

1 A for the other witnesses we ought to thank this  
2 witness for appearing.

3 Q MR. DRISCOLL: I think you have been a very  
4 helpful witness. Thank you very much.

5 (Witness excused.)

6  
7 Whereupon,

8 MARION KIDD

9 called as a witness, sworn, testified as follows:

10 EXAMINATION

11 Q By Mr. Fortunato:

12 Q Your address?

13 A 258 Fairmont Avenue, Newark.

14 Q How long have you been a resident of Newark?

15 A All my life. This is my home.

16 Q How old are you?

17 A Thirty-nine.

18 Q Your occupation?

19 A I am a housewife.

20 Q Are you affiliated with any formal groups?

21 A Yes. I am with the Welfare Committee and -- well,  
2 I am on many different programs in Newark. I am on the  
3 Tri-Party Board. I am one of the executives on the Tri-Party  
4 Board.

5 Q What is the Tri-Party Board?

1 A That is the concentrated employment. We call it  
2 CEP.

3 Q Do you have any connection at all with the UCC?

4 A Well, I am a representative on UCC from one of the  
5 area boards, Area Board No. 3.

6 Q Do you have any connection with the city adminis-  
7 tration?

8 A Might I ask how?

9 Q Are you on the payroll of the city?

10 A No.

11 Q Explain what this welfare group is.

12 A Well, the welfare group is a group of welfare  
13 recipients, welfare mothers that have come together and  
14 tried to iron out each other's problems, and in doing this  
15 we have actually found out that welfare isn't treating us  
16 the way they should and are not giving us the benefits that  
17 should be given to all welfare recipients that they are  
18 entitled to.

19 Q Is this a paid job?

20 A No. This is volunteer.

21 Q Continue. In what respect are they not receiving  
22 the benefits they should be?

23 A Well, number one, they are not told that when their  
24 support payments are behind that Welfare can make it up.

25 MR. LEUCHTER: Support from whom?

1 THE WITNESS: From the father, or if there is  
2 a relative that can give some support, this can be  
3 done. But mainly from the father.

4 Number three, on school clothing we are trying  
5 to organize some kind of system of having a grant  
6 for children's school clothing at the first of  
7 September. We have here in Newark county and city.

8 We work with both and with city there are  
9 problems that we really can't get to because we are  
10 cut off from city. There are no manuals that we  
11 have to follow to go through with to help people.

12 Like with county we can go down and represent  
13 people. We can sit in and sit in while people tell  
14 the caseworker of their problems. With city we do  
15 have a problem trying to get in to have people  
16 helped.

17 Many a time people not knowing their rights on  
18 welfare have gone to bed many nights hungry. Some  
19 of the children are out of school for months at a  
20 time because there is not enough money in the  
1 budget to buy shoes and clothing. This is one of  
2 our main objectives starting a group like this, so  
3 things we have learned from people that are inter-  
4 ested in welfare that are not on Welfare that have  
5 helped us together and we are able to help people

1 like the who are still afraid to speak out or to go to the  
2 actually welfare office and tell caseworkers of their  
3 were, and problem in the home.

4 our groups By Mr. Fortunato:

5 Q: How many people on Welfare do you come in contact  
6 with during the course of the ordinary day?

7 A It varies, but some days from six to ten that I  
8 actually run into during the day.

9 Q Do you do this every day yourself?

10 A Yes.

11 Q Are there others who do this?

12 A Yes. We do have other mothers. There are other  
13 groups that did start since I would say about August.

14 People in projects are beginning to organize because we find  
15 there are a lot of welfare problems in public housing.

16 Various groups where people can't travel all over the city,  
17 they are just having little groups where people can come in  
18 instead of having them go across the city to a big meeting  
19 maybe at Area Board 3. They could stay right in their own  
20 community and meet.

21 Q Do you feel there is good cooperation between the  
22 Welfare agencies of the city in your group?

23 A Well, in the beginning we didn't have cooperation.  
24 They sort of fought us. But we have found many other people  
25 in Welfare on the local level who have told us they didn't



1 like the way the system was. Some of the caseworkers have  
2 actually told us they didn't like the way the Welfare clients  
3 were, and we have got some cooperation from them because since  
4 our groups have gotten larger, some of the caseworkers send  
5 their clients to us to get help.

6 So I feel we are getting a little support from Welfare.

7 Q Are most of the people you deal with situations  
8 where the family is the mother of a number of children but  
9 no father at home?

10 A Yes. In county we deal with a lot of that.

11 Q How about city?

12 A We say over a month we might have cases where there  
13 is a father in the home and he is with his family.

14 Q How many cases where there is no father in the  
15 home?

16 A I really can't even count them because you come  
17 into this every day.

18 Q What is the average number of children that are  
19 in this situation?

20 A The highest that I have come upon, I think there  
21 were twelve children in the family.

22 Q What would be a normal range if you can tell us?

23 A I would say eight children. The families are very  
24 large here in Newark.

25 Q That would be the average, eight children?

1 A Yes. THE WITNESS: The hospital stays would be

2 Q What is the support money that is allotted for a  
3 family having eight children? month with the 150, and 75

4 A Support payments? between welfare and the support

5 Q Yes. and to about three hundred something a month.

6 A It is according to the court. is in court, by the

7 Q You are saying that the support payment is  
8 included in the Welfare budget. Supposing you had a mother  
9 with eight children. How much would she receive from Welfare  
10 providing she was not receiving any support income?

11 A She would receive from Welfare about two hundred  
12 and some dollars, about \$267. million?

13 MR. DRISCOLL: For what period? to get into

14 THE WITNESS: A month. act is then more so

15 MR. DRISCOLL: Do you feel that is adequate?

16 THE WITNESS: No, it isn't. The support  
17 payment itself maybe would average about \$17.50,  
18 maybe \$21. get it for me the first of the month

19 MR. DRISCOLL: A week? that on the first of

20 THE WITNESS: Yes. come the check is either

21 MR. DRISCOLL: In addition to the \$200 received  
22 from Welfare? child is disappointed. That may

23 THE WITNESS: Yes. ally if the mother doesn't

24 MR. DRISCOLL: Can you tell us why you feel  
25 that is not sufficient? the on effect on the child

1 THE WITNESS: Two hundred sixty-seven dollars  
2 for a family of eight and support payments of \$21,  
3 that is about \$86 a month with the \$21, and it will  
4 bring the average between Welfare and the support  
5 payment to about three hundred something a month.  
6 With rent being as high as it is in Newark, by the  
7 time you pay your rent, buy clothing, food, in some  
8 cases people have to make their own heat. Even if  
9 you don't make your own heat, it is still not  
10 enough money.

11 MR. BRISCOLL: What is the effect on the  
12 children in these families?

13 THE WITNESS: When children begin to get into  
14 junior high I think the effect is shown more so  
15 there because then they begin to notice that other  
16 children have things that they don't have and  
17 then when they ask at home for it, they are told,  
18 "Mommy will get it for you the first of the month  
19 when my check comes." Sometimes on the first of  
20 the month when the check comes the check is either  
21 cut or if the non-support payment hasn't come that  
2 month, then the child is disappointed. That may  
3 go on for a time, especially if the mother doesn't  
4 know that the support payments are supposed to be  
5 made up. It begins to have an effect on the child

1 of saying this is a promise they get every month.  
2 By the time it is time for them to get what they  
3 are supposed to get, one of the younger children  
4 needs a pair of shoes or one of the younger ones  
5 needs a coat. It is always something, and this is  
6 where it starts, when a child gets in junior high,  
7 because he is not able to attend different things  
8 because the money is not there to give to him.

9 To tell you the truth, this is why a lot of  
10 women do some of the things they do and they are  
11 on welfare. They go to work and it is found out,  
12 or if they tell it, they take whatever she earns  
13 out of the check. So you are not really accomplishing  
14 anything.

15 MR. LEUCHTER: Can we amplify that? If a  
16 woman got a job for, say, \$50 a week and reported  
17 it, she would have this \$200 a month taken out of  
18 her welfare check?

19 THE WITNESS: A certain portion of it. If she  
20 makes \$50 a week clear every week, then they would  
21 deduct the first of the month maybe \$20-30 from her  
22 check.

23 MR. LEUCHTER: Per week or altogether?

24 THE WITNESS: The first of the month.

25 Altogether.



1 MR. LEUCHTER: She could make \$200 a month and  
2 they might deduct \$20 or \$30 from her Welfare  
3 check, or would it be a greater per centage?

4 THE WITNESS: It may be a greater per centage.  
5 It all depends on baby sitters and stuff like that.  
6 They pay for a baby sitter. All of these things  
7 have to come out.

8 By Mr. Fortunato:

9 Q I am going to leave this area because I wanted the  
10 brief facts concerning the riots and then maybe we can come  
11 back to it.

12 Were you at the Fourth Precinct on Wednesday, July  
13 12th?

14 A Yes, I was.

15 Q Do you recall what time you arrived?

16 A To my recollection we were at a meeting at the  
17 Area Board Three.

18 Q What time was that meeting scheduled?

19 A The meeting started at eight, scheduled at seven-  
20 thirty. I would say about a quarter to nine calls started  
21 coming in in the Area Board that there was a scuffle or  
22 something at the Fourth Precinct. I would say for about a  
23 good half hour we kept getting these calls back and forth  
24 that there was a cab driver that had been beaten up and that  
25 people were beginning to gather at the Fourth Precinct. They

1 really wanted the people from the Area Board to come over to  
2 find out what had happened because most of all I guess you  
3 would call the leaders and things like that were at this  
4 meeting because we were in progress of trying to get things  
5 ready for the camp. Most everybody was at this particular  
6 meeting at that time.

7 Q Did you go to the Fourth Precinct?

8 A Yes. We all left and went to the Fourth Precinct.

9 Q What was the situation when you arrived at the  
10 Fourth Precinct?

11 A When we arrived there, there were people that were  
12 milling around outside. They were talking, saying what had  
13 happened.

14 Q How many?

15 A I would say close to one hundred people.

16 Q What were they saying had happened?

17 A Different ones that you would bump into as you were  
18 coming down the street, they were saying that the cab driver  
19 had been beaten up by the police.

20 Q Did they say where he had been beaten up?

21 A No. No one really specified where. They were  
22 just talking that he had been drug out of his cab.

23 Q Did they say they had seen him beaten up?

24 A One woman did. She said that she had seen him when  
25 they had beaten him. She lived like the house next to the

1 Precinct, and she had come out on the porch and seen him  
2 being beaten.

3 Q What time was that?

4 A The time that we all left the Area Board must have  
5 been between quarter after nine and nine-thirty.

6 Q How far is your meeting at the Area Board from the  
7 Fourth Precinct?

8 A About three minutes by car.

9 Q So you arrived at some time after nine-fifteen at  
10 the Fourth Precinct. Did the people who were telling you  
11 about the beating of Charles Smith tell you what time that  
12 this alleged beating occurred?

13 A No. No one mentioned time there.

14 Q What did you do then? Did you stay there?

15 A I stayed because I began to see different people  
16 I really knew from the UCC.

17 Q When did they arrive?

18 A I must have been there about fifteen minutes.

19 Q Whom were you talking about, Tim Still, Oliver  
20 Lofton?

21 A Yes. Wendell.

2 Q Prior to their arrival was there a time when a  
3 group of people who were part of the demonstration went into  
4 the Fourth Precinct?

5 A None of the people went in. They were trying to

1 go in. They wanted to find out what had happened to the cab  
2 driver, and each time they made a move toward the door they  
3 were told to stay outside or, you know.

4 Q Did you talk to anyone who went in?

5 A No, I didn't get to talk to anyone that went inside.

6 Q As far as you know, no one went inside?

7 A I seen Mr. Still and Mr. Wendell and Oliver Lofton  
8 go in. That was after angry argument outside the back door  
9 because they did want to see the prisoner and wanted to know  
10 why he had not had medical treatment. I believe they got  
11 together and went in with the police captain or sergeant at  
12 the Fourth Precinct.

13 Q Did at some time Mr. Smith come out of the Precinct  
14 in the custody of other policemen?

15 A Yes. This was after they all had gone inside.

16 Q What time was that? Do you recall?

17 A No. Time I didn't really know. We were just all  
18 there. I couldn't specify time.

19 Q Did you speak to Mr. Smith at that time when he  
20 came out?

21 A I got a glimpse of him when he came out because  
22 there were many people there and the police had him and they  
23 were trying to bring him to the cab.

24 Q Was he walking?

25 A Yes. He was walking like in a slump like he was



1 in agony. I just seen him as I got to the car with him.

2 Q When was the next time you saw Mr. Smith?

3 A At the hospital.

4 Q What hospital?

5 A Beth Israel.

6 Q What time?

7 A That I can't even say. Time I didn't look at no  
8 more when I left the Area Board. The time when I actually  
9 left the hospital was about midnight.

10 Q To go home?

11 A No. I left the hospital to go back to the area  
12 because I had went over in the beginning when Mr. Walker had  
13 once got into the car with the prisoner when he was going to  
14 take him to the hospital. When I looked and seen again some  
15 one had said he hadn't gone and that the prisoner was alone  
16 and I seen another fellow worker that I usually work with.

17 I said to him, "Let's go to the hospital." We all got in  
18 the car, I, myself and two other fellows.

19 Q Was this Mr. Rush?

20 A Mr. Leroy Hush and a boy by the name of Tony. We  
21 all went over to the hospital.

2 Q Did anybody tell you to go to the hospital?

3 A No. We had taken this on our own.

4 Q How many others like yourself were at the hospital?

5 A Just the three of us.

1 Q Did you see Mr. Smith at the hospital?

2 A Yes, I did.

3 Q How did he appear to you at that time?

4 A Well, he was still slumped over like he was in  
5 agony, and he looked more afraid like he had been told not to  
6 say anything. When we arrived inside, there was a lady there  
7 that had a little girl that was sick. She called us to the  
8 side and said, "You seemed to be concerned about the  
9 gentleman that the police brought in. I want to tell you  
10 what happened. When they brought them in here they said he  
11 had stumbled and fell." This is what the police told the  
12 doctors.

13 Well, we begin to talk amongst ourselves and said, "This  
14 is not really what happened. Why don't you tell what really  
15 actually happened?" This is when the doctors begin to talk  
16 to the police to find out what had actually happened to  
17 Mr. Smith because he in the beginning didn't want to have any  
18 medical work done.

19 Q Did you hear the conversation between Mr. Smith and  
20 the doctors or the police and the doctors?

21 A Just when they asked him what had happened.

22 Q Just when who had asked?

23 A The doctor.

24 Q And you heard that?

25 A I heard the doctor ask him, but I don't know what

1 he answered back.

2 Q I understand you were almost killed during the riot.

3 A Yes. The night that Governor Hughes had passed  
4 martial law, that same day, Friday the 13th I think, well, we  
5 all had gone to bed in our home. About ten-thirty my sister  
6 called and wanted to know if all my children were at home. I  
7 was talking to her. Before I went to bed around seven-thirty  
8 we had seen the National Guard and the State Troopers and  
9 police. They were parked down on the corner of South Orange  
10 Avenue and Fairmont. There were people there talking to them  
11 and everything. About ten-thirty when she called me things  
12 were quiet outside. All of a sudden I heard the sirens  
13 blowing and telling everybody to be off the street.

14 I got up and went to the window and just as I got to the  
15 window, a lady on the second floor was talking to me in con-  
16 versation and all these trucks started moving from the  
17 corner and they all went in different directions. The  
18 National Guard truck came down our block, and I am about the  
19 fifth or sixth house in from the corner. They started  
20 shooting at the time they got at my house. I didn't even  
21 know they had shot in my house or I almost got hit. I only  
22 knew I fell to the floor, and I didn't even know the place  
23 had been shot up as bad as it was.

24 We put out all the lights and everybody crawled on the  
25 floor for the rest of the night. As they went down the

1 streets we could hear the gunshots.

2 Q How badly was your place shot up?

3 A I have two big holes in the bedroom wall about that  
4 big, and then the window still has the hole where the bullet  
5 went through, and my drapes. So the window shade was down  
6 and the room where I was, I have a blouse that was hanging.  
7 This is the only thing that saved me. I had a blouse or  
8 coat hanging near the window. The bullet went through the  
9 blouse and just ripped it. I had a raincoat. I guess the  
10 raincoat stopped the bullet because if it had not, I know I  
11 would be dead today. It came right clean through the house  
12 from the outside. If that raincoat hadn't been there, I  
13 know I would be dead today.

14 Q Have you ever given an affidavit to that effect to  
15 the Newark Legal Services Project?

16 A Yes.

17 Q Have you saved such things as the drape and the  
18 blouse containing this hole?

19 A Yes.

20 Q Have you registered a formal complaint to anyone  
21 other than bringing it to the attention of the Newark Legal  
22 Services Project?

23 A No, no one else.

24 MR. DRISCOLL: Did you recover any bullets  
25 from the walls?



1 THE WITNESS: We did, but my children were  
2 fascinated by the bullet and they were showing them  
3 and they got mislaid. I remember recovering two.  
4 They were shattered very badly, but I haven't been  
5 able to find them since that morning.

6 MR. MEYNER: Do you receive assistance?

7 THE WITNESS: Yes, I do.

8 MR. MEYNER: For yourself and for your  
9 children?

10 THE WITNESS: Yes.

11 MR. MEYNER: This is received through the  
12 county?

13 THE WITNESS: That's right.

14 MR. MEYNER: The Aid to Dependent Children  
15 Program.

16 THE WITNESS: Right.

17 MR. MEYNER: How many children do you have?

18 THE WITNESS: I have eight. One is grown.  
19 He is out of the home. I have a son that is  
20 twenty, but he is not receiving assistance any  
21 longer.

22 MR. MEYNER: So you have got six that receive  
23 assistance and yourself?

24 THE WITNESS: That's right.

25 MR. MEYNER: Did your husband desert you?

1 THE WITNESS: Yes.

2 MR. MEYNER: How long ago?

3 THE WITNESS: About nine years.

4 MR. MEYNER: How much do you get each month  
5 for yourself and the six children that are eligible?

6 THE WITNESS: Three hundred-one dollars a  
7 month.

8 MR. MEYNER: And how much rent do you pay?

9 THE WITNESS: At this date I am paying \$125.

10 MR. MEYNER: For how many rooms?

11 THE WITNESS: I have seven.

12 MR. MEYNER: Have you done any work in the  
13 last eight or nine years?

14 THE WITNESS: Well, I was doing domestic work  
15 just up until last year. My little girl started  
16 going to pre-school.

17 MR. MEYNER: Do you get support from your  
18 husband?

19 THE WITNESS: Yes. It would be \$17.50 a week,  
20 but they put the extra two dollars on for back  
21 payments, so it brings it up to \$20 a week.

22 MR. DRISCOLL: One of the issues that has  
23 frequently been mentioned in conjunction with this  
24 whole poverty program is what steps can be taken to  
25 maintain the family unit. How can we go about

1 preventing the high per centage of broken homes that  
2 we have not only among blacks but whites as well?  
3 Do you have any thoughts on that subject?

4 THE WITNESS: Yes. We have many thoughts on  
5 that particular subject. We feel that if a man  
6 that is in the home, if his salary does not cover  
7 the expense of the home for running it that Welfare  
8 should give him some supplemental help as long as  
9 the father is in the home. But it seems as though  
10 the county does not do this. They say if a man's  
11 salary is \$60 a week or \$63 or \$68, maybe he may be  
12 able to get help from City Welfare. But if he  
13 should go over that and he is on City Welfare, they  
14 will cut the family off like, say, he starts  
15 earning \$75 a week, saying he is making enough  
16 income to take care of his family and their needs.

17 This is why a lot of men do leave home, because  
18 the salary isn't high enough and we have gone down  
19 many times and said we would much rather see our  
20 family together and getting some supplemental help  
21 from county and the family would stay together. But  
22 county says this can't be done. The father has to  
23 be out of the home.

24 One thing we have found out, that the county  
25 will support a women if she has a boy friend and he

1 is living in the home. She can take a boy friend  
2 into the home and they will combine his income with  
3 her's and they will still give her help. But if it  
4 is the natural father of the children, he has to  
5 be out of the home before any help can be given.

6 MR. DRISCOLL: Then you relate a lack of  
7 opportunity on the part of a Negro to earn adequate  
8 income to support his family in part at least to  
9 separations that take place, is that correct?

10 THE WITNESS: Do I say --

11 MR. DRISCOLL: Do you feel there is a relation-  
12 ship between the opportunity on the part of the  
13 Negro man to earn an adequate income to support his  
14 family -- that is a factor in the number of  
15 separations that take place?

16 THE WITNESS: Most of our cases we do find  
17 it like this.

18 MR. DRISCOLL: Also, then, I would assume that  
19 you would feel there is a relationship between  
20 broken homes and the failure on the part of the  
21 Negro to have an opportunity for advancement in his  
22 job status?

23 THE WITNESS: If I am understanding you cor-  
24 rectly --

25 MR. DRISCOLL: Let me put it this way: If



1 a Negro had a better opportunity to advance in his  
2 position and hence make more money, would you  
3 believe there would be a better chance of keeping  
4 the home together?

5 THE WITNESS: Yes, I really do. In a lot of  
6 cases everybody can't get along together, but in  
7 cases we have worked with I believe this is true.

8 MR. DRISCOLL: But the per centage of broken  
9 homes would in your opinion be dropped?

10 THE WITNESS: That's right.

11 MR. DRISCOLL: This problem of getting along  
12 is not unique as far as any particular race is  
13 concerned.

14 MR. GIBBONS: I think we have another witness.

15 MR. LEUCHTER: Before she goes I would like to  
16 explore for just a couple of minutes one other area  
17 with your permission. Is it a paying proposition  
18 for a woman with four children to have another? Is  
19 there any financial advantage gained by having  
20 another child?

21 THE WITNESS: Many people feel that is why  
22 more people have more children, because they are  
23 going to get more money, but this is not the case.

24 MR. LEUCHTER: Would the average mother who is  
25 receiving ADC in her confinement and delivery use

1 city hospitals and go to pre-natal clinics and  
2 possibly post-natal clinics?

3 THE WITNESS: Yes, she does.

4 MR. LEUCHTER: With the cost paid by the  
5 county?

6 THE WITNESS: That's right.

7 MR. LEUCHTER: Is any birth control infor-  
8 mation dispensed at any of these clinics?

9 THE WITNESS: Just recently.

10 MR. LEUCHTER: In your opinion, having lived  
11 in the center of Newark for a while, how extensive  
12 is knowledge of family planning or birth control?  
13 Is it extensive, or is it not? Do most women know  
14 that birth control or family planning is possible,  
15 or do they not know this?

16 THE WITNESS: As late as February or maybe  
17 March this information has been able to be given  
18 to the welfare client. The caseworker didn't have  
19 the right to tell the client about birth control  
20 or even that she should go down to the Planned  
21 Parenthood. Like myself, I might find out from  
22 someone else and go down.

23 MR. LEUCHTER: You say this information has  
24 just been available in the past year?

25 THE WITNESS: Yes.

walker

1 MR. LEUCHTER: Do you feel this results in  
2 smaller families among poverty-stricken people,  
3 or do you feel it will not make much difference?

4 THE WITNESS: I feel that it will if it  
5 doesn't affect the mother's health. I feel many  
6 women have gone to the program. It started in  
7 Hartland. They have classes, pre-natal sessions.  
8 I haven't been to the hospital for quite some time,  
9 but mothers have gone and have had babies and have  
10 been told by the social worker they have classes  
11 and they have been told where they can go for birth  
12 control.

13 MR. LEUCHTER: No further questions.

14 MR. GIBBONS: Thank you very much.

15  
16 whereupon,  
17  
18 called as a witness, sworn, testified as follows:

JAMES WALKER

EXAMINATION

19  
20 By Mr. Fortunato:

21 Q I would appreciate it if you would give us your  
22 name, address, birth place, how long a resident of Newark.

23 A James Walker. I reside at 10 Custer Place in  
24 Newark. I was born September 3, 1918, and I have been in  
25 Newark thirty years.