

Criminal Anarchy Charged to Epton In Indictment Here

By **JACK ROTH**

William Epton, the chairman of the Progressive Labor Movement in Harlem, an extreme left-wing organization, was arrested here yesterday on charges of advocating criminal anarchy.

This was the first such indictment voted in New York County since 1919, when three men associated with a Communist newspaper, Revolutionary Age, were convicted.

Mr. Epton, a Negro, is 32 years old. He describes himself as an electrical tester and lives at 1420 Amsterdam Avenue. He says he is a disciple of the Chinese Communists.

Mr. Epton was accused in the true bill of advocating overthrow of the organized government of the State of New York by force and violence and of calling for the killing of police officers and judges.

The defendant was arraigned before Supreme Court Justice Gerald P. Culkin, who

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INDICTED HERE: William Epton, a left-wing Negro leader, who was accused of criminal anarchy.

EPTON IS INDICTED IN ANARCHY CASE

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fixed bail at \$10,000 and put the case on today's court calendar for pleading and to give Mr. Epton's lawyer, Gene Ann Condon, an opportunity to make motions.

District Attorney Frank S. Hogan said part of the evidence supporting the indictment against Mr. Epton was a speech he delivered last July 18 at 115th Street and Lenox Avenue in Harlem.

The prosecutor declined to say whether Mr. Epton's speeches had been linked directly to the recent Harlem riots touched off July 16 by the killing of a 15-year-old Negro boy by a police lieutenant.

Each of the two counts in the indictment against Mr. Epton is a felony punishable by a prison term up to 10 years and a \$5,000 fine.

Chief Assistant District Attorney Alfred J. Scotti and Assistant District Attorney Jeremiah B. McKenna, who presented the evidence to the grand jury that voted the indictment, said the evidence had been gathered by members of the Police Department.

Mr. Hogan paid high praise to the policemen concerned, saying they had worked to gather the information against Mr. Epton at the risk of their lives.

Mr. Epton was arrested and charged with disorderly conduct on July 25 for allegedly attempting to organize an anti-police demonstration despite a ban by Police Commissioner Michael J. Murphy, a Supreme Court injunction and the opposition of nearly all Harlem organizations. His trial on that charge is pending.

Address Ousted

The indictment charged that in his Harlem address, Mr. Epton said:

"We're going to have a demonstration and we don't say that it is going to be peaceful because the cops have declared war on the people of Harlem and . . . no country or peoples in the world that have had war declared on them have not declared war on their enemy. They declared war on us and we should declare war on them and every time they kill one of us, damn it, we'll kill one of them and we should start thinking that way right now . . . preaching violence because we had better stop talking about violence as a dirty word.

". . . if we're going to be free, we will not be fully free until we smash this state completely and totally. Destroy and set up a new state of our own choosing and our own liking."

In another part of the speech, according to the indictment, Mr. Epton said:

"And in that process of smashing this state we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go up against their army. We'll organize our own militia and our own army.

"If we don't do it, brothers, you'll be subjugated. We'll be kept on chains for another 200 or 300 years. Think about it because no people in this world have ever achieved independence and freedom through the ballot or having it legislated to them. All people in this world who are free got their freedom through struggle and through revolution. That's the only way to gain freedom."

Statute Dates From 1902

The statute Mr. Epton is accused of violating, Section 161 of the Penal Law, was written in its present form in 1902 after the assassination of President William McKinley.

In other developments, the police announced that four Negroes had been arrested as an aftermath to disorders Tuesday night in Harlem and in Corona, Queens.

Three were arrested when the police had to fire several shots in the air to disperse a crowd that had gathered on Lenox Avenue between 100th and 11th Streets following a bongo concert in Central Park. A window was broken during the disturbance.

Willie Williams, 20, of 444 Manhattan Avenue, was charged with possessing a .22-caliber rifle and a shell. Claude Brunson, 21, of 436 Manhattan Avenue, was arrested for acting in concert with him. A charge

of malicious mischief was lodged against Paul Kelly, 48, of 279 West 122d Street, for breaking the window.

In Queens, Negro youths hurled bottles and bricks at white policemen who were investigating the hit-and-run death at Northern Boulevard and 98th Street, Corona, of Anthony Kelly, a 12-year-old Negro boy of 11 Holt Street, Amityville, L. I. Robert Morgan Jr., 21, of 105-15 31st Avenue, Corona, was charged with felonious assault for allegedly striking Patrolman Vincent Vilella in the foot with a bottle.

In the Bedford-Stuyvesant section of Brooklyn last night, three men were seized after one allegedly fired two shots at a police car at Nostrand Avenue and Dean Street. The police said that the men, all Negroes, gave no immediate indication why the shots had been fired. They were held for questioning.