

Policeman's Credibility Scored By Defense in Trial of Muslims

By BILL VOGLER

Defense attorneys in the Black Muslim trial yesterday tried to show police knew the sect was meeting at 304 North St. before the Jan. 6, 1963, incident there that led to the arrest of 19 men.

The question of prior police knowledge is an integral part of the major defense contention that the events of Jan. 6, 1963, were part of an alleged pattern of police harassment of the Muslims to discourage their continuation in Rochester.

The defendants are charged with riot, third degree assault and unlawful assembly as a result of an alleged scuffle with police who said they were investigating a report that a man with a gun was upstairs at 304 North St.

Patrolman Anthony D'Angelo, one of the two officers

allegedly assaulted, was the sole witness yesterday in the trial before Genesee County Judge Philip J. Weiss.

Defense attorneys tried to undermine D'Angelo's testimony as a witness by attempting to develop inconsistencies between his testimony at the current trial and that given at prior trials and to the grand jury.

D'Angelo said he did not definitely know the Muslims were meeting at 304 North St. before Jan. 6, 1963. He said he thought a Masonic group met there Sundays, but did not know other groups also met there.

Defense attorneys then read D'Angelo's testimony to the January 1963 grand jury in which he said he did not know "positively" prior to Jan. 6 that the Muslims had been meeting at 304 North

St., but that "... I had suspicions."

Asst. Dist. Atty. Robert Hirsch sought to rebut the defense's harassment claim by asking D'Angelo:

"Did you purposely go there (Jan. 6, 1963) to raid the place?"

"No," replied D'Angelo.

Other defense attempts to weaken D'Angelo's credibility as a witness centered on his testimony describing the Jan. 6 police investigation at 304 North St. These included:

—Earlier D'Angelo testimony that Robert James X. Williams of Buffalo, minister of the group, urged his followers to throw the officers down the stairs. Yesterday the defense pointed out that D'Angelo did not mention this in a written report of the incident he gave to a superior officer.

—Failure to search a man posted at the downstairs entrance for a gun. Questioned by Hirsch, D'Angelo said his primary concern was to go upstairs where the man with the gun had been reported.

The current trial is the fourth for 15 of the 19 men. The initial one was ruled a mistrial because of courthouse picketing and the two subsequent ones ended in hung juries.

A superceding indictment added the charge of unlawful assembly to the original riot and third degree assault charges and brought the number of defendants to 19.

ay, UR Get Scholarships

are Douglas G. Frame, 109 Nob Hill, and Gordon P. Harper, 315 Sagamore Drive, both students at Harvard University, and Susan S. Smith, 260 Bonnie Brae Ave., a student at Vassar College.

UR students are Stephen V. Beyer, Robert P. Klein, Alan J. Stern, Richard D.

Troop, Barbara S. Brenner, Lydia Butkoff, Gail A. Eisenberg, Allan R. Posner, Murray M. Schwartz and Naomi G. Schwartzman.

Students at other area colleges receiving scholarships were Tania Khodjamirian, William Smith; Ronald W. Herlan, Houghton, and Evelyn B. Fairbairn, Keuka.

Another recipient was Lawrence B. Morse, Penn Yan, a student at Oberlin College.

d In Assault Case

the Henrietta substation said