealings that makes profits by switching the racial composition of neighborhoods.

The plaintiffs, who are from the Montebello and Edmondson Village sections of the city, complain that Negroes are forced to pay a "black tax" to buy homes which have been bought cheaply by the defendants from former white residents.

"Wrongful Conduct"

Because Negroes were in an unfavorable bargaining position, the defendants "utilized the system of state and local laws and courts" to enforce racial segregation and gain profits, it was said.

The suit also attacked as a "wrongful course of conduct" the use of land-installment contracts, so-called double mortgages and the lease-and-option contracts.

By use of these contracts, Negroes were deprived of conventional financing for the purchase of their homes and were forced to live in racially segregated areas where housing was available to them, the plaintiff said.

The houses available to them were physically inferior, schools were overcrowded and public services were inferior to other areas of the city, the allegations continued.

Such practices have resulted in a loss of civil rights as guaranteed by statutes and the Constitution, Ronald M. Shapiro and Larry S. Gibson, attorneys, for the plaintiff, maintained.

The anti-trust sections of the complaint allege that the various corporations and individuals illegally agreed in January, 1950, to fix and maintain the prices of homes.

Standardized Contracts

Prices were set in the $4,000-to-$10,000 range, contracts were standardized and terms were agreed on in violation of laws which guarantee free and open competition in the sale of houses, it was asserted.

As a result of the suit, the defendants seek the treble damages allowed under civil anti-trust suits brought under the Clayton and Sherman anti-trust acts.

Finally, the plaintiffs allege that they were induced to sign contracts and leases that called for "unconscionable and excessive purchase prices and interest charges and rentals."

These actions violated Maryland fraud and usury laws and should lead to court judgment of double the total of all interest illegally charged by the defendants, it was said.

Named as defendants inthe 37-page complaint were Mr. Goldseker, his nephew, Sheldon, and three employees of the firm, Walter D. Collins, David Eisenberg and Sol Grossman.

Two other Goldseker corporations, Morris Goldseker Foundations, Inc. and Reedy Management, Inc., were also named defendants.

Henry G. Burke, was sued as resident agent of Edmondson, Inc.; Federal Brokerage, Inc.; K & I, Inc.; Kenneth Co., Inc.; L & A Corp.; Lee Realty, Inc.; Liberty, Inc.; Linwood Realty; Mel, Inc.; Owners, Inc.; and Edgevale Realty, Inc.

Finally, Stanley H. Wilen was named a defendant as resident agent for First Realty, Inc.; H & W Inc.; Live Realty, Inc.; Maryland Apts., and Ridge Gardens, Inc.

Commenting on the racial change in the city, the suit pointed out that in 1950 a total of 24 census tracts contained 134,951 persons who were white. By 1967, the same tracts contained only 17 per cent white persons out of a population now estimated at 168,599, or about 11,380 white persons.

76 Negro Homeowners Sue Goldseker; Charge Race Bias

(Continued from Page C 16)

Restauranteur Wins $1 Mil.

Attorney Wins With Song and Dance

By Susan Winchurch
Daily Record Staff Writer

A Baltimore City circuit court jury Tuesday awarded nearly $1 million to a Baltimore restauranteur who claimed that his contract to operate the Seoul Restaurant in the Best Western Harbor City Inn was wrongfully breached. *Chul Woo Lee, et al. v. K&K Management, Inc., et al., No. 84005049/L15063.*

Gibson

And, in an unusual twist, the attorney for the plaintiffs sang for the jury. Larry S. Gibson, a University of Maryland law school professor who represented Chul Woo Lee and So Ja Lee, referred to a particular portion of the Lees' contract with a management firm when he sang the child's tune "The Cat Came Back" to the court.

The contract, Gibson explained Wednesday, contained a provision by which the Lees would have been given 30 days advance notice prior to termination of their contract, even if there were justifiable grounds for termination. The song, he said, is about a Farmer Jones, who tries to rid himself of cat, which nevertheless repeatedly returns. Gibson likened the chorus of the song ". . . and the cat came back, the very next day" — to the contract's provision, which appparently "came back" to haunt the Virginia-based K&K Management Inc.

Gibson sang the song in its entirety to the court.

Asked yesterday if he thought his "song and dance" proved effective in wooing the jury, Gibson alluded to the substantial — $979,400 — verdict reached in his clients' favor. "The proof," he commented, "is in the pudding."

K&K's attorney, however, was apparently not charmed by Gibson's unusual tactic. "We definitely plan to appeal," Allen S. Rugg, an Alexandria, Va. attorney, said yesterday. "We think the court allowed some fairly exotic and unsupported tort theories to be introduced to the jury."

Rugg did not comment on the song.

The Lees filed their complaint in 1983 in the Circuit Court for Baltimore City, charging K&K and its principals with breach of contract, conversion and interference with business. K&K, they maintained, had entered with them into a contract in 1981 under which the Lees would operate the restaurant in the Harbor City Inn in downtown Baltimore. The entire facility, according to Rugg, was leased by K&K.

In September 1983, the Lees contended, K&K breached their contract and "unilaterally and without notice" evicted the Lees from the premises. As a result, the complaint said, the Lees were deprived of income, employment for themselves and their daughters and "the opportunity to recoup their substantial investments of labor and money into the business."

The restaurant, Gibson said, had been "the principal restaurant of the Korean community," and, as such, had served as a congregation place for the community.

AFRO Dec 23, 1969

78 Sue Prominent Realtor For $3 Million

$3 million suit faces realtor

Seventy-eight plaintiffs filed a $3 million law suit Monday in the U.S. District Court against Realtor Morris Goldseker, four of his employees, and 18 corporations, charging a variety of unfair and improper exploitative real estate practices.

Attorneys Larry S. Gibson, Ronald M. Shapiro, David B. Allen, Robert L. Diaz, and Peter H. Gunst prepared the 37-page complaint against Mr. Goldseker.

• • •

The law suit contains four counts against Mr. Goldseker.

They are: 1) Civil rights charges — Mr. Goldseker contributed to and exploited de facto racial segregation by imposing a "black tax," i.e., black citizens in Baltimore buy houses at higher prices and under more burdensome terms than those required of white people for the same type of housing.

Each plaintiff is seeking $25,000 in punitive damages.

In the suit the plaintiff describes lease optional contracts, land installment contracts and double mortgage contracts as the three kinds of contracts used to exploit black home owners.

2) Anti-trust claims charge Mr. Goldseker with a conspiracy to fix prices in terms and to create a monopoly.

It is alleged that Mr. Goldseker fixed prices ranging from $4,000 to $10,000 above the fair market value of the houses.

3) Goldseker is charged with acting together with and as co-conspirators in the stead of various corporations and individuals to create a real estate monopoly.

4) Alleged that Mr. Goldseker committed fraud by misrepresenting the conditions of the premises, terms in the conditions, how much the houses would cost, how much the house buyers would have to pay for the houses, etc.

The lawsuit is a result of months of intensive effort, demonstrations at the Goldseker office, and a collective unit of Activist, Inc. including Baltimore Neighborhood Inc., Jesuits from Woodstock College, and students from Morgan State College.

In the process of gathering information and preparing the case for court, the umbrella group became a coalition.

80 Md. Negroes File Suit Against 23 Realty Firms

A group of 80 black Marylanders filed suit in Federal Court today against 23 Baltimore real estate firms, all owned by Morris Goldseker.

The action charges that Negroes have been victims of discrimination by those charged and that their civil rights have been violated.

Attorneys Ronald M. Shapiro and Larry Gibson are representing the plaintiffs. The defendants must now answer the charges in court.

AMONG THOSE charged are the Morris Goldseker Foundation, Reddy Management, Edgevale Realty, Edmondson, Federal Brokerage, First Realty, Life Realty and the Maryland Apartments, Inc.

The suit charges that Negroes have not been permitted to move into certain areas and that exorbitant rents and selling prices have been charged black people.

It also says excessive interest rates have also been established, unfair profits made and inferior properties offered to blacks.

THE SUIT asks the court to revoke all municipal state and other licenses of the firms and to return all rents and mortgage money, at an interest rate of six per cent a year.

It demands that all contracts of the companies be declared void and unenforceable and asks $25,000 punitive damages for each of the 80 plaintiffs.

This is the first antitrust suit to be filed in Maryland under the Civil Rights Act and second in the nation. Its charges cover the period from January, 1950, until the present.

THE PLAINTIFFS charge that some of them were induced to come to Maryland from out of state as a result of the firm's advertising. Other persons, they say, were prevented from moving to Maryland because a conspiracy by the companies held prices artificially high.

The result, they charge, is "unlawful combination and conspiracy in unreasonable restraint of interstate trade" in real estate.

Goldseker has interests in real estate firms in other states, including Florida, the suit claims.

IT ALLEGES THAT the firms named agreed to fix prices of real estate to be sold to Negroes at $4,000 to $10,000 above the actual market value of the property. It also charges they conspired to standardize selling and rental contracts offered to blacks.

As a result, the suit alleges, fixed and high rentals and sale prices deprived Negreos of free and open competition and the right to negotiate on the terms of contracts.

Statistics in the document filed today indicate this practice set up black ghettos in several neighborhoods, including the Edmondson Village and Montebello areas.

SPECIFICALLY, THE suit alleges that 24 of the city's census tracts shifted in 17 years from more than 75 per cent white to more than 75 per cent nonwhite.

Total population of these areas in 1950 was 138,554, the suit says, with 97 per cent of the residents white. In 1967, it charges, total population was 168,599, of whom only 7 per cent were white.

does not give interviews) defended the firm against these charges.

Sheldon Goldseker is a slim, long-haired young man with modish black-rimmed glasses, who dresses sharply, talks fast and likes to refer to himself his uncle and their 100 employees collectively in the third person as "Goldseker."

"Did Goldseker overcharge?" he asked. "Is our price not merely reflected by the economics of this business?"

He said the firm started about 40 years ago and was active in several changing neighborhoods over the years. These included Edmondson Village and Montebello, which were the areas covered in the early Activist studies, and Franklin-Mulberry, North avenue, Forest Park and Gwynn Oak where, for a time, they were buying and selling 200 houses a year.

"First Liberals"

"We were the first liberals. We were the first pioneers," said Mr. Goldseker. "We were supplying a need."

"We stepped into the market when people couldn't get financing but could make payments. We did it when people were smothered in the inner city. And we did without blockbusting."

"We made it possible for people to get a home. We weren't popular because people who help the poor and the black aren't popular."

The Goldseker firm became more unpopular in the summer of 1969 when, based on information gathered in the neighborhoods, Activists Inc., began campaign. Through picketing that summer and through further housing studies, Activists has continued its campaign against Goldseker to the present day.

Effort Called Effective

It has been devastatingly effective. According to Sheldon Goldseker, the firm stopped selling houses in 1969. "We haven't sold houses for two years, since the trouble. With the pickets, we can't close deals, we can't bring people into the office."

The firm's office windows at 220 West Franklin street were broken in the aftermath of one of the Vietnam Moratorium marches in Autumn, 1969, and never replaced. Boards cover them now.

The eight-man sales force has been let go and the company is left with 30 to 40 houses it cannot sell. It will rent them.

The Goldseker organization is already one of the largest holders of rental property in the city. Mr. Goldseker refused to say how many they owned. "Goldseker has never been in housing court," he said. "The great slum landlord—why?"

Half the firm's 100 employees, according to Mr. Goldseker, are involved in making repairs on their rental property. Kitchen and bathroom units, stacks of metal doors for cellar entrances, clothes poles made of scrap metal are stocked, and a complete repair shop is maintained in the inner city. The company has its own property inspectors (two), radio-dispatched repair units, and an efficient system for handling complaints, he said.

It was obvious from a tour that many of these rental properties, as well as some that the firm manages for other owners, were in good repair and well maintained.

As for the charges by Activists, Inc., Mr. Goldseker said: "It is generalizations and cliches started by a small group of people who can't discriminate between a good landlord and a bad landlord.

"They constantly, constantly, constantly, quote gross profit. Why? To create a riot. How can I prove that?"

Mr. Goldseker produced a document drawn up by J. K. Lasser and Company, the firm's accountants, showing that in the Montebello section, the firm bought an average house for $7,674 and sold it for $13,650. It spent $1,356 for renovations. Salesman's commission, advertising costs and other overhead during the first year totaled $1,597.

Thus, according to the statement, the firm's actual first-year cost was $10,627, leaving a potential profit of $3,023. However, there would be expenses in collecting this money and the firm could expect to net only $2,073, a 15 per cent profit, he said. Mr. Goldseker added that he considers a 15 to 20 per profit appropriate.

According to the Activists' study, some Goldseker houses almost doubled in value in the change from white to black occupants. The Goldseker prices were subsfantially above fair-market value based on tax assessments, Mr. Goldseker replied, because of the market he was dealing in.

"There's more than one fair-market value, depending on which market you're in—cash or installment," he said. "The FHA price is different than my price because theirs is a cash market and mine is an installment market."

To the charge of deception through the use of several corporate names, Mr. Goldseker replied that this was "comical." The different corporations were for tax-shelter purposes only, he said.

"Maybe Goldseker did charge a little too much," Mr. Goldseker acknowledged at one point, "but he's not an ogre. Don't kill Goldseker. We were performing a service.

"The pitiful thing is I can't debate with a moralist. Sure, a man who doesn't have cash will pay more."

1-15-72

Sun. Sat. Jan 15, 1972

Goldseker loans extolled

By JAMES D. DILTS

Uptown Federal Savings and Loan Association's $500,000 commitment to the M. Goldseker Company to provide about 50 loans to its customers, most of them Negroes, was described this week as a service to the community, by Harry L. Leavy, the loan company's new president.

"We are trying to lend money to the black people in Baltimore," Mr. Leavy said in an interview. "We want to do what we can to help the city.

"It really gets to me when we're trying to do something for a certain segment of the population and it is taken the wrong way."

The Goldseker loan package was criticized by the Activists, Inc., which asked the local office of the Federal Housing Administration to stop issuing mortgage insurance on the loans. The FHA refused.

The Activists is a civil rights group that has frequently criticized the Goldseker firm for alleged exploitation in the black housing market.

It. claimed last July that tenants of the real estate company were sent eviction notices when they refused to buy houses offered to them under a federal program.

The company said many of the tenants received the notices for other reasons, including non-payment of rent.

Over the past several months, the Activists have attempted to find out the details of the FHA-insured Goldseker housing package.

Thomas R. Hobbs, deputy area director of the department of Housing and Urban Development, said earlier this month that 120 mortgages on Goldseker properties had been submitted to the FHA by various lending institutions and that so far 6 had been insured.

He said that most of them had been rejected because the FHA appraisal of the value of the property was considerably below the price asked by the Goldseker firm.

Mr. Hobbs said that most of the mortgages had been sent in by Uptown Federal, an institution criticized by the Activists for dealing heavily with speculators and their customers in the 1960's.

Mr. Hobbs said that 5 of the 6 mortgages approved by the FHA so far had been submitted by Uptown Federal. He said that his office issued letters of firm commitment on 13 more mortgages from Uptown Federal on houses in the Goldseker package.

Mr. Leavy said that the FHA has approved all but a few of Uptown Federal's 21 mortgage submissions.

According to Mr. Hobbs, Uptown Federal has submitted many more mortgages than that and that some have been approved with conditions, such as that repairs be made to the house.

Mr. Leavy said the loans range in value from $8,500 to $13,000 and represent 95 per cent of the value of the house.

He said that with an $8,500 loan, the home buyer would make a down-payment of $425 and have 30 years to pay off the loan at 7 per cent interest, 1 per cent below the market rate.

Under the Section 221(d)2 program of the 1968 federal Housing Act, a low and moderate-income home buyer can make a low down-payment and take longer than usual to pay off the loan.

Mr. Leavy said that Uptown Federal had 50 loans under commitment to the Goldseker customers and that 20 had already been given out.

He said that while the savings and loan firm did lend money to the Goldseker company and its customers in the 1960's, when according to the Activists the firm was the biggest speculator in the city, Uptown Federal is now lending money to Goldseker customers only under the FHA-insured housing program.

"We're trying to get black people to own homes," Mr. Leavy said. "Mr. Goldseker told me personally that other savings and loans are not doing the job."

Mr. Leavy, 36, has been the president of Uptown Federal for about three months. He formerly spent nine years with the federal Home Loan Bank Board, in Washington, as a financial analyst and administrative assistant to one of the board members.

Former president indicted

Mr. Leavy took office the day after Alvin Snyder, the former president of the association, was indicted by a federal grand jury on charges of defrauding the savings and loan of over $12,000.

Mr. Snyder subsequently pleaded no contest to a charge of fraudulently accepting kickbacks from a credit reporting firm.

1-24-72

Goldseker Used Blacks For Profit, Court Told

Evening Sun Jan 24, 1972

By Horace Ayres

Morris Goldseker and his various real estate companies took "full advantage" of Baltimore's segregated housing patterns and combined this with various means to reap unreasonable profits, a lawyer charged at the opening today in federal court of an antitrust and civil rights suit.

Larry S. Gibson, representing 41 black individuals or families who purchased homes from Mr. Goldseker and 2 community associations, charged that Mr. Goldseker, by concentrating his efforts in two changing neighborhoods, achieved a "dominant position" and was able to charge black buyers $3,000 to $4,000 above fair market value for homes that had been purchased from whites.

Mr. Goldseker and his corporations and associates "were

[Continued, Page D 9, Col. 1]

able to do this by capitalizing on the fears of white homeowners who were in the process of panic selling," Mr. Gibson said in his opening statement in the nonjury trial before Judge Roszel C. Thomsen.

Mr. Gibson is one of the attorneys in the suit filed a little more than two years ago by the Montebello Community Association, the Edmondson Village Community Association and 76 black purchasers of homes in those two neighborhoods.

Mr. Gibson said a separate housing market exists in Baltimore for black citizens with an "artificial scarcity" that forces black families to pay much more for homes than white citizens pay for comparable housing.

Conspiracy Alleged

The suit charges that Mr. Goldseker and 15 corporations owned by him or his nephew, Sheldon Goldseker, have conspired to monopolize this black housing market in the Montebello and Edmondson Village areas in violation of the Sherman and Clayton antitrust laws.

The suit also asks relief under the terms of the Civil Rights Act of 1866 which guarantees black citizens the same rights to purchase and own property as are possessed by white citizens in every state of the United States.

The law suit asks for a court order to prevent Mr. Goldseker and his companies from continuing the practices against which the litigation is directed and asks for triple damages under the antitrust laws for the 41 remaining plaintiffs.

Scope Reduced

In the course of legal maneuvering and pretrial hearings conducted since the filing of the law suit in December, 1969, the scope of the complaint has been reduced considerably.

Of the 76 original individuals or families named as plaintiffs, 35 have been dropped from the case, as have 3 of the original Goldseker-controlled corporations.

The original suit demanded $25,000 punitive damages for each of the plaintiff homebuyers and was filed as a class action claiming to represent all other blacks who had bought or attempted to buy homes from Mr. Goldseker's companies.

Damage Demand Dropped

The punitive damage demand has been dropped, as has the class-action contention.

Also dropped were demands that Mr. Goldseker and his companies be required to get out of the real estate business by surrendering their licenses and a portion of the suit alleging violations of the common law and Maryland laws against usury and fraud.

Mr. Goldseker's attorney, former judge Thomas J. Kenney of the Supreme Bench, argued in his opening statement that the civil rights act passed shortly after the Civil War was not intended as a price control measure.

He also said that the antitrust laws are not applicable to the defendants' real estate activities because the effects on interstate commerce are minimal and that Mr. Goldseker did not have a monopolistic position in the market.

Of 3,077 house sales in the Montebello area in the decade from 1960 through 1969, Mr. Goldseker and his corporations bought only 311 homes, Mr. Kenney said.

1,100 By Others

About 1,100 houses were purchased by other investors in that area during the same period of time, Mr. Kenney said.

Of 7,200 transfers in the Edmondson Village during the same period, 4,200 were purchases by private buyers, 580 by Goldseker interests and 2,300 by other investors, Mr. Kenney said the evidence will show.

"There was no monopoly and there was great competition," he argued.

He also said that Mr. Goldseker made it possible for blacks without down payments to become homeowners at a time when the government and various financial institutions were not making it possible for blacks to move into decent houses.

Says He Filled Deed

Citizens such as Mr. Goldseker, spurred by the profit notice, stepped in and filled this need and in doing so made profits that were "reasonable," according to Mr. Kenney.

He also said that Mr. Goldseker spent an average of $1,350 in refurbishing each house before reselling it and that he guaranteed all repair work on his houses for a period of a year after sale.

Also, Mr. Kenney argued, buyers when receiving title to houses under land installment or lease and option contracts received full credit for all their monthly payments as well as down payments after deduction for such necessary expenses as taxes, interest payments and ground rents.

Extensive Use

Similar contracts have been in extensive use for years by others in the real estate business, the lawyer said.

Some of the plaintiffs in the case, he continued, have shown themselves to be unable to understand why they should not receive full credit in equity in their houses for every cent paid over the years, despite the necessary expenses incurred during the time they were buying them.

The trial, opening today, is expected to run into the first part of next week, then recess to mid-February, then resume for a month or more of further courtroom proceedings.

Transaction Described

The first witness was Horace Davis, 40, a Korean war Army veteran who told of signing what he thought was a purchase agreement in October, 1966, to buy a house in the 800 block Kevin road in Edmondson Village at a stated price of $12,950.

After making what was described as a "odwn payment" of $390 and making weekly payments of about $33 for nearly 17 months, Mr. Davis said, he was called by a woman from Mr. Goldseker's office in February, 1969, and asked to come in to sign papers for a "settlement."

When the "settlement" was signed, Mr. Davis said, he learned that although his "down payment" and weekly payments totaled $2,740 on the $12,950 house, he still owed $13,000.

The "settlement" also involved signing two mortgages and receiving two payment books, one calling for monthly payments of $111 to Premier Savings and Loan Association and the other for $35 a month to one of Mr. Goldseker's firms.

It was not until he saw Mr. Goldseker's name on the payment book, Mr. Davis said, that he first realized the firms with which he had been dealing, First Realty Company ad Lee Realty, were associated with Mr. Goldseker.

The nature of the February, 1968, transaction had not been fully explained when the trial recessed for lunch this afternoon.

Earlier Efforts

Mrs. Davis told of an effort to buy a home some years earlier, which he abandoned because of the Veterans Administration found the price asked to be in excess of the value the VA could guarantee under the GI Bill.

Mr. Davis also testified that when looking for a home in 1966 he made no effort to obtain one through classified advertising in the *Sunpapers* or the News American, because at that time all decent houses listed for sale in those publications were designated as "white only."

1-25-72

News American Jan 25, 1972

Couple Sues Goldseker in House Sale

40-year-old native of Jamaica testified today in Federal Court that she and her husband wer not told they were signing a lease-option contract for a house they wanted to buy from the First Realty Co., owned by Morris Goldseker.

Mrs. Byrl Mayne, a nurse's aide, said she and her husband, Franklin, 53, gave $750 to the realty firm for what they thought was a down payment on a $12,950 house in the 2000 block E. 30th St.

In the second day of testimony in the civil suit filed against 12 corporations owned by Morris Goldseker or his nephew, Sheldon Goldseker, two witness testified they thought they were singing settlement papers to purchases house but later found out they were signing lease-option contracts.

THE SUIT against the Goldsekers and their corporations was filed by 41 individuals and two community organizations, the Montebello Community Association and the Edmondson Village Community Association.

The suit charges that the companies owned by the Goldsekers conspired to fix prices $3,000 to $4,000 above fair market value and attempted to monopolize the housing markets in the Edmondson Village and Montebello sections of the city.

The suit also charges that the companies charged unreasonably high prices and exacted unreasonable terms and conditions in the contracts.

1-25-72

Court told Goldseker Realty firms overcharged black home-buyers

Afro Jan 25, 1972

A major West Baltimore realtor was accused Monday of using "curious logic" for justifying alleged higher prices he reportedly charged black home-buyers simply because they were poor.

The assertion was made by Attorney Larry S. Gibson Monday in Federal court in reference to the business practices of Morris Goldseker and his different real estate companies.

According to Mr. Gibson, the realtor's companies "interposed themselves between the would-be seller and would-be purchaser and exploited both".

Sixty-seven plaintiffs of the Montebello Community Association and the Edmondson Village are represented in the antitrust and civil rights suit which began Monday.

In the hearing before U.S. District Court Judge Roszel Thomsen, Mr. Gibson of two other lawyers outlined the demands of their clients.

It was revealed the 41 families involved are seeking declaratory relief from the companies' practices, damages and enjoinment of the defendants from violating their civil rights.

According to Mr. Gibson, the Goldseker companies, "against a background of discrimination," illegally charged the plaintiffs higher prices through unreasonable terms which were supported by an "artificial market."

The "artificial market," Mr. Gibson indicated, was created by the defendants when they "bought-up" homes from white homeowners selling at a loss in changing neighborhoods.

However, Defense Attorney Allan Goldstein denied that his clients created a monopoly in the Montebello and Edmondson Village neighborhoods.

According to Mr. Goldstein, the Goldseker companies, owned by Morris Goldseker and his nephew, Sheldon Goldseker, "provided a plan and took the risk of selling houses to black purchasers for small or no down payments."

He admitted, however during opening statements, that his clients had purchased the homes from white sellers in transitional neighborhoods and sold them later to black buyers.

Mr. Goldstein, during further denial of the charges, stated the white home owners sold their homes and "suffered financially because of their desire to escape from black neighbors."

1-26-72

She Cried, Home Buyer Says

Evening Sun
Jan 26, 1972

By Horace Ayres

A widowed mother of six said in federal court yesterday that she cried "like a baby" when she learned more than 11 years ago that the company from which she had just contracted to buy a home was controlled by Morris Goldseker.

Mrs. Ernestin Jones told of signing documents in November, 1960, to mortgage her old home in the 1200 block East Lafayette avenue to finance acquisition of her present home in the 2600 block Kirk avenue, in the Montebello area.

Directed To Other Office

The old home was mortgaged for $2,500 to be used as a down payment on the Kirk avenue home in a transaction negotiated with First Realty Company at its office on West North avenue, Mrs. Jones said.

She went to that office to make her first monthly payment of $130, Mrs. Jones continued, and was told to make future payments at a real estate office in the 200 block West Franklin street.

"When I looked up there and saw, 'M. Goldseker,' I cried like a baby," Mrs. Jones, recounting her visit to the Franklin street office to make her next payment.

"I stood there and cried like a baby, and God knows, I'm still crying. I knew I didn't have a fair chance."

Mrs. Jones, the third plaintiff to testify in trial of a suit by 41 Goldseker customers and the Montebello and Edmondson Village community associations in United States District Court, said she did not know that First Realty Company was a Goldseker firm. If she had known that, she said, she would not have dealt with the company.

Like two earlier witnesses, Mrs. Jones said the salesman, whose name she did not remember, assured her she would not need a lawyer.

She said she signed the papers without having read them. If she had read the contract, Mrs. Jones said, she would not have understood it.

"Land Installment Contract"

She said she was unaware until later, that she was actually signing a "land installment contract," under which the seller retains title to a home while payments are being made.

Mrs. Jones said she agreed to pay $12,950 for the Kirk avenue home after looking at several others offered by First Realty Company.

A down payment of $500 was initially suggested, she said, but the salesman then proposed to take a $2,500 mortgage on her Lafayette avenue home in order to deal directly with a building and loan association and save settlement costs.

Mrs. Jones said she wanted to move away from the Lafayette avenue home after the death of her husband in 1958 because her children often cried for their father and she thought a change in neighborhoods would be beneficial.

Another witness yesterday was Byrl Mayne, 40, who came to Baltimore in 1963 and now works as a nursing aide. She told of signing papers in 1968 at the North avenue office of First Realty Company, thinking she was buying a home in the 2000 block East 30th street.

Lease, Option Contract

The price, she said, was $12,950, including a $740 "down payment" and weekly payments of $30.

She later learned from a lawyer, she said, that she had actually signed a lease and option contract, under which she was actually paying rent, but with an option to buy the home.

Trial is to continue today before Judge Roszel C. Thomsen, hearing the case without a jury, with cross-examination of Mrs. Jones scheduled.

The suit by the two civic associations and 41 black customers of the Goldseker firm asks that contracts be rescinded or amended, and that triple damages be paid to the individual plaintiffs for the difference between their costs and the fair value of their homes.

Basis Of Suit

The Sherman and Clayton anti-trust acts and an 1866 civil rights law guaranteeing black citizens the same right as whites in purchasing property are the basis for the suit.

All individual plaintiffs in the case are black. The defendants are white.

The suit alleges that Mr. Goldseker, several of his associates and 15 companies owned by him or his cousin, Sheldon Goldseker, have conspired to dominate the black housing market in the Edmondson Village and Montebellow areas, charging excessive prices to black home buyers.

1-29-72

Goldseker hearing continues

Afro Jan 29, 1972

Federal court hearings continued Thursday in the Montebello Community Association and Edmondson Village civil rights and anti-trust suit against the Goldseker Company and its various realty firms.

Throughout the week some of the testifying community residents told the court they would not have purchased their homes if they had known the Goldseker company was involved.

Others also indicated the defendants told them they were purchasing their homes by signing a contract which in fact was a standard-option lease.

The suit, which began Monday before U.S. District Court Judge Rocziel C. Thomsen, was filed in 1966.

It now includes 41 families seeking declaratory relief from the realty companies' business practices, damages and enjoinment of the defendants from further violation of their civil rights.

During opening statements Monday Plaintiff's Attorney Larry S. Gibson also contended the Goldseker firms overcharged black home-buyers who attempted to purchase homes in racially-changing neighborhoods.

On Wednesday, Mrs. Celestia Hicks, 3800 block Colborne Rd., testified she signed papers in 1964 with a realty company owned by the Goldseker Company, under the assumption that she was buying her home.

However, Mrs. Hicks stated, it wasn't until 1970 when she discovered she was "just paying rent."

On Monday, Mr. Horace Davis, a resident of the Montebello Community, testified he did sign a standard-lease option contract for his home with the Lee Realty Co. in 1966.

According to Mr. Davis, he was told he would pay for his home in 15 years.

However, he revealed, it was not until later after he signed the standard-lease contract, when given his payment book, that he learned Lee Realty Co, was related to the Goldseker Co.

Mr. Davis also stated he would not have entered into the 1966 transaction had he known Goldseker was involved.

2-29-72

Sun
Feb. 29, 1972

Goldseker trial hears statistics

By JAMES D. DILTS

The director of research for the Johns Hopkins Center for Urban Affairs testified in federal court yesterday that the task of desegregating Baltimore's neighborhoods will become increasingly difficult as the city's Negro population increases.

The testimony came as the case of 41 individuals and 2 community associations against Morris Goldseker and real estate companies owned by him or his nephew, Sheldon Goldseker, resumed yesterday before Judge Roszel C. Thomsen.

The plaintiffs contend that the companies conspired to fix prices and monopolize the housing markets in the Edmondson Village and Montebello sections of the city in violation of anti-trust acts.

They also are arguing that the companies charged unreasonably high prices and exacted unreasonable terms and conditions in contracts in violation of the Civil Rights Act of 1866.

They have asked the court to rescind portions of the contracts and award triple damages for the alleged violation of the anti-trust laws.

Last month, several of the individuals who bought homes from the Goldseker companies presented their testimony. This week, experts in housing and other aspects of urban affairs are expected to testify.

Margaret Bright, of the urban affairs center staff, told the court yesterday that while the "segregation index" of Baltimore declined slightly between 1960 and 1970, the job of residential desegregation was made more difficult by the simultaneous increase in the black population during those years.

Dr. Bright defined "segregation index" as a numerical value on a scale ranging from 0, representing no segregation, to 100, representing complete residential segregation.

The Baltimore segregation index of 87 in 1970 means that 87 per cent of the blacks in the city would have to be moved to predominantly white blocks to achieve a completely unsegregated community she said.

Dr. Bright said she used data from the 1970 census to arrive at the city's segregation index and that the 87 figure, while representing a slight decline from 1960, was still high.

She said that the Edmondson Village and Montebello communities had changed from predominantly white to predominantly black over the last 10 years.

William T. Durr, a teacher of urgan sociology at the University of Baltimore, told the court yesterday that residential racial segregation exists in Baltimore because of "institutional racism."

He said institutional racism occurs "when the members of a majority are able to enforce their will because of their position in the institutions of the community. The individuals with power are able to exclude the minority without power from choice as to place of residence."

Dr. Durr said that a shortage of housing units in the city, migration and the natural increase in the black population had compounded the problems of Negroes seeking housing in Baltimore.

However, Dr. Durr's contention, based primarily on census figures, that "the situation has produced intense pressure on the housing market for blacks and made their condition more difficult for them," was questioned by Judge Thomsen and defense attorneys.

2-29-72

Sun. Feb 29, 1972

Goldseker trial hears statistics

By JAMES D. DILTS

The director of research for the Johns Hopkins Center for Urban Affairs testified in federal court yesterday that the task of desegregating Baltimore's neighborhoods will become increasingly difficult as the city's Negro population increases.

The testimony came as the case of 41 individuals and 2 community associations against Morris Goldseker and real estate companies owned by him or his nephew, Sheldon Goldseker, resumed yesterday before Judge Roszel C. Thomsen.

The plaintiffs contend that the companies conspired to fix prices and monopolize the housing markets in the Edmondson Village and Montebello sections of the city in violation of anti-trust acts.

They also are arguing that the companies charged unreasonably high prices and exacted unreasonable terms and conditions in contracts in violation of the Civil Rights Act of 1866.

They have asked the court to rescind portions of the contracts and award triple damages for the alleged violation of the anti-trust laws.

Last month, several of the individuals who bought homes from the Goldseker companies presented their testimony. This week, experts in housing and other aspects of urban affairs are expected to testify.

Margaret Bright, of the urban affairs center staff, told the court yesterday that while the "segregation index" of Baltimore declined slightly between 1960 and 1970, the job of residential desegregation was made more difficult by the simultaneous increase in the black population during those years.

Dr. Bright defined "segregation index" as a numerical value on a scale ranging from 0, representing no segregation, to 100, representing complete residential segregation.

The Baltimore segregation index of 87 in 1970 means that 87 per cent of the blacks in the city would have to be moved to predominantly white blocks to achieve a completely unsegregated community she said.

Dr. Bright said she used data from the 1970 census to arrive at the city's segregation index and that the 87 figure, while representing a slight decline from 1960, was still high.

She said that the Edmondson Village and Montebello communities had changed from predominantly white to predominantly black over the last 10 years.

William T. Durr, a teacher of urgan sociology at the University of Baltimore, told the court yesterday that residential racial segregation exists in Baltimore because of "institutional racism."

He said institutional racism occurs "when the members of a majority are able to enforce their will because of their position in the institutions of the community. The individuals with power are able to exclude the minority without power from choice as to place of residence."

Dr. Durr said that a shortage of housing units in the city, migration and the natural increase in the black population had compounded the problems of Negroes seeking housing in Baltimore.

However, Dr. Durr's contention, based primarily on census figures, that "the situation has produced intense pressure on the housing market for blacks and made their condition more difficult for them," was questioned by Judge Thomsen and defense attorneys.

Economy lecture given at Goldseker hearing

By JAMES D. DILTS

The second phase of a civil case against Morris Goldseker and 15 real estate companies he controls ended yesterday in Federal Court as Dr. Cleveland A. Chandler presented testimony concerning the economic operation of markets.

Dr. Chandler is the dean of Coppin State College and is the former chairman of the department of economics and business administration at Morgan State College.

His testimony did not directly concern the case in which the Edmondson Village and Montebello Community associations and 41 individual plaintiffs are charging that the Goldseker companies monopolized the housing markets in the two areas of the city and overcharged for the homes in violation of anti-trust and civil rights laws.

As Dr. Chandler defined the laws of supply and demand, scarcity, and the structure of markets, Judge Roszel C. Thomsen at one point referred to his testimony as "Lecture two on elementary economics."

Earlier witnesses in the case testified this week that there was racial housing segregation in Baltimore and that the housing market for blacks was restricted during the 1960's.

However, the defense objected when one of the plaintiffs' lawyers, Donovan M. Hamm, Jr., asked Dr. Chandler if these conditions "constituted a sellers' market in residential housing for blacks." The judge sustained the objection.

While being cross-examined by a defense lawyer, Thomas J. Kenney, Dr. Chandler said that the black housing market had been a sellers' market in Baltimore for the past 20 years.

Mr. Kenney asked the witness if he were aware that there were 200 investors competing to sell houses in the 1960's in Edmondson Village. Dr. Chandler replied that he was "more aware of the limited choices among blacks on the demand side."

2-29-72

Evening Sun Feb. 29, 1972

Embry Testifies In U.S. Trial

By Horace Ayres

Open housing provisions of the federal Civil Rights Act of 1968 have made only a silght difference in availability of homes for blacks in the Baltimore area, the city housing commissioner testified today in federal court.

"We haven't seen any great change because of that law," said Robert C. Embry, Jr., head of the Department of Housing and Community Development.

He was called as an expert witness to testify on Baltimore housing patterns and practices n a civil anti-trust and damage

[Continued, Page C 2, Col. 6]

City Housing Commissioner Testifies In Goldseker Trial

suit against the Morris Goldseker real estate interests.

Restrictions Lowered

Restrictions on black homeownership have diminished gradually both before and since the passage of the 1968 Civil Rights Act and the act itself was an indication of gradual change in attitudes toward residential racial segregation, Mr. Embry said.

During most of the 1960's, he went on, the "overriding consideration" in the home market for blacks was restriction on areas where homes were available—"lack of mobility" for blacks.

In part, Mr. Embry said, this was a self-imposed reluctance to move into all white or predominently white neighborhoods.

Raise Families

"They don't want to be martyrs; they don't want to be part of a cause; they just want to earn their living and raise their families," Mr. Embry said.

To a considerable extent, it could be argued, this self-imposed reluctance results from pressures imposed by society in general, the witness testified.

Much middle income housing is not advertised but is sold instead through relatives or word of mouth, Mr. Embry said.

Many brokers and salesmen do not solicit black customers and financing institutions are not as likely to loan money to a black would-e homeowner as to a white family of similar income.

$1,000 More

Comparing black families forced to move from the Franklin - Mulberry highway corridor with white families of similar income forced from the Canton area of East Baltimore, Mr. Embry said the blacks had to pay an average of $1,000 or so more than the whites for replacement homes.

Generally, the blacks got older homes despite the price differential.

Yesterday an urban affairs expert from the Johns Hopkins University testified that 87 per cent of the 1970 black population of Baltimore would have to move to predominantly white neighborhoods in order for the city to achieve a completely unsegregated residential pattern.

Statistics based on 1970 census figures also show that movement of 43.5 per cent of the entire city population, blacks moving to presently white neighborhoods and whites to areas now dominated by blacks, in order to reach a theoretical "segregation index" of zero, Dr. Margaret Bright testified.

Expert Witness

Dr. Bright was the first of a series of expert witnesses called by lawyers representing two community associations and 41 black homebuyers in the second trial phase of a damage suit against Mr. Goldseker and several of his real estate companies.

She gave these examples to explain the meaning of terms used in her statistical presentation on the extent of residential racial segregation in Baltimore.

A city's "segregation index," she said, represents deviation from the housing pattern that would exist on a completely random basis under which the percentage of black population in each block would be the same as that for the entire city population.

That would represent a segregation index of zero. At the other theoretical extreme, a city with totally segregated housing would have index of 100.

The segregation index for Baltimore has declined slightly, from 90.1 in the 1940 census to 91.3 in 1950, to 89.6 in 1960 and 87.3 in 1970.

Magnified Impact

At the same time, however, the increase in the black percentage of the city's population has magnified the extent of residential segregation's impact on the city.

The proportion of nonwhite inhabitants to the city's total population rose from 19 per cent in 1940 to 47 per cent in the 1970 census, the witness said.

The civil suit against Mr. Goldseker and 15 of his companies was brought by the Montebello Community Association and the Edmondson Village Community Association and 41 customers of the Goldseker firms.

Monopolization Charged

The suit charges that Mr. Goldseker, his associates and corporations conspired to monopolize the housing market for blacks in those two areas in violation of the Sherman and Clayton anti-trust laws.

3-10-72

(1)

Plaintiffs drop Goldseker suit; cite lack of funds

By JAMES D. DILTS

Judge Roszel C. Thomsen dismissed the civil case of 41 individuals and 2 community associations against Morris Goldseker and several of his real estate companies at the request of the plaintiffs in Federal Court yesterday.

"After presenting most of the evidence, plaintiffs have found themselves without the financial resources to pay an expert to testify as to fair market value," Larry S. Gibson, one of the lawyers for the plaintiffs, told the judge yesterday, as he asked that the case be dismissed.

Judge Thomsen then dismissed it adding in a brief statement that the evidence presented during the trial "showed the difficulties under which black people have labored in purchasing homes, and the need for federal, state and local action to assist them in the necessary financing."

Thus ended a long and, according to attorneys, unique court test of whether black home buyers had been discriminated against by white speculators who sold them houses in changing neighborhoods.

It also is the first of several such cases filed in several cities to be decided in court, according to lawyers.

The case here originally was filed December 22, 1969, as a class action suit by 76 individual plaintiffs, and the Montebello

See GOLDSEKER, C7, Col. 1

(continued on next page)

Suit against Goldseker dropped for lack of funds

GOLDSEKER, from C24

and Edmondson Village community associations. It charged Mr. Goldseker and 18 of his real estate corporations with violation of federal civil rights laws; illegal anti trust conspiracy and violation of Maryland usury laws. It asked for over $2 million in damages and injunctions against the real estate companies.

Hearings began in June, 1970, on a motion to dismiss the case by the defense attorneys. Judge Thomsen overruled the motion, and the case finally came to trial January 24 of this year.

By that time, the charges, the defendants and the plaintiffs had all been reduced in number. The class action aspect of the case had been dismissed in September, 1970. As the trial got underway this year, the usury charges had been dropped as had the $2 million damage figure. There were 35 fewer plaintiffs and three of the real estate companies had been dropped from the charges.

Lawyers for the plaintiffs charged, as the case opened, that the Goldseker-affiliated companies conspired to fix prices for houses $3,000 to $4,000 in excess of their fair market value and that they tried to monopolize the housing markets in the Edmondson Village and Montebello sections of the city in violation of the Sherman and Clayton antitrust acts.

They also claimed that the companies charged unreasonably high prices and exacted unreasonable terms in sale contracts, and that this violated the Civil Rights Act of 1866, a Reconstruction era statute that extends to all citizens the same rights held by whites to purchase property.

They asked the court to enjoin the companies from continuing their activities, to rescind portions of the contracts, and to award triple damages under the alleged antitrust violations.

Defense lawyers contended that the section of the 1866 civil rights law was not intended to be a "price-control law." They also claimed that the alleged antitrust violations were inapplicable to the case because Mr. Goldseker's real estate firms did not engage in interstate commerce to any extent or enjoy a monopoly of the housing market.

They denied that the firms charged exorbitant prices for the houses they sold to Negroes in the 1960's or engaged in any deception or conspiracy.

Several witnesses who had bought homes from the Goldseker companies testified that they had been deceived as to the identity of the firms and that the prices they paid were excessive compared to the cost of the homes to the Goldseker organization.

Embry testifies

Other witnesses called by the plaintiffs' lawyers, including Robert C. Embry, Jr., the city's housing commissioner, told the court that Baltimore was a highly segregated city as far as housing is concerned, and that opportunities for blacks to gain access to white neighborhoods and to financing for homes were severely restricted.

However, the plaintiffs' lawyers claim they were hampered from the start by a lack of funds to bring in expert witnesses, to pay the $450 to $500 court recorder's charge to depose (gather testimony from) other witnesses prior to the trial or even to pay fo duplicating costs.

They had planned to call one final witness who supposedly was to tie together the previous complex, and at times confusing, testimony. He was to testify concerning the prices charged by the Goldseker companies compared to the fair market value of the houses.

At the last minute a substitute witness had to be found, and the extensive appraisal work done over again. There was no money to pay the replacement witness, and so Mr. Gibson and Ronald M. Shapiro, the plaintiffs' lawyers, asked yesterday that their case be dismissed. They declined to state why they had to replace the original witness.

In the 1960's, the M. Goldseker Real Estate company bought almost 1,700 houses in Baltimore and resold many of them, primarily to Negroes. From 1950 through 1970, the firm bought 348 houses in Montebello and 712 houses in Edmondson Village. In the 1960's, almost all of these houses that were resold, went to Negroes. During the past decade, both these areas turned from almost completely white to almost completely black.

According to a study prepared by the Goldseker firm for submission as evidence in the case the company's gross profit on 67 of the houses it sold to blacks averaged 31 per cent. The Goldseker company has maintained that it earns an 18 per cent net profit.

Sun-Star
Mar. 11 1972

3-10-72

(2)

3-9-72

Realty Suit Dismissed

Evening Sun Mar. 9, 1972

By James P. Day

A federal court judge here today dismissed the civil suit that alleged that Morris Goldseker and 15 of his real estate firms used illegal methods to monopolize housing for blacks in two sections of Baltimore.

Judge Roszel C. Thomsen signed the dismissal order early this afternoon and said in it that more than 18 months of hearings on the case have shown that blacks need government assistance in obtaining adequate housing.

"The evidence which was presented by the plaintiffs showed the difficulties under

[Continued, Page D 12, Col. 4]

Goldseker Suit Is Dismissed

[Continued From Page D 20]

which black people have labored i nn purchasing homes and the need for federal, state and local action to assist them in necessary financing," the judge said in the order.

Plaintiffs Listed

The plaintiffs were the Montobello Community Association, the Edmondson Community Association and 41 customers of Goldseker-owned real estate firms.

The originally filed suit in December, 1969, charging the realtor with violating federal civil rights and antitrust laws and state usery laws by engaging in block-busting tactics in Montobello and Edmondson Village.

Specific charges in the suit alleged that Mr. Goldseker, one of Baltimore's largest land dealers, purchased homes in those two areas from white buyers at less than the full market value of the homes and then sold them at inflated prices to black buyers.

The plaintiffs asked for more than $2 million in actual and punitive damages in the original suit, which was the subject of on-again, off-again hearings from June, 1970, until today.

3-11-72

JUDGE THOMSEN

Court drops Goldseker case

Afro Mar. 11, 1972

U.S. District Court Judge Roszel C. Thomsen granted the plaintiffs their request to dismiss the antitrust and civil rights suit against the Goldseker Realty firms Wednesday.

Attorney Larry S. Gibson,

(Continued on Page A-3)

Goldseker

(FROM PAGE ONE)

in asking for dismissal of the action with prejudice, told the court his clients were unable to afford the cost of an expert appraisal of their homes.

The suit filed by 67 plaintiffs of the Montebello Community Association and Edmondson Village alleged the Morris Goldseker and Sheldon Goldseker companies overcharged black families for their homes.

Defense attorneys had filed a motion to dismiss the case on grounds that the plaintiffs had produced insufficient evidence for the declaratory relief and damages asked.

Judge Thomsen stated, "The court believes that the most appropriate way to dispose of the case in its present posture is to grant plaintiffs' motion to dismiss the action with prejudice.

"The evidence which was presented by plaintiffs showed the difficulties under which black people have labored in purchasing homes, and the need for federal, state and local action to assist them in the necessary financing."

Attorney Gibson told the AFRO his clients were "to be commended for the support they gave their case. They did everything they possibly could, but ultimately the case got to a cost beyond their means to support."

(1)

FINALLY — — AFRO - Mar. 21, 1972

THE TRUTH ABOUT THE M. GOLDSEKER LAW SUIT

The most important issue underlying the fact that the case against us in the Federal Court was dismissed several days ago is whether or not we overcharged our customers.

Before the law suit was instituted against us, we publicly offered any sincere person or group the opportunity to examine our books and records to see what profit we made. Prior to trial we volunteered to allow the plaintiffs to choose a Certified Public Accountant of their liking to come into our office and examine our books and records. They did, and their auditors carefully examined our accounting books, our records, cancelled checks, contracts and numerous other documents, and after so doing discovered within percentage points that the expenses and profit we have been quoting for several years were true. Therefore, the conclusion had to be drawn that the M. Goldseker Company did not overcharge. Certainly no one in our position could have done anymore than we did in subjecting ourselves to a revealing examination of this kind, and the results speak for themselves.

By the time the trial began, a great number of the allegations in the complaint filed against our company had fallen by the wayside. Thirty-five of the original seventy-six individual plaintiffs had dropped out of the case. At the conclusion of their evidence, the plaintiffs even admitted they had not made out a case against us.

See next page

3-21-72

AFRO Mar. 21, 1972

(2)

WE SUBMIT that the plaintiffs after two years of litigation were unable to make out a case against us.

WE SUBMIT that the plaintiffs did hire an appraiser and the appraiser did make appraisals for them. Why was the appraiser withdrawn? Why was a new appraiser necessary?

WE SUBMIT that the reason the appraiser was withdrawn was because he was unable to prove we overcharged.

See next page

AFRO Mar. 21, 1972

(3)

WE SUBMIT that if the plaintiffs believed that they had a case against us and that a new appraiser was needed, responsible blacks and other people and groups interested in black housing in the community could have been called upon and certainly they would have supplied either the talent or the few hundred dollars necessary to employ another appraiser.

The Persons who sued us, however, withdrew their case and the Court dismissed the complaint against us for lack of evidence. Our sympathy lies with our few customers who were led to believe they were taken advantage of. We feel no ill will towards them. Had those Activists who misled our customers seen fit to accept our offer to examine our books and records in the first place, they would have discovered the truth. They were offered the same opportunity as the Plaintiffs were to choose a Certified Public Accountant to examine our records. Once the Activists discovered we did not overcharge anyone, they would not have found it necessary to go from door to door and neighborhood to neighborhood in order to spread unfounded and unjust propaganda to the public, and most importantly they could have prevented the community from being incited unnecessarily against us and against all those who were engaged in legitimate business enterprises.

The M. Goldseker Company

Larry's 30th Birthday

No. 32646-71

Cadillac

VS.

Nelson

DISTRICT COURT OF MARYLAND
FOR BALTIMORE CITY
PEOPLE'S COURT BUILDING

Baltimore, MAR 2 1972, 19

This case has been postponed until March 22, 1972

at 7 P.M. o'clock, M.,

CLERK

By Judge Ahern

PLEASE BE PUNCTUAL IN ATTENDANCE

DC 1-9

Eve. Sun May 26, 1972

Man Wins, Then Loses

Samuel McLean, 23, was acquitted of assaulting a policeman but was cited for contempt of court because he failed to wait around for the verdict.

Mr. McLean, of the 1600 block East 29th street, disappeared from the courtroom at lunchtime Wednesday, after all testimony was concluded and lawyers were preparing to argue to the jury.

Judge James W. Murphy held the case over until yesterday. Mr. McLean, who was not under bail, remained absent, and the judge proceeded with the remainder of the trial.

After the jurors announced

[Continued, Page C 3, Col. 1]

Man Cited In Contempt

[Continued From Page C 28]

the acquittal, Judge Murphy informed them that he had cited Mr. McLean for contempt and issued a bench warrant for his arrest.

Struck With Blackjack

The defendant had been accused of attacking Patrolman James Doremer, 23, near Harford and Hillen roads about 1.30 A.M. December 5 when the officer sought to question him about a shooting.

Mr. McLean flipped the officer against a wall and began beating him with his firsts, evidence showed. The policeman struck the defendant near an eye with his blackjack and subdued him.

The defendant was not involved in the shooting, according to H. Gary Bass, prosecutor.

Evidence presented by Larry S. Gibson, defense attorney, showed that Mr. McLean was beaten and kicked and that he thereafter gave up his goal of wanting to become a policeman.

UNIVERSITY OF VIRGINIA
OFFICE OF PUBLIC AFFAIRS
MONROE HILL HOUSE
CHARLOTTESVILLE 22903

INFORMATION SERVICES
(703) 924-7116

June 27, 1972

Mr. Larry Gibson
Josey, Gibson, Allen & Mitchell
418 One Charles Center
Baltimore, Maryland 21201

Dear Mr. Gibson:

At the request of Lane Kneedler, I am enclosing a copy of the press release sent out by our office about your appointment to the law school faculty.

I am also enclosing copies of some of the news stories about your appointment. There are many papers in Virginia we do not see on a regular basis, so it is likely the story was carried in other papers not represented by these clips. The initial story was based on a story in the local newspaper by a reporter who got her information directly from Dean Paulsen.

In addition, we sent the release we prepared to a number of publications in both Virginia and Maryland, including the ones you requested.

If I can be of further assistance, please do not hesitate to let me know.

Sincerely,

Ralph N. Fuller

Ralph N. Fuller
News Editor

RNF/mea

Enclosures

UNIVERSITY OF VIRGINIA
INFORMATION SERVICES
UNIVERSITY STATION P. O. BOX 3788
CHARLOTTESVILLE
22903

"Their institution will be founded on the illimitable freedom of the human mind"
Th. Jefferson

CHARLOTTESVILLE VA. JUN 27 '72 P.B. METER P.B. 561619 U.S. POSTAGE .08

Mr. Larry Gibson
Josey, Gibson, Allen & Mitchell
418 One Charles Center
Baltimore, Maryland 21201

INFORMATION SERVICES
UNIVERSITY OF VIRGINIA
CHARLOTTESVILLE
22903

RELEASE ON RECEIPT

CHARLOTTESVILLE, VA., June 8 -- Larry S. Gibson, Baltimore attorney, has been appointed visiting assistant professor at the University of Virginia School of Law.

Gibson, a member of Josey, Gibson, Allen & Mitchell, is the first black to be appointed to a full-time position at the law school.

A member of the Baltimore school board, Gibson received a bachelor's degree from Howard University in 1964 and a law degree from Columbia University in 1967.

He attended graduate business school at Columbia and clerked for the Maryland firm of Venable, Baetjer, and Howard, and for Judge Frank Kauffman of Baltimore, federal district judge for the district of Maryland.

Last fall Gibson held a part-time position at the University law school, where he taught a weekend seminar in urban practice. During the next academic year, he will teach the same seminar, plus courses in civil procedure and evidence.

Gibson's "training and experience form a fine background for the subjects he will teach," says Monrad Paulsen, dean of the University's law school. He called Gibson's appointment an an excellent one.

#

DISTRIBUTION: X

June 7, 1972

Gregory Kane

Frazier goes out still ranked the best

THOMAS C. Frazier walked into the conference room of the Baltimore Police Department headquarters Sept. 24 in full uniform — the four stars on each shoulder of his blazer clearly identifying him as the man in charge.

He had on his glasses as he read from his prepared statement. He said all the right and predictable things: "I found that within the ranks of this agency, there were bright, hard-working men and women with a desire for excellence."

"The record of accomplishments speaks for itself."

"Officers and citizens deserve to be proud of what we have achieved together."

Yada, yada, yada.

When Frazier finished, Peter Hermann of *The Sun* asked him to respond to Democratic mayoral candidate Martin O'Malley's parting shot upon learning the commissioner was leaving: Sic semper tyrannis (Thus always to tyrants).

"I wish Mr. [*See Kane, 5B*]

Conte, the group's preside

The foundation used t loan to buy $10 model pol cars with Anne Arundel c ors and decals from a N Jersey toy company. T cars were sold for $15 ea with the profit going to t foundation.

"It was a small loan help the police departme that was paid back in tw months," said Andrew Lombardo, who propos the loan in 1997 and w treasurer of both groups the time. "How is that problem?"

Of more than 50 taxpaye supported loans made by t development corporati since 1993, this was the on one that strayed entire from the agency's state goals — to [*See Loans, 3*

Bullets b to Morga

New incident comes as school recovers from death last month

By Tim Craig
SUN STAFF

Baltimore police hav stepped up patrols aroun Morgan State University' campus after a two-minut burst of gunfire Thursda night sent more than a doze bullets whizzing near a dor mitory, leaving one ma dead and another injured.

The gunfire came hour after a school-sponsore candlelight vigil for a 19 year-old accounting studen killed Sept. 3 a few block from the Northeast Balti more campus.

Some students said the felt terror as shots rang ou and are now frightened — though neither of the victim in Thursday's shooting wa identified as a student — t walk through the neighbor hood around the campus.

"I'm ready to go home now," said Nia Wilkes, a freshman from Yonkers, N.Y "I came here to escape vio lence, and I am now scared and unsettled."

SUN 10-2-144

Gregory Kane

Frazier leaves the war zone without firing parting shots

[Kane, from Page 1B]

O'Malley well," Frazier answered. "I wish Mr. [David] Tufaro [the Republican mayoral candidate] well."

Couldn't this guy get angry? Now was the perfect time to get in some parting shots of his own. With the criticism he'd taken, Frazier was entitled to it. Instead, he acted like a man who hadn't just stepped out of a war zone.

But he had. Frazier's been at war — with his City Council and state legislature critics, the Fraternal Order of Police and some of his own subordinates — ever since he arrived. And the war may have damaged him. In war, the saying goes, truth is the first casualty.

The day after I wrote a column extolling Frazier as the best police commissioner the city has ever had, two callers telephoned to accuse Frazier of perfidy about the department's homicide unit.

"He straight-out lied about the number of black homicide officers when he arrived," charged one caller, who works outside the department but is familiar with it. In the column, Frazier claimed there were only six black homicide detectives of 33 total when he took over the department. The caller said there were 11. Frazier had somehow misplaced five black homicide detectives.

A second caller who works in the department but insisted on anonymity said the same. Both callers said Frazier was also misleading about the homicide clearance rate.

Frazier was taking no interviews yesterday and couldn't respond. Department spokeswoman Angelique Cook-Hayes said folks in personnel were checking the figures. Did Frazier deliberately lie about the figures or was he given bad data? It doesn't matter. Assuming the worst — that Frazier deliberately lied — he wouldn't be the first Baltimore police commissioner — or the first police officer — to do it. Former Commissioner Frank J. Battaglia was almost universally praised when he died not long ago. But it was Battaglia who gave me my first lesson in the compulsive mendacity inherent in police culture.

When I and about a dozen companions were demonstrating against police brutality in front of the Western District station about 30 years ago, it was then Colonel Battaglia who came over and talked to us. After a brief and peaceful exchange, he returned across the street and ordered us arrested and charged with inciting to riot.

At the bail hearing the next day, Battaglia decided to add some details to the incident. He talked to us, he told the judge, and we had thrown a rock and a bottle at him as he walked back across the street. I was appalled when a man so duplicitous was promoted to commissioner 13 years later.

So if prevarication didn't affect Battaglia's legacy as commissioner, it shouldn't affect Frazier's. The protests of his critics notwithstanding, Frazier is still the best police commissioner Baltimore's ever had. This is a department that, under Bernie Schmidt in the early 1960s, was one of the worst in the country. Schmidt was commissioner when Baltimore police went door-to-door in black neighborhoods conducting warrantless searches for the Veney brothers, two cop killers. The raids were the low point of the Schmidt regime.

Donald Pomerleau was appointed in 1966 to clean up the mess. The result was that the department wasn't necessarily good, just less of a mess. Successive commissioners held the fort until Frazier's arrival. It was Frazier who made the substantive changes such as promoting more blacks than his predecessors and implementing a fairer disciplinary system.

All along the way, his critics groused about how awful a commissioner he was. Frazier had a chance to give the back of his hand to all of them during his resignation announcement. He chose not to do so. Perhaps he didn't want to burn any bridges. Maybe he just wants the war to end. But I was hoping he would at least tell the media the quote he said one of his sergeants gave him. It eloquently summed up Frazier's troubles as commissioner.

"You head a department," the sergeant said to Frazier, "that has 150 years of tradition uninterrupted by progress, and you're disturbing that."