

1 riots, naming MR. ROBINSON: You did come on short notice  
2 and we appreciate that.

3 THE WITNESS: Inasmuch as I am the man who  
4 is devoted was supposed to have started the riot -- .

5 MR. LEUCHTER: This is all off the record?

6 MR. ROBINSON: No. He doesn't mind saying  
7 that.

8 THE WITNESS: No, I don't mind saying it.

9 Thomas Hayden says it in his book.

10  
11 DIRECTOR DOMINICK A. SPINA,  
12 previously sworn, recalled.

13 EXAMINATION BY MR. ROBINSON:

14 Q Director Spina, as I recall from my notes your  
15 earlier testimony, in the period preceding the riot you  
16 had started to tell us about the organizations and groups  
17 beginning in about 1963 that your investigation over the years  
18 has revealed began to change the mood in the Negro  
19 community. Do you recall that?

20 A Yes, sir, I do.

21 Q And you had been describing a group known as  
22 the Students For a Democratic Society. Do you recall that?

23 A Yes, sir.

24 Q Could you summarize for us the participation  
25 of the S.D.S. from 1963 right up to and including the riots?

1 riots, naming the people involved?

2 with A Well, the S.D.S. is an organization formed in  
3 Port Huron, Michigan, in 1962. It's an organization which  
4 is devoted to the promotion of the peoples of this country  
5 towards a leftist movement. In the early part of 1964  
6 they were invited to come here by Mr. Stanley Winters,  
7 a Professor of Philosophy at Newark College of  
8 Engineering, and they were supposed to participate in the  
9 Clinton Hill Neighborhood Council, which Mr. Winters had  
0 formed. It was a novel idea. Under this Clinton Hill  
1 Neighborhood Council he was dividing the Clinton Hill  
2 section into block organizations and trying to get the  
3 people in the Clinton Hill section to participate in  
4 community projects and community problems. Well, these  
5 college students came here at his invitation and also  
6 under the invitation of a man named Stanley Echronowitz.  
7 There hadn't been much time elapsed when they tried to  
8 take over the Clinton Hill Neighborhood Council and Mr.  
9 Winters decided that he had had enough of them and he  
0 evicted them from his movement. So then they started their  
1 own movement called the Newark Community Union Project,  
2 popularly known here in Newark as the N.C.U.P. of 1964

3 Now, immediately after its formation in the summer of  
4 1964 they began their protests, they began their agitations.

5 Q In what form, right up to the time of the riots?

1 A Well, they believe in identifying themselves  
2 with the poor people in any area. As a matter of fact,  
3 they dress in tee shirts and sweat shirts, dungarees,  
4 sneakers, that type of apparel, feeling that these are the  
5 kind of clothes that would help them to have these people  
6 participate with them.

7 I would like to quote this preamble. "Students For a  
8 Democratic Society is an association of young people  
9 on the left. It seeks to create a sustained community  
10 of educational and political concern; one bringing  
11 together liberals and radicals, activists and scholars,  
12 students and faculty."

13 This organization, incidentally, is affiliated with  
14 the League of Industrial Democracies which is known as  
15 a Socialist organization. However, they do not believe  
16 in a static philosophy like Communism or Socialism. They  
17 believe the way to change a government is by  
18 participating with the poor people. And as they describe  
19 it, in concentric circles, as they throw pebbles in a pond,  
20 they contact more and more people and are able to  
21 propagandize them in their way of thinking.

22 Q Now, in the beginning in the summer of 1964  
23 up until the time of the riots, what part, according to  
24 your investigation, did the N.C.U.P. play in the Negro  
25 community? (Exhibit marked in evidence.)

1 A Well, it became a major factor in the agitation  
2 and the incitement of people in this city.

3 Q Can you give us some examples?

4 A For example, they have a mimeograph machine and  
5 all these extremist organizations -- maybe I shouldn't  
6 call it an extremist organization, I'm not sure -- have  
7 a mimeograph machine and they utilize it to the best of  
8 their ability. For example, they had problems with  
9 Klein's Department Store. They alleged that a man named  
10 Clyde Wright had been beaten and assaulted by the store  
11 security people. And they were the ones who incited  
12 the demonstration and the picketing outside of the  
13 Klein's Department Store and created quite a problem for  
14 us here in the city.

15 They would also from time to time become involved  
16 in so-called landlord strikes. Where there was a  
17 grievance by someone in a tenement for example, they would  
18 get the cooperation of the tenant and have a landlord's  
19 strike, have picketing around the place, distribute  
20 circulars and all these kind of activities.

1 Q Does your investigation reveal that the group  
2 at any time advocated violence of any sort?

3 A No. No, it didn't. I would like to submit  
4 this in evidence.

5 (Exhibit marked in evidence.)

1 1964 A (Continuing) They tried to break down the  
2 N.C.U.P. into blocks but they were never able to do this  
3 and this is one of the demonstrations that they had.

4 Incidentally, I don't know whether I told you last week  
5 or not, but for the first time in the history of Newark,  
6 much to the amazement of Newark policemen, they picketed  
7 the Fifth Precinct. Here's some of the types of circulars  
8 that they would distribute, like this for example:

9 "United we won. More victories to come. Special report  
10 on the favorable decision of the Welfare Department and  
11 landlord toward the Felder family.

12 "Come to the meeting. Topics to be discussed:  
13 Alternate side of the street parking signs; decide whether  
14 or not to form a delegation to go to the Board of Health  
15 and demand to have the rats and roaches exterminated.

16 "When: Tonight, July 23, 8:00 evening."

17 Q Does this photograph you have show a man  
18 named Tom Hayden? In the summaries you would sometimes

19 A Yes, it does. 100, sometimes as high as 150.

20 Q And the name Hayden is written above with an  
21 arrow to him? During the winter time or the ordinary time

22 A Yes. He is the exponent and intellectual in  
23 the Students For a Democratic Society. In fact, it is  
24 alleged he wrote the Port Huron declaration from which  
25 the constitution came as a result. He has been here since

1 1964, has no visible means of support outside of two books  
2 which he has recently written, is still able to fly to  
3 Puerto Rico on occasion that we trace, has been able to  
4 go all over the country. He just came back not so long ago  
5 from Czechoslovakia and our informant tells me that right  
6 now he is in Paris.

7 Q Do you know who, if anybody, or what organization  
8 is financing him?

9 A We don't know for sure. But we have some  
10 intelligence that a furriers' union which is Communist  
11 dominated has given this N.C.U.P. group a considerable  
12 amount of money.

13 Q Can we have an identification of that union?

14 A I don't know the number of it and I do not know  
15 the name of it. I will try to find out if necessary.

16 BISHOP DOUGHERTY: How large was the group.

17 THE WITNESS: This N.C.U.P.? It varied,  
18 Bishop. In the summertime you would sometimes  
19 get as high as 100, sometimes as high as 150.  
20 Sometimes they would only come here for the week-  
21 ends. During the wintertime or the ordinary time  
22 of the year it wouldn't be more than 30. These  
23 were the outsiders. But they would and they have  
24 brought into the organization people in the area  
25 that live in the Clinton Hill section.

1 May I submit, sir, the Clyde Wright leaflet.

2 (Exhibit is marked in evidence.)

3 BY MR. ROBINSON:

4 Q Do you have any other leaflets or copies of  
5 leaflets or photographs in connection with the N.C.U.P.  
6 that you would like to give us?

7 A Well, here is another thing that they always  
8 allege and this happened in '65, this particular leaflet,  
9 police brutality. Over and over and over again.

10 Q Have they ever submitted to you, the organization  
11 or members of the organization, any specific evidence of  
12 what they allege as police brutality?

13 A Not one single time.

14 Q Have you ever asked them to submit whatever  
15 evidence they might have?

16 A I once asked them, I have correspondence some  
17 place, to attend one of their meetings. This was late in  
18 '64. And they never did answer the letter.

19 BISHOP DOUGHERTY: Is that an exact  
20 reproduction?

21 THE WITNESS: Yes. And here's another one.  
22 "War on poverty comes to Clinton Hill." And they  
23 talk over and over again about a national movement.  
24 And here they indicate by this leaflet, "The  
25 Newark Community Project," and then, "Cleveland

1 Community Conference." "We were at Klein's,"  
2 and, "Hunterdon Street," and, "Trenton at program  
3 committee."

4 They also would seize on any little thing.  
5 For example, a traffic light, which they made a  
6 big issue of. Incidentally, they made a motion  
7 picture of which I am the star showing me near  
8 an intersection where they said a traffic light  
9 was needed. This is one time they did go to the  
10 mayor. I was there. And it was explained to them  
11 that the way to get a traffic light erected is  
12 first that the Bureau of Traffic and Signals must  
13 make a survey and it uses national uniform indices  
14 for deciding whether or not one is necessary.  
15 If the Bureau of Traffic and Signals decides that  
16 you need one then it goes to the city council  
17 and it must pass an ordinance. After the city  
18 council passes an ordinance it arbitrarily goes  
19 to the State Motor Vehicle Bureau where it is  
20 reviewed by the Traffic Safety Division of that  
21 Bureau. And they send field representatives them-  
22 selves. This is a rather cumbersome, frustrating  
23 way of doing things, but this is the law. It  
24 was explained to them. Sometimes over two years  
25 go by before they make a decision. Then, depending



1 who, as you on their decision, that is when the ordinance  
2 is valid or declared invalid.

3 BY MR. ROBINSON:

4 Lucy Qarks Did the N.C.U.P. begin to participate in the  
5 anti-poverty agency?

6 A Yes.

7 Q Do you know to what extent?

8 A Very early they understood the value of having  
9 power in an anti-poverty agency. So almost immediately  
10 they became involved in the Board of Trustees meetings  
11 of the U.C.C. These were loud, clamorous and raucous  
12 meetings and they used the kind of tactics that would  
13 discourage and disgust the ordinary citizen so that about  
14 one o'clock he is ready to walk out, he has to work the  
15 next day. And there's only the purely militant good  
16 citizen, which there are very few of in the United States,  
17 which will sit and listen to their parliamentary procedures.  
18 Most of the time by the time one o'clock came by and the  
19 average citizen who wanted to do some good for his  
20 community had walked out then they'd pass whatever  
21 legislation they wanted to.

2 Incidentally, this is a typical Communist tactic  
3 that is applied. And mind you, I'm not saying they're  
4 Communists. They're not.

5 Q Can you give us the names of the N.C.U.P. people

1 who, as you put it, went into the anti-poverty agencies?

2 A Well, there's quite a few. Carol Glassman,  
3 Carina Falls, Jesse Allen, Tom Hayden, Anita Warren,  
4 Lucy Parker, Bessie Smith, who since died, and Therman Smith.

5 Q Was the N.C.U.P. group able to gain control of  
6 any of the Area Boards in Newark?

7 A They have absolutely gained control of Area  
8 Board Three. They have gained Area Board Two. We know  
9 that they have immense influence and practically control  
10 Area Board Five, Seven. They control most of them or  
11 influence them.

12 I Incidentally, the article I gave you on studies  
13 from the left which was printed in April of 1966 states  
14 these facts that I am telling you, that they have control  
15 of Area Board Three, for example.

16 Q How about the Board of Trustees of the U.C.C.?

17 A They have considerable influence in it.

18 Q Can you tell us some of the other active organi-  
19 zations in addition to these groups that you have mentioned  
20 that took part in changing the mood of the Negro community  
21 in your opinion in the couple of years preceding the riots?

22 A One group that had tremendous influence in the  
23 city was Anvil, and this was a group that was incorporated.

24 Q That's A-n-v-i-l?

25 A That's right. I think it was 1962. I'll tell

1 you in a minute. December 4, 1963. That's when it was  
2 incorporated. This is an extremely militant group. As  
3 a matter of fact, even Governor Hughes had some trouble  
4 with their arrogant demands that they made, to the degree  
5 that the newspaper article that carried a statement from  
6 him in answer to Anvil, was that he would not permit his  
7 office to be dictated to. At that time this organization  
8 was directed by a Francis Warren who today is working in  
9 Washington, has some kind of a position in the O.E.O. He  
10 was an extremely militant young man, very able, and it  
11 was creating a great many problems for us. Fortunately,  
12 I think for us, he took this job in Washington and the  
13 Reverend McCoy -- I forget his first name -- was then left  
14 as the president and director of this group.

15 MR. LEUCHTER: What kind of problems was  
16 it creating for you?

17 THE WITNESS: Demands, issuing leaflets,  
18 exclamations of police brutality, these type  
19 of situations.

20 The Reverend McCoy, I have an interesting  
21 incident that happened with him, just to indicate  
22 to you gentlemen in the room of what good my  
23 citizen observation program was. As you recall,  
24 I spoke to you about this as one of the police  
25 community relations programs. The Reverend

1 McCoy had written me a letter requesting that a  
2 permit be given to him to run a block dance on  
3 Princeton Street between Montgomery and West  
4 Kinney. Now, this is one of the worst sections  
5 of the city that you could run one, plus the  
6 fact there was a great deal of tension in the  
7 city. It was summertime. I was walking through  
8 city hall basement one morning and a huge  
9 gentleman stepped in front of me and asked me,  
10 "Are you Director Spina?" and I said, "Yes, I am."  
11 He said, "Well, I am the Reverend McCoy," and  
12 I remembered he was the new president of Anvil.  
13 I had not met him yet. He wanted to know why  
14 I didn't grant him the permit to run the block  
15 dance. I said, "Well, I can't talk to you now.  
16 The mayor wants me upstairs in the office right  
17 away and he's the boss. But if you have the time  
18 I will be glad to meet you in my office at  
19 three o'clock." He said, "I will be there," and  
20 he was. And we had a conversation. And I told  
21 him my reasons for not wanting to give him the  
22 permit. First of all, it's against the city  
23 ordinance to have any block dances. I would have  
24 waived that anyway if I had thought it was for  
25 a good cause. Secondly, I indicated to him that

1 within 500 yards of this block there are some  
 2 of the worst taverns in the city, approximately  
 3 50 of them. And I told him, "I suppose you are  
 4 going to bring your wife." And he said, "Yes,  
 5 I intended to." And I said, "Well, if one of  
 6 these drunks comes up to you and paws your  
 7 wife as you're dancing I think you might resent  
 8 it." And he said, "Yes, I would." I said, "Then  
 9 there would be trouble." He said, "I suppose  
 10 so." He said, "I see your point."

11 Then I said to him, "How would you like to  
 12 ride with me tomorrow night to see what goes  
 13 on in our city?" He says, "Fine." So I picked  
 14 him up at police headquarters that night at  
 15 10:30 and drove him around the city. Of course,  
 16 we have the whole city at large because I happen  
 17 to be the police director, so I was steering him  
 18 into all the reports as they came over the radio  
 19 which indicated violence or something novel at  
 20 times.

1 As the evening went on he got more angry  
 2 and more angry until it came to the point where  
 3 I saw him actually get out of the car and berate  
 4 some of the people. It was about 2:30 in the  
 5 morning and this is what I call the witching hour.

1 We were going down Belmont Avenue south and  
2 we were approaching Avon Avenue when a car cut  
3 in front of us, very nearly wrecked us, and  
4 turned right on Avon Avenue. It was an extremely  
5 close call. We pursued the car and pulled it  
6 to the side. My driver and myself went over to  
7 talk to the driver and the passenger in the  
8 front who were two Negro males. And there were  
9 two Negro females in the back of the car. As  
10 we were talking to the driver and asking him  
11 for his driver's license and registration the  
12 minister got out of the back of the car and he  
13 was visibly enraged and he went to the back of  
14 the car. Meanwhile, one of the girls in the back  
15 of the car had lowered the window and apparently  
16 they had all been drinking, but not to the point  
17 where I thought they were under the influence.  
18 Anyway, he started to berate them for being out  
19 at that hour of the morning. He thought they were  
20 younger than they were. This one girl looked at  
21 him and I can't tell you the language, the  
22 obscenity that she used and called him, a really  
23 vial name. Well, this minister got so mad he  
24 grabbed the door of the car and he became so  
25 confused he almost tore the handle off. He

1 finally got it open and reached in and grabbed  
2 her by the shoulder and started to pull her.  
3 By this time I thought he went far enough and I  
4 grabbed him by his forearm and I said, "You know  
5 you can't do that, Reverend." And he said,  
6 "Did you hear what she called?" And I said,  
7 "I certainly did." He said, "Well, she can't  
8 do that." I said, "Well, look, this happens  
9 sometimes with my people." I said, "These  
10 police officers very often get called names  
11 over and over again and sometimes they resent  
12 it and shake somebody up." I said, "This is  
13 what your organization has been calling police  
14 brutality." And he looked at me and he said,  
15 "That ain't police brutality." He said, "That's  
16 retribution." So we went over and had  
17 breakfast that morning at the Weequahic Diner.  
18 He broke up the Anvil group and we never had  
19 any trouble with Anvil any more.

0 BY MR. ROBINSON:

1 Q What role have the organizations known as  
2 C.O.R.E. and the N.A.A.C.P. played, if any, in the last  
3 couple of years in the Negro community according to your  
4 investigation?

5 Do you have a question, Bishop?

1 be targeted in BISHOP DOUGHERTY: Yes. I would ask if  
2 discrimin we have any further information on the background  
3 was at the of Professor Winters, who I understand brought  
4 and in May this S.D.S. into Newark, and also about Tom  
5 Hayden, who I understand was influential in its  
6 establishment in Newark. We don't necessarily  
7 have to go into it now but I just wanted to  
8 know if we have more information on them.

9 THE WITNESS: Yes, sir, I do have it.

10 MR. BROWN: May I ask, Bishop, that if you  
11 do get further information from the Director  
12 would you produce witnesses you would like to hear  
13 from ultimately?

14 BISHOP DOUGHERTY: I haven't thought that  
15 far on it but I think that may ultimately come  
16 about.

17 MR. BROWN: Could we continue in the mean-  
18 while on the present question?

19 THE WITNESS: I have it right here.

20 MR. BROWN: Let's proceed with C.O.R.E. and  
21 then come back to Hayden and then we will have  
22 continuity. I made a note of it.

23 A C.O.R.E. became active in the early part of  
24 '63 in Newark. In a Herald Tribune article in '63 the  
25 National C.O.R.E. announced that Newark and Brooklyn would



1 be targets in the summer of '63 for protests against  
2 discrimination. Now, the first time I encountered C.O.R.E.  
3 was at the Barringer protest.

4 and the May I offer this?

5 the New Barringer MR. ROBINSON: Yes. For the record, we  
6 and bias by are marking all these later. You're handing us  
7 construction the Herald Tribune article announcing Newark as  
8 a target for C.O.R.E.

9 administration? THE WITNESS: Right.

10 A Yes, the BISHOP DOUGHERTY: June 4, 1963.

11 Q Were at THE WITNESS: Something I missed before.

12 approximate Could I offer the constitution for the Students

13 For Democratic Society?

14 even out of favor MR. ROBINSON: Thank you.

15 went around with MR. BROWN: As I understand, this is not  
16 It was a very marked.

17 Q Could MR. ROBINSON: We're not marking anything  
18 up people until the end.

19 A A Go ahead.

20 A Now, the first time I noted their presence here  
21 in the city was when they became active in the Barringer  
22 demonstrations. As a matter of fact, they were one of the  
23 organizations that was most active in the operations at  
24 Barringer.

25 Q That was June, 1963?

1 A That's right.

2 Q What was that demonstration about?

3 A This was a protest against the craft union  
4 and the builders and subcontractors who were building  
5 the New Barringer, in that they were guilty of discrimination  
6 and bias by not having Negro artisans participate in the  
7 construction work.

8 Q Was this the first violent demonstration in your  
9 administration?

10 A Yes, this is the first violent one.

11 Q Were any arrests made? Can you give us any  
12 approximation?

13 A This is the one where people were being recruited  
14 even out of taverns to come to protest. Mr. Richardson  
15 went around with a bus picking them up out of taverns.  
16 It was a very militant --

17 Q Could you identify the Mr. Richardson who picked  
18 up people in taverns?

19 A That's George Richardson who is active in  
20 politics here in the city of Newark and the county and is  
21 identified with the United Freedom Party.

22 Here are some of the newspaper articles relative to  
23 the picketing at Barringer.

24 I had to bring 115 uniformed policemen and I used a  
25 new squad that I had created called the Human Relations

1 Squad, in order to try to cool off the problems that were  
2 involved.

3 MR. BROWN: What date was that, Director?

4 THE WITNESS: This was July 29, 1963.

5 BY MR. ROBINSON:

6 Q How many days did the picketing take place?

7 A I don't remember. About five days I think. But  
8 then there was some kind of a compromise whereby the unions  
9 and business and the mayor got together to discuss the  
10 situation.

11 Now, I want to offer this too.

12 The Newark Coordinating Council is the organization  
13 that sprung up as a result of these problems we were having  
14 because of a lack of Negroes working in craft unions.

15 Q Who set that up?

16 A The mayor. Here is a copy of the article on the  
17 craft unions and the coordinating council.

18 MR. BROWN: That will all be related to

19 C.O.R.E. I am trying to group these. I am

20 grouping these, Director, unless you object --

21 THE WITNESS: Indirectly it relates to

22 C.O.R.E.

23 MR. BROWN: The Herald Tribune article

24 setting the date on the Barringer pickets.

25

1 BY MR. ROBINSON:

2 Q Can you tell us more about the activities of  
3 C.O.R.E. in the years preceding the riots?

4 A Well, they participate in a great many situations.  
5 For example, the White Castle where C.O.R.E., all over the  
6 east coast, especially in New York City and New Jersey,  
7 were picketing White Castle because they weren't hiring  
8 enough Negroes.

9 Q Was that violent at all?

10 A No. It was very noisy. I think one arrest was  
11 made at the White Castle, if I recall properly.

12 Q Did any of the arrests at the Barringer picketing  
13 or the White Castle picketing result in convictions of any  
14 sort?

15 Q I don't know, Mr. Robinson. I very seldom follow  
16 them after the arrest.

17 Q Can you tell us to what extent Mr. Robert Curvin  
18 participated in the C.O.R.E. activities and what his  
19 position seemed to be?

20 A Robert Curvin is a leader in C.O.R.E., always  
1 has been. Today I think he is the Eastern Regional  
2 Director or Assistant Director of C.O.R.E. I think without  
3 Robert Curvin you wouldn't have an organization as militant  
4 as C.O.R.E. is. He is a man who is a self-admitted leftist  
5 and he says he is a militant and he believes in black power,

1 but does not believe in violence. He is the moving force  
2 behind C.O.R.E. I have never gotten along with him since  
3 I met him in 1963 the first time. We had an argument and  
4 we have been arguing ever since. I could never sit down  
5 with Mr. Curvin and have a conversation about problems  
6 or a dialogue about anything. Peculiarly, he is the one  
7 that keeps saying I should be fired, I can't run the  
8 police department.

9 Here is a statement from a Mr. Weiss who was present  
10 at the Hillside Kiwanis Club August 30th of this year  
11 where Mr. Curvin made a speech in which he says that he is  
12 a leftist and he is a militant and believes in black power  
13 but he doesn't believe in violence.

14 Q This is a report on a speech Mr. Curvin gave  
15 August 30th of this year?

16 A Yes. Right. He did that because Patrolman Kovalsky who  
17 is president of the Fraternal Order of Police spoke at  
18 that Kiwanis Club sometime before that and he wanted to  
19 rebut the commentary he made.

20 MR. BROWN: I think the date is  
21 significant. August 30, 1967.

22 THE WITNESS: Yes, sir.

23 Q Following the riots?

24 A Yes, sir.

25 Q Do you have any other data on C.O.R.E. that you

1 wish to submit to us?

2 about A Well, I think it should be called to everybody's  
3 attention that C.O.R.E. has been one of the two moving  
4 organizations in all these protests and demonstrations.  
5 For example, in '65 when the Martinez shooting occurred,  
6 C.O.R.E., especially Mr. Curvin, did its level best I think  
7 to create the areas of tension which did happen. They had  
8 marches from all over the city. Never asked for permits.  
9 They had protest meetings and never asked for permits.  
10 They used P.A. systems and didn't ask for permits. I  
11 tried to get them to refrain from holding meetings in  
12 Military Park on Wednesday nights because the merchants  
13 in the center of the city were frightened, and they  
14 refused to do so. They kept holding these meetings. As  
15 a result the merchants in the downtown section lost a  
16 great deal of money. It culminated in Mr. Farmer coming  
17 to the city of Newark and this so-called march and speaking  
18 in Military Park. But I am very happy to say he didn't  
19 draw too many people. He drew about 600 people and about  
20 200 were policemen.

21 in my Q Has Mr. Curvin, based on your investigation,  
22 organized a group known as the Newark Organizers Training  
23 Institute?

24 A Yes, he has.

25 Q Could you tell us about that group?

1 A This is one group that we don't know too much  
2 about, except that we feel that it is a technique which  
3 he is going to employ to educate organizers in protests and  
4 for bringing about the programs that he has in mind.

5 Q Have they distributed any leaflets that you might  
6 have copies of for us?

7 A He has distributed some. Incidentally, here is  
8 another photograph of Mr. Curvin addressing the Martinez  
9 situation down at Military Park.

10 Before that I want to tell you, gentlemen, what I  
11 tried to do to keep the city cool that summer.

12 MR. BROWN: Could you give us just  
13 approximately the date of that? When I say,  
14 "Date of that," I am referring to the  
15 photograph.

16 THE WITNESS: It's the summer of 1965.

17 Q That's the James Farmer rally, the summer of  
18 '65?

19 A Yes. I tried to do it during the Barringer  
20 protests because this situation was so fraught with tension  
21 in my opinion I issued a departmental police July 1, 1963  
22 of which I will leave a copy, to indicate to everyone  
23 concerned, I will quote: "In the light of the many mass  
24 demonstrations that are sweeping the United States today  
25 and are announced increasingly in our city the police

1 department feels impelled to state its policy clearly and  
2 firmly. While the department clearly understands the  
3 rights of the citizens to demonstrate under the Federal  
4 Constitution and the Bill of Rights, and also under the  
5 New Jersey Constitution, the department urges reason,  
6 restraint and responsibility under all our laws. Therefore,  
7 the police department desires all its citizens to understand  
8 the following: ..."

9 Q Could you summarize those for us?

10 A Well, what people have a right to do. They have  
11 a right to picket, they have a right to demonstrate, but  
12 they also must observe the rules and the laws of the other  
13 side.

14 Q Was this a directive that was publicized?

15 A It was issued to everybody in my department and  
16 it was given to all the organizations which were involved  
17 in civil rights struggle at the time.

18 Q Could you tell us what the response was of the  
19 civil rights organizations, either formally or informally?

20 A Informally it was very good.

21 Q You were going to give us a pamphlet of the  
22 Newark Organizers Training Institute which you believe  
23 Mr. Curvin organized. Do you have any of those pamphlets?

24 A I'm looking for it.

25 Q Indidentally, when was that set up, Director, to



1 your knowledge?

2 A Which?

3 Q The Newark Organizers Training Institute.

4 A It's this year.

5 Q Post-riot or pre-riot?

6 A Pre-riot. The first time I heard about it I think  
7 was around April. April or May.

8 Q Maybe you could get that for us later. Now, was  
9 Mr. Curvin a participant in the Wednesday night or Thursday  
10 night incident in front of the Fourth Precinct?

11 A He definitely was.

12 Q Could you tell us to what extent?

13 A I would like to read something before I do that  
14 so you have some testimony as to what he said. Incidentally,  
15 I would like to have these police officers who were present  
16 come to testify.

17 Q We will arrange that or interviews of them,  
18 Director.

19 A Incidentally, can I come back to Tom Hayden?

20 MR. BROWN: Are you ready now?

21 THE WITNESS: On Tom Hayden.

22 MR. BROWN: How about Hayden and Winters.

23 THE WITNESS: Winters we don't know too much  
24 about except that he has been involved over and  
25 again in trying to promote interracial harmony in

1 this city. He has been a controversial figure  
2 in this city. I have nothing against him at all.  
3 I think that he tries to do what he thinks is  
4 right. I don't agree with everything he says.  
5 I think his idea of the Clinton Hill Neighborhood  
6 Council was a good one.

7 MR. BROWN: He was the sponsor of the Clinton  
8 Hill Neighborhood Council?

9 THE WITNESS: Yes, sir. He formed it over  
10 ten years ago.

11 BISHOP DOUGHERTY: This is a judgmental  
12 question maybe involving a judgmental answer.  
13 Do you think he was somewhat naive in inviting  
14 these people in?

15 THE WITNESS: I really don't know but some  
16 place in here I have a comment from him in one  
17 of the newspaper articles -- I think it's in  
18 N.C.U.P. -- in which he said he was sorry he  
19 brought them here. Whether he was naive or not  
20 I don't know.

21 MR. BROWN: He was the man whom you said was  
22 responsible you think for S.D.S. first coming.

23 THE WITNESS: Definitely.

24 Coming back to Hayden, as I told you before,  
25 Hayden is an intellectual. He is the moving force

1 behind N.C.U.P. I know he is one of the  
2 moving forces in the S.D.S., the so-called new  
3 left. He repeatedly writes articles for the  
4 Studies From the Left. That's their magazine.  
5 He wrote a book. He went to Hanoi, of course I  
6 think everybody in this room knows, with that  
7 Professor Linde from Harvard.

8 MR. BROWN: Yale.

9 THE WITNESS: Isn't that awful? I was wrong  
10 for once. I'm always blaming Harvard for  
11 everything. He just came back not so long ago  
12 from Czechoslovakia. Now he is back and he is  
13 in Paris. But something significant that I never  
14 noticed until I read these reports -- and this is  
15 a report from a Patrolman John C. Arnold. I  
16 won't read it all to you because it's long, but  
17 I'm going to put it in evidence so that anyone  
18 can read it. But he says in the Fourth Paragraph:  
19 "While stationed at Lilly Street and 17th Avenue  
20 opposite General Electric Company I was speaking  
21 to a guard who had informed me he had observed  
22 two Volkswagens with some white and colored males  
23 exchanging boxes from one car to another, which  
24 appeared to be to him Molotov cocktails and  
25 stones. I asked him if he had observed the plates

1 of either car. He stated no, and that he did  
2 not want to get involved. He refused to give his  
3 name and went back into the plant. This trans-  
4 ferring took place on Boyd Street near 17th Avenue.

5 "The mob had regrouped and were chanting  
6 at police. I heard a car stop at the intersection  
7 of Fairview and 17th Avenue. I was standing at  
8 Lilly Street and 17th Avenue, behind a lamp pole.  
9 I could not see this car, but could hear its  
10 motor, which sounded like a Volkswagen engine.  
11 I could also hear persons in the mob asking for  
12 something from the driver. One youth stated,  
13 'Give me one of them things too.' Not being able  
14 to see what was going on it became my opinion that  
15 the driver was supplying these persons with  
16 objects to throw at police. He finished conversing  
17 with persons of the mob and proceeded east on  
18 17th Avenue, coming in my direction. I immediately  
19 stepped into the street and ordered the driver  
20 to the curb. I asked the driver to produce his  
21 identification and to open the trunk area of his  
22 car. His paper indicated he was a white male,  
23 Thomas E. Hayden, of 194 Ridgewood Avenue, driving  
24 a Volkswagen, faded dark blue and neglected.  
25 Registration number LYR 886. A search of his

1 vehicle revealed nothing. I further questioned  
2 Mr. Hayden as to why he was not attacked by the  
3 mob and why did he stop there to talk to them.  
4 He replied that they stopped him and talked to  
5 him and let him go. I asked him where did he  
6 work. He stated he was not on any payroll of  
7 the city but that he did work with the anti-  
8 poverty agency U.C.C. and others of the city.  
9 At this time one of the civil rights leaders  
10 (name unknown to myself but seen several times  
11 at the precinct) greeted Mr. Hayden as, "Tom,"  
12 and stated he was all right. At this point I  
13 permitted Mr. Hayden to leave as I had no legal  
14 right to detain him, even in view of the fact  
15 that I did not believe his statements."

16 BY MR. ROBINSON:

17 Q What was the date and time of this incident,  
18 Director?

19 A This is July 14. He doesn't say what time.

20 MR. BROWN: Was that '67?

21 Q This year?

22 A The date of the riot. In reading over the reports  
23 I just happened to catch this one.

24 Q That's in response to the question about background  
25 of Mr. Hayden?

1 BY MR. A. ROY: Yes, sir.

2 Q Do you have anything else on him at this time?

3 A No, I don't, except that our intelligence  
4 indicates that he as well as Mr. Willie Wright have obtained  
5 money from Czechoslovakia -- from the North Vietnamese,  
6 not from the Czechs.

7 MR. BROWN: Is there evidence of that in  
8 the police report?

9 THE WITNESS: In our intelligence reports,  
10 yes.

11 MR. BROWN: They report that they have  
12 firm evidence of this?

13 THE WITNESS: No, sir, no firm evidence.

14 MR. BROWN: What sort of evidence would you  
15 say they have?

16 THE WITNESS: For example, we have informers  
17 in almost every area in the city. I'm sorry to  
18 say not all of them. Most of them on a voluntary  
19 basis. They report to us from time to time things  
20 that they have either seen or somebody has told  
21 them. This is just hearsay.

22 MR. BROWN: So what you have is hearsay  
23 in the form of informed evidence?

24 THE WITNESS: Yes, sir.

25 Liberation and whatever you have relevant to

1 BY MR. ROBINSON:

2 Q In connection with organizations affecting the  
3 mood of the Negro community before the riots --

4 A I would like to go back to Mr. Curvin now.  
5 You asked me what did he do.

6 MR. BROWN: Let's try to keep some order.  
7 We went to Mr. Hayden and Mr. Winters at the  
8 Bishop's request. Now, would you say for  
9 practical purposes we have exhausted these  
10 gentlemen at this time?

11 THE WITNESS: Hayden and --

12 MR. BROWN: He asked about Tom Hayden and  
13 Professor Winters.

14 THE WITNESS: The only other thing that is  
15 important to mention here about Hayden is the  
16 fact that we believe he was one of the men who  
17 helped pay for the Black Liberation Center  
18 to be established on South Orange Avenue.

19 MR. BROWN: When would that have been?

20 THE WITNESS: This was in March of '67  
21 when they first leased that store front at 107  
22 South Orange Avenue.

23 MR. BROWN: Would it be better for the  
24 purpose of the record to go into the Black  
25 Liberation and whatever you have relevant to

1 Mr. Hayden? I think the Bishop's point was  
2 that we will wind up with references all over  
3 the place. Would that be a correct statement,  
4 Bishop?

5 BISHOP DOUGHERTY: Yes.

6 THE WITNESS: I tried to do my best to keep  
7 them tied. But you have to jump around because  
8 sometimes you refer to something and one of you  
9 gentlemen ask me a question about it and before  
10 you know it I'm in another area.

11 MR. BROWN: That's why I am trying to  
12 control it to some extent. Could we continue  
13 with Mr. Hayden and the Liberation Center?

14 BY MR. ROBINSON:

15 Q Do you have data on that?

16 A Yes, sir.

17 Q Could we have your testimony and documents on  
18 that?

19 A All that we know about the Black Liberation  
20 Center is what we have been told as to who paid the so-  
21 called Colonel Hassan.

22 MR. BROWN: Was he the head of Black  
23 Liberation as far as you know?

24 THE WITNESS: Yes, sir, he was. Now, they  
25 came here in March of 1967 and the first



1 indication that we have of their presence here  
2 was signs in the window. They showed photographs  
3 of Malcom X with a sign saying, "The Black  
4 Panther is coming," and written across the window  
5 in black, the words, "Liberation Center," and  
6 printed signs saying, "Stop the medical school."  
7 Now here are pictures of the store front.

8 Now, on March 29th the store was rented by  
9 a Clint Bey at the rate of \$75 a month. And, this  
10 is significant, Bey gave as his telephone number  
11 Area Board Three, 824-3135, which to me is  
12 significant.

13 On March 29, 1967 the police had to notify  
14 the Black Liberation Center to turn off the loud  
15 speaker over their door it was so loud. The  
16 operator of the store at that time identified  
17 himself as one Abdula of 30 Blue Street. Observed  
18 on the wall by Newark Police Intelligent Agent  
19 Bill Millard who is sitting next to me, were the  
20 phone numbers of the N.C.U.P., the U.C.C. and  
21 Area Board Three. It was about this time that  
22 circulars appeared, a copy of which is attached,  
23 stating that one Colonel Hassan of the Blackmen's  
24 Army of Liberation would address the black brothers  
25 and sisters of Newark on April 28, 1967 at the

1 center. Here is the first piece of literature  
2 from them. It was a leaflet. All were welcome.  
3 Free discussion and refreshments. Our intelligence  
4 officers attended the meeting.

5 BY MR. ROBINSON:

6 Q Can you tell us what transpired at that meeting?

7 A Yes. Here is a report written by Mr. Millard,  
8 sitting next to me. This is dated May 3, 1967. "About 40  
9 people attended a meeting at 107 South Orange Avenue,  
10 April 28th at 8:00 p.m. to hear Hassan Jeru Ahmod alias  
11 Tony Williams, formerly of Los Angeles, California, now  
12 of Washington, D.C., who was wearing a uniform (Army shirt  
13 with green and red shoulder patch, red scarf and rank of  
14 full colonel). He stated he was given this rank by the  
15 organization and he is the Commanding Officer of the Black  
16 Star Regiment.

17 "He stated he was arrested when he was 16 years old in  
18 Virginia and served time and joined the U.S. Army when he  
19 was released. His talk consists of black power extremity.

20 "He named Clint Bey as the organization's top man in  
21 Newark. He urged all present male and female to enlist in  
22 his army.

23 "He promised to bring anything to Newark requested of  
24 him, men, guns, by the truck load.

25 "S.N.C.C. workers Robert Fullerlove and Phil Hutchinson

1 were present at the meeting. Also John Barnes of the Newark  
2 Human Rights Commission.

3 "Hassan states his organization is located across  
4 the country in 14 cities. He told his audience former  
5 Army bases will be used for concentration camps in America  
6 for Negroes. He stated his organization knows who killed  
7 Malcom X and at the right time they will take care of them.

8 "Literature submitted obtained from 107 South Orange  
9 Avenue."

10 Now, other people who were present and spoke were  
11 Robert Curvin, George Richardson, Ulysses Ward, Reverend  
12 Levin West, Kenneth Gibson and Colonel Hassan.

13 Q Could we have a copy of that report please?

14 A Yes.

15 Q Could you summarize for us and give us any reports  
16 on any further activity of the Black Liberation Center in  
17 the several months preceding the riots?

18 A This marked the first time in the city's history  
19 where all the political dissidents who didn't like what the  
20 so-called establishment or the power structure, as they term  
21 it, people on the left, for example, Deryk Winans and Tom  
22 Hayden, and black nationalists, were united under one person,  
23 this so-called Osborne. Osborne has a long record in  
24 Washington, D.C., of uttering forged checks, passing worth-  
25 less checks, has been in a mental institution for a few months

1 in Washington. Right now, he has just been arrested two  
2 weeks ago in Washington, D.C. for not paying a bill at the  
3 Diplomat Motel in Washington and he is now under bail.

4 Q Now, you say all of these people you mentioned  
5 united under him. Do you have investigation on that that  
6 you could submit to us? We will simply mark it in the  
7 record. Incidentally, when you said Osborne, that's one  
8 of the aliases for Colonel Hassan?

9 A That's his real name.

10 MR. BROWN: Now, to keep the record straight,  
11 Colonel, was Hassan the full colonel you described?

12 Q THE WITNESS: Yes, sir.

13 A MR. MEYNER: Or Osborne?

14 Q MR. BROWN: Hassan-Osborne.

15 A THE WITNESS: Here is the intelligence  
16 report from the Army telling something about the  
17 organization.

18 BY MR. ROBINSON:

19 Q This is the Black Liberation Army?

20 A Yes, sir.

21 Q Anything else on that?

22 A Here is another from the Washington, D. C.

23 intelligence which gives his record and its a very long  
24 one, his police record. And here is his FBI record.

25 On May 19 --

1 Q This year?

2 A 1967.

3 hands -- was the first time they came out in the open to  
4 become involved in any kind of demonstration. It appeared  
5 that a child had been struck by a teacher in Oliver Street  
6 School and in no time the Black Liberation front was  
7 down there plus many U.C.C. workers. And this was the  
8 time they were supposed to be working. Here I have pictures  
9 identifying them by name, also the mother of the little  
10 boy that was struck, Mrs. Boatright, and here is the  
11 Colonel, and here is his chief of staff.

12 Q In their uniforms?

13 A Yes, sir.

14 Q And here is another picture picketing?

15 A Yes, sir.

16 BISHOP DOUGHERTY: This is June 7?

17 THE WITNESS: Yes, sir. Here is a police  
18 department report on the demonstration at Oliver  
19 Street School.

20 Now, we are going to continue with Colonel  
21 Hassan?

22 MR. BROWN: Yes.

23 A (Continuing) He was spearheading these groups  
24 before the Board of Education and the Planning Board.  
25 He was the one who would call the signals from the back of

1 the room and walk to the front. I watched him. For example,  
2 when they were getting too noisy he felt, he would put his  
3 hands up like this and go like this (indicating) and every-  
4 body in the place would keep quiet. It was amazing. He  
5 is the one, the first night they had the meeting before the  
6 Planning Board who threw a stenotype machine like this  
7 down and tore some of the tape out of the machine. I wasn't  
8 there that night or he would have been arrested.

9 MR. BROWN: At this time, if it's all right  
10 with you, Director, I know the young lady would  
11 like a break.

12 (A recess is taken.)

13 MR. BROWN: We had just about concluded  
14 I think, subject to whatever the Director may want  
15 to add, the subject on Black Liberation, Hassan  
16 and others.

17 BY MR. ROBINSON:

18 Q Do you have more?

19 A Yes. This is recent intelligence information  
20 from the Washington, D.C. Metropolitan Police. This is the  
21 message that they sent me.

22 Q Could you summarize it for us?

23 A He was arrested for an unpaid board bill for a  
24 motel on New York Avenue. Charge, false pretense. Bill  
25 around \$900. He is broke and will be put out of his present

1 place. He gives his present address as 910 Kennedy Street.  
2 He has never been seen with a woman and they did not check  
3 on visitors at the motel. He does a lot of talking about  
4 the big cities that had riots, names a lot of people, but  
5 the names have appeared in the papers, states he knows of  
6 conspiracies in these cities. He asked for \$5,000 for this  
7 information, but has come down to \$500. The police have  
8 tried to get him to go to the United States District  
9 Attorney. There has been no overt act. They want to take  
10 a statement but so far have been unsuccessful. Hassan wants  
11 to get help for one of his lieutenants coming up for trial  
12 in Newark. Think it is a lot of bull. This is the comment  
13 of the intelligence man.

14 Q I take it that the Colonel is now back in  
15 Washington so far as your intelligence discloses.

16 A Definitely. I submit that for evidence.

17 Q When was he last seen in Newark?

18 A Maybe about a month after the riots.

19 Q How about during the riots? Did you have any  
20 location on him?

21 A We never saw him during the riots at all. We  
22 looked for him. He disappeared. He told an acquaintance  
23 later on who is an informer of ours, that he went to  
24 Washington during the riots. He did appear back here the  
25 Friday after the riots.

1 Q Has he made any public appearances at all since  
2 the riots?

3 A Yes. You mean demonstrations?

4 Q Yes.

5 A No, sir. He has been very quiet.

6 Q Could you continue on the further data on the  
7 Black Liberation group?

8 A "Further information on Hassan from Washington,  
9 D.C. Metropolitan Police Intelligence.

10 "Charges against Hassan continued on Thursday,  
11 October 26, 1967. No disposition as yet civil matter and  
12 apparently Diplomat Motel still trying to collect money  
13 owed to them.

14 "Washington, D.C. Police still having trouble with  
15 him. In the past two weeks they have arrested three of his  
16 five subordinates, one for carrying a gun and the other  
17 two on minor charges.

18 "Hassan is causing trouble in Washington by his  
19 strong-arm methods. There are rumors that he is using  
20 kidnapping and extortion. He is alleged to walk into  
21 parties, et cetera, with his lieutenants and forcibly march  
22 other persons out under gun point. These people are  
23 usually other militants.

24 "These other militants are afraid of him and his methods  
25 and are rumored to be arming themselves to cope with him.



1 "Hassan's information about riots in Washington, D.C.  
2 and other cities on October 21, 1967 did not develop.

3 "Everyone' has talked to him -- congressional  
4 committees, FBI, CIA, D.C. police. All his information  
5 has been kicked around, sifted, evaluated. Sergeant Acree  
6 doesn't think that any responsible agency can work with  
7 Hassan due to his extreme views and his unreliability. He  
8 is extremely antisemitic. He wants to be the big gun in  
9 any undertaking and doesn't want to play a subordinate  
10 role. Q Could you summarize the above?

11 "Hassan will not come to Washington, D.C. Police  
12 headquarters to talk. He has no phone at his headquarters,  
13 910 Kennedy Street. Rents upstairs rooms at that address  
14 from woman on ground floor. (This woman is not to be  
15 trusted.)

16 "Hassan will set up a meeting with anyone in response  
17 to a letter request. He glories in the fact that legitimate  
18 agencies want to consult with him and talk to him. He  
19 states that he is open for negotiations.

20 "Hassan, at his headquarters, speaks with one or two  
21 underlings present. He has a tape recorder and an  
22 intercom system between rooms. There is a great likelihood  
23 of all remarks being taped and/or heard in adjoining rooms.

24 "Hassan has a newspaper which he prints and after an  
25 interview will quote from the interview thusly: 'Captain K

1 of the Newark Police Department said... These interviews  
2 will appear in the very next issue of his paper following  
3 any talks. He does not use the full name of police,  
4 congressmen, et cetera, only the initial.

5 "Hassan is still broke. Originally wanted \$5,000,  
6 then \$500, then \$300. He was about to be evicted from  
7 910 Kennedy Street but received money from somewhere to  
8 pay the rent at least for another month."

9 I submit this.

10 Q Could you summarize the others?

11 A Here he claims he has an association with the  
12 National Conference of New Politics, Mississippi Freedom  
13 Democratic Party, S.A.N.E., S.N.C.C., and his followers are  
14 the same as they were in Newark, Major Rafik, Captain Ahmed  
15 and Captain Zaid. And on the bottom it says about his  
16 girl friend in Newark, which you know about. His girl  
17 friend, incidentally, is associated with the Blazer Council.  
18 I forget her name. It is right on there.

19 Q Do you know how many followers he had in the  
20 summer preceding the riots here in Newark? Do you have  
21 any way of estimating that?

22 A Well, I don't think he had 15 followers, actual  
23 people who were in his camp.

24 Q Now, another organization that was a factor in the  
25 Newark community, N.A.A.C.P. Can you tell us the extent of

1 their participation in the months preceding the riots or the  
2 years preceding?

3 Price. A The N.A.A.C.P. has been in my opinion an organi-  
4 zation that you could sit down with around the table and  
5 discuss any kind of problem that came along. They did  
6 participate in the Barringer demonstration, the Rutgers  
7 construction demonstration, and the civilian review board.  
8 But outside of that until recently, the riots, they have not  
9 been too active except to try to moderate and to try to  
10 resolve problems.

11 Q Has your relationship with that group been  
12 satisfactory from your viewpoint?

13 A It has been wonderful. I would like to go back  
14 to Curvin you know. We never finished on him.

15 Q All right, go ahead.

16 A I want to read to you. This is a report by  
17 Patrolman Gerald Carroll. "On the night of July 12, 1967  
18 I was serving in the capacity of chauffeur for Inspector  
19 Kenneth Melchior of the Command Post. The Inspector  
20 received a telephone call to respond to the Fourth Precinct  
21 at approximately 10:15 p.m.  
22 "We responded to the Fourth Precinct at 10:30 p.m. and  
23 upon entering the rear door I was approached by Mr. Robert  
24 Curvin. Recognizing me from many civil rights demonstrations,  
25 he asked me, 'Where is Inspector Murphy?' I replied that

1 he had a day job now and I was driving Inspector  
2 Melchior, who was talking with the desk lieutenant, Elmer  
3 Price.

4 "Curvin returned to the front of the desk alongside  
5 of James Walker, Jesse Allen and a dark skinned Negress,  
6 short and heavy, allegedly from one of the anti-poverty  
7 area boards. Curvin and Walker began to shout to the  
8 Inspector about a brutal beating that two arresting officers  
9 had inflicted on a prisoner. The rest, about 4 or 6, went  
10 with Inspector Melchior to the report room.

11 "Shortly thereafter the group, Walker, Curvin, Allen  
12 and I can't remember the fourth, returned from the cell  
13 block to the report room. They began to shout demanding  
14 to see the police reports, the arresting officers' names  
15 and badge numbers. They demanded that Smith be taken to  
16 the hospital because he was allegedly beaten about the  
17 head. Inspector Melchior asked Lieutenant Price if the  
18 prisoner had complained of injuries and the Lieutenant  
19 replied in the negative. The Lieutenant was then told  
20 by Inspector Melchior to ask the prisoner of his injuries  
21 and if he required medical attention. The group resented  
22 a police lieutenant checking the prisoner, insinuating  
23 that he would lie about the prisoner wanting to go to the  
24 hospital. The inspector stated that he, Price, was a  
25 lieutenant of police and will go into the cell block.

1 Lieutenant Price returned in a short period of time and  
2 stated to the Inspector that the prisoner John Smith  
3 complained of a side injury and wanted to go to the  
4 hospital.

5 "The prisoner was removed from the cell block to a  
6 waiting patrol car by the garage at the Fourth Precinct  
7 for transportation to Beth Israel Hospital. A shouting  
8 and jeering crowd of about 200 surrounded the police  
9 vehicle but were dispersed, allowing the patrol car to  
10 leave.

11 "Remaining outside of the precinct garage I then  
12 recognized Donald Wendell, Timothy Still and Oliver Lofton  
13 appear through the crowd from the west side of the building,  
14 in the direction of Inspector Melchior. Wendell insisted  
15 that the Inspector confer with him and the group in the  
16 precinct immediately. The time was approximately 11:00 p.m.  
17 Wendell was advised that certain police matters had to be  
18 done first and then he, the Inspector, would talk with the  
19 group. Wendell became irritable and demanded he talk now,  
20 immediately. Then John Arnold became involved in heated  
21 words with Wendell about baiting the Inspector and was  
22 advised to go into the precinct. Shortly thereafter Wendell,  
23 Lofton, Still and a large group followed the Inspector  
24 into the Fourth Precinct.

25 "The group of about 10-12 persons was asked to

1 accompany Inspector Melchior into the assembly room. There  
2 Wendell stated he did not like the surroundings and wanted  
3 a better place to talk. He was advised that the assembly  
4 room was sufficient. Wendell then turned around and stated,  
5 'You don't need a bodyguard, Inspector. Tell them (meaning  
6 the undersigned) to leave the room.' The Inspector advised  
7 him that I was his driver. Wendell then addressed me,  
8 'Leave the room. I want you to leave.' I replied that  
9 I took my orders from Inspector Melchior and not from him.  
10 Wendell told the Inspector that my stature intimidated  
11 his people and for me to leave. Inspector Melchior asked  
12 me to leave and I complied.

13 "While outside the assembly room by the desk I  
14 observed Bette Moss, who I know from the group associated  
15 with the Newark Community Union Project. She was in and  
16 out of the precinct bringing in so-called witnesses to the  
17 alleged beating of Smith. She tried to bait myself and  
18 other officers into an argument. She stated, you'll get  
19 yours, we won't forget this, and words to that effect.  
20 Outside she stirred up the crowd by obscenities and how  
21 the, 'white cops,' are always beating up the blacks.  
22 At one time she yelled, 'The blacks will kill all you  
23 Short Hill Cops.' Bette Moss, in my opinion, did more to  
24 stir up the crowd than anyone else. Alongside of Moss  
25 most of the time was Phil Hutchings, and I also saw Derek

1 Winans conferring with her.

2 his speech. "At about 11:45 p.m. a fire bomb hit the window  
3 on the west side of the building by the coffee room.  
4 Shortly after a report of a car afire directly across  
5 the street by the project courtyard. I responded outside  
6 of the precinct with about 12-15 other officers, commanded  
7 by Sergeant Popek. Wendell and Lofton ran outside and pleaded  
8 with Inspector Melchior to bring the officers back in.  
9 We had dispersed the crowd from the south side of the  
10 street to the north side. Lofton and/or Wendell said that if  
11 Melchior brought us back in they would speak to the crowd  
12 to disperse them. Inspector Melchior gave them 15 minutes to  
13 disperse the crowd and told me to get the bull horn from 64  
14 car. I complied and handed the horn to Curvin. The other  
15 officers returned to the precinct proper.

16 "Curvin climbed on the hood of a car and began to  
17 talk to the crowd of now about 400. Curvin did not once  
18 try to disperse the crowd but told them, we're tired of  
19 being beaten, we're tired of being dragged and we ain't  
20 going to take it any more. He further stated, we ain't  
21 going to forget that we would picket tonight, Thursday,  
22 Friday and Saturday. He kept saying are you with me and  
23 the crowd would yell in the affirmative. All this time  
24 at different intervals Wendell would cup his hands around  
25 his mouth and say to Curvin, 'Bob and me won't be turned

1 around.' Curvin would add this cliché at certain times in  
2 his speech.

3 "Lofton then got on the car and stated that John  
4 Smith would have the offices of the Newark Legal Project  
5 and his 12-14 lawyers represent Smith and anyone else of  
6 you who got in any trouble. At no time in his talk with  
7 the crowd did Lofton try to disperse the crowd or tell them  
8 to go home.

9 "Timothy Still then spoke, introduced by Lofton.  
10 He stated that we'll form a picket line around the  
11 precinct and then around the entire city. He asked if  
12 the crowd would form the picket line now and they shouted,  
13 'Yes.' He told them to start lining up in the street.  
14 Still also did not once mention about dispersing nor  
15 quieting the crowd.

16 "The so-called leaders went to the area of Belmont  
17 Avenue to form the pickets and walked west on 17th Avenue  
18 using the bull horn to attract a bigger picket line,  
19 led by Still. At about 12:15 a.m. the bottles and bricks  
20 began to come from the project area and that was the last  
21 seen of the leaders.

22 "Respectfully submitted, Patrolman Gerald F. Carroll,  
23 Office of Deputy Chief Command Post."

24 Incidentally, we never got the bull horn back.

25 Q Can we have a copy of that please?



1 A Yes.

2 Q Do you have anything else we can mark?

3 A Incidentally, Carroll was the only officer outside  
4 the building. Here is a picture of Carroll with I think  
5 Curvin addressing the crowd.

6 MR. MEYNER: Incidentally, who is Wendell?

7 THE WITNESS: Wendell was until last week  
8 the Assistant Director of the U.C.C. He resigned.  
9 Every one of these people who were mentioned here  
10 except Curvin works for the U.C.C.

11 BY MR. ROBINSON:

12 Q Any other data on Mr. Curvin?

13 A No, sir, except he just got a promotion in  
14 Rutgers.

15 MR. MEYNER: Curvin?

16 THE WITNESS: Yes, sir.

17 BISHOP DOUGHERTY: What does he do?

18 MR. BROWN: The question asked by the  
19 Bishop was what does he do. I think he's with  
20 the --

21 THE WITNESS: Urban Studies.

22 MR. BROWN: There's a unit at Rutgers  
23 called the Urban Studies Division and he is  
24 employed there.

25 MR. LEUCHTER: He gave us his exact title

1 when he spoke with us.

2 THE WITNESS: Incidentally, here is a  
3 copy of his police record, a minor one.

4 MR. MEYNER: Who is that?

5 THE WITNESS: Curvin.

6 MR. BROWN: This indicates the arrests.  
7 Is there any list of dispositions?

8 THE WITNESS: No, sir. It appears that  
9 most of the time today when we have these kinds  
10 of arrests the Federal Government is invoked by  
11 suits of injunctions.

12 MR. BROWN: Well, is it to be assumed from  
13 this record which indicates three arrests,  
14 7/29/65 -- one seems to be the same, 7/29/65,  
15 and April 1, 1967, that there was no disposition,  
16 no conviction or dismissal?

17 THE WITNESS: That particular suit I know  
18 about. The Newark Legal Services Project I think  
19 plus Morton Stavis and a few others joined in a  
20 suit with the Federal Government in federal court  
21 to enjoin the magistrate's court from prosecuting.

22 MR. BROWN: Which one is that, sir? Is that  
23 7/29?

24 THE WITNESS: That's the meat market.

25 MR. BROWN: April, 1967?

1 THE WITNESS: That's the meat market.

2 MR. BROWN: There it says he refused to  
3 move at the request of Detective Lucarella.

4 MR. LEUCHTER: The previous one has to do  
5 with civil rights.

6 MR. BROWN: There are three listed but I  
7 think it should be noted that 7/29/65 it states,  
8 "Robert Curvin, entering building and molesting  
9 person of Officer Kenneth A. McShea, First  
10 Precinct. Complainant: Inspector Murphy,  
11 Newark Police."

12 "7/29/65, same date, Robert Curvin, disorderly  
13 conduct, Officer Kenneth A. McShea, First  
14 Precinct. Complainant; Inspector R. Murphy,  
15 Newark Police." They appear to be the same.

16 The last is April 1, 1967, "Failure to  
17 move on command of police officer, Detective  
18 Lucarella."

19 BISHOP TAYLOR: When a man is arrested and  
20 there is no disposition made of his case what  
21 significance is that record in your office?

22 THE WITNESS: Well, sometimes there's an  
23 error made by the record bureau itself. In some  
24 cases the court never gave a disposition for one  
25 reason or another, which seldom happens. Now,

1 Q for example, this last one. There is no decision  
2 A given because a Federal suit has been started  
3 office. in Federal Court to enjoin the magistrate from  
4 Q prosecuting the case.

5 A No. BISHOP TAYLOR: A man is not automatically  
6 guilty because the record shows he was arrested.

7 THE WITNESS: No, sir.

8 MR. MEYNER: And occasionally the police  
9 might decide not to prosecute.

10 August 1965 THE WITNESS: Well, it would show, Governor.  
11 A It would say, "No complaint," or something like  
12 then about that.

13 MR. BROWN: What about the 7/29/65? Shouldn't  
14 there be some disposition on that?

15 THE WITNESS: I don't know. What I will do  
16 is look it up for you and bring an answer in  
17 next meeting.

18 MR. BROWN: You have a copy?

19 THE WITNESS: Yes, sir, I know what it is.  
20 May I submit in evidence a photograph of the  
21 Barringer protests which C.O.R.E. was involved  
22 in and also a sit-in at the mayor's office.

23 BY MR. ROBINSON:

24 Q Is Barringer the first violence?

25 A Yes. That was '63.

1 Q What was the second photograph?

2 A A sit-in in the mayor's office or outside of his  
3 office.

4 Q Resulting from the Barringer protests?

5 A No, sir. That's another.

6 MR. BROWN: What's the date of it?

7 August 7 '63 on the rear.

8 THE WITNESS: Yes, sir.

9 Q Do you recall the incident for the sit-in,  
10 August '63?

11 A Something about they wanted the mayor to see  
12 them about something. I don't remember any more.

13 MR. BROWN: You're not suggesting that any  
14 of these are proof of crime but merely indicate  
15 pickets?

16 THE WITNESS: They're activity.

17 Q Now, are you at the point where you could tell  
18 us of any other organizations and their activity?

19 MR. BROWN: There's one thing I would like  
20 to ask at this time, if you would permit, and  
21 that is if any of the members of the Commission  
22 have questions that relate to these, so that we  
23 have some continuity, so that we can deal perhaps  
24 first with Mr. Robert Curvin of C.O.R.E. May I  
25 call attention that there has been offered as

1 an item for evidence pictures that relate to  
2 1963, a sit-in and the beginning of the Barringer  
3 High picketing, June 4 '63, pictures that relate  
4 to 1965, a summer rally when James Farmer came  
5 to town, a speech of Robert Curvin, August 30,  
6 1967 in which a Mr. Marvin Weiss has noted certain  
7 comments such as, "I am a leftist;" and the final  
8 notation, except for these items of arrest,  
9 would be October 26, 1967 which relates to a report  
10 by Officer Carroll on the incident of July 12 '67.  
11 Would you like any questions relating to Mr.  
12 Robert Curvin?

13 MR. LEUCHTER: Yes, I think I would, Mr.  
14 Chairman.

15 In sitting on this Commission I am trying to  
16 weigh in my own mind what alternatives there are  
17 to violence. We are here to examine the causes  
18 of violence and what happened when violence took  
19 place and I am trying to cogitate over what I might  
20 do if I were an affected resident of the Ghetto  
21 to voice my displeasure at what I thought were  
22 poor living conditions of one kind or another.  
23 I am curious, and I am not a resident of Newark,  
24 Mr. Spina, so I am merely asking you more from  
25 the standpoint of an outsider toward someone who

1 lives in Newark: In your view how should citizens  
2 express their displeasure or protest, whatever the  
3 subject might be? It doesn't necessarily have to  
4 be housing or education or neighborhood stores.  
5 Whatever the subject how should they protest  
6 and too, I would really like to have your views  
7 on the subject of citizens protesting on the streets  
8 or assembling. To what extent should citizens  
9 be permitted to assemble on the street and sound  
10 off, so to speak, as long as it is not violent?

11 THE WITNESS: Well, protests are good and  
12 demonstrations are good, providing they conform  
13 to the laws of the land, that they do not incite  
14 and agitate people to the degree where they will  
15 resort to violence, that they do not make it  
16 illegal in that they deprive ordinary people of  
17 their rights. For example, blocking a sidewalk  
18 so that people have to walk in a street or blocking  
19 off an exit or an entrance to a building so that  
20 people can walk in and out of a building which they  
21 have a legal right to. These are the things we  
22 ask them to conform with.

23  
24 MR. LEUCHTER: Would demonstrations -- I use  
25 the term civil rights demonstrations -- would they  
differ substantially from labor demonstrations,

1 from strikes or picketing in a labor demonstration  
2 on the streets? If there is an allegation by  
3 the employer that the entrance and egress to and  
4 from a plant is blocked the usual procedure is to  
5 get a court injunction, is it not, to limit the  
6 number of pickets?

7 THE WITNESS: In Newark generally what they  
8 do is ask the police to arbitrate, which is what  
9 we do. We talk to both sides and try to get them  
10 to come to some reasonable understanding as to  
11 what their rights are and what the rights of  
12 the property owner or the management are.

13 MR. LEUCHTER: Does that happen in labor  
14 disputes?

15 THE WITNESS: Very often in the city of  
16 Newark. We have been very fortunate, we very  
17 seldom have any violence. Almost never in the  
18 five years I have been a police director.

19 MR. LEUCHTER: In other words, the police  
20 try to work out an agreement as to the number of  
21 pickets and so forth?

22 THE WITNESS: That's right. I generally go  
23 and talk to them myself.

24 MR. LEUCHTER: Therefore you're not against  
25 mere demonstrations in the streets?



1 THE WITNESS: No. If you were at the last  
2 meeting you would realize that I used to be a  
3 labor organizer and I realize the problems of  
4 labor and I certainly am not going to interfere  
5 in what they believe is right.

6 MR. LEUCHTER: And you feel the same way  
7 toward civil rights' demonstrations?

8 THE WITNESS: That's right.

9 MR. BROWN: You developed some of these  
10 techniques, didn't you?

11 THE WITNESS: I'm not going to answer that  
12 one.

13 MR. BROWN: Sit-ins. Remember Kohler of  
14 Kohler?

15 THE WITNESS: Yes, I do, but that was  
16 different. I'm generally able to win them around.  
17 When I tell them about my labor background and  
18 I tell them I understand their rights but I tell  
19 them they must also understand the rights of the  
20 public or the rights of the management, I almost  
21 always never get any problems with them.

22 MR. LEUCHTER: What do you mean by that,  
23 labor people?

24 THE WITNESS: Either one. Generally today it's  
25 labor that's militant.

1           MR. LEUCHTER: But in civil rights'  
2 demonstrations you are able in many cases to use  
3 influence for instance to limit the number of  
4 people or keep it orderly?

5           THE WITNESS: Not very mech. Not very well.  
6 They're strident voices today out in the city.

7           MR. LEUCHTER: You mentioned earlier there  
8 is an ordinance regarding permits, a person has  
9 to apply or a group has to apply for a permit  
10 for a street demonstration of some kind in the  
11 city of Newark.

12          THE WITNESS: That's right.

13          MR. LEUCHTER: Are they generally granted  
14 or how are they weighed?

15          THE WITNESS: I have never refused a permit  
16 since I have been a police director and that on  
17 occasion despite the opinion of some civil rights  
18 people and members of the city council. I have  
19 never denied one. I don't care if it's for a  
20 P.A. system, for a parade, a demonstration or  
21 anything else. And very often when they do march  
22 or they do demonstrate and they don't get the permit  
23 I don't bother. You know you get a group marching  
24 down and you know they don't have a permit, I  
25 don't care how large a police department you have,

1 you are not going to step out there and say,  
2 "Hey, fellas, you don't have a permit, I order you  
3 to disperse." You just try to get them to conform  
4 and be orderly.

5 MR. LEUCHTER: What then is the purpose of  
6 the permit?

7 THE WITNESS: The purpose of the permit is  
8 try to control the situation. For example if  
9 it's in a park, allot them a certain portion of  
10 the park. We even go so far as to build platforms  
11 for them and give them the P.A. systems. Give  
12 them a chance like they do in London -- what  
13 park is it -- Hyde Park, to give vent to their  
14 impulses and their energies.

15 MR. BROWN: I would like to ask just one  
16 or two questions. In '63 with Curvin and the  
17 group coming in you found no violence advocated  
18 by any of these people, did you? Or did you?

19 THE WITNESS: They never advocate violence  
20 publicly. We could never prove it.

21 MR. BROWN: Well, have you even had any  
22 intelligence report that indicated that they  
23 advocated violence, without proof? Intelligence  
24 reports that would indicate, let's say, in '63  
25 that C.O.R.E. in sitting-in at the mayor's

1 office on August 7 --

2 THE WITNESS: That was '65.

3 MR. BROWN: I have '63 on the back, sir.

4 THE WITNESS: That's wrong. Here is the  
5 newspaper articles that refer to it.

6 MR. ROBINSON: The sit-in says '63.

7 THE WITNESS: Here it is. Somebody made  
8 a mistake. Does it have '65 on there?

9 MR. BROWN: Do you want to look at it?

10 THE WITNESS: What does the newspaper say?

11 MR. ROBINSON: The handwritten note is  
12 '65, whoever clipped it.

13 THE WITNESS: That is me. I know it was  
14 '65 because I was there.

15 MR. ROBINSON: You have '65 all over your  
16 newspaper articles.

17 THE WITNESS: I was there.

18 MR. BROWN: Now, has Curvin at any time  
19 in your opinion been allied with any of the  
20 groups such as the Black Liberation Front in  
21 any support relationship, whether as a lieutenant  
22 or in any way aiding them in their activities?

23 THE WITNESS: Not that way.

24 MR. BROWN: However, you did know that there  
25 was a meeting in March I think at which time Bill

1 was present at which all of these people,  
2 including people like Ken Gibson were present?

3 THE WITNESS: Yes.

4 MR. BROWN: As I recall, you said this was  
5 the first time that all these groups were under  
6 one banner. Did you have information that they  
7 were responsible for the meeting or were they  
8 just there? Let's take Gibson for example.

9 THE WITNESS: I don't know. But I would  
10 imagine he was asked to be there to lend prestige.

11 MR. BROWN: What about --

12 THE WITNESS: Ulysses Ward?

13 MR. BROWN: Some of these names you  
14 mentioned were very interesting.

15 THE WITNESS: Ulysses Ward. In my opinion  
16 Ulysses Ward is a militant and he would naturally  
17 gravitate to a movement of this kind.

18 MR. BROWN: Was he a part of the movement  
19 to your knowledge?

20 THE WITNESS: Here, Millard just picked it  
21 out for me. Here's the ones that participated  
22 in the leaflet on May 21, 1967. Mr. Ward is a  
23 member, number one, right on the list. There  
24 is a list of 15 right here with Curvin.

25 MR. MEYNER: Doesn't Ward have a job at the

1 Court House?

2 THE WITNESS: He is an Assistant Registrar.

3 MR. MEYNER: And he is a Ward Leader?

4 THE WITNESS: He is Central Ward Democratic  
5 Leader. May I offer this, sir?

6 MR. BROWN: Yes.

7 How about Reverend West? That's a name  
8 we haven't heard before.

9 THE WITNESS: Reverend West is a newcomer  
10 to Newark. He came here early this year. He  
11 is a pastor at the Grace Chapel on Blum Street.  
12 I have forgotten the number. The Reverend West  
13 blows hot and cold. At the present time we are  
14 very friendly. He seems to be a moderate.  
15 During the riot he came to see me the second day  
16 in the Fourth Precinct that I use for my  
17 Command Post, and I think he did what he could to  
18 try to stop violence.

19 MR. BROWN: He was listed as having been  
20 present at that April 28th meeting by Officer  
21 Millard.

22 THE WITNESS: Yes.

23 MR. BROWN: So you wouldn't say that he  
24 was a part of Colonel Hassan's Black Star  
25 Regiment?

1 THE WITNESS: No, he wasn't.

2 MR. BROWN: I note that Ulysses Ward is known  
3 as Honey Ward. Is that his nickname?

4 THE WITNESS: That's his nickname.

5 MR. BROWN: Gibson you wouldn't say was a  
6 part I understand. How about Hutchins?

7 THE WITNESS: Hutchins is the only man who  
8 runs S.N.C.C. in the city of Newark. He has been  
9 here three and a half years. Came from Cleveland.  
10 He participated in some civil rights' drives in  
11 the early part of the Negro revolt down south.  
12 He has no apparent means of income and still,  
13 like Tom Hayden, he is able to fly around to  
14 Puerto Rico and go to different parts of the  
15 country. At that time he had Robert Fullilove  
16 as one of his assistants. They have never been  
17 powerful here in the city. Hutchins did try  
18 very hard in 1966 to do something. We are not  
19 sure whether he helped to distribute those  
20 leaflets on the Molotov cocktails, but he brought  
21 Stogley Carmichael over here, anticipating I  
22 suppose a tremendous demonstration, but actually  
23 it was a very bad showing.

24 MR. BROWN: That was under the banner of  
25 C.O.R.E.?

1 THE WITNESS: Yes, sir.

2 MR. BROWN: I note that this leaflet  
3 distributed May 21, 1967 doesn't bear any  
4 signatures or organizational designation.  
5 I am referring to the one that says, "We ain't  
6 gonna move."

7 THE WITNESS: That was distributed all over  
8 the city, Central Ward.

9 MR. BROWN: Who distributed it?

10 THE WITNESS: The Black Liberation people.

11 MR. BROWN: They're listed as one of 15  
12 sponsors.

13 THE WITNESS: Yes.

14 MR. BROWN: You mentioned N.C.U.P. Is  
15 that tied in with Hayden or S.D.S. or C.O.R.E.?  
16 How does that interrelate?

17 THE WITNESS: If you read the article  
18 you will understand how N.C.U.P., S.D.S. works.  
19 They try to get themselves involved in any  
20 grass roots movement in the city. They feel  
21 if they can become involved they can become  
22 identified with it and get more power. The  
23 article of April, 1966 recites the fact that  
24 they became a factor in George Richardson's  
25 United Freedom Party. As a matter of fact, three



1 of the members of N.C.U.P. ran on that ticket,  
2 the United Freedom Party.

3 MR. BROWN: That was a legitimate political  
4 party so far as we know?

5 THE WITNESS: Yes. This is an attempt by  
6 N.C.U.P. to become acquainted with all elements.  
7 Now, Hassan came here. Tom Hayden definitely  
8 had something to do with him.

9 MR. BROWN: Do you identify Hayden with  
10 N.C.U.P.?

11 THE WITNESS: Yes.

12 MR. BROWN: You tie N.C.U.P. in with  
13 S.D.S.?

14 THE WITNESS: Yes.

15 MR. LEUCHTER: Oh, yes.

16 MR. BROWN: So that you tie in S.D.S. and  
17 N.C.U.P. together?

18 THE WITNESS: Yes, sir, with Tom Hayden.

19 MR. BROWN: They are distinct organizationally  
20 from the Black Liberation Front?

21 THE WITNESS: Yes, sir.

22 MR. BROWN: And they are also distinct from  
23 C.O.R.E.?

24 THE WITNESS: Yes, sir.

25 MR. BROWN: And they are, of course,

1 distinct from the N.A.A.C.P.?

2 THE WITNESS: Yes.

3 MR. BROWN: Can you tell us, as I have tried  
4 to tie these together, what contribution, if any,  
5 any of these people made to the violence in  
6 July directly?

7 THE WITNESS: They set the climate.

8 MR. BROWN: Since '63?

9 THE WITNESS: Yes, sir. 1966, for example,  
10 they distributed -- we don't know which of them  
11 did it -- leaflets describing how to make a  
12 Molotov cocktail.

13 BY MR. ROBINSON:

14 Q On that point, are these two leaflets, Director,  
15 that I happen to have in my file?

16 A Yes, sir.

17 MR. ROBINSON: I think we ought to pass  
18 those around.

19 MR. BROWN: Can you tie those to any one  
20 of those organizations?

21 THE WITNESS: No, sir. It's impossible.

22 MR. BROWN: You talked about the climate.  
23 Do you refer to the demonstrations in '63 and  
24 in '65 at the Barringer school for construction?  
25 Do you consider those demonstrations as setting a

1 climate or were they legitimate civil rights'  
2 complaints?

3 THE WITNESS: As you sit in the office of  
4 the Police Director and you see these swirling  
5 movements surrounding you you will note that they  
6 grow in crescendo. You will note that the speeches  
7 get more and more violent. For example, the  
8 types of speeches that were made before the Planning  
9 Board and the Board of Education.

10 You will realize that the climate is being  
11 set for the kind of wholesale protest and hostility.  
12 I am sure that people all over the city of Newark  
13 read these articles in the newspapers about the  
14 violence in the Board of Education and the Planning  
15 Board and it made the young people, the hostile  
16 young people that I spoke about last week, become  
17 more bitter and become more militant. I think  
18 that this is the kind of climate that it produced.  
19 Also the type of speeches that were made before  
20 the Planning Board and before the Board of  
21 Education tell you, almost predict that there is  
22 going to be blood running in the streets.

23 I can cite for you here a speech made by  
24 Harry Wheeler, a Newark school teacher who has been  
25 one of the most militant.

1           MR. BROWN: Which organization would you  
2 connect him with?

3           THE WITNESS: Harry Wheeler does not belong  
4 to any organization except that he is active in  
5 the U.C.C.

6           MR. BROWN: He is a Republican?

7           THE WITNESS: Sometimes. He is a Case  
8 Republican. But Mr. Wheeler is all over the lot.  
9 Actually my opinion of Mr. Wheeler is that he  
10 has a great intellect, a good brain, and that he  
11 is one of the individuals who conspires and makes  
12 the snowballs to be thrown.

13           MR. BROWN: Would you wish to venture an  
14 opinion as to whether or not starting from '63  
15 when you first noticed the rising tide of protests  
16 that perhaps there was no response to the earlier  
17 protests in Barringer, in the sit-ins and so forth  
18 in '63, '64, which was the fact that there was no  
19 response to these protests and changing conditions,  
20 and it may have contributed to what you call the  
21 rising tide of protests toward violence?

22           THE WITNESS: Mr. Brown, let me put it  
23 this way: I don't think that this city could  
24 have solved the sociological problems that were  
25 involved in the conditions inherent in the past

1 hundred years here. At the same time I don't  
2 think that any individual, any group of  
3 people, have the right to resort to arms or to  
4 resort to criminal insurrection.

5 MR. BROWN: My question is: Do you think,  
6 for whatever reason, perhaps the best reasons  
7 in the world, perhaps not, that the protests  
8 begun in '63 in a relatively peaceful fashion  
9 in developing did not find any solution or  
10 answer to the problem, for whatever reason,  
11 may have contributed to the heating up of the  
12 protest action to the point where you had what  
13 you describe as violence?

14 THE WITNESS: Well, I'm not too sure.  
15 But as I cited last week, we in the Newark  
16 Police Department did every single thing we  
17 possibly could.

18 MR. BROWN: But you're just the first  
19 line of defense, aren't you?

20 THE WITNESS: Well, we're the only line of  
21 defense really when it comes to --

22 MR. BROWN: Protesting against schooling,  
23 protesting employment problems, protesting housing?

24 THE WITNESS: That's right.

25 MR. BROWN: Would you say perhaps a failure

1 to change these conditions might have moved  
2 the whole feeling of the city into the protests?

3 THE WITNESS: Well, it might. But they cannot  
4 and should not do it.

5 MR. BROWN: I'm not asking you whether they  
6 should.

7 THE WITNESS: I know that, Mr. Brown.

8 MR. BROWN: Let's take Don Malifonte's job,  
9 if we may. As I understand his job is partly an  
10 aid in this area of being a specialist in the  
11 conditions of protests and the manner of protests  
12 and so forth. Would you say that is a general  
13 description of his job as you understand it?

14 THE WITNESS: Well, he takes them on.

15 MR. BROWN: Was this effort by the city of  
16 any aid in your opinion in gauging the tenor  
17 of these things, meeting some of the demands,  
18 or in trying to handle the situation?

19 THE WITNESS: Mr. Brown, I don't think that's  
20 the cause of the riot in the city.

21 MR. BROWN: What do you think is the cause?

22 THE WITNESS: Basically I think the people  
23 who really caused the riot, as I said last week,  
24 were the kids between 12 and 17-18 years old.

25 MR. BROWN: You don't think it's related

to bad housing --

THE WITNESS: Oh, yes, it is. It's tied in with it. But if they hadn't thrown the stones, if they hadn't resorted to violence, the riot would never really have evolved, because in order to get a riot going you have to get a lot of criminal acts occurring, and this is what happened.

There are immediate causes too for the riot, if we are going to discuss them. I think that if Area Board Two hadn't printed those leaflets let's protest -- I forget the wording on it but we have copies of it -- and asked everybody to get in front of the Fourth Precinct the night after that first night of violence, I don't think we would have had the riot.

MR. BROWN: Do you think the conditions were such that there was no natural development toward the riot but that this happened because of the intervention of criminal action?

THE WITNESS: There is a certain element of natural development. It's always in the background. But people are not likely to begin to throw stones, to begin shooting, to begin looting because of these sociological problems.

1 Washington People are human beings and I don't think they  
2 give me a think that way. It's not human behavior.

3 Newark? MR. BROWN: Then you think that Area Board

4 be in Q Two and the proverty units were instrumental?

5 THE WITNESS: About THE WITNESS: To a degree. And if they

6 You A hadn't had that leaflet and had the people gather

7 Education in front of the precinct that night I don't think

8 literatur we would have had the riot. I really firmly

9 believe this.

10 BY MR. ROBINSON:

11 part Q You're speaking of Thursday night?

12 A Thursday night. Communist group. It has been

13 active a long BISHOP TAYLOR: You mention the name of

14 core com Robert Fullilove. What role do you think he

15 records played in inciting the riot? He led the

16 presence here THE WITNESS: He did not have a substantial

17 Q role. I think that he was talked into becoming

18 A active by Phil Hutchins because he was not

19 Q active a very long time. a long time that information?

20 A MR. BROWN: I have no further questions at

21 some res: this time. he operated in Newark. He likes

22 BY MR. ROBINSON: the man who has become involved in a lot

23 of Q If we may, just to add to the record, I have a

24 copy of a document you gave me, "Blackman's Volunteer

25 Army of Liberation, 910 Kennedy Street, Northwest,



1 Washington, D.C., "An Open Letter to Americans." Can you  
2 give me a background on this and was it distributed in  
3 Newark? he says 83 per cent of the police department should

4 be Negro. Yes, it was distributed in Newark.

5 offi: Q About when?

6 You A: Right during the Planning Board and Board of  
7 Education meetings. It's an antisemitic piece of  
8 literature. of the presence in the city.

9 Q There's another group that you told me about  
10 on which I wish you would just give us briefly its  
11 participation, the National Negro Vanguard.

12 A Yes. This is a Communist group. It has been  
13 active a long, long time. Some of these people are hard  
14 core communists that belong to it. Actually we have  
15 records going back to around 1951 which indicate its  
16 presence here. MR. BROWN: He ran for the United States

17 Q In Newark?

18 A That's right. JESS: He is the first Negro to

19 Q Who is its leader, if you have that information?

20 A Clarence Coggins from Jersey City. But for  
21 some reason or other he operates in Newark. He likes  
22 Newark. This is the man who has become involved in a lot  
23 of demonstrations. Anti-Vietnam is a principal one of his,  
24 also protests of every kind. He also centers his protests  
25 on the fact that the black man here in Newark is not

1 represented on a proportionate basis to the population.  
2 For example, half the police department -- or a little  
3 over -- he says 63 per cent of the police department should  
4 be Negro policemen, a substantial number of superior  
5 officers in the police department should be Negroes.  
6 You should have a Negro mayor, Negro police director,  
7 and so forth and so on. He also says they should have  
8 63 per cent of the finances in the city.

9 Q Can you name some of the other individuals  
10 in that group?

11 A Yes.

12 MR. BROWN: Incidentally, Mr. Director,  
13 he has been running for public office, has he  
14 not?

15 THE WITNESS: Repeatedly.

16 MR. BROWN: He ran for the United States  
17 Senate.

18 THE WITNESS: He is the first Negro to  
19 run for the United States Senate. He advertised  
20 it. I don't know.

21 MR. LEUCHTER: Is he an independent or  
22 does he have a party?

23 THE WITNESS: He calls himself National  
24 Vanguard Democrat. He is using four or five  
25 names.

1 BISHOP TAYLOR: Mr. Director, you are not  
2 citing what you read a moment ago as evidence  
3 of his Communist leanings, were you, when you  
4 were saying that he wanted a certain percentage  
5 of the police to be Negroes and so forth and so  
6 on? You were not giving that as any evidence  
7 of any left wing leaning?

8 THE WITNESS: No. I am almost quoting what  
9 he says repeatedly.

10 MR. BROWN: You don't contend he has no  
11 right to say that?

12 THE WITNESS: He has a right to say that.

13 MR. LEUCHTER: We were trying to seek out  
14 his Communist affiliations, that's all.

15 THE WITNESS: The second in command of  
16 this group is Mr. William Clark of 64 7th Avenue.  
17 That's the Columbus Homes. He is the man who  
18 ran for governor last election and got 30,000  
19 votes, believe it or not. He is the man whose  
20 daughter is in Soviet Russia for her education  
21 and has been there I think the last two years,  
22 since Khrushchev came here.

23 The next active worker in this group is an  
24 Alvin Oliver. This man has been very active in  
25 this National Negro Labor Vanguard and at the

1 present time he is a professional staff worker  
2 for United Community Corporation.

3 ~~Seven~~ There is also a Mrs. Lorraine Hayes who  
4 is now active and has been active in the  
5 Democratic Party. Bernard Whitey. We don't  
6 seem to know too much about him. And a  
7 Mrs. Esther Nettie, a white woman who is  
8 extremely active and participated in many  
9 demonstrations and rallies. We see her picture  
10 in many of these rallies. She is a paramour  
11 of Al Oliver or used to be. I think they had  
12 a parting of the waves. Now, in 1964 right  
13 after the Barringer demonstrations and protests  
14 he had circulars out -- this is Mr. Coggins --  
15 all over the city, the theme of which was police  
16 brutality. And he had picked as the location  
17 again Prince Street between West Kinney and  
18 Montgomery, which is right next to the Hayes  
19 Homes. This is an interesting side light, if  
20 you would like to hear a story. Tensions in the  
21 city were extremely high. It was so high that  
22 the mayor called a meeting of his mayor's clergy  
23 advisory board and also present I remember  
24 distinctly were members of the city council, and  
25 it was at this meeting that President Villani

1 of the council demanded that he not be permitted,  
2 Coggins not be permitted to hold his rally.

3 Several civil rights people present, including  
4 some Negro ministers, said the same thing. And  
5 I told the mayor I thought this was the wrong  
6 thing to do and that they should be permitted to  
7 hold their rally. Meanwhile I had made arrange-  
8 ments without Mr. Coggins knowing about it to  
9 meet him in a tavern and we were introduced.

10 As a matter of fact, Mr. Ward, Honey Ward,  
11 introduced me to him and we had a conversation.  
12 And Mr. Coggins said, "You're a pretty nice  
13 fellow but you don't know anything about labor."  
14 Well, this is my chance to tell him about Hague v.  
15 C.I.O. He was so surprised and so shocked he  
16 changed the locale to the Prudential Mall and  
17 changed the theme from police brutality to  
18 a Negro registration drive. So I get along pretty  
19 good with Mr. Coggins.

20  
21 MR. BROWN: Do you say Mr. Coggins is a hard  
22 core Communist?

23 BY MR. ROBINSON: THE WITNESS: We have been told by the  
24 Federal Bureau of Investigation.

25 A MR. GIBBONS: I thought he said that the  
organization was.

1 MR. BROWN: Do you say that he is a  
2 Communist?

3 THE WITNESS: I don't say but we have been  
4 told by the Federal Bureau of Investigation that  
5 they have evidence that he was a card carrying  
6 Communist. Now, a great many of these people  
7 that I have mentioned have signed Communist --  
8 what do you call it?

9 MR. LEUCHTER: Petitions?

10 THE WITNESS: Petitions. Thank you.

11 MR. MEYNER: Do you have any idea when they  
12 said he was a card carrying Communist?

13 THE WITNESS: How long ago? No, sir.

14 MR. BROWN: Well, is there proof as to any  
15 of the others, any hard proof that they are  
16 Communists, any of those you mentioned, Mr. Clark,  
17 Mrs. White, a number of people?

18 THE WITNESS: I would like to hand this in.  
19 Here is one of the rallies that they participated  
20 in and Al Oliver is noted here as being one of  
21 the leaders.

22 BY MR. ROBINSON: /16/50 he spoke at a C.R.C. Meeting --

23 Q That's the National Labor Negro Vanguard?

24 A Right.

25 MR. BROWN: My question -- and I am sure you

1 didn't intentionally overlook it: Do you have any  
2 proof that you could --

3 THE WITNESS: I am looking, Mr. Brown.

4 May I cite some of his activities? This is  
5 Clark for example.

6 MR. BROWN: I want the record to state that  
7 the Director of Police, Mr. Spina, has not stated  
8 at this point that any of these people are  
9 Communists. As I recollect he said that the  
10 FBI informed him that at some time in the past,  
11 date unknown, Mr. Coggins was a card carrying  
12 Communist. That's all he said.

13 MR. MEYNER: I think he also said it was  
14 a Communist organization.

15 THE WITNESS: Communist oriented.

16 Here is a report from Detective William  
17 Millard. This is taken from our subversive  
18 files going back to May 16, 1950. He spoke at  
19 the rally May 1, 1965 and spoke against the  
20 United States government policies in Vietnam and  
21 verbally abused Governor Hughes of New Jersey.

22 5/16/50 he spoke at a C.R.C. Meeting --  
23 I don't know what this is about -- at 84 - 13th  
24 Avenue.

25 4/11/50 he signed a County Clerk petition

1 for Elwood Dean who is a Communist.

2 part 11/4/52 he signed a Freehold Petition for  
3 Charles Nausser, also Communist.

4 9/3/54 he conducted police brutality meeting  
5 concerning Edward Taylor.

6 3/10/54 he signed a petition for Charles  
7 Nausser. I don't know what for. It doesn't say.

8 9/3/58 he was ejected from Federal Building  
9 hearing of House of Un-American Activities for  
10 his sullenness and boisterous attitude. He was not  
11 a subpoenaed witness.

12 These are all on this sheet that relate in  
13 anyway to him being or having Communist affiliation.

14 BISHOP TAYLOR: Isn't it the easiest thing  
15 in the world to sign a Communist petition without  
16 really knowing what you're doing? I get stacks  
17 of mail every day. With something that is  
18 camouflaged I could sign or support something  
19 that could get me into all sorts of embarrassing  
20 relationships and I could be just as innocent as  
21 a person could be. Does that really prove any-  
22 thing in itself?

23 THE WITNESS: Well, Bishop, I think that when  
24 you sign a petition it tells you the position he  
25 is striving for, also the party he is running



1 under. And I assume that anyone will read that  
2 part of the petition. Now, he has signed more  
3 than one of these.

4 BISHOP TAYLOR: Aren't there points at which  
5 the thing the Communist is striving for is the  
6 thing that the Christian, the Democrat is, anyone  
7 else is striving for? Now, when it comes to  
8 methodology that's a different thing. But when  
9 you come to goals, some of the goals those boys  
10 are striving for are just as holy as some of the  
11 goals that the rest of us are striving for. Now,  
12 your methodology might be a different thing.

13 THE WITNESS: There is a difference, Bishop.  
14 When you talk about pure and simple idealistic  
15 communism you're talking about perhaps a true  
16 Christian state or probably the millennium that  
17 everybody likes to reach. But when we talk about  
18 communism in the United States you're not talking  
19 about that kind of philosophy. What you're  
20 talking about is the kind of philosophy in my  
21 mind which tries to subvert the present government,  
22 no matter what means it resorts to.

23 BISHOP TAYLOR: I would differ with you there,  
24 Mr. Director. I think a man can be a fascist  
25 and subvert the Government just as well as he

1 could be a Communist. Subversion of government  
2 does not necessarily indicate whether one is a  
3 Communist or a fascist or a Nazi or whatnot.  
4 Subversion doesn't say the nature of the ideology.

5 THE WITNESS: This is true. A fascist could  
6 be a subverter too. I have no quarrel with that.  
7 May I introduce this?

8 MR. BROWN: Yes, of course. By the way,  
9 there was one question that came up, Mr. Director,  
10 about the membership of Birchites in the police  
11 department. Do you know anything about that?

12 THE WITNESS: Yes, sir.

13 MR. BROWN: Is there any substantial number  
14 that is Birchites?

15 THE WITNESS: To my knowledge there was only  
16 one. That was in '65. I sent for him. Fitzgerald.  
17 I forget his first name. And I questioned him  
18 as to the propriety of a man being a member of  
19 the Birch Society and being a policeman. It got  
20 to the point where I think he felt being harassed  
21 and he resigned.

22 MR. BROWN: Was that the end of it as far as  
23 you know?

24 THE WITNESS: We have rumors, not at the  
25 present time, but perhaps about a year ago that

1 some men in the department had signed up as  
2 Birchites but we have no intelligence that  
3 indicates who they are or that there are such  
4 people.

5 BY MR. ROBINSON: MR. BROWN: So you have no information on  
6 that at this time?

7 THE WITNESS: No, sir.

8 MR. BROWN: Any other right wing, any  
9 extremists groups within the department that you  
10 has know?

11 THE WITNESS: No. We do have one Black  
12 Muslim.

13 MR. BROWN: Is he on the force?

14 THE WITNESS: Yes, sir.

15 MR. BROWN: How long has he been on?

16 THE WITNESS: Oh, about 12 years I think.

17 MR. BROWN: I hate to ask this question.

18 Is he a good cop?

19 THE WITNESS: Believe it or not he is pretty  
20 good. We have no problems with him. He has a  
21 day job where we can watch him. I am being very  
22 frank with you.

23 MR. BROWN: He has been all right for 12  
24 years, a good man?

25 THE WITNESS: I have no problems with him.

1 I have reason to believe he is not a member now.  
2 But he was active.

3 MR. BROWN: But at one time he was?

4 THE WITNESS: Yes, sir, very active.

5 BY MR. ROBINSON:

6 Q There is one final organization that you haven't  
7 discussed with us that you believe has affected the mood  
8 of the community. That is the U.C.C. Would you give us  
9 the information that the police department and your staff  
10 has uncovered on that?

11 MR. BROWN: Perhaps for the record, to make  
12 it clear at this time, what is the U.C.C.,  
13 Director?

14 THE WITNESS: The U.C.C. is the delegate  
15 agency. It is an anti-poverty agency which has  
16 many poverty programs under its supervision.

17 MR. BROWN: It's call what?

18 THE WITNESS: United Community Corporation.  
19 Sorry to say that the U.C.C. has had an extremely  
20 violent and disruptive kind of a history here in  
21 the city. It has been an extremely noisy one.  
22 From the very beginning it has been beset with  
23 turmoil and arguments and violent ones.

24 MR. BROWN: Just for the purpose perhaps  
25 of staff guidance, who was the president of it

1 BY MR. BROWN: from the inception up to very recently? Was it

2 Q Dean Heckel of Rutgers?

3 A THE WITNESS: Dean Heckel was.

4 Q MR. BROWN: He was president up until about  
5 has it been a year ago?

6 A THE WITNESS: No, sir. Until about three  
7 months ago when Timothy Still took over.

8 A MR. BROWN: I am asking this particularly  
9 constant for the purpose of staff guidance. Would you say  
10 it was constant throughout this period of turbulence and so forth  
11 some Negt that Heckel was the president?

12 THE WITNESS: Yes, sir, he was. They have  
13 of Newark changed directors at least three times.

14 to a great ext MR. BROWN: Would you give us those names,  
15 and the ad if you know? of the anti-trust board.

16 Q THE WITNESS: Tiesen was the first one.

17 names of these MR. BROWN: Cyril Tiesen.

18 A THE WITNESS: After that came Wolf. I

19 Q forget his second name. After that came an

20 A acting director, Wendell, Donald Wendell, whom

21 Hushine. I mentioned today.

22 MR. BROWN: Who has resigned as of a week  
23 ago? THE WITNESS: No. Bill Hushine is colored.

24 THE WITNESS: That's right. At the present  
25 time it is Dr. Odom.

1 BY MR. ROBINSON:

2 Q It was formed when?

3 A The summer of 1964.

4 Q Again, just in summary fashion, how much money  
5 has it dealt with from the Federal Government approximately?

6 A At least \$7 million.

7 Q Would you continue about the organization?

8 A It has always been beset by problems and troubles,  
9 constant arguments, conspiracies. At the very beginning  
10 it was captured by N.C.U.P., the white leftist liberals,  
11 some Negro racists, and political dissidents who were  
12 opposed to the so-called power structure here in the city  
13 of Newark. They are the ones that have been controlling  
14 to a great extent the policies, the finances, the operations  
15 and the administration of the anti-poverty board.

16 Q Stopping at this point, could you give us the  
17 names of these people whom you characterized just now?

18 A Well, it's hard to characterize them exactly.

19 Q Well, their names.

20 A For example, Tom Hayden, Derek Winans, Phil  
21 Hutchins.

22 MR. BROWN: These are all white, are they?

23 THE WITNESS: No. Phil Hutchins is colored.

24 MR. BROWN: Hutchins is Negro but Winans  
25 and Hayden are white.

1 THE WITNESS: They're white. Willie White,  
2 Jessie Allen, Donald Wendell, Al Oliver, James  
3 Walker, Dean Harrison.

4 MR. LEUCHTER: Are these all militants  
5 or revolutionaries?

6 THE WITNESS: Militants.

7 MR. LEUCHTER: These you would consider all  
8 militants?

9 THE WITNESS: That's right.

10 MR. LEUCHTER: What do you really mean by  
11 militants, Mr. Spina? Are these advocates  
12 of violence?

13 THE WITNESS: Nobody outright advocates  
14 violence. It's the degree of violence that they  
15 approach here.

16 MR. LEUCHTER: Well, Rap Brown and Carmichael  
17 do. Harrison's name to that and Harry Wheeler.

18 THE WITNESS: Right. Well, for example,  
19 speeches that Harry Wheeler would make, which  
20 they all will make, if they don't get something,  
21 blood is going to run out in the streets. This  
22 is the kind of speeches these people make.

23 MR. MEYNER: Who is this Dean Harrison you  
24 mentioned?

25 THE WITNESS: He is from New York. He is

1 director of personnel now, isn't he?

2 MR. MEYNER: Of what?

3 THE WITNESS: U.C.C.

4 MR. MEYNER: Is he white or Negro?

5 THE WITNESS: No, he's a Negro. Most of  
6 the people in the U.C.C. today are Negroes.

7 BY MR. ROBINSON:

8 Q Have these men you mentioned and others, used  
9 in your view and your estimation the U.C.C. as a forum  
10 or a sounding board?

11 A I don't think that was their primary object.  
12 I think this is one of the objects that was used by them.

13 Q In what way has the U.C.C. affected the mood  
14 of the community from your investigation?

15 A I think that the militants within the group and  
16 the leftists and the dissidents -- incidentally, I have  
17 to add Earl Harrison's name to that and Harry Wheeler.

18 MR. BROWN: As dissidents?

19 THE WITNESS: Yes, sir, political dissidents.

20 And George Richardson. These people use the U.C.C.  
21 for getting finances, for getting jobs so they  
22 can subsist, for using the equipment of the  
23 U.C.C. for their own purposes. For example,  
24 mimeograph machines and P.A. systems. They use  
25 the various programs to increase their power.



1 P.A.L. They are able to hire people who will do their  
2 the play bidding once they get into the program. These  
3 Now, are the kind of things that they do.

4 BY MR. ROBINSON:

5 Q Can you give us an example? And one that occurs  
6 to me is the P.A.L. summer block recreation program and  
7 the U.C.C. use of that.

8 A Well, in 1965 P.A.L. under police department  
9 auspices applied for a summer block recreational program  
10 which was granted. The U.C.C. had hardly any administration  
11 over it, certainly had nothing to do with its operations,  
12 and it was a tremendously successful one. I think it had  
13 a great deal to do with keeping down the tensions that  
14 summer. It was cited nationally as one of the outstanding  
15 summer block programs in the country.

16 Now, in '66 we applied again for this summer block  
17 program and, much to our surprise, U.C.C. now told us that  
18 we could not run it, that we would have to be under the  
19 domination of the U.C.C. Board of Trustees. There was a  
20 great deal of discussion about this. They wanted to have  
21 48 members on the Board of Trustees to our 8 Board of  
22 Trustees in order to carry on their operations of the P.A.L.-  
23 U.C.C. program. It became so bitter we almost didn't have  
24 one. But finally we compromised, We decided that each  
25 Area Board would have an equal number of trustees to the

1 P.A.L. trustees and that they would decide the location of  
2 the play streets and the hiring of personnel.

3 that Now, P.A.L. has two goals. One is for the P.A.L.  
4 to have young people, children, become friendly with police  
5 officers so that we have some kind of rapport between  
6 children and policemen. Secondly, P.A.L. feels that by  
7 these summer programs we are able to keep children from  
8 critical areas and that we can help to guide and to lead  
9 them in the positive side of the law. Anyway, we did have  
10 the program in 1966 but we had constant arguments back and  
11 forth.

12 They precluded us from hiring policemen on the program.  
13 Out of 117 all we could hire was 30 police officers. We  
14 were very unhappy with the program.

15 with On top of that they inserted in the program a camp  
16 for children where children could go for two weeks. It was  
17 pointed out to us that this camp which was called Camp  
18 Webatuk had previously been called Camp Unity I believe and  
19 that this was a camp that was frequented by Communist  
20 youth, that Communist indoctrination courses were held at  
21 that camp for a long time. The P.A.L. protested the use  
22 of this camp and in spite of our protests they sent the  
23 children there any way.

24 Q Did you write to Sergeant Shriver in September,  
25 1966 for clarification?

1 Q Yes, sir. I wrote to Sergeant Shriver because  
2 it was my simple belief that if an agency had a program  
3 that the delegate agency had no business interfering in its  
4 operations, except for administration and to see whether  
5 or not the agency was relating to the rules and regulations  
6 of the U.C.C. Shriver wrote back and said that the agency  
7 under the U.C.C. had the right and the power to run its  
8 own operations and that the only right that they had --  
9 meaning the U.C.C. -- was the right to see whether or not  
10 administratively the P.A.L. was living up to the rules  
11 and regulations as set down by the anti-poverty program.

12 Meeks Q How did this work in the summer of 1967?

13 A We had worse problems. In 1967 they had now  
14 become a very independent and tough organization to deal  
15 with. They told us that if we wanted a program at all they  
16 would have 48 members of the Board of Trustees, that is,  
17 the U.C.C., to 8 members of the P.A.L. We fought bitterly  
18 against it but we got nowhere. And very reluctantly,  
19 because we don't want to see the children in the streets  
20 deprived of recreation, because so many children had written  
21 to us the two years before telling us how they enjoyed the  
22 program, that we went along with the program. But we had  
23 nothing but trouble right from the very beginning. They  
24 would not permit us to hire any policemen except the  
25 director of the program, Detective Charles Meeks. And he

1 was completely estranged from the program. There were  
2 constant arguments, there were decisions made for programs  
3 that he knew nothing about, he couldn't fire people nor  
4 discipline them in any way. We have records, for example,  
5 of Black Nationalists on the payroll that he couldn't do  
6 anything with. We have records of a prostitute on the  
7 program. We have records, for example, where a Black  
8 Nationalist called one of the female supervisors on the  
9 program some extremely filthy names in front of children  
10 and they refused to fire him.

11 These are the things that kept aggravating Detective  
12 Meeks. And he came to me constantly asking for me to  
13 approve a letter of resignation. He did send them a letter  
14 of warning. They took no heed so he finally resigned.

15 This is the history of the P.A.L.-U.C.C. This is the  
16 kind of an organization that will either rule or ruin.  
17 They don't want to have any halfway measures.

18 Q As a result of what you regarded as the bad  
19 conduct of the U.C.C. did you send a telegram to Mr. Shriver  
20 on May 25, 1967? THE WITNESS: No. Well, was that the

21 A That was later on. It had nothing to do with the  
22 U.C.C.-P.A.L. program. This was because of the fact that I  
23 was becoming alarmed with the amount of tension that was  
24 rising in the city. I was writing to Shriver my memo. You will see

25 Q Could we have a copy of that telegram so it can be

1 passed around while you're testifying about it?

2 A Yes.

3 MR. LEUCHTER: Before we get too far, are  
4 you going to get back to P.A.L.?

5 MR. ROBINSON: Go ahead.

6 MR. LEUCHTER: Armed with this letter from  
7 Sergeant Shriver back in 1966 in which he said  
8 you did have the authority to run this yourself  
9 without the delegate agency horning in, didn't  
10 you make any attempt to either write them or call  
11 them on the telephone and say hey, they're worse  
12 in '67 than they were in '66?

13 THE WITNESS: I wrote to them, sent them a  
14 copy of the letter, which they never replied to.  
15 I then called Mr. Wolf and begged him to use his  
16 good offices to try to come to some conciliatory  
17 status where at least we in P.A.L. would get  
18 something to say in a program.

19 MR. LEUCHTER: Wolf was in Washington?

20 THE WITNESS: No. Wolf was then the  
21 U.C.C. director.

22 MR. LEUCHTER: I meant down in Washington.

23 THE WITNESS: I had written. There is no  
24 sense writing to Shriver any more. You will see  
25 later on what I am talking about.

1 MR. LEUCHTER: You mean he didn't answer?

2 THE WITNESS: Governor, did you want to ask  
3 me something?

4 MR. MEYNER: No. He asked if he doesn't  
5 answer.

6 MR. BROWN: Gentlemen, we are at a peculiar  
7 time here in that it's two minutes after seven.  
8 There are some questions that I know are forth-  
9 coming. What I would suggest, unless all of you  
10 want to sit a little late, which is all right with  
11 the chair, that we terminate at this point,  
12 subject to further questions. I think one of the  
13 ground rules is with the permission of the chair  
14 staff may ask some questions.

15 Mr. Goldman has indicated he would like to  
16 ask some questions. Any objections? So I would  
17 like to tell all staff present if you have any  
18 questions you may ask them directly.

19 Would it be all right with you, Director, at  
20 this point?

21 THE WITNESS: I will go along with whatever  
22 you say.

23 MR. MEYNER: He is coming back.

24 MR. BROWN: Oh, yes. We haven't gotten to  
25 the meat yet.

1 Mr. Goldman, would you like to ask questions?

2 MR. GOLDMAN: For the benefit of the  
3 staff, Director Spina, you mentioned a number of  
4 designations before. You said white leftist  
5 liberals. How do you define this term? I could  
6 imagine, you have a labor background, that one  
7 could call Walter Reuther a white leftist liberal.  
8 What is a white leftist liberal?

9 THE WITNESS: Maybe the word liberal wasn't  
10 sufficient. Perhaps I should say militant.  
11 For example, I am talking about Hayden, I am  
12 talking about Derek Winans.

13 MR. GOLDMAN: How would you define a white  
14 leftist liberal apart from personality? What  
15 kind of an individual is that?

16 THE WITNESS: I am going to remove the name  
17 liberal and call them a militant. The kind of an  
18 individual who, in order to bring about a change  
19 in the political structure of the country, will  
20 resort to the kind of activity which is not the  
21 democratic American way of procedure.

22 MR. MEYNER: Do you mean a fellow who likes  
23 to start a fire and run away?

24 THE WITNESS: That's about it. You're good.

25 MR. GOLDMAN: Would you say that this is

1 original with this group of people or would you  
2 say that at other periods of American history  
3 this might have occurred and been sanctioned?

4 THE WITNESS: Well, it all depends on the  
5 methods you use. I have no argument with anyone  
6 who wants to change the form of government as long  
7 as he does it by constitutional methods. This is  
8 my argument. Anybody that resorts to violence or  
9 threats of violence to produce a change, threats  
10 of mob action, this is what I am opposed to.

11 MR. GOLDMAN: So that we have now that actually  
12 you are referring to people who advocate violence  
13 or the threat of violence? That is the term you  
14 would apply to these people rather than white  
15 leftist liberals?

16 THE WITNESS: Right.

17 MR. GOLDMAN: When you say political dissidence,  
18 again, this is for the benefit of the staff, and  
19 it's difficult to handle later on unless we get  
20 a clear definition, would you say political  
21 dissidence is something that is not within the  
22 realm of permissible activity for an American  
23 citizen?

24 THE WITNESS: I didn't say that at all and I  
25 don't mean that. I mean the type of individual,



1 for example, in the city of Newark who calls  
2 himself a dissident -- he doesn't call himself,  
3 we call him a dissident to the establishment or  
4 the power structure.

5 MR. GOLDMAN: Would you say that dissidence  
6 from the establishment or opposition to the  
7 establishment as you call it -- and we need to  
8 define that too -- is an activity beyond the bounds  
9 of law or acceptability within the American  
10 democratic system?

11 THE WITNESS: No, except when they again  
12 have the same element as the militant I spoke  
13 to you about before, when he relates or resorts  
14 to threats of violence. These are the things  
15 I am talking about.

16 MR. GOLDMAN: Am I right in assuming that  
17 when you spoke of political dissidence -- and  
18 that is the term you used because I made a note  
19 of it -- that you define that now as again  
20 advocacy of violence or threat of violence?

21 THE WITNESS: Right.

22 MR. GOLDMAN: When you say the organization  
23 was captured what do you mean?

24 THE WITNESS: Its policies, its operations  
25 and administration is captured by these people.

1 MR. GOLDMAN: Would you say that Dean  
2 Heckel and the Board of Trustees of the U.C.C.  
3 were captured by the people you have now defined  
4 as advocating violence?

5 THE WITNESS: Well, I think that Dean  
6 Heckel became party to it. I think that he wanted  
7 some of these things to happen. I don't mean  
8 violence but the pronounced changes that he  
9 thinks -- and this is the way he talks -- should  
10 be made here in the city.

11 MR. BROWN: Could I interject this? Would  
12 you call Dean Heckel militant then in the sense  
13 that he was a man demanding action?

14 THE WITNESS: No. Dean Heckel is not a  
15 militant. He just adds his little fuel to the  
16 fire once in a while.

17 MR. BROWN: But militant in a sense means  
18 one who wants action.

19 THE WITNESS: I didn't say he was a militant.

20 MR. BROWN: He is not. All right. Excuse  
21 me.

22 THE WITNESS: He is a member of the Board  
23 of Trustees.

24 MR. GOLDMAN: Then let me again for the  
25 purpose of definition of these terms and for the

1 guidance of the staff: You referred earlier in  
2 your testimony to your own labor background and  
3 your labor organization background. Would you  
4 say that your activities as a labor organizer  
5 in the days when you were engaged in that activity  
6 could be classified as militant?

7 THE WITNESS: Yes, sir.

8 MR. GOLDMAN: You have equated militancy as  
9 an unacceptable or reprehensible term for these  
10 people. You have indicated your disapproval of  
11 militancy in the present day context of Newark.

12 THE WITNESS: Mr. Goldman, I never advocated  
13 violence.

14 MR. GOLDMAN: This is exactly what I am trying  
15 to get to, Mr. Spina. We are coming down to  
16 violence or the threat of violence as the matter  
17 with which you take issue, not militancy, is that  
18 correct?

19 THE WITNESS: Well, it's on a par with it.  
20 It's just a matter of semantics what you call it.

21 MR. GOLDMAN: But you see this is the thing.  
22 We have a long history of militancy in all kinds  
23 of social and political organizations in this  
24 country and you yourself described yourself as a  
25 militant when you were a labor organizer and I am

1 sure you wouldn't disapprove of your own activities  
2 looking back --

3 THE WITNESS: I got in an awful lot of trouble  
4 on account of it I will tell you.

5 MR. GOLDMAN: But we have to have a definition  
6 of these terms for the benefit of the staff later  
7 on because one does not want to label one wrongly.  
8 So what you disapprove of is violence or the  
9 threat of violence, not militancy, not liberalism,  
10 not even leftism, is that right?

11 THE WITNESS: Absolutely.

12 MR. GOLDMAN: Has any movement in your  
13 experience or, for that matter in American history  
14 achieved significant results without varying  
15 degrees of militancy?

16 THE WITNESS: Hardly any.

17 MR. MEYNER: How about 1932, 1933?

18 THE WITNESS: Well, there were threats of  
19 violence there on occasion and there was some  
20 violence.

21 MR. GOLDMAN: So that militancy, wouldn't  
22 you say, is a constant companion of social move-  
23 ments, rising to a degree of pressure where people  
24 want something done for themselves?

25 THE WITNESS: I think of necessity this is

1 true.

2 MR. GOLDMAN: You have also said that the  
3 city of Newark has conditions which require  
4 improvement and which require changes I believe  
5 in your earlier testimony. Is it, therefore,  
6 understandable and legitimate in your view that  
7 militancy, not violence but militancy, be a  
8 legitimate element -- I am not saying desirable --  
9 be an element in social movements trying to change  
10 these conditions?

11 THE WITNESS: Absolutely.

12 MR. GOLDMAN: Would you say that this would  
13 be possible and legitimate whether there was any  
14 connection with leftist causes or not?

15 THE WITNESS: You mean to achieve the change?

16 MR. GOLDMAN: Right.

17 THE WITNESS: I couldn't say.

18 MR. GOLDMAN: You can't say whether it is  
19 possible to have such militancy without connection  
20 to Communism or leftist causes?

1 THE WITNESS: I don't understand your  
2 question at all. I'm sorry.

3 MR. GOLDMAN: Would you say that any move-  
4 ment that is militant in the manner in which you  
5 described it in the city of Newark, trying to, at

1 least on the face of it, change certain conditions  
2 and protest certain conditions and seek certain  
3 improvements, is necessarily linked to communism  
4 or to a leftist cause?

5 THE WITNESS: No. No.

6 MR. GOLDMAN: So that your testimony earlier  
7 does not imply in any way that whatever militant  
8 social movements and pressures are proceeding or  
9 have proceeded in the city of Newark over the past  
10 years are necessarily linked to communism?

11 THE WITNESS: No.

12 MR. GIBBONS: Gee whiz, just your asking  
13 the question is a suggestion that his testimony  
14 did imply that. It seemed to me perfectly clear  
15 that it didn't. For instance, he never said a  
16 word about C.O.R.E. having any connection with  
17 leftists or communists.

18 MR. GOLDMAN: There was a considerable  
19 body of testimony that built up that linked  
20 the movements.

21 MR. MEYNER: The Vanguard he said.

22 THE WITNESS: Mr. Goldman, let me put it this  
23 way: Communists have an affinity for causes which  
24 they can identify themselves with. As I said  
25 before when we talked about the S.D.S. this is

1 one of the ways that they operate. This has been  
2 true in the history of Europe, and it has been  
3 true ever since communism became prominent or  
4 important in the United States. There are one  
5 or two little people or three people in a  
6 communist party who, very often because of their  
7 militancy, their aggressiveness, have dominated  
8 movements in the United States and taken them  
9 over. I can show you unions of four or five  
10 thousand people, for instance, that are dominated  
11 by four or five communists. These are the things  
12 I alluded to but I didn't mention.

13 MR. BROWN: I want this record to be clear  
14 and nobody to be in an awkward position. You  
15 are not now saying S.D.S. is a communist  
16 oriented or communist front movement?

17 THE WITNESS: No.

18 MR. BROWN: I wanted the record to be clear.

19 THE WITNESS: I have said repeatedly it  
20 isn't.

21 MR. BROWN: I didn't want any wrong inferences  
22 coming out. When you get to philosophy, it  
23 doesn't come out right.

24 MR. GOLDMAN: I am just trying to narrow  
25 this down and get it more precise. You would say

1 then that with the participation of people you  
2 believe or testified have links to Communism or  
3 pro-communist organizations, the degree of  
4 participation in the general activities of  
5 U.C.C. and of groups in Newark professing to  
6 seek improvement is rather small and limited to  
7 one or two groups?

8 THE WITNESS: It is extremely limited in  
9 numbers of people. Maybe five or six at the most.  
10 And this is about all I can say about it. I don't  
11 know what influence it has on the entire group  
12 or what happened.

13 MR. GOLDMAN: Do you believe that if these  
14 did not exist there would still be a strong  
15 militant movement in Newark for the kind of things  
16 that have been protested and demonstrated for?

17 THE WITNESS: There probably would have been.

18 MR. GOLDMAN: That's all.

19 MR. MEYNER: What you really said is that  
20 these people are extremely radical.

21 THE WITNESS: Some of them, yes.

22 MR. MEYNER: And they cause too much turmoil  
23 for a stability in the community?

24 THE WITNESS: Well, I would say that the  
25 S.D.S. is more radical than the staid communists



1 in the city of Newark.

2 MR. BROWN: Then what was that, state  
3 communists?

4 THE WITNESS: Staid, s-t-a-i-d.

5 MR. MEYNER: How do you reconcile their  
6 activity in the sit-downs in the factories in  
7 the 30's?

8 THE WITNESS: Well, these were acts of  
9 civil disobedience too. As a matter of fact,  
10 the C.I.O. was the foremost exponent of Thoreau's  
11 philosophy of civil disobedience, and I think  
12 the outstanding one until Mahatma Gandhi came  
13 along.

14 MR. MEYNER: Well, Mahatma Gandhi and  
15 Thoreau were willing to accept the consequences  
16 of civil disobedience. Do these people seem to  
17 be willing to accept the consequences?

18 THE WITNESS: I have found, Governor, that  
19 they're not too anxious to because the few  
20 arrests I have made have curtailed the kind of  
21 activity that they would ordinarily resort to.  
22 This I had to do even in spite of political  
23 admonition. For example, the city hall sit-ins,  
24 we arrested a bunch of them and we had no more  
25 problems. The picketing this past summer at the

1 meat market on Clinton Avenue, we arrested  
2 9 of them -- and most of them were U.C.C. workers  
3 incidentally -- and we stopped that stuff, even  
4 though they had a lot of circulars around saying  
5 they were going to clean up all of Clinton Avenue  
6 and the merchants that were taking undue profit  
7 of the people.

8 MR. ROBINSON: Excuse me. Were they  
9 picketing on U.C.C. time?

10 THE WITNESS: These weren't. It was a  
11 Saturday.

12 MR. JAFFE: Director, the last time I asked  
13 you whether you had some statistics for us on  
14 the number of complaints by citizens against  
15 police officers for allegations of police  
16 brutality and the actions and you said you would  
17 compile those or make them available.

18 THE WITNESS: We will compile all of them  
19 except that there isn't a complete breakdown.

20 MR. JAFFE: I wonder if you could just make  
21 it available for our staff. Would it be all  
22 right? That would be fine, if you would turn  
23 that over to our staff.

24 The other thing I was wondering, Director,  
25 is if you could make available to us the

1 ballistics reports conducted by your people on  
2 the people who met death by gun shot during  
3 the riots in Newark.

4 THE WITNESS: I have complete statistics  
5 and I will be glad to give them to you when the  
6 time comes.

7 MR. JAFFE: Do you contemplate bringing  
8 them with you?

9 THE WITNESS: I have them here and I am  
10 ready when I give more testimony. I don't want  
11 to give you statistics without explaining them.  
12 Statistics are no good I found out a long time  
13 ago if you just hand them to somebody. You know  
14 what Mark Twain said about statistics, "Statistics,  
15 statistics, and more damned lies." I don't  
16 want to get myself caught in any lies.

17 MR. JAFFE: But you have statistics as to  
18 the type of wounds and that sort of thing?

19 THE WITNESS: Yes.

20 MR. BROWN: There's one last question here  
21 that has been suggested by some of the other  
22 testimony that I heard. Is there any evidence  
23 that any policeman or plainclothes man has been  
24 involved in those Canine Corps hearings?

25 THE WITNESS: Yes. Quite a few of them.

1 MR. BROWN: And they expressed themselves,  
2 of course, and their opinions?

3 THE WITNESS: Yes, sir.

4 MR. BROWN: Is that in your opinion proper  
5 conduct for police officers in these particular  
6 times?

7 THE WITNESS: I don't think it's proper but  
8 I can't stop them.

9 MR. BROWN: They're citizens as well.

10 THE WITNESS: That's right, sir.

11 MR. BROWN: Is it a fact that within the  
12 business of the police department this is in your  
13 opinion proper comment as to a police decision?  
14 Obviously the corps hearings were the result of  
15 a high level policy decision, it is your  
16 decision that you don't like it but you have no  
17 power to stop it?

18 THE WITNESS: That is correct. I have  
19 spoken to a number of them privately and, very  
20 frankly the antagonism was something I didn't  
21 even expect from them.

22 MR. BROWN: Their resistance to your  
23 suggestion that they not do it?

24 THE WITNESS: They respected me for what I  
25 am. But they told me that they had their rights

1 as citizens and they were going to go ahead and  
2 do what they felt was right.

3 MR. BROWN: Does that come close to a  
4 question of professional decision? In other  
5 words, you as a professional have stated it's  
6 a good technique and you would fight for it?

7 THE WITNESS: What's that?

8 MR. BROWN: For the use of the Canine Corps.

9 THE WITNESS: Oh, yes.

10 MR. BROWN: Do they feel their position  
11 is based upon a professional conclusion that this  
12 is a good professional technique or do they take  
13 the position as suggested by some witnesses that  
14 this question is polarizing people, that you are  
15 either white and for the dogs or black and against  
16 them? Do they take the position that this is an  
17 excellent police procedure or do they take the  
18 position --

19 THE WITNESS: Orally with their mouths,  
20 they say it's a good professional technique but  
21 I have my suspicions.

22 MR. MEYNER: What was your position on the  
23 Canine Corps?

24 THE WITNESS: I thought the Canine Corps  
25 was a good thing for law enforcement. It was

1 human, efficient, economical, plus the fact it  
2 would save me a lot of manpower.

3 MR. MEYNER: Are there any groups or any  
4 individuals within the department who are against  
5 the Canine Corps or have expressed themselves?

6 THE WITNESS: None have. I haven't heard one  
7 police officer or know of one at the present time  
8 who is opposed to the dogs. There may be some.  
9 I have made no attempt to find them out.

10 MR. BROWN: Have not some of your senior  
11 officers felt that while they're not opposed to  
12 the dogs that under the circumstances, the fight  
13 being made for the 7 dogs causes dissension out  
14 of proportion to the utility of the dogs?

15 THE WITNESS: No. Deputy Chief Redden has  
16 said it isn't worth the trouble to train 7 dogs.  
17 He didn't say anything else. But it was his  
18 feeling, why bother.

19 MR. BROWN: Gentlemen, anything else?

20 We would like to thank you, Director, for  
21 being so patient.

22 \* \* \* \* \*

23 from Thomas I. Herlihy, Inspector, Director,

24 Intelligence Division, dated May 23, 1957 and

25 two pages of information concerning the same.

1 (The following documents are marked Exhibits  
2 C-36: Two page document entitled, "Re: Robert  
3 Kurvan's Speech 8/30/67," on letterhead of  
4 Hillside Kiwanis Club; two page report of  
5 Patrolman Gerald F. Carroll dated October 26,  
6 1967; Document entitled, "Police Department,  
7 Newark, N.J., Records and Identification Bureau,"  
8 name: Robert Curvin, date: 7/29/65; newspaper  
9 articles dated June 4, 1963, July 8, 1965, July 13,  
10 1967, July 29, 1963, October 23, 1963, July 30,  
11 1965, August 13, 1963, November 22, 1963; and  
12 three photographs.

13 (The following documents are marked Exhibits  
14 C-37: Seven page document entitled, "Blackman's  
15 Volunteer Army of Liberation"; document entitled  
16 Office of the Police Director, Newark, New Jersey,  
17 Memorandum and dated May 3, 1967; report of  
18 Lieutenant Edward J. Garrigal dated May 19, 1967  
19 in reference to Oliver Street School demonstration;  
20 document entitled, "Subject Blackman's Volunteer  
21 Army of Liberation" dated May 25, 1967, consisting  
22 of three pages; photostatic copies of letter  
23 from Thomas I. Herlihy, Inspector, Director,  
24 Intelligence Division, dated May 29, 1967 and  
25 two pages of information concerning Blackman's

1 Volunteer Army of Liberation; document entitled,  
2 "Further information re/Hassan"; document entitled,  
3 "Further information about Hassan relative to  
4 financial troubles, Washington, September, 1967";  
5 FBI record of Albert Roy Osborne; document entitled  
6 "Information from Sgt. Acree (Washington, D.C.  
7 Metropolitan Police."; document entitled, "Beverly  
8 Taylor"; document entitled, "Colonel Hassan of  
9 Blackman's Volunteer Army of Liberation"; and  
10 four photographs.

11 (The following documents are marked Exhibits  
12 C-38: Report of Patrolman John C. Arnold dated  
13 July 27, 1967 in reference to riot action and  
14 information; five page document entitled,  
15 "Constitution, Students for a Democratic  
16 Society.)

17 (The following documents are marked Exhibits  
18 C-39: five leaflets distributed by the  
19 Newark Community Union Project and one photograph.

20 (The following documents are marked Exhibits  
21 C-40: Memorandum from Detectives William Millard  
22 and Fredrick Rothlein on the subject of the  
23 Negro Labor Vanguard, dated April 12, 1965;  
24 Dated: November 20, 1967.  
25 two page memorandum dated April 26, 1966 from  
26 Detective William Millard on the subject of



1 the Negro Labor Vanguard; leaflet distributed  
2 May 21, 1967 entitled, "We ain't gonna move,"  
3 with the names of fifteen various organizations  
4 as sponsors.

5 (Document entitled, "Policy of the Newark  
6 Police Department, dated July 1, 1963 is marked  
7 Exhibit C-41.

8 (Two leaflets with instructions how to make  
9 a Molotov cocktail are marked Exhibits C-42.)

10 \* \* \*

11  
12 C E R T I F I C A T E

13 I, FLORENCE PASTEUR, a Notary Public and  
14 Certified Shorthand Reporter of the State of  
15 New Jersey do hereby certify that the foregoing  
16 is a true and accurate transcript of the  
17 proceedings as taken stenographically by me at  
18 the place and on the date hereinbefore set forth.

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FLORENCE PASTEUR

Dated: November 20, 1967.