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SUBVERSIVE INFLUENCES IN RIOTS, LOOTING,
AND BURNING
PART 5
(Buffalo, N.Y.)

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
NINETIETH CONGRESS

SECOND SESSION

JUNE 20, 1968
(INCLUDING INDEX)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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The House Committee on Un-American Activities is a standing committee of the House of Representatives, constituted as such by the rules of the House, adopted pursuant to Article I, section 5, of the Constitution of the United States which authorizes the House to determine the rules of its proceedings.

RULES ADOPTED BY THE 90TH CONGRESS

House Resolution 7, January 10, 1967, as revised April 3, 1968, by House Resolution 1099

RESOLUTION

Resolved, That the Rules of the House of Representatives of the Eighty-ninth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the House of Representatives of the Ninetieth Congress * * *

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(s) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

19. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

28. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may, deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

* * * * *

SYNOPSIS

On June 20, 1968, a subcommittee of the Committee on Un-American Activities met in Washington, D.C., to continue its hearings on subversive influences in riots, looting, and burning. These hearings, part 5 of the series, concern events related to the Buffalo, N.Y., riot of June 1967.

The subcommittee was composed of Representative Richard H. Ichord (D-Mo.), chairman; Representative John M. Ashbrook (R-O.); and Representative Albert W. Watson (R-S.C.).

The first witness was Frank N. Felicetta, police commissioner of the city of Buffalo. Commissioner Felicetta joined the Buffalo Police Department in 1929 and served in every rank, including captain, to which he was promoted in 1950. The witness was appointed police commissioner in 1958 and has continuously served in that position since that time with the exception of a period of retirement from 1962 through 1965.

Commissioner Felicetta testified that approximately 1 percent of the total Buffalo Negro population of 100,000 was involved in the riot which took place in Buffalo from June 27-30, 1967. He said that 242 adults and 17 juvenile offenders were arrested in the course of the disturbance, and property damage caused by fire was estimated to be about \$151,000. Other property losses, mainly resulting from thefts, totaled \$37,000. The witness stated that there were no deaths during the course of the rioting, although a few persons sustained injuries. Police reports indicated that Molotov cocktails were used to start the fires and that firearms were stolen from at least one retail store during the riot.

PRERIOT PHASE

Commissioner Felicetta testified that on May 3, 1967, three members of the Nation of Islam, also known as the Black Muslims, were observed speaking to a group of about 100 young Negroes at a fund-raising carnival of the Young Men's Christian Association located on East Ferry Street. The witness stated that the men were wearing uniforms of the Fruit of Islam, a paramilitary guard unit of the Nation of Islam. Shortly after these men talked with the youngsters, the youths left the carnival in a group and proceeded to an adjacent block where they broke store windows and looted a pawnshop.

The witness then read excerpts from a highly inflammatory piece of literature which was distributed on May 18, 1967, by certain members of the Buffalo chapter of the Congress of Racial Equality. This exhibit, which was incorporated into the record, stated in part as follows:

It seems that Wattts [sic], Rochester, New York and other cities don't plan their riots nearly as well as Buffalo. Already through careful planning we have been able to maintain riotous conditions for two weekends straight. This past Saturday, there were so many cops between Jefferson, Humboldt and E. Ferry Streets it looked like a P.A.L. convention (That is, with all the 14, 15, 16 year oldsters loitering on the corners).

Who knows, if things are well planned, the kids will have a good time (like Ft. Lauderdale). The riots have lasted only for a weekend. Was it the weather? By the way kids, what are you doing this summer???

The commissioner disclosed that three bookstores operating in the Negro district of Buffalo prior to the outbreak of riots were stocked with large quantities of "Communist, revolutionary, and black nationalist literature with a strong and inflammatory racial content." They were called the Afro-Asian Book Stores and were managed by Martin Gonzalez Sostre. The Afro-Asian Book Store on Jefferson Street was raided by police on July 15, 1967, and Sostre was arrested for the possession and sale of narcotics, among other charges.

At the time of this raid, just 2 weeks following the Buffalo riot, the bookstore was offering for sale publications distributed by the W. E. B. DuBois Clubs of America, Workers World Party, Youth Against War and Fascism, and the Fair Play for Cuba Committee. Moreover, police found that the bookstore was stocked with literature from Guozi Shudian, an official distributor of publications emanating from Communist China. Commissioner Felicetta read into the record a paragraph appearing in one of the books written by Mao Tse-tung which was confiscated by police. It stated: "Every Communist must grasp the truth, 'Political power grows out of the barrel of a gun.'"

The committee counsel introduced into the record the following excerpts from two issues of *Workers World*, a newspaper published by the Workers World Party, a Trotskyist Communist splinter group, relating to the Afro-Asian Book Stores:

The idea of the bookstore was to prepare Black youth for the liberation struggle. [*Workers World*, March 15, 1968]

Martin Sostre operated the Afro-Asian bookstore and sold a variety of literature for liberation fighters that you could find no place else in Buffalo. His customers were the Black youth of Buffalo. They had learned to know and to admire this man who wanted them to question, think, and learn.

And as the rebellion raged many of them took refuge in his store where cops on the street could not, for the moment, reach them and where they could, now in excited, eager tones as they sensed the potential of the revolt, discuss what had happened so far and what could be done. Even as the confused battle went on, young men bought books like *Negroes With Guns*, by Robert Williams and read them. [*Workers World*, September 14, 1967]

RIOT PHASE

The witness testified that the Buffalo Youth Against War and Fascism distributed a highly inflammatory flyer in the riot area on June 29, 1967. Youth Against War and Fascism (YAWF) is the youth arm of the Workers World Party. This flyer stated that YAWF has condemned the United States Government, the New York State government, and the Buffalo government for their "continual repression of the aspirations of the black people." It called for "a demonstration of solidarity with the oppressed black people of Buffalo" to be held that same day in Lafayette Square, Buffalo, from 6:30 to 7:30 p.m.

According to police reports, the YAWF demonstration was held as scheduled at Lafayette Square on June 29, 1967, and was attended by approximately 25 persons. Among those who participated in this demonstration were Karl Meller, Gerald J. Gross, Jeanette Merrill, Edward Merrill, George Provost, Joel S. Meyers, Anna Sterling, James Johnson, Rita Johnson, Edward A. Wolkenstein, Rachel Wolk-

enstein, Naomi Wolkenstein, William Yates, Peter Hartmen, and Gerald Coles. Commissioner Felicetta testified the theme of this demonstration was that "the disturbances in Buffalo were not a riot, but a rebellion, and the police had no right to interfere with the rebellion."

At this point, the committee counsel presented the following information about some of the aforementioned individuals named by Commissioner Felicetta as participants in the demonstration staged by YAWF during the Buffalo racial disturbance:

Gerald Gross, as chairman of the Martin Sostre Defense Committee, * * * wrote a letter to the editor of the magazine *Liberator*, which was published in the November 1967 issue.

Liberator was identified in the initial phases of these hearings as a magazine engaged in racial agitation, edited by Daniel H. Watts, and published by the Afro-American Research Institute, Inc., in New York City.

Jeanette and Edward Merrill made arrangements for the appearance of Mark Lane in Buffalo when he went to that city in the early part of 1964 to speak on the Oswald case.

George Provost was president of the Buffalo Progressive Citizens of America in 1947 and 1948. The Progressive Citizens of America was the immediate forerunner of the Communist-organized Progressive Party.

March 9, 1948, it was reported in an issue of the *Daily Worker*, Communist Party newspaper, that he was cochairman of a delegation of Communist Party and trade union leaders [Provost is not a trade union leader] who took a memorandum to the Buffalo district representative of the Immigration and Naturalization Service, protesting the detention of Charles Doyle, who had been arrested for deportation as a Communist and was then being held without bail on Ellis Island in New York City.

In August 1964 he wrote a letter to a Member of the Senate opposing U.S. policy in South Vietnam. * * *

Joel Meyers. In 1965 Meyers was one of a number of young men of draft age who signed a statement opposing the U.S. role in Vietnam and saying they would refuse to fight if drafted. Various issues of the *Workers World* in 1967 identified Meyers as a leader of Youth Against War and Fascism and an active participant in Communist-organized antidraft agitation.

A December 16, 1967, article reveals that he was then under indictment for violating the selective service law by disruption at an induction center.

Rita Johnson took part in a demonstration protesting the Cuban blockade, which was held in Buffalo on the evening of October 25, 1962.

The hearing disclosed that Martin Sostre played a significant role during the Buffalo riot. Commissioner Felicetta read into the record an affidavit submitted to the Buffalo Police Department by a 15-year-old Negro youth who testified that Sostre advocated the use of Molotov cocktails during the riot. The affidavit revealed that Sostre instructed Negroes on how to make Molotov cocktails and on how to use them. According to the affidavit, Sostre paid the sum of \$50 to an individual identified only as "Bernard," who in turn gave certain Negro youths a few dollars each to throw Molotov cocktails during the rioting.

Commissioner Felicetta provided the committee with the following information with respect to Sostre's background:

Martin Gonzalez Sostre, also known as Martin X, Martin Ramirez, and Martin Santos, has been identified as a former member of the Nation of Islam, also known as the Black Muslims.

Sostre has a lengthy criminal record dealing primarily with narcotics. He was born on March 20, 1923, in New York City and is a Puerto Rican Negro. His mother, Crescinea Gonzalez, now deceased, was of Puerto Rican extraction.

He resided in New York City until his entrance into the United States Army in 1942. During his Army career, he was arrested for possession of and dealing

in illegal narcotics. He received a dishonorable discharge and has been confined almost continuously in various prisons since 1946.

Sostre was released from prison when his sentence expired on September 18, 1964; and after serving 30 days in the Erie County jail on a contempt of court charge, he decided to make his future in the city of Buffalo.

He is considered a cured narcotics addict and has undergone treatment in the U.S. Public Health Service Hospital in Lexington, Kentucky.

Sources indicate that he became a Black Muslim in prison, but later left the Black Muslim movement.

POSTRIOT

The testimony of the police commissioner disclosed that members of the Youth Against War and Fascism demonstrated on July 1, 1967, the day after order was restored in the riot area. This demonstration, composed of the same individuals who participated in the Lafayette Square disturbance on June 29, was held outside the jail in which some of the rioters were being detained following their arrest. The YAWF demonstration was staged for the purpose of demanding that the rioters be set free.

As the witness previously testified, police conducted a raid on the Afro-Asian Book Store on Jefferson Street during the early morning hours of July 15, 1967. Sostre was arrested with his girl friend, Geraldine Robinson, and both were charged with possession of narcotics, sale of narcotics, and for assault upon a police officer. During his arraignment, Sostre loudly protested his arrest and argued in court that the judges and police were trying to take revenge because only he was distributing Socialist-oriented black nationalist literature when the attempt to burn down the East Side was made. Sostre told the judge that "we're going to break up your world, Whitey, so you'd better rot in that chair as long as you can."

Commissioner Felicetta testified that as soon as Sostre was arrested, the Youth Against War and Fascism and the Workers World Party immediately came to Sostre's defense and members of both groups picketed the Buffalo police station in protest over his arrest. YAWF formed an organization called the Martin Sostre Defense Committee and used as its mailing address Post Office Box 382, Ellicott Station, Buffalo, N. Y. Commissioner Felicetta stated that Gerald Gross, chairman of the Martin Sostre Defense Committee and a YAWF organizer, appeared at Sostre's arraignment and offered to vouch for Sostre's good name so that he could be released without bail. In spite of these efforts, the judge refused to comply and continued Sostre's bail, which had been set at \$25,000.

The commissioner then read into the record several pieces of agitational literature distributed by the Martin Sostre Defense Committee. One leaflet disclosed that YAWF had been joined by the Students for a Democratic Society, Student Mobilization Committee To End the War in Vietnam, and The Resistance in sponsoring a demonstration in Buffalo on February 17, 1968, for the purpose of generating support for Martin Sostre.

Throughout his jury trial, which began on March 4, 1968, Sostre constantly harassed the judge by engaging in disruptive tactics. Sostre's trial lasted 3 days and resulted in his conviction. Prior to sentencing, the judge remarked:

Everybody knows from your actions in this court that you are a vicious and violent person and you are motivated by nothing more than hate.

You have now been unmasked, defrocked and your plan to disrupt the jury system and pervert our laws has miserably failed. You are, plain and simply, a narcotics peddler and you have been preying upon your own people and the people of this community.

Sostre was given a prison sentence of a maximum of 41 years and 30 days. Commissioner Felicetta said that the sentence imposed upon Sostre comprised four separate counts, namely: Count 1, sale of narcotics, 25 to 30 years; count 2, assault of a policeman, 5 to 10 years; count 3, misdemeanor, possession of narcotics, 1 year; and contempt of court, 30 days.

Commissioner Felicetta testified that John Wilson, the national fundraising chairman for the Student Nonviolent Coordinating Committee (SNCC), was the main speaker at a meeting of young Negroes held July 18, 1967, at the JFK Community Center on Clinton Street. In quoting from a police report regarding Wilson's appearance at this meeting, the witness stated:

His whole approach was one of hate and to appeal to the worst in the young audience.

He impressed upon the kids that the black men in America don't want integration * * * He insulted all white people in the audience and called Dean Rusk a "Hunkey Fool", Robert McNamara, a hunkey warmonger. He appealed to the Negro boys to refuse to serve in the armed services. * * *

At this point in the hearing, the general counsel of the committee read into the record the following information on John A. Wilson, which was based on material from committee files:

John A. Wilson was born on September 29, 1943, in Baltimore, Maryland. He has been active in militant Negro organizations since he was a student at Maryland State College, Princess Anne, Maryland, and served as chairman of the Student Appeal for Equality at that college in 1964.

In 1964 John Wilson was one of six individuals who met in Chester, Pennsylvania, and formed the militant Negro organization called ACT. (This organization, ACT, has been described in part 1, pages 917, 918, of this committee's hearings on this subject.)

Wilson has been an active member of SNCC for the past several years and has served that organization as its New York field organizer. He has also been cited as a national spokesman for SNCC.

John Wilson was one of a group of Americans who visited with representatives of the National Liberation Front and North Vietnam in Bratislava, Czechoslovakia, last summer.

When he returned, Wilson served as cochairman of the National Mobilization Committee To End the War in Vietnam, which organized the march on the Pentagon on October 21-22, 1967.

In late January 1968, the National Black Anti-War Anti-Draft Union was formed. John Wilson was elected its national chairman.

Commissioner Felicetta provided the committee with information regarding a newly devised substitute for Molotov cocktails which he identified as "traveling jelly." He then proceeded to describe this substance in detail.

Commissioner Felicetta concluded his testimony before the committee by making the following statement:

I have traveled all over this country, attending conferences and seminars on civil disturbances in the last couple of years, and many police departments throughout the country seem to have similar problems.

Groups which advocate the destruction of our society have been making the police their major target.

We become natural enemies because of the fact that we are called upon when these civil disturbances take place, and we don't move in by choice; we must move in because this is our job. So, because we are present there, we become the natural enemy.

Since many of these organizations cross State lines, perhaps the Federal Government could provide the legal tools to cope with these activities. Their directions must be reversed.

In congratulating the witness for his excellent presentation, Mr. Ashbrook stated:

These facts that you have cited make it clear that subversive elements are and have been at work in Buffalo in the area of racial agitation prior to, during, and since the riot which took place at the end of last June.

You have shown links between these elements and Peking and Communist organizations outside of Buffalo itself. Your testimony and the exhibits you have presented have demonstrated that Communists and other organizations are actively promoting the dissemination of inflammatory racist literature and that groups of this type in Buffalo have the cooperation and support of similar groups in other cities.

TESTIMONY OF HERBERT ROMERSTEIN

Herbert Romerstein, a committee investigator, provided the record with additional information regarding Joel S. Meyers and Gerald J. Gros, both Youth Against War and Fascism leaders who were identified by Commissioner Felicetta as having been active in YAWF demonstrations.

With the arrest of Sostre, Mr. Romerstein testified that a number of organizations involved in racial agitation immediately came to his defense. The committee investigator referred to newspapers published by the Workers World Party and the Trotskyist Communist Socialist Workers Party which contained considerable amount of propaganda material in support of Sostre.

According to the committee investigator, one of the most interesting groups to spring up in Sostre's defense was an organization called American Coordination Committee of the Left, of Post Office Box 5, Station C, Buffalo. The telephone number of this group was listed in the name of Edward A. Wolkenstein, who was previously named in this hearing as a participant in a demonstration during the Buffalo rioting.

Wolkenstein had appeared before the committee as a subpoenaed witness on April 29, 1964, in Buffalo, N.Y., in the course of hearings on Communist activity in the Buffalo area and attempted to disrupt the hearing in much the same manner as Martin Sostre had during his appearance in court. Mr. Romerstein stated that Wolkenstein has been identified as a member of the Communist Party, U.S.A., by a former FBI informant who testified before the committee that Wolkenstein was expelled from the party because of his support of the pro-Peking faction within it. Wolkenstein invoked the fifth amendment in response to committee questions regarding his activity in the Communist Party and concerning the circumstances of his expulsion from the party.

SUBVERSIVE INFLUENCES IN RIOTS, LOOTING, AND BURNING

Part 5

(Buffalo, N.Y.)

THURSDAY, JUNE 20, 1968

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:20 a.m., in Room 311, Cannon House Office Building, Washington, D.C., Hon. Richard H. Ichord (chairman of the subcommittee) presiding.

(Subcommittee members: Representatives Richard H. Ichord, of Missouri, chairman; John M. Ashbrook, of Ohio; and Albert W. Watson, of South Carolina.)

Subcommittee members present: Representatives Ichord, Ashbrook, and Watson.

Staff members presents: Francis J. McNamara, director; Chester D. Smith, general counsel; and Herbert Romerstein, investigator.

Mr. ICHORD. The committee will come to order.

We have the following communication from the chairman of the full committee, reading as follows:

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Richard H. Ichord, as Chairman, and Honorable John M. Ashbrook and Honorable Albert W. Watson, as associate members, to conduct hearings in Washington, D.C., on Thursday, June 20, 1968, as contemplated by the resolution adopted by the Committee on the 2nd day of August, 1967, authorizing hearings concerning subversive influences in the riots, the looting and burning which have besieged various cities in the Nation, and other matters under investigation by the Committee.

Please make this action a matter of Committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 20th day of June, 1968.

And signed by Edwin E. Willis, chairman of the Committee on Un-American Activities.

Our first witness this morning, I understand, is Mr. Frank N. Felicetta. Is that the correct pronunciation, sir?

Mr. FELICETTA. Yes, sir.

Mr. ICHORD. Police commissioner of the city of Buffalo, New York. It is very nice to have you with us, Mr. Commissioner, and Mr. Counsel, are you ready to proceed?

Mr. SMITH. Will you swear the witness, please?

Mr. ICHORD. First of all, Mr. Commissioner, will you please rise and be sworn?

Do you solemnly swear the testimony you are going to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FELICETTA. I do.

Mr. ICHORD. Proceed, Mr. Counsel.

TESTIMONY OF FRANK N. FELICETTA

Mr. SMITH. Commissioner, will you please state your full name for the record.

Mr. FELICETTA. Frank N. Felicetta, F-e-l-i-c-e-t-t-a.

Mr. SMITH. What is your occupation?

Mr. FELICETTA. Commissioner of police of the city of Buffalo, New York.

Mr. SMITH. How long have you served as commissioner?

Mr. FELICETTA. I served as commissioner for 1958 through '61. I retired from the department and returned January 1, 1966.

Mr. SMITH. What has been your professional background?

Mr. FELICETTA. Well, I joined the Buffalo Police Department December 3, 1929, and worked in every rank up to and including captain, to which I was promoted on January 2, 1958.

Mr. SMITH. Were there disturbances of a racial nature—

Mr. FELICETTA. Excuse me. I would like to correct that.

Mr. SMITH. I am sorry.

Mr. FELICETTA. 1958 is when I took over as police commissioner.

In 1950 I was promoted to captain.

Mr. SMITH. Right.

Were there disturbances of a racial nature in the city of Buffalo, New York, during 1967?

Mr. FELICETTA. Yes, there were.

Mr. SMITH. What were the dates?

Mr. FELICETTA. June 27 through June 30, 1967, when order was restored.

Mr. SMITH. What is the population of Buffalo, New York?

Mr. FELICETTA. Approximately 500,000 in the city, and a metropolitan population about a million and a quarter.

Mr. SMITH. What is the Negro population of the city?

Mr. FELICETTA. About 100,000.

Mr. SMITH. That represents what percentage of that?

Mr. FELICETTA. It would represent about 20 percent.

Mr. SMITH. About 20 percent. What percentage of the Negroes of Buffalo were involved in the riot?

Mr. FELICETTA. All told, I would say about 1 percent. Maybe 1½ percent.

Mr. SMITH. That would figure about 1,000 or 1,500?

Mr. FELICETTA. That is correct, sir.

Mr. SMITH. Please advise the committee of the number of arrests and the extent of the property damage done during the riots.

Mr. FELICETTA. Well, there were 242 adults and 17 youthful offenders arrested in the course of the disturbances, and property damage was estimated to be about \$151,000, or a little more. This was damage caused by fire.

There were some other losses, amounting to approximately \$37,000, in thefts and so on.

Mr. SMITH. Were there any deaths during the disturbance?

Mr. FELICETTA. No, sir.

Mr. SMITH. Were there any injuries during the disturbance?

Mr. FELICETTA. Very few.

Mr. SMITH. Was there any sniping during the disturbances?

Mr. FELICETTA. There was not, sir.

Mr. SMITH. Were any guns stolen in the course of the disturbance?

Mr. FELICETTA. Yes, there were. I have a report here of a burglary at Angert's. Angert's is a store that sells automobile supplies and also sells sporting goods, where at approximately 7:53 p.m. on June 27, 1967, which was the night that our disturbances started, some windows were broken at this store, and, incidentally, this store is located within the core area, and there were 20 shotguns, 12-, 16-, and 20-gauge, stolen from this store. Additionally, there were 12 Crossman pellet guns taken.

Mr. SMITH. Were Molotov cocktails used to start fires during the riots?

Mr. FELICETTA. Yes, they were.

Mr. SMITH. Were there any other activities that were of significance during the disturbance?

Mr. FELICETTA. Yes, there were.

There was a fire, either the first or second night, in a building at Madison and Peckham Streets, which is right in the core area, and an automobile was placed across the street to make it difficult for the fire department to reach the scene and to reach the fire.

Additionally, I have a report here from the fire department where there were many, many false alarms of fire, where firemen were pelted, where firemen were harassed, and where their equipment was damaged.

Mr. SMITH. Right. Who is the fire commissioner of Buffalo, New York?

Mr. FELICETTA. Robert Howard.

Mr. SMITH. And what is his race?

Mr. FELICETTA. He is a Negro, sir.

Mr. SMITH. I see.

Prior to the outbreak of violence on June 27, 1967, to your knowledge, were there any Communist organizations engaging in racial agitation in Buffalo, or were there any organizations or individuals promoting racist doctrines, disseminating inflammatory racist literature, or engaging in racial agitation?

Mr. FELICETTA. Yes. We were aware of a number of instances of this type activity. The Nation of Islam, or Black Muslims as they are generally called, have a mosque, designated [Muhammad's] Mosque No. 23, in Buffalo, located in a—formerly a theater building on Broadway near Jefferson Street, and it has been active for some years. It is gen-

erally recognized that this organization is highly racist in its doctrines and teachings.

On May 3, 1967, the YMCA, located at 347 East Ferry Street, which is in the heart of the core area, held a fundraising carnival. Three Black Muslims, wearing Fruit of Islam uniforms and caps, with the initials "F.I." on the caps, were observed talking to a group of 75 to 100 youngsters at the carnival.

The Fruit of Islam, as you know, is a paramilitary guard unit of the Black Muslims. So far as we can tell, these men were strangers in the area, and it is not known whether they might have been associated with the Buffalo Muslim mosque, or whether they came from some other area.

Shortly after they addressed the group of young Negroes at the carnival, the youngsters left in a group and proceeded to Jefferson Avenue, about a block away, where they broke windows in a number of stores and also entered and stole a large amount of merchandise from a pawnshop.

Police officers took two of them into custody at the scene, but were assaulted by the others who managed to free the other two.

On May 18 a two-page newsletter was issued by certain persons in the Buffalo chapter of CORE, C-O-R-E, and I would like to read an excerpt from the cover page of this newsletter or flyer: "RIOTS!!" It is headed "RIOTS!!":

It seems that Watts [sic], Rochester, New York and other cities don't plan their riots nearly as well as Buffalo. Already through careful planning we have been able to maintain riotous conditions for two weekends straight. This past Saturday, there were so many cops between Jefferson, Humboldt and E. Ferry Streets it looked like a P.A.L. convention (That is, with all the 14, 15, 16 year oldsters loitering on the corners).

Who knows, if things are well planned, the kids will have a good time (like Ft. Lauderdale). The riots have lasted only for a weekend. Was it the weather? By the way kids, what are you doing this summer???

Then they go further, another heading here on "ORGANIZATION":

The "black idea" has hit Buffalo and the organizers are not sure just how to organize its power, corral its anger, or box its action. The young kids are going to hit the streets faster than the organizations can think and find an answer even if it is a false one.

Somehow the committee thinkers have to climb out of their trap and get back to the streets and find out what's really happening in the young black man's mind. Everyone in Buffalo is busy organizing. Organizing is "in," and civil rights is "out."

A WORD ABOUT CORE

CORE seeks to help you to help yourself. We meet every Wednesday, 1536 Jefferson, 8 P.M. Will you be there???

I would like to offer this to you.

Mr. SMITH. Mr. Chairman, I request this flyer be accepted for the record.

Mr. ICHORD. You were reading from the flyer, Mr. Commissioner?

Mr. FELICETTA. Yes, sir.

Mr. ICHORD. There being no objection, the flyer will be admitted and incorporated into the record.

(Document marked "Felicetta Exhibit No. 1" follows:)

FELICETTA EXHIBIT NO. 1



CORE SPEAKS

news letter

THE PURPOSE OF "CORE SPEAKS"

Is there any good reason why you should read this newsletter?
Is there any reason why we should print it?

The existence of "CORE SPEAKS" is important. It is Core's MOUTH. The ideas and policies of CORE can only be expressed in print. Therefore, "CORE SPEAKS" must be.

Why read this? Simply because "CORE SPEAKS" may be the only publication in Buffalo dealing in facts. We, in Buffalo, are "BLESSSED" with publications which refuse to print all the facts. "CORE SPEAKS" offers you a voice dealing in issues of vital importance to the COMMUNITY. Being the only voice, it is an important and necessary voice.

The future of "CORE SPEAKS" is You. By reading it, "CORE SPEAKS" WILL grow and become an influential voice for the whole community.

RIOTS !!

It seems that Watts, Rochester, New York and other cities don't plan their riots nearly as well as Buffalo. Already through careful planning we have been able to maintain riotous conditions for two weekends straight. This past Saturday, there were so many cops between Jefferson, Humboldt and E. Ferry Streets it looked like a P.A.L. convention (That is, with all the 14, 15, 16 year oldsters loitering on the corners).

Who knows, if things are well planned, the kids will have a good time (like Ft. Lauderdale). The riots have lasted only for a weekend. Was it the weather? By the way kids, what are you doing this summer???

ORGANIZATION

The "black idea" has hit Buffalo and the organizers are not sure just how to organize its power, corral its anger, or box its action. The young kids are going to hit the streets faster than the organizations can think and find an answer even if it is a false one.

Somehow the committee thinkers have to climb out of their trap and get back to the streets and find out what's really happening in the young black man's mind. Everyone in Buffalo is busy organizing. Organizing is "in" and civil rights is "out".

A WORD ABOUT CORE

CORE seeks to help you to help yourself. We meet every Wednesday, 1536 Jefferson, 8 P.M. Will you be there???

1998 SUBVERSIVE INFLUENCES IN RIOTS, LOOTING, AND BURNING

FELICETTA EXHIBIT NO. 1—Continued

POLITICAL NOTES

C.O.R.E. would like to call attention to the statement made by Patrolman William Wagner, President of the Erie Club (Policeman's Association) in the Buffalo Evening News, May 10, 1967, condemning the proposed police reforms recommended by B.U.I.L.D. and its President, Rev. Emmanuel.

Mr. Wagner said:

"No self-styled vigilantes will tell our police officers what to do and how to do it - policemen are professional men and know how to conduct themselves as police officers. They have full understanding of the laws and their rules and regulations which they are required to abide by."

In reference to Rev. Emmanuel's plan for a 12 to 15 man patrol to gather evidence - including police badge numbers, names and license numbers in an attempt to curb recent tension in the Black Community, Mr. Wagner said - "My belief is that before they try to clean yards of respectful citizens, they should clean up their own backyards."

I would like to state here and now that I and my fellow C.O.R.E. members resent Mr. Wagner's remarks and demand that he publicly apologize for calling the delegation from B.U.I.L.D. - self-styled vigilantes. His language is typical of the racism so prevalent in much of the white power structure and their resistance to the efforts of Black people to secure justice. He doesn't seem to understand that we are trying to clean up our own backyards and one of the first things that must go are those racist rats in blue who use their police badges as licenses to whip Black people now and ask questions later.

Rev. Emmanuel and the B.U.I.L.D. delegation went through the proper channels in presenting their proposals - Mayor Sedita and Commissioner Fellicetta. We feel they are just and stand 100 % behind B.U.I.L.D. It is time that Patrolman Wagner knows that the new Black man is not afraid of his badge or his bullets. The brutality practicing rats in blue must go. If the police department cannot remove them, then the Black Community will.

William Robinson

THE ASSASSINATION OF THE J.F.K. CENTER

The J.F.K. Center is a disgusting mess. The lack of any planning and basic human concern is causing the end of this center. There have been many complaints about the deterioration and lack of supervised programs.

Only those close to this problem know how our community is being cheated by the power hungry grafters at City Hall. Are we to sit around with a lack of desire while the J.F.K. Center is buried? No. We demand that the dirty hands of City Hall be kept deep in their own trousers while the people build their own Center. Is our community responsible? No. Are we being CHEATED? Yes. We recommend:

- (1) An advisory board of neighborhood people.
- (2) Better trained people to staff the Center.
- (3) Full-time maintenance of Ellicott Field.
- (4) An outdoor summer program for Ellicott Field.

Tony Rodriguez

Mr. FELICETTA. There is one other part of that that I would like to read for the record:

“Somehow the committee thinkers have to climb out of their trap * * *.”—I think I said that. “The brutality practicing rats in blue must go. If the police department cannot remove them, then the Black Community will.”

It also referred to “those racist rats in blue” and stated that the Negro community in Buffalo “is being cheated by the power hungry grafters at City Hall.”

Mr. SMITH. Now, Commissioner, will you continue your testimony on agitational developments prior to the disturbances?

Mr. FELICETTA. Yes, sir.

There was a rhythm and blues show at Memorial Auditorium in Buffalo on June 24, just a few days before the outbreak of the violence. Some 8,000 to 10,000 young people, perhaps 75 percent of them Negro, attended this show.

We had received word that some incidents would be staged there to pull police from other areas to the auditorium. There would then be wholesale window-breaking, looting, and burning in the districts from which the police had been pulled.

A number of fights did break out at Memorial Auditorium when the show had ended. Being forewarned, we did not pull too many men from other areas in taking the necessary precautions to deal with any disturbances at the Memorial Auditorium.

Some windows in the downtown area were broken by young Negroes on their way home from the auditorium. There was no significant destruction or violence, however.

Mr. SMITH. Commissioner, the CORE flyer you quoted from a few minutes ago makes mention of an organization called BUILD. Will you explain the nature of this organization?

Mr. FELICETTA. The name stands for “Build Unity, Integrity, Liberty, and Dignity.” It was organized in Buffalo by Richard H. Harmon, a white man, who was sent to Buffalo from Chicago for that purpose by Saul Alinsky’s, A-l-i-n-s-k-y-’s Industrial Areas Foundation. It is a civil rights-type organization which claims to represent about 150 groups in the Negro community. BUILD has publicly taken a position opposing the use of violence.

Mr. SMITH. Was there any other organization or individual engaged in racist agitation, or the distribution of racist literature, prior to the riot?

Mr. FELICETTA. Yes, sir. A man named Martin Gonzalez—G-o-n-z-a-l-e-z—Sostre, S-o-s-t-r-e, was operating three bookstores in the city of Buffalo called the Afro-Asian Book Store. One of them was at 1412 Jefferson, another one was on Genesee Street, and a third one was on High Street—all in the Negro area.

Visits made to this bookstore at my direction, prior to the outbreak, revealed that it was stocked with a large amount of Communist, revolutionary, and black nationalist literature with a strong and inflammatory racial content.

I will have more to say about Sostre later.

Now, however, I would like to introduce samples of literature obtained during a raid on his store after the riot.

I have here a book from Mao Tse-tung, which was found in his store, and on the back it gives the name of the general distributor, Guozi Shudian, China Publications Centre, Post Office Box 399, Peking, China. The Hong Kong agent is Peace Book Company, 83 Queen's Road, Central, and the local agent is Afro-Asian Book Store, 1412 Jefferson Avenue, Buffalo, New York 14208 [Felicetta Exhibit No 2].

I have three other books. One of them is entitled *Fidel Castro, 26th of July 1963* [Felicetta Exhibit No. 3].

Mr. SMITH. Published by whom?

Mr. FELICETTA. Published by—I don't believe it contains that information. Is it in the back?

The address—"This has been printed and published as a public service by the Fair Play for Cuba Committee, 799 Broadway, New York, N.Y., 10003. Produced with donated labor."¹

I have a copy of the March-April 1965 *INSURGENT*. The editor is Carl Bloice [Felicetta Exhibit No. 4].

Mr. SMITH. I believe that is published by the DuBois Club, is it not?

Mr. FELICETTA. "Published every other month by the W. E. B. DuBois Clubs of America," yes, sir, in San Francisco, California.

Then I have a copy of *The Partisan* magazine, a magazine of Youth Against War and Facism, volume 2, No. 1, and the office of the publisher of this magazine is 58 West 25th Street, New York, New York. [Felicetta Exhibit No. 5].

And I also have here *Quotations from Chairman Mao Tse-tung* [Felicetta Exhibit No. 6], and I would like to read just one paragraph from page 61: "Every Communist must grasp the truth, 'Political power grows out of the barrel of a gun.'"

Mr. SMITH. Mr. Chairman. I request that these documents be accepted for the record.

Mr. ICHORD. Mr. Commissioner, were these documents gathered in the store of Mr. Sostre by the police?

Mr. FELICETTA. Yes, they were, sir.

Mr. ICHORD. They were on sale in the store?

Mr. FELICETTA. Yes, sir.

Mr. ICHORD. Is there any objection to the admission?

Mr. SMITH. One more question.

Where was the Mao Tse-tung quotations published? The red book?

Mr. FELICETTA. Oh, the red book? "*Printed in the People's Republic of China.*"

Mr. ICHORD. The documents will be admitted into evidence.

(Documents marked "Felicetta Exhibits Nos. 2 through 6," respectively. Exhibits 3, 4, and 5 retained in committee files. Title page and back cover of Exhibit 2 and title page and excerpt from page 61 of Exhibit 6 appear on pages 2001 and 2002.)

Mr. ICHORD. Proceed, Mr. Counsel.

Mr. SMITH. Mr. Chairman, at this point, I would like to introduce into the record issues of *Workers World* which show that according to the *Workers World* of March 15, 1968, "The idea of the bookstore was to prepare Black youth for the liberation struggle." And in an

¹ This exhibit contains excerpts from a speech delivered by Fidel Castro on the occasion of the 10th anniversary celebration of the 26th of July Movement in 1963.

FELICETTA EXHIBIT No. 2

INTRODUCING VOLUMES I-IV
SELECTED WORKS
OF
MAO TSE-TUNG

English Edition

Published by:

FOREIGN LANGUAGES PRESS

Peking, China

Distributed by:

GUOZI SHUDIAN

CHINA PUBLICATIONS CENTRE

Peking, China

FELICETTA EXHIBIT No. 2—Continued

General Distributor :

GUOZI SHUDIAN
CHINA PUBLICATIONS CENTRE
P. O. Box 399, Peking, China

Hongkong Agent :

PEACE-BOOK COMPANY
83 Queen's Road, (Central)

Local Agent :

AFRO-ASIAN BOOK STORE

1412 JEFFERSON AVENUE
BUFFALO, NEW YORK 14208

英文版《毛泽东选集》第一卷第40页 (00-0-20) 0001-16

FELICETTA EXHIBIT No. 6

QUOTATIONS FROM
CHAIRMAN
MAO TSE-TUNG



FOREIGN LANGUAGES PRESS
PEKING 1966

revolutionary war is endowed with tremendous power and can transform many things, clear the way for their transformation. The Sino-Japanese war will transform China into a new China; provided China ever enters the War of Resistance and unites the old Japan will be transformed into a new China, and both China and Japan will be transformed into a new China, and both China and Japan will be transformed into a new China.

Every Communist must grasp the truth, "Political power grows out of the barrel of a gun."

"Problems of War and Strategy"
(November 6, 1938), *Selected Works*, Vol. II, p. 224.

The seizure of power by armed force is the only way for the oppressed classes to overthrow the bourgeoisie and establish the dictatorship of the proletariat.

earlier issue of the *Workers World*, dated September 14 [1967], I quote:

Martin Sostre operated the Afro-Asian bookstore and sold a variety of literature for liberation fighters that you could find no place else in Buffalo. His customers were the Black youth of Buffalo. They had learned to know and to admire this man who wanted them to question, think, and learn.

And as the rebellion raged many of them took refuge in his store where cops on the street could not, for the moment, reach them and where they could, now in excited, eager tones as they sensed the potential of the revolt, discuss what had happened so far and what could be done. Even as the confused battle went on, young men bought books like *Negroes With Guns* by Robert Williams and read them.

Mr. ICHORD. Counsel, you are reading from an article in the Communist *Daily Worker*?

Mr. SMITH. It is *Workers World*, of the Workers World Party.

Mr. ICHORD. Do you wish to have that admitted?

Mr. SMITH. Yes, I request that these documents be accepted for the record.

Mr. ICHORD. There being no objection, the documents will be accepted.

(Documents marked "Felicetta Exhibits Nos. 7 and 8," respectively, and retained in committee files.)

Mr. SMITH. Commissioner, was Martin Sostre the sole owner of the Afro-Asian Book Store?

Mr. FELICETTA. Yes, he was.

Mr. SMITH. Was there anything else prior to the riot?

Mr. FELICETTA. Yes, we did not hear about this until July 21 though, several weeks after the riot, but because this could have a bearing on the development of the riot, or certain things which took place during the riot, I think it should be mentioned here.

This information was given to us by a Mr. Major Cox, who owns an apartment house at 226 Emslie Street in Buffalo.

On or about April 1, Mr. Cox said, a Mr. Don Pace, P-a-c-e, who is white, and Frederick D. Hudson, a Negro, rented an apartment in this building. They represented themselves as VISTA workers. During the week of June 26, when the violence broke out, Don Pace paid his half of the rent of the apartment and then moved out to another part of the city.

Another Negro, Charles Harris, moved into the apartment with Hudson. Although Mr. Cox, the owner, was having trouble collecting the remainder of the rent for the apartment, he did not make an issue of it because Harris and Hudson said they were going to move out about the middle of July.

Mr. Cox went to the apartment on or about the 16th of July, after they had left. In it he found about 25 clean quart bottles and pop bottles. He also found spilled gasoline on the driveway. He then went into the apartment and found various items of black power and antiwhite literature and pictures and posters pasted on the walls.

In addition, there was a bar in one room of the apartment, with whiskey and beer. Mr. Cox learned from the neighbors that young people from the neighborhood in the 10 to 12 age group were in and out of the apartment at all times.

The interesting thing is that Frederick D. Hudson, one of the two men who rented the apartment on or about April 1, was arrested during

the riot at about 7:30 p.m. on June 28 for refusing to obey the reasonable request of a police officer. He claimed that he was helping to quell the disturbance and that the executive director of the Community Action Organization in Buffalo had urged all Negro males in VISTA to get out onto the streets and try to calm down those who were engaging in violence and destruction.

Mr. SMITH. Now, Commissioner, unless you have something further to add on the subject of pre-riot agitation, we would like to move into the period of the June 27 through 30, 1967, disturbance, or the riot phase in Buffalo.

Mr. WATSON. Counsel, may we interrupt you at this point?

Mr. Commissioner, did you ever establish whether or not either of these individuals actually was in the employ of VISTA?

Mr. FELICETTA. I have here an article which appeared in one of the Buffalo newspapers, "VISTA worker claims arrest was a mistake," where he admits that he was a VISTA worker:

A member of the Volunteers in Service to America, VISTA, arrested Wednesday night for resisting an officer, said Thursday that he was on an errand of mercy when mistakenly picked up by police. Frederick D. Hudson, 19, of Detroit, now living at 226 Emslie Street, said he was trying to inform a young Negro of his legal rights when police handcuffed him and placed him in a police van.

He admits that he was a member of VISTA.

Mr. ICHORD. Mr. Commissioner, that is just a newspaper story, and as we all know newspaper articles aren't always true. Did the police check that out, to your knowledge?

Mr. FELICETTA. To my knowledge, it hasn't been. It may have been.

Mr. ICHORD. I will ask the staff. This should be a matter that the staff should have checked out, whether these two individuals were VISTA employees.

Does the staff have any information on that?

Mr. SMITH. Yes, sir, we will check it out, sir.

Mr. ICHORD. Have you checked it?

Mr. SMITH. No, sir, we haven't yet.

Mr. ICHORD. Well, we would like you to check into these two individuals, Mr. Don Pace and Mr. Frederick D. Hudson, and see if they were—establish whether or not they were employed by VISTA and also as to whether they are now employed by VISTA.¹

Proceed, Mr. Counsel.

Mr. SMITH. Thank you.

Are they members of SNCC, that you just mentioned, Frederick Hudson?

Mr. FELICETTA. Yes, I think I have some proof here. I have something that they are members of SNCC. I will probably run into that as we go along.

Mr. SMITH. All right.

¹ A letter of inquiry by Mr. Willis, the chairman of the committee, elicited the following information from Padraic Kennedy, acting director, VISTA:

Frederick Hudson had served as a VISTA Volunteer from Feb. 21, 1967, to Dec. 28, 1967, at which time he left VISTA to return to his home.

Donald Pace had also entered into service with VISTA on Feb. 21, 1967, and as of July 25, 1968, the date of Mr. Kennedy's letter, was still serving with VISTA, being assigned to the Community Action Organization of Erie County, 825 Genesee Building, Buffalo, N.Y.

Mr. Kennedy's letter also pointed out that VISTA Volunteers do not receive a salary, but are provided with an allowance for subsistence and a stipend of \$50 per month and are generally not deemed employees except for certain technical or administrative purposes.

Commissioner, did you possess knowledge of agitation of the type that we have been discussing during the period of the riots, indicating an attempt to keep it going?

Mr. FELICETTA. Yes, on June 29 an organization called Buffalo Youth Against War and Fascism distributed a flyer in the riot area which is highly inflammatory in nature. It alleged that the black youth of the city, who it said were in "the vanguard of the struggle," faced a "completely hopeless situation. The future holds no alternative for them but a life of poverty or being drafted to fight in a war against their Asian brothers in Vietnam!"

I understand that this is standard Communist practice today, joining the issues of civil rights and the war in Vietnam.

The flyer said that the issuing organization, Youth Against War and Fascism, protested the city officials' quick use of police repression against the black people of Buffalo and that it condemned the United States Government, the New York State government, and city government's continual repression of the aspirations of the black people.

It ended with the notation that the YAWF was calling for a demonstration of solidarity with the oppressed black people of Buffalo, which would be held in Lafayette Square on the same day, June 29, from 6:30 to 7:30.

I have a copy of that here.

Mr. SMITH. Mr. Chairman, I request that this flyer be accepted for the record.

Mr. ICHORD. Where was this flyer gathered, Mr. Commissioner?

Mr. FELICETTA. It was picked up by our subversive police officers, the subversive squad of our department.

Mr. ICHORD. No attempt was made to establish where it was printed?

Mr. FELICETTA. I think they were passed out in godly numbers by people that are identified with this movement.

Mr. ICHORD. There being no objection, it will be admitted.

(Document marked "Felicetta Exhibit No. 9" appears on page 2006.)

Mr. SMITH. Mr. Chairman, I would like to state for the record that FBI Director, J. Edgar Hoover, testifying before a House Appropriations Subcommittee on February 16, 1967, identified Youth Against War and Fascism as the youth group of the Workers World Party, a Communist splinter group. In addition, testifying before the same committee on February 23 of 1968, he further identified the parent organization, the Workers World Party, in the following words:

The Socialist Workers Party was the first major group to oppose the Communist Party—U.S.A. for the right to lead an American Communist revolution. It is the largest Trotskyite organization in the United States, and has been designated pursuant to Executive Order 10450 and is a basic revolutionary group.

* * * * *

Factionalism in the Socialist Workers Party has been responsible for the formation of other subversive groups which follow the teachings of Trotsky but differ over the means by which the goal of worldwide communism is to be attained. Among the offshoots of the Socialist Workers Party are the Johnson-Forest Group, the Workers World Party * * *.

Further, Mr. Chairman, I would also like to point out that additional information on the Workers World Party and Youth Against War and Fascism will be found in Committee Exhibit No. 3, pages 902 through 907 of part 1 of these hearings.

2006 SUBVERSIVE INFLUENCES IN RIOTS, LOOTING, AND BURNING

FELICETTA EXHIBIT NO. 9

Buffalo Youth Against War and Fascism
P. O. Box 372
Buffalo, New York 14205

June 29, 1967

FOR IMMEDIATE RELEASE:

The Black community of Buffalo is rebelling against the same inhuman conditions that have already caused rebellions in most major cities in the United States. Black people in America have long suffered under slavery, racial discrimination, KKK butchery, "southern justice" in racist courts, and inhuman living conditions -- both up North and down South!

The Black masses -- especially the youth -- in the city of Buffalo have long faced conditions such as joblessness, ghetto housing, police repression, high rents, lack of recreational facilities, inferior education, teachers and school buildings. The Black youth in particular -- who are in the vanguard of the struggle -- face a completely hopeless situation. The future holds no alternative for them but a life of poverty or being drafted to fight in a war against their Asian brothers in Vietnam!

----- YOUTH AGAINST WAR AND FASCISM PROTESTS the policy of Buffalo city officials who were so quick to use police repression against the Black people, but who do nothing at all to alleviate the oppressive, inhuman conditions that have long existed in the Black community!

----- WE CONDEMN the federal, state and local governments for their continual repression of the Black people's aspirations -- while providing no concrete changes!

----- WE PROTEST the fact that the average Afro-American family, according to Labor Department statistics, earns \$3,800 a year as compared to \$6,330 for whites.

----- WE PROTEST the fact that 10 - 15% of the adult Black males, and 20 - 30% of the Black youth are unemployed in this country; that 1 out of every 5 Black workers earns less than \$60 a week; that 37% of the Afro-American families live on less than \$3,000 a year!

----- WE CONDEMN the shocking fact that in the Mississippi Delta, for example, thousands of Black children are today victims of mass starvation and disease -- this in this so-called "land of plenty"!

It is an accumulation of these grievances -- and not "hoodlumism" as the press and city officials have been quick to shout -- that makes a rebellion.

Let it be understood that the rebellion which began a few days ago in the Black community has been long coming -- it is a cry of the oppressed for justice so long denied!

It is not the Black people who are the looters; their very lives have been looted for centuries by a white, racist system in the United States!

- - - - -

YAWF calls for a demonstration in solidarity with the oppressed Black people of Buffalo : Lafayette Square, Thursday, June 29, 6:30 - 7:30 P. M.

Commissioner, in addition to distributing this flyer that you referenced here, did the Buffalo unit of Youth Against War and Fascism engage in any other activities during the period of the riot?

Mr. FELICETTA. Yes. On June 29 they demonstrated as the flyer I have quoted indicated they would, and they also demonstrated on July 1, the day after order was restored. This demonstration was held outside the jail in which some of the rioters were being detained following their arrest.

Mr. SMITH. Commissioner, I hand you a reproduction of an article published in the July 7, 1967, issue of *Workers World*, official newspaper of the Workers World Party, and ask you if you are familiar with this article and if it accurately describes the demonstrations you have just mentioned?

Mr. FELICETTA. Yes, sir; it does.

Mr. SMITH. What was the theme of these demonstrations?

Mr. FELICETTA. Well, the theme was that the disturbances in Buffalo were not a riot, but a rebellion, and the police had no right to interfere with the rebellion. The demonstrators demanded that the rioters be freed.

Mr. SMITH. Mr. Chairman, I request that this item be accepted for the record.

Mr. ICHORD. There being no objection, it will be admitted.

(Document marked "Felicetta Exhibit No. 10" and retained in committee files.)

Mr. SMITH. Commissioner, has the Buffalo Police Department identified some of the persons taking part in these demonstrations?

Mr. FELICETTA. Yes. Yes, we have. Among them were Karl, K-a-r-l, Meller, M-e-l-l-e-r, Gerald Gross, G-r-o-s-s, Jeanette and Edward Merrill, M-e-r-r-i-l-l, George Provost, P-r-o-v-o-s-t, Joel S. Meyers, Anna Sterling, S-t-e-r-l-i-n-g, James Johnson, and Rita Johnson.

All of these people were photographed carrying signs indicating they were affiliated with Youth Against War and Fascism.

Mr. ICHORD. Were they Buffalo residents?

Mr. FELICETTA. Yes, sir. Most of them are. I believe all of them are. Either Buffalo or suburbs.

Now I have some pictures here of these names that I have just mentioned. Additionally at the demonstrations were seen Edward Wolkenstein, W-o-l-k-e-n-s-t-e-i-n, Rachel Wolkenstein, Naomi Wolkenstein, and William Yates.

Now, these four that I just mentioned came to the demonstration on Thursday, the 29th, in Wolkenstein's car, in Edward Wolkenstein's car.

Additionally, a man by the name of Pete Hartmen passed out leaflets at the square; Gerald Coles, C-o-l-e-s; also a woman who was small in height and build; two Negroes and one Puerto Rican were there.

At 6:30 p.m. that night there were 10 people there. At 6:45 there were 17 demonstrators, and at 7:30 there were 25.

Just as the picketing broke up, seven or eight Road Vultures from Lackawanna, New York, which is a suburb of Buffalo, appeared, and it looked as if there might be some trouble, but a traffic patrolman broke it up and ordered them to move along.

Additional information was submitted to me by our subversive squad that Gerald Coles and his lady friend were driven to the dem-

onstration by another couple in a car with Ohio license CC4516, listed to a Daniel Davis, 2432 Kenilworth Road, Cleveland, Ohio, on a '60 Ford station wagon.

The word got around to the downtown area the demonstration would be held at Lafayette Square, June 29, 1967. Due to the disturbance on the East Side at this time, some of the merchants downtown closed their stores early. They created one of the biggest traffic jams that I have ever seen in the city of Buffalo because of the demonstration that was scheduled for Lafayette Square, which was attended by only about 25 people.

Mr. SMITH. Mr. Chairman, I request that these documents and pictures be accepted for the record.

Mr. ICHORD. There being no objection, they will be admitted.

(Documents and photographs marked "Felicetta Exhibits Nos. 11-A and B," respectively. Exhibit 11-A retained in committee files; Exhibit 11-B appears on pages 2009-2011.)

Mr. SMITH. Mr. Chairman, the committee's files contain the following information about the persons named by Commissioner Felicetta as participants in the demonstrations staged by Youth Against War and Fascism during the Buffalo disturbance:

Gerald Gross, as chairman of the Martin Sostre Defense Committee, and the meaning of that designation will be made clear in a few minutes, wrote a letter to the editor of the magazine *Liberator*, which was published in the November 1967 issue.

Liberator was identified in the initial phases of these hearings as a magazine engaged in racial agitation, edited by Daniel H. Watts, and published by the Afro-American Research Institute, Inc., in New York City.

Liberator describes itself as the "intellectual voice for black nationalism and socialism" and the "voice of the Afro-American protest movement in the United States and the liberation movement of Africa."

Jeanette and Edward Merrill made arrangements for the appearance of Mark Lane in Buffalo when he went to that city in the early part of 1964 to speak on the Oswald case.

George Provost was president of the Buffalo Progressive Citizens of America in 1947 and 1948. The Progressive Citizens of America was the immediate forerunner of the Communist-organized Progressive Party.

March 9, 1948, it was reported in an issue of the *Daily Worker*, Communist Party newspaper, that he was cochairman of a delegation of Communist Party and trade union leaders who took a memorandum to the Buffalo district representative of the Immigration and Naturalization Service, protesting the detention of Charles Doyle, D-o-y-l-e, who had been arrested for deportation as a Communist and was then being held without bail on Ellis Island in New York City.

In August 1964 he wrote a letter to a Member of the Senate opposing U.S. policy in South Vietnam. This letter was placed in the *Congressional Record* of August 13, 1964, at the request of this Member of the Senate.

Joel Meyers. In 1965 Meyers was one of a number of young men of draft age who signed a statement opposing the U.S. role in Vietnam and saying they would refuse to fight if drafted. Various issues of the

FELICETTA EXHIBIT NO. 11-B

Pictures of "demonstration in solidarity with the oppressed Black people of Buffalo," June 29, 1967, sponsored by Youth Against War and Fascism.



1. James Johnson 2. Rita Johnson 3. Anna Sterling 4. Joel Meyers
5. Edward Merrill



1. Jeanette Merrill

2. Joel Meyers

3. Anna Sterling

4. Edward Merrill

FELICETTA EXHIBIT No. 11-B—Continued



1. Jeanette Merrill 2. Joel Meyers 3. Edward Merrill 4. Karl Meller

Workers World in 1967 identify Meyers as a leader of Youth Against War and Fascism and an active participant in Communist-organized antidraft agitation.

A December 16, 1967, article reveals that he was then under indictment for violating the selective service law by disruption at an induction center.

Rita Johnson took part in a demonstration protesting the Cuban blockade, which was held in Buffalo on the evening of October 25, 1962.

Commissioner, do you have any information about the activities during the riot of persons associated with the organization BUILD that was referred to previously?

Mr. FELICETTA. Yes, sir, I do. I have here a copy of a report submitted to me by Detective James Hunter, who is a Negro, and he said that the first Friday of July of 1967 he and patrolman Murchison were in the Cold Spring area in front of the Woodlawn Tavern and amid Attorney Green and about 15 to 25 people standing there. Detective Hunter spoke to Mr. Green, and Mr. Green accused him of being the most disliked cop in Buffalo and said that he heard Hunter was bragging about how many "coons" he had shot during the disturbance:

My partner told Green he was a liar, because the night before, we were not at any cleaners. We had been on Clinton and Jefferson. As we were patrolling the area, we were trying to get people to move off the streets, and told someone to go on in the tavern, and Mr. Green, in a loud voice, told them that they did not have to move off the streets, and things of this nature, which was in direct violation of an officer of a court.

An attorney should not instruct people to disobey the request of a police officer, especially under these circumstances.

On the next night, Saturday, we were again on Jefferson Street, under direct orders from the chief, that if there was any interference from any attorney, as there was previously, we were to lock them up. We reported the man as an attorney and officer of the court, but instead of trying to alleviate the conditions, Mr. Green was creating more of a bad situation, encouraging the people to disregard our requests.

He was completely out of line, saying all these things in a very loud voice, and telling them things he had heard which were at best hearsay, and completely unfounded.

Ray Smith, another lawyer, was on the street Friday night, and was telling people he heard the same things about me (while I was in front of the cleaners, I bragged about shooting and so on.)

He was also very militant, and telling the people standing all around not to obey our requests. They didn't have to do what we asked. Both these lawyers created more trouble and compounded violations.

And this is signed by Detective James Hunter.

Mr. Ray Ellis Green is listed as an attorney, with offices located in the Dun Building, and I know he has been active, working with BUILD.

There is no listing for Ray Smith in the court directory of attorneys for 1968.

Mr. SMITH. What was the role of Martin Sostre during the disturbances?

Mr. FELICETTA. The police department has an affidavit from a young Negro that Sostre instructed in the making of Molotov cocktails and advised them to use—how to use these Molotov cocktails. And I have an affidavit here, an interview by an officer of our department, with a youngster of 15 years of age.

The question by the police officer :

Can you remember when you first talked to Martin Sostre about any of the recent disorders?

[Answer:] It was on a Wednesday. Martin said, are you going to let the white people treat you like this. He said why? He said we got as much right as they do—It's our freedom. Let's get out there and start these fires. He said don't mess with none of the soul brothers and sisters. So everybody went out rioting. He said we got to make molotov cocktails and get these cars on fire and get a couple of these cops with it. Then we would smoke up there.

[Question:] What would you smoke, cigarettes?

[Answer:] No, marihuana. They say they are smoking smoke, that's what they say when they are smoking marihuana.

[Question:] How about the molotov cocktails. How, when and where do they make them up?

[Answer:] With gasoline and grease.

[Question:] How about the wick. What do they use for a wick?

[Answer:] They use string. They told Bernard spread it all over, then put a match to it and throw it so it spreads all over. Bernard lives on Lemon Street. I don't know the exact address but I could bring you there.

[Question:] Where were these fellows when Martin was telling them these things?

[Answer:] They were at the Woodlawn Tavern, before it was burned. That's who burned it.

[Question:] Who burned it?

[Answer:] Bernard first threw the bomb. They call it a molotov cocktail. They opened the door and threw it in the Woodlawn Tavern and some of them threw it at the windows. Martin talks to the younger kids to do this because they have more heart and will do what he says. He talked to four boys at his place, the record shop, about the fires at the Woodlawn Tavern.

[Question:] Where did the cocktails come from?

[Answer:] Well, this is how it all happened. Martin told me and Bernard he had molotov cocktails. So then the cops came to the basement of the Woodlawn Tavern before it burned and took some hot clothes, a record player and molotov cocktails. Martin was mad. He said he just made them. So he made some more the next day. He wanted me to help him. Bernard was helping him, but he called me sissy. He said, sissy get up, you ain't no brother. He said, you want to be like the white people. He said a scared man can't do nothing. I said I'll tell you what—a scared man could keep from going to jail, so I walked on out. The next thing I knew they stepped out with the molotov cocktails. Bernard threw the first one, Poppa opened the door and threw the second one—they were throwing like mad. They threw about 3 of them in there.

[Question:] Then what happened? Who else was in Martin's store?

[Answer:] Orville Gonzales.

[Question:] Do you know who burned the place across the street, the Florida Food Market?

[Answer:] Bernard burned that too. He came back and told me so.

[Question:] Where and when did he tell you this?

[Answer:] That night at Lemon and High Sts. He said that he burned it down that night.

[Question:] Now, how about the Pine Grill?

[Answer:] I don't know about that. Martin told me that he tried to, but they couldn't succeed.

[Question:] What other places did they burn or loot?

[Answer:] The bicycle shop and the gun shop on William Street.

[Question:] Who got these?

[Answer:] George Eli.

[Question:] Where does he live?

[Answer:] He is in jail now.

[Question:] Who else was there?

[Answer:] A boy named "Bo" who lives at 449 Monroe Street.

[Question:] How do you know that these two were responsible for this looting?

[Answer:] Because I was there.

[Question:] How did they burn it?

[Answer:] They didn't actually burn it . . . they kicked the windows in. Then they ran in and took the guns. They heard the gun shoot and they thought it was the cops, but it was the man in the next shop that fired the shot, but they ran.

[Question:] Do you know where they got the molotov cocktails in this instance?

[Answer:] They didn't use the molotov cocktails here.

[Question:] What did they do with the guns, and where are they now?

[Answer:] I don't know.

[Question:] Now, how about the liquor store across the street (Steinhart Liquor Store). Did you say that Martin was talking about burning it down.

[Answer:] Yes. He was talking about that to Bernard. Bernard is really the ring leader.

[Question:] Do you know of others that may be involved?

[Answer:] If you wait for a while I could get the information.

[Question:] Did you ever see Martin with other people that may be possibly Black Nationalists from out of town. What does Martin say he is?

[Answer:] He says he's like Malcolm X. He has tried to get in contact with Martin Luther King. He wrote to him trying to bring him here, but Martin Luther King didn't come here. He then tried to get this fellow Carmichael to come here for the riots, at least that's what he said.

[Question:] Was he disappointed when Martin Luther King didn't come?

[Answer:] He didn't care much about Martin Luther King. The one he really wanted was Carmichael, although he wrote to Martin Luther King. You know if he couldn't get one, he wanted to get the other.

[Question:] Do you know anything about the narcotic activity he is involved in?

[Answer:] I have seen this white "Gerry" in the store and he is selling a \$5 bag of marihuana in yellow paper bags.

[Question:] What did Martin pay the kids to throw the bottles?

[Answer:] He pays Bernard \$50.00 or something like that. Then Bernard gives these other fellows a few dollars each when they throw the molotov cocktails.

[Question:] Does Martin buy any merchandize [sic] from the addicts?

[Answer:] He buys anything that they have . . . hot stuff and all.

Mr. SMITH. Mr. Chairman, I request that this affidavit be accepted for the record.

Mr. ICHORD. Without objection, the affidavit will be accepted for the record.

(Document marked "Felicetta Exhibit No. 12" and retained in committee files.)

Mr. ICHORD. Mr. Commissioner, Mr. Martin Sostre is the one who operated bookstores?

Mr. FELICETTA. Yes, sir; that is right.

Mr. ICHORD. Is he still operating stores?

Mr. FELICETTA. No, sir; he is in jail.

Mr. ICHORD. He was arrested after the riots?

Mr. FELICETTA. Yes, he was, sir.

Mr. ICHORD. And charges are now pending against him?

Mr. FELICETTA. There is one charge pending against him, but he has been convicted on two or three counts in the same indictment as the one pending.

Mr. ICHORD. Proceed, Mr. Counsel.

Mr. Counsel, how much longer will the hearing require? That was three bells.

Mr. SMITH. I have at least another half hour, maybe a little more.

Mr. ICHORD. Mr. Director, can you come here a moment?

(Discussion off the record.)

Mr. ICHORD. Proceed, Mr. Counsel.

Mr. Watson will go make the rollcall, and as soon as he returns, I shall leave for the rollcall.

(At this point Mr. Watson left the hearing room.)

Mr. SMITH. Commissioner, can you give the committee any background information on Martin Sostre?

Mr. FELICETTA. Yes, sir; I can, sir.

Martin Gonzalez Sostre, also known as Martin X, Martin Ramirez, R-a-m-i-r-e-z, and Martin Santos, S-a-n-t-o-s, has been identified as a former member of the Nation of Islam, also known as the Black Muslims.

Sostre has a lengthy criminal record dealing primarily with narcotics. He was born on March 20, 1923, in New York City and is a Puerto Rican Negro. His mother, Crescinia, C-r-e-s-c-i-n-i-a, Gonzalez, now deceased, was of Puerto Rican extraction.

He resided in New York City until his entrance into the United States Army in 1942. During his Army career, he was arrested for possession of and dealing in illegal narcotics. He received a dishonorable discharge and has been confined almost continuously in various prisons since 1946.

Sostre was released from prison when his sentence expired on September 18, 1964; and after serving 30 days in the Erie County jail on a contempt of court charge, he decided to make his future in the city of Buffalo.

He is considered a cured narcotics addict and has undergone treatment in the U.S. Public Health Service Hospital in Lexington, Kentucky.

Sources indicate that he became a Black Muslim in prison, but later left the Black Muslim movement.

Sostre operated an Afro-Asian bookstore at 1412 Jefferson Avenue, Buffalo, and the other two that I testified to before.

Mr. SMITH. Do you have a copy of the arrest record of Martin Sostre?

Mr. FELICETTA. Yes, I have, sir. I have a copy of the arrest record. I have a photograph of the subject and this lengthy report, his record, of seven or eight pages.¹

Mr. SMITH. Mr. Chairman, I request this document be accepted for the record.

Mr. ICHORD. The document will be accepted.

(Document marked "Felicetta Exhibit No. 13" and retained in committee files.)

Mr. SMITH. Were other outside agitators observed in Buffalo during the disturbances?

Mr. FELICETTA. On July 2, 1967, State police stopped an Ohio car in East Aurora, which is a town about 18 miles south of Buffalo. Three young Negroes were in this car, who admitted being in Buffalo during the disturbances. They were Willie Shank, W-i-l-l-i-e S-h-a-n-k, Leroy Williams, and Michael Lee Early.

I have here a report on this incident, where they were stopped by State Trooper Kron in an Ohio-licensed car 3384PF, and in the car were Willie Shank, age 19, of 539 South Euclid Street, Day-

¹This record reveals that Mr. Sostre had been arrested on approximately eight occasions since 1944 and has spent approximately 16 years of his life in jail. Charges against Sostre included attempted grand larceny, disorderly conduct, sale and unlawful possession of narcotics, felonious assault with a knife, homicide, and contempt of court.

ton, Ohio; Leroy Williams, age 19, of 800 Dennison Street, Dayton; and Michael Lee Early, age 21, of 225 Huron Street, Dayton, Ohio.

The above three admitted being in Buffalo during the disturbances. We sent a letter to the police in Dayton, the Buffalo Police Department did, and they sent back this reply:

In response to your request, we are enclosing copies of the local records on the three subjects you were inquiring about.

Although Willie Shank was the only one arrested in connection with our riot last September, all three subjects are well known to our Detective Section, and the opinion there, is that they are agitators and will foment trouble whenever the opportunity presents itself.

I have here a copy of a report of arrest of "Willie Shanks," where he was arrested 6/15/67 in the investigation of inciting to riot in [Dayton] Ohio and charged with disorderly conduct. And he was with some other fellows there at the time. Then "Willie Shank, Jr.," again arrested September 1, 1966, inciting to riot and disorderly conduct. He has a very extensive record for a young man. I have copies of his criminal records here.¹ I have a copy of a criminal record of Leroy Williams² and also of Michael Early,³ and I have a picture of Willie Shank, Jr.

This is quite a lengthy file. If you want me to go into it a little deeper than that—

Mr. SMITH. I think it will be satisfactory if we accept the file for the record.

Mr. Chairman, I make a request that we accept this documentation for the record.

Mr. ICHORD. There being no objection, it will be admitted.

(Documents marked "Felicetta Exhibit No. 14" and retained in committee files.)

Mr. SMITH. Mr. Chairman, in a letter to this committee from the police department, city of Dayton, Ohio, dated June 6, 1968, the committee is informed that on 2-7-68, Leroy Williams was arrested in Dayton on an armed robbery warrant and was convicted on a charge of breaking and entering, daytime, and that he was involved in the racial disturbance, in that city, of 9-20-67.

He is now serving a sentence in the Ohio State Reformatory of 1 to 5 years at Mansfield, Ohio.

Mr. Chairman, in reference to the arrest of Willie Shank in Dayton on June 15, 1967, I would like to state the following information for the record: Dayton, Ohio, was the scene of 2 nights of vandalism,

¹The arrest records use the names "Shank" and "Shanks." His signature on another document, however, is "Willie Shank." The record also reveals he was observed in the act of fighting and attempting to get other persons to engage in disturbances. On June 15, 1967, Shank was involved in a racial disturbance in Dayton and charged with disorderly conduct, fined \$50 and costs, and sentenced to 30 days in jail. Both the 30 days' sentence and \$25 of the \$50 fine were suspended, and he was committed to the Correction Farm to serve the remainder of his fine. According to a letter to the committee from the Department of Police, City of Dayton, Ohio, dated June 6, 1968, Shank had also been arrested in September 1966 during a racial disturbance, and that case was disposed of in a similar manner to the above. The report also stated that Shank has an extensive record with that department as a juvenile offender.

²Leroy Williams, according to the referenced Dayton Department of Police letter of June 6, 1968, has an extensive juvenile offender record. He was arrested on Feb. 7, 1968, in Dayton on an armed robbery warrant, which was reduced to breaking and entering, daytime, for which he was tried, convicted, and sentenced on Feb. 29, 1968, to 1 to 5 years, which he is now serving in the Ohio State Reformatory. The report stated he was involved in the Dayton racial disturbance of Sept. 20, 1967, but that no charges were filed against him.

³The Dayton Department of Police reported no record of Michael Lee Early being involved in any racial disturbances in that city.

looting, and arson on June 14–15, 1967. Before order was restored, at least seven buildings had been damaged or destroyed. Damages were set at \$125,000 to \$150,000. Newspapers reported that 120 arrests had been made, many of them juveniles. Six people were injured, but no deaths were reported.

The police and city officials placed the blame for the incidents directly on H. Rap Brown. The new head of SNCC had been invited to speak in Dayton by W. Sumpter McIntosh, organizer of a group called the Ohio Freedom Movement. Brown delivered an inflammatory black power speech at the Wesley Community Center on Wednesday evening, June 14. It was over at about 9:15. The first violence was reported by the police at 9:30, 15 minutes later. A white man had been dragged from his car and beaten a few blocks from the center.

According to reports of the speech, Brown had urged the crowd of about 200 to “take the pressure off Cincinnati.” The Cincinnati rioting was then in its 3d day. Brown is also reported to have told the Negro groups, “How can you be non-violent in America, the most violent country in the world? You better shoot that man to death . . . That’s what he has been doing to you.”

After this speech Brown’s aide, Willie Ricks, told reporters that he had—Brown had—come to Dayton, “to make white men get on their knees.”

Jim Fain reported in the *Dayton Daily News* that the violence was not widespread and that it did not involve any appreciable segment of the Negro population. He said it was caused “by a few young people, operating as ‘hit-and-run’ squads, who had been whipped up earlier by an outsider, H. Rap Brown * * *.”

A youth patrol was organized and was credited with helping to quell the disturbance. No other triggering incident was reported.

Now, Commissioner, since order was restored in Buffalo in the beginning of July 1967, have you had continuing or additional racial agitation and related incidents?

Mr. FELICETTA. Yes, the arrest of Martin Sostre; I would like to talk about that next.

We began this investigation just a little before the middle of July of 1967, where we knew that this man was actively involved in the sale of narcotics, and in cooperation with the State police and the Federal Bureau of Narcotics, a place was set up across the street from this bookstore from which photographs were taken of those persons who were going to this bookstore at 1412 Jefferson Avenue.

I have the film here and, with your permission, I will leave it with the committee, provided I get it after you get what you want from it. I wish it would be returned to me because there is one case still pending in court against Martin Sostre and his girl friend.

Mr. SMITH. Thank you.

Mr. ICHORD. Well, Mr. Counsel, why don’t you look over the material that he has and then see that it is returned.

Mr. SMITH. Right. We will do that.

Mr. FELICETTA. Anyway, after securing a search warrant on the evening of July 14 of ’67, the premises were entered in the early morning of July 15, and Martin Sostre and his girl friend, Geraldine Robinson, were both arrested for possession and sale of narcotics and for assault upon police officers.

Marked money used in the transaction—in both transactions, there were two of them—was found on him and on her. And the buy just prior to the time that the police went into the place to make the arrest was made by an informant with marked money, plus a Negro State trooper that is not familiar to those living in Buffalo, and they were arraigned, they were charged, as I said, with possession of narcotics, sales of narcotics, and for assault upon a police officer.

On July 17 they were both arraigned before a city court judge, and bail was set at \$5,000 on the Robinson girl; and Sostre, because of a prior felony conviction, had to go to a court of record.

From that point on, this became a most difficult case for the judge. I have an article here, Saturday, October 7, the *Buffalo Evening News*, 1967 [Felicetta Exhibit No. 15-A]:

A defendant accused of selling narcotics said in County Court Friday that he was "being legally lynched" and demanded to act as his own lawyer.

Martin Sostre, operator of the Afro-Asian Book store, 1412 Jefferson Ave., loudly protested to Judge Frederick M. Marshall—

Who, incidentally, is a county court judge, which is a court of record—

that "the lawyers have taken my money, my witnesses have been intimidated by your white goon squads, and you have refused to set a reasonable bail."

Mr. Sostre, asked repeatedly by court attendants to lower his voice, refused to stop talking for nearly 10 minutes until Judge Marshall told him: "You've said enough."

His answer was:

"No, I haven't," the defendant argued, but later fell silent. Judge Marshall said he silenced Sostre because "you are saying things which may tend to prejudice your case."

Sostre said: "I have made a survey of all the inmates in the County Jail and none of them have \$25,000 bail."

It goes on to say:

He is in jail on charges of selling narcotics on July 14 and 15. The bail originally was \$50,000 but was lowered to \$25,000 by Judge Marshall.

Sostre argued that his bail was set high because "you crackers are attempting to take revenge against me."

He argued in court that the judges and police were trying to take revenge because "I was the only one distributing Socialist-orientated [sic], Black Nationalist literature when we tried to burn down the East Side."

"But we're going to break up your world, Whitey, so you'd better rot in that chair as long as you can," the defendant told Judge Marshall.

The defendant appeared in court after writing a letter to Judge Marshall in which he requested permission to act as his own lawyer, relieving attorney Herald Price Fahringer.

Herbert H. Blumberg, who appeared for Mr. Fahringer, told the court:

"I believe that the records will show that we have received \$400 from this defendant, most of it being paid by his associates. For this, I believe the records will show, we rendered considerable legal service."

Judge Marshall assigned attorneys Joseph D. Mintz and Ray Ellis Green to help Mr. Sostre defend himself and set the trial for an indefinite date next week.

The next article that I have here is—

Mr. ICHORD. Mr. Commissioner, at that point, the Chair will have to declare a brief recess in order to answer the rollcall.

The committee will be in recess for a few minutes.

(Whereupon, at 11:27 a.m. the subcommittee recessed and reconvened at 11:55 a.m., with Representatives Ashbrook and Watson present at time of reconvening.)

Mr. ASHBROOK (presiding). The subcommittee will resume.

Mr. Felicetta, we will continue with your testimony.

Excuse the interruption, but you know how this is.

Mr. FELICETTA. Yes, sir. Thank you.

An article in the *Buffalo Evening News*, Tuesday, October 10, 1967 [Felicetta Exhibit No. 15-A], wherein "Sostre Wins Right For Review of Bail In Narcotics Case," and I don't believe it is necessary, unless you want me to, to go into detail, but I do want to bring out some quotes here, where Sostre asked the judge, Jacob A. Latona, who was a county court judge, now retired, he said:

"I wish to request that you disqualify yourself . . . You are nothing but a racist bigot in judicial robes," the defendant told the judge.

"Judge Marshall"—Excuse me. This is Judge Marshall I am talking about, not Judge Latona—

Judge Marshall refused to disqualify himself.

Sostre said the fact that "not one other person in Erie County Jail has \$25,000 bail . . . proves that you are using me as a scapegoat."

Referring to the bail, Sostre told the court: "I wouldn't leave Buffalo. Buffalo is my home. I want to be here when Detroit comes to Buffalo."

Judge Marshall said he refused the motion and he also refused a motion to change the venue of the trial.

Sostre came before the judge seeking a bill of particulars as to the exact charges filed against him and the name of the police informant who allegedly bought marijuana from him in July.

Judge Marshall granted his request for information but denied the request for a change of venue on the grounds that the request must be made to the Appellate Division in Rochester.

On Monday, February 26, 1968, the trial of Martin Sostre was supposed to commence, but it was temporarily adjourned, and at that time, during the calendar call, comedian Dick Gregory, who was in Buffalo on some other matter, came to the courtroom and he told newsmen that he was there to observe the Sostre proceedings at the request of Sostre's defense committee, who suggested he visit the court to take a look at the situation.

Gregory said in the court that "police look for a scapegoat in every city in the country where there has been rioting."

Gregory said that he suggested to Sostre's defense committee that they call in the United States Department of Justice to determine whether there had been any civil rights violations in this case.

Gregory said if there is no satisfaction there, he will return to Buffalo later for meetings and rallies to inform the community of the type of proceedings that are going on.

Gregory told newsmen that Sostre's bail was "excessive" and said this was "a very horrible case. It is important to focus nationwide attention on it to force the Government's hand."

Gregory said he had no idea when he might return to Buffalo for the rallies if the plea to the Justice Department failed, but said he planned to get in touch with Stokely Carmichael, the militant civil rights leader.

On March 4, 1968, the trial of Martin Sostre began in Erie County court before Judge Frederick Marshall.

Contrary to previous tactics of ranting and raving in the courtroom, Sostre told Judge Marshall that he refused to participate in what Sostre described as a legal lynching and Sostre made no attempt to

examine prospective jurors or cross-examine any prosecution witnesses.

At the conclusion of each prosecution witness' testimony, Sostre entered one blanket objection to their entire testimony and continued to repeat that he would not participate in this case and said, "I will sit here and read some of my papers, I have a lot of work to do here."

The prosecution rested their case on March 5, 1968, and Sostre still had not cross-examined any witnesses.

Sostre then told Judge Marshall that he had four witnesses he claims were in his place at the time of the sale of Exhibit No. 2, which is the exhibit that refers to this case, and that they will prove to the court that these proceedings are a sham.

Judge Marshall then adjourned the case until March 7, giving Sostre time to produce his alleged witnesses.

There were no witnesses, as there were not four individuals in the premises at the time of the purchase of Exhibit No. 2 as described by Sostre.

During proceedings both days, the Martin Sostre Defense Committee picketed the Erie County Courthouse with placards saying, "SOUTHERN JUSTICE—NORTHERN *STYLE!*" Another one, "Free Martin Sostre From This Legal Lynching," and there were others. (See Felicetta Exhibit No. 15-B, pages 2023, 2024.)

Also during the proceedings the courtroom was filled to capacity, and many interested observers had to be turned away at the door. A substantial portion of the spectators was comprised of members of the Martin Sostre Defense Committee. Their names have already been given.

During the first day of trial, as Sostre was being led from the courtroom, members of his defense committee stood up in the courtroom and applauded as he was being led out by the sheriff's deputies.

On the 2d day of the proceedings, Judge Marshall warned the spectators he would not put up with any more outbursts.

Now, I have an article, again from the *Buffalo Evening News*, on March 5, 1968, wherein seven witnesses tell their part in the raid on Sostre's store.

I could go into all of this, if you care to. I don't believe that it is too important.

Mr. SMITH. I think we can accept that later in the documents.

Mr. FELICETTA. Thank you very much.

Sostre continued to refuse to cross-examine prosecution witnesses upon resumption of the trial. Sostre refused to place any defense into evidence with respect to his four alleged witnesses whom he said would prove his case to be a sham.

Extensive investigation conducted by the attorneys assigned to represent Sostre and by the Legal Aid Bureau failed to locate any such witnesses, and their efforts to locate same were placed into the court record.

Sostre refused to make any summation to the jury and stood mute.

The prosecution summed up, the jury was charged, and after deliberating for slightly more than 1 hour, the jury returned a guilty verdict against Sostre on all three counts. Sentence was set for March 14.

As in the previous days of trial, the courtroom continued to be packed to capacity with members of the Martin Sostre Defense Committee.

Due to anticipated trouble from his committee, the courtroom was also packed with armed policemen and deputy sheriffs, who were both in and out of uniform. This was at the request of the trial judge.

Sostre, being led from the courtroom after his conviction, shouted to his friends, "Is anybody surprised? Don't forget, if it can happen to me it can happen to you," making reference to his previous allegation that he was being framed in this matter.

There is still one count pending against Martin Sostre. I won't go into that, however. I don't want to prejudice that case.

Mr. ASHBROOK. Could I interrupt you?

You said sentencing was on March 14, but I didn't hear what you said his sentence was.

Mr. FELICETTA. He hasn't been sentenced yet. I will get into that, sir.

Mr. ASHBROOK. Oh.

Mr. FELICETTA. Prior to the impaneling of the jury, Sostre continued to harass Judge Marshall, calling him a biased judge. Sostre was told by Judge Marshall that if he made that unfounded remark once more, he would be cited for contempt of court.

Sostre repeated the remark, and Judge Marshall then cited him for contempt of court and said that he would sentence Sostre on the contempt charge upon conclusion of the proceedings.

He continued to make derogatory remarks and refused to observe Judge Marshall's instructions to conduct himself in accordance with the rules of criminal procedure.

Upon Judge Marshall's orders, Sostre was gagged by court attendants.

Prospective jurors were then brought into the courtroom and examined. The gag was removed from Sostre, and he was allowed to examine jurors.

He spent the next couple of hours examining jurors, asking them questions regarding "the unlawful war in Vietnam," their views on open housing, whether or not they socialized with Negroes, whether or not they worked with them, and whether or not they lived with them.

Sostre was cut short on most of his questions, and they were without a doubt objectionable under the law.

Sostre told Judge Marshall the only way he could show the biasedness on the part of the jurors was to bring out these questions.

I have an article here, again from the [*Buffalo Evening*] *News*, March 12 ["Sostre to Dispute Felony Convictions At Sentencing," Felicetta Exhibit No. 15-A]. And honestly this is not premeditated. We have two newspapers in Buffalo, but it seems that the *News* is getting all the articles in here:

Martin Sostre said Monday he will challenge the constitutionality of his March 8 narcotics conviction and a similar 1952 conviction Thursday, when an Erie County judge is expected to sentence him.

The move is expected to slow, but not halt, the sentencing of Sostre, 44, operator of the Afro-Asian Bookstore, 1412 Jefferson Ave.

The disclosure came as County Judge Frederick M. Marshall advised the defendant of his right to have a lawyer at sentencing. Sostre refused the court's offer as he has throughout the trial.

Judge Marshall also notified Sostre that he will be charged with the 1952 conviction for sentencing purposes. The judge could levy a 29½ to 30-year sentence for the heroin sale conviction and an additional 10-year sentence for the second-degree assault conviction if Sostre is adjudged a second felony offender.

Sostre is expected to counter that the felony convictions reported against him were obtained in violation of his constitutional rights. The argument, if made, will be decided by Judge Marshall, who presided over the trial.

Sostre was convicted Thursday in a jury trial on charges of selling heroin to a police informant last July 14, and slashing a policeman during a raid on the bookstore on July 15.

He also was convicted of possession of heroin. Sostre remained mute throughout the trial.

On March 18, 1968, a hearing was resumed for the purpose of determining whether or not there was a 1952 conviction.

On this date the jury reported they found Martin Sostre, defendant in this case, to be the same Martin Sostre that was convicted in Bronx County, New York, in 1952 for a felony narcotics charge and that he was a second-felony offender.

Throughout the proceedings Sostre continued his usual courtroom antics, and upon the determination of the jury, Judge Marshall imposed sentence.

Judge Marshall stated that he rarely commented prior to a sentencing of a defendant but that he was going to make an exception in this case. He then stated, and I quote :

Everybody knows from your actions in this court that you are a vicious and violent person and you are motivated by nothing more than hate.

You have now been unmasked, defrocked and your plan to disrupt the jury system and pervert our laws has miserably failed. You are, plain and simply, a narcotics peddler and you have been preying upon your own people and the people of this community.¹

Sostre was then sentenced as follows: Count 1, sale of narcotics, 25 to 30 years; count 2, assault of a policeman, 5 to 10 years; count 3, misdemeanor, possession of narcotics, 1 year; contempt of court, 30 days.

Judge Marshall ordered the terms of imprisonment to run consecutively.

No date had been set for the trial of Martin Sostre with respect to the other count in the indictment.

Now, there was a young lady arrested, his girl friend. Martin Sostre's girl friend was arrested at the same time that he was, a girl by the name of Geraldine Robinson.

I have her record here [Felicetta Exhibit No. 16]. I would be glad to leave it with the committee, but that case has not been tried as yet.

Mr. SMITH. Mr. Chairman, I request the document be accepted for the committee files.

Mr. ASHBROOK. Without objection, it will be put in the record.

Mr. WATSON. Mr. Commissioner, did you say that this case has not come to trial against this woman?

Mr. FELICETTA. Geraldine Robinson? No, sir, it has not.

Mr. WATSON. Is there anything in the record that we have just inserted, or that information, that might prejudice her case?

Mr. FELICETTA. No, sir. It is a record of her arrest, and it is the only arrest she has ever had.

¹ *Buffalo Courier-Express*, Mar. 19, 1968, p. 19.

Mr. WATSON. Just for background, nothing relating to the present charges against her?

Mr. FELICETTA. Absolutely nothing, sir.

Mr. WATSON. All right.

Mr. SMITH. That is right.

Have you completed?

Mr. Chairman, I request that the documents and photographs the commissioner has used here be accepted for the record.

Mr. ASHBROOK. Without objection, they will be accepted and made a part of the record.

(Documents concerning Sostre arrest and trial records and photographs of picketers marked "Felicetta Exhibits Nos. 15-A and B," respectively; arrest record of Geraldine Robinson marked "Felicetta Exhibit No. 16." Exhibits 15-A and 16 retained in committee files; Exhibit 15-B follows:)

FELICETTA EXHIBIT NO. 15-B

Pictures of March 5, 1968, picket line at Martin Sostre trial



1. Karl Meller 2. Geraldine Robinson 3. Robin McCubbins
 4. Jeanette Merrill 5. Edward Merrill 6. Gerald Gross

Mr. SMITH. Commissioner, has there been any relationship between Martin Sostre and Youth Against War and Fascism, in addition to the fact that Sostre's bookstore sold copies of the Workers World Party paper and the Youth Against War and Fascism magazine?

Mr. FELICETTA. As soon as Sostre was arrested, Youth Against War and Fascism immediately came to his defense, as did the Workers World Party, in their publications, and members of both groups picketed the police station in protest against the arrest of Sostre.



1. Gerald Gross 2. Edward Merrill 3. Jeanette Merrill 4. Geraldine Robinson
5. Karl Meller 6. Robin McCubbins

Among those on the picket line were Gerald Gross, Jeanette and Edward Merrill, and George Provost, mentioned earlier on another picket line, and one Robin McCubbins, M-c-C-u-b-b-i-n-s.

In addition, Gerald Gross, an organizer for Youth Against War and Fascism, appeared at Sostre's arraignment and offered to vouch for his good name so that he could be released without bail. The judge did not accept this offer.

Mr. SMITH. Commissioner, what defense apparatuses—did you have some documents?

Mr. FELICETTA. I have some of the copies of defense committee material.

The Youth Against War and Fascism committee then formed a Martin Sostre Defense Committee, with the address as Post Office Box 382, Ellicott Station, Buffalo, New York 14205.

I have several copies of this paper. It is real long, and I will read any part of it, or I will—

Mr. SMITH. Just use your own judgment in summarizing whatever you care to summarize.

Mr. FELICETTA. Well, we have a picture here in connection with this, which shows a group on February 17, 1968. They were demonstrating in front of the Erie County jail, where Sostre was being held, and amongst them are some of those whose names I have just mentioned.

I have here also a slinger that was distributed, focusing attention to the fact that there is going to be a demonstration on Saturday, February 17, 1968, at 12 noon to 2 p.m.:

Demonstration begins at Erie County Jail (10 Delaware Avenue) at 12 noon, followed by a march to the Federal Court Building (Niagara Square), and will culminate with a street meeting at Lafayette Square.

Sponsors: students for a democratic society, youth against war and fascism, student mobilization, resistance

I would like to read some of this, with your permission.

It is headed in bold print: "RESIST THE GOV'T. REPRESENTATIONS!! support: dr. spock, rap brown, ferber, sostre!"

The Ferber mentioned here is Michael Ferber, who was a Buffalonian who was recently convicted in Boston.

Mr. SMITH. On what charge?

Mr. FELICETTA. He was convicted for burning draft cards, or conspiracy to burn draft cards.

Mr. SMITH. All right.

Mr. FELICETTA. And it goes on:

As the U.S. Government expands its warfare against the peasant guerrillas of Indo-China, spreading its murderous bombings to Thailand, Laos, Cambodia, Burma, and China, the national liberation movements of the Asian peoples have hit back hard, winning victory after victory. Simultaneous with its war escalation, the U.S. war-makers have attempted to intimidate the anti-war movement by escalating its repressions against it. The movement must now take the offensive and *fight back* against all state originated repressions. Like the Asian people are doing, we must hit back hard and win victory for our movement.

They have got, "*Johnson—War Criminal, Spock—Humanitarian*":

Recently, the U.S. Government indicted Dr. Benjamin Spock, pediatrician and world-famous author, Michael Ferber (of Buffalo), graduate student at Harvard University and others of "conspiring to counsel against the draft." This attempt to deprive leaders of the anti-war movement of their constitutional rights of protest is actually a move to cover the war crimes of the U.S. Government. The Johnson Administration stands condemned before world opinion for its war crimes against the Vietnamese people; ill-treatment or deportation of civilian population, murder or ill treatment of prisoners of war, wanton destruction of cities, towns, and villages—in violation of the Nuremberg Tribunal, Johnson criminally has Vietnamese babies deformed by napalm, while Spock, baby-doctor hero of thousands of American mothers, seeks to end this mass murder.

A heading now, "*Black Liberation Fighters Attacked*":

The Afro-American people have long demanded social justice from the white power structure of the U.S. Their appeals have been met with terror, lynch-mobs, police savagery, frame-ups, and sadistic killings. Now their most outspoken leaders have either been killed (Malcolm X, Medgar Evers) or exiled (Paul Robeson, Robert F. Williams) or framed (Le Roi Jones, Rap Brown, Max Stanford, etc.) In Buffalo, Martin Sostre—owner of the Afro-Asian Bookstore and outspoken anti-war critic and Black liberation fighter—was brutally beaten, framed and his store smashed in the summer of 1967. He is still being held a prisoner in Erie County Jail. The anti-war movement must support these brave liberation fighters for Black self-determination without reservation!

Another heading, "*Escalate Anti-War Agitation, Militant Resistance*":

It is clear that the best way to fight back against repression is for the movement to escalate its activity. We must not only show explicit support to victims of repression, but must continue the mass struggle against the war in the streets. We must continue and increase our efforts to galvanize [sic] and mobilize the anti-war sentiments of the people by street demonstrations, anti-war street meetings, and acts of military resistance at induction centers.

Mr. SMITH. If I may interrupt one moment, Commissioner, did I hear you correctly, that they were charging that Sostre had been brutally beaten?

Mr. FELICETTA. Yes, sir.

Mr. SMITH. Apparently by the police? Is that the implication?

Mr. FELICETTA. Yes, sir.

Mr. SMITH. Was that true?

Mr. FELICETTA. The opposite is true. He assaulted four police officers that went in to make the arrest with a legal search warrant.

And the officers knew ahead of time that they were going to be faced with this situation, because this man is known as a very, very vicious individual.

Mr. SMITH. And they used only the necessary restraint to prevent the assault?

Mr. FELICETTA. That is correct, sir.

The defense committee, on April 15, 1968, sent out another slinger, which says:

For over eight long months, Martin Sostre—courageous Black liberation fighter—was held in Erie County Jail, a victim of Buffalo's racist, white power structure and scapegoat for the '67 Black uprising in Buffalo.

On March 5, 1968, Martin Sostre was forced to trial without the benefit of his four witnesses. After 3 days of kangaroo justice, his sham frame-up trial ended and he was convicted. On March 18, he was sentenced to a maximum of *41 years and 30 days* at Attica State Prison (30 miles from Buffalo). Within one half hour after his sentencing, he was rushed to Attica Prison, but at 7:30 A.M. the following morning, he was transferred to Green Haven State Prison at Stormville, New York (about 400 miles from Buffalo)! This is an obvious attempt to isolate him from his community, his friends and his supporters!

Martin Sostre did not spend his last days in Erie County Jail resigned to the legal lynching prepared by the racist hangmen! Instead he was busy preparing his application for a Certificate of Reasonable Doubt (for appeal bond) which, by the way, the petty officials have to this day—almost one month later—prevented him from mailing (their excuse being that money and stamps belonging to Martin have not been sent to Green Haven Prison from Attica Prison where Martin had stayed overnight)!

Among Martin's last wishes before he was convicted and sentenced was that in addition to continuing the struggle against racism and militarism, that an *Afro-Asian Bookstore-in-Exile* be established to carry on the struggle for which he had fought so courageously. An Afro-Asian Bookstore-in-Exile—with periodic bookfairs at U.B. and other places—he felt would serve not only to keep the struggle against frame-ups and kangarooism alive, since once he got sentenced and sent to prison, there would be a tendency for people to forget the case due to lack of publicity in the local press. In addition, it would serve as an outlet for revolutionary, Black liberation literature and anti-fascist literature condemning racism and militarism. Too, he felt it would serve as a fund-raising vehicle to finance the cost of his appeal and the functioning and activities of his Defense Committee.

Official notice of appeal has been filed by Martin's appeal attorney, Mr. Clarence M. Maloney, a prominent Black attorney. The Martin Sostre Defense Committee has retained Mr. Maloney, and efforts are now under way to prepare the necessary legal documents for appeal.

Your help is urgently needed. Funds for costly appeal preparation, legal fees, necessary trips back and forth from Buffalo to Green Haven Prison by Mr. Sostre's attorney for necessary consultation in preparing the appeal brief, for subscriptions to local and national newspapers for Martin so that he will not be isolated from world events which are moving at such a rapid pace, for food packages to Martin (he is allowed only one 15-lb. package each month), for the trial costs for Martin Sostre's co-defendant, Mrs. Geraldine Robinson, whose trial is yet to come (MSDC has retained Mr. Maloney to represent Mrs. Robinson also), etc., etc., etc.

HELP THE DEFENSE COMMITTEE IN ITS STRUGGLE TO FREE MARTIN SOSTRE! THE STRUGGLE IS NOT YET OVER; IT HAS REALLY JUST BEGUN, AND WILL CONTINUE UNTIL MARTIN SOSTRE IS FREE!

DON'T LET MARTIN SOSTRE LANGUISH AND ROT IN RACIST AMERICA'S JAILS! DON'T LET THE 400 MILES BETWEEN HIM AND US BE AN EXCUSE FOR INACTIVITY AND APATHY!

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DID YOU KNOW?

—that Martin Sostre while an inmate at Attica Prison some years ago was mainly responsible for all the legal work that resulted in the Muslims' right to worship inside the prison walls.

—that during Martin's recent sham trial, he was ordered physically gagged with a towel by Judge Frederick M. Marshall whom Martin had referred to as a "biased judge." In a recent meeting before the Western New York Section, Society of Colonial Wars and two other ultra-conservative organizations, Marshall stated that he was "sick and tired of the long hairs, beatniks, the ultra-liberals, the unwashed, the exhibitionists." He continued, "And I despise their marching, their singing, their bleating, rabble-rousing, placard-carrying and card burning." * * * It seems very clear to us that these utterances reek of the very bias, hate and contempt for anything progressive that Martin saw so clearly in Marshall.

I would like to say that—

Mr. SMITH. Mr. Chairman, I request that these documents be accepted for the record.

Mr. ASHBROOK. Without objection, they will be received in the record.

(Documents and photograph marked "Felicetta Exhibits Nos. 17-A and B," respectively. Portions of Exhibit 17-A and Exhibit 17-B appear on pages 2028-2031.)

Mr. FELICETTA. I would like to make one comment regarding this most difficult trial that Judge Marshall went through.

He leaned backwards to make certain that that man's constitutional rights were protected in every instance.

And this man was there for only one reason: to disrupt this system. And because of this Judge Marshall became ill. It was a very, very, most difficult case to try.

Mr. SMITH. Mr. Chairman, at this time, I request the committee stand in recess until after lunch, when we will continue with testimony.

Mr. ASHBROOK. The commissioner will be back at that time? We have some questions.

Mr. SMITH. Yes, sir. He will resume his testimony at that time.

Mr. ASHBROOK. The committee will stand in recess until 2 p.m.

(Whereupon, at 12:25 p.m., Thursday, June 20, 1968, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

FELICETTA EXHIBIT NO. 17-A

RESIST THE GOV'T. REPRESSIONS!!

support: dr. spock, rap brown, ferber, sostre!

Fight Back Against Repressions

As the U. S. Government expands its warfare against the peasant guerrillas of Indo-China, spreads its murderous bombings to Thailand, Laos, Cambodia, Burma, and China, the national liberation movements of the Asian peoples have hit back hard, winning victory after victory. Simultaneous with its war escalation, the U. S. war-makers have attempted to intimidate the anti-war movement by escalating its repressions against it. The movement must now take the offensive and fight back against all state originated repressions. Like the Asian people are doing, we must hit back hard and win victory for our movement.

Johnson -- War Criminal, Spock -- Humanitarian

Recently, the U. S. Government indicted Dr. Benjamin Spock, pediatrician and world-famous author, Michael Ferber (of Buffalo), graduate student at Harvard University and others for "conspiring to counsel against the draft." This attempt to deprive leaders of the anti-war movement of their constitutional rights of protest is actually a move to cover the war crimes of the U. S. Government. The Johnson Administration stands condemned before world opinion for its war crimes against the Vietnamese people: ill-treatment and deportation of civilian population, murder or ill treatment of prisoners of war, wanton destruction of cities, towns, and villages -- in violation of the Nuremberg Tribunal. Johnson criminally has Vietnamese babies deformed by napalm, while Spock, baby-doctor hero of thousands of American mothers, seeks to conceal this mass murder.

Black Liberation Fighters Attacked

The Afro-American people have long demanded social justice from the white power structure of the U. S. Their appeals have been met with terror, lynch-mobs, police savagery, frame-ups, and sadistic killings. Now their most outspoken leaders have either been killed (Malcolm X, Medgar Evers) or exiled (Paul Robeson, Robert F. Williams) or framed (LeRoi Jones, Rap Brown, Max Stanford, etc.) In Buffalo, Martin Sostre -- owner of the Afro-Asian Bookstore and outspoken anti-war critic and Black liberation fighter -- was brutally beaten, framed and his store smashed in the summer of 1967. He is still being held a prisoner in Erie County Jail. The anti-war movement must support these brave liberation fighters for Black self-determination without reservation!

Escalate Anti-War Agitation, Militant Resistance

It is clear that the best way to fight back against repression is for the movement to escalate its activity. We must not only show explicit support to victims of repression, but must continue the mass struggle against the war in the streets. We must continue and increase our efforts to galvanize and mobilize the anti-war sentiments of the people by street demonstrations, anti-war street meetings, and acts of militant resistance at induction centers.

- protest** INDICTMENTS OF SPOCK, RAP BROWN, FERBER, SOSTRE AND OTHERS!
demand IMMEDIATE AND UNCONDITIONAL WITHDRAWAL OF ALL U. S. TROOPS FROM VIETNAM!
demonstrate: saturday, february 17, 12 noon - 2 p.m.

Demonstration begins at Erie County Jail (10 Delaware Avenue) at 12 noon, followed by a march to the Federal Court Building (Niagara Square), and will culminate with a street meeting at Lafayette Square.

speakers: students for a democratic society, youth against war and fascism, student mobilization, resistance

FELICETTA EXHIBIT No. 17-A -Continued

DEFENSE COMMITTEE

*p.o. box 382 ellicott station
buffalo, new york 14205*

April 15, 1968

For over eight long months, Martin Sostre -- courageous Black liberation fighter -- was held in Erie County Jail, a victim of Buffalo's racist, white power structure and scapegoat for the '67 Black uprising in Buffalo.

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FELICETTA EXHIBIT No. 17-A--Continued

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.....
D I D Y O U K N O W ?

----- that Martin Sostre while an inmate at Attica Prison some years ago was mainly responsible for all the legal work that resulted in the Muslims' right to worship inside the prison walls.

----- that during Martin's recent sham trial, he was ordered physically gagged with a towel by Judge Frederick M. Marshall whom Martin had referred to as a "biased judge." In a recent meeting before the Western New York Section, Society of Colonial Wars and two other ultra-conservative organizations, Marshall stated that he was "sick and tired of the long hairs, beatniks, the ultra-liberals, the unwashed, the exhibitionists." He continued, "And I despise their marching, their singing, their bleating, rabble-rousing, placard-carrying and card burning." (Buffalo Evening News, 4-5-68) It seems very clear to us that these utterances reek of the very bias, hate and contempt for anything progressive that Martin saw so clearly in Marshall.

FELICETTA EXHIBIT No. 17-B



Demonstrations at Erie County jail, 10 Delaware Avenue, Buffalo, New York,
February 17, 1968

AFTERNOON SESSION—THURSDAY, JUNE 20, 1968

(The subcommittee reconvened at 2:30 p.m., Hon. John M. Ashbrook presiding.)

Mr. ASHBROOK. The subcommittee will come to order to continue with the testimony of Police Commissioner Felicetta of Buffalo.

Thank you for returning.

Mr. FELICETTA. Thank you.

Mr. ASHBROOK. Mr. Counsel, do you have further questions?

Mr. SMITH. Yes, sir.

TESTIMONY OF FRANK N. FELICETTA—Resumed

Mr. SMITH. Commissioner Felicetta, at this morning's session you made mention that certain persons were members of SNCC. Does SNCC have a chapter in Buffalo and, if so, do you have any information on it?

Mr. FELICETTA. We have some confidential information that George Harris is now chairman of the Buffalo branch of SNCC and that Frederick Hudson, who was referred to in this morning's testimony, will be program chairman of SNCC.

During the disturbances in 1967, both of these people were working for VISTA, and then, also during the disturbances, as I testified, Frederick Hudson was arrested and later discharged.

Additionally, I have a report here from Floyd J. Edwards, who at the time that this report was written, which is August 1, 1967, was an assistant chief of detectives. Since that time he has been promoted, by virtue of his standing on his civil service list, to the rank of captain.

I will read his report:

On 7-18-67, I spoke to a group of young Negroes at the JFK Community Center on Clinton St. The main speaker at this meeting was a young Negro, about 25 yrs. named John Wilson, the fund raising chairman (National) for SNCC. He is from Chicago, Illinois. His whole approach was one of hate and to appeal to the worst in the young audience.

He impressed upon the kids that the black men in America don't want integration, we want our own, now . . . He insulted all white people in the audience and called Dean Rusk a "Hunkey Fool"——

Mr. ASHBROOK. A What?

Mr. FELICETTA. Hunkey fool.

—Robert McNamara, a hunkey warmonger. He appealed to the Negro boys to refuse to serve in the armed services. He told all, that the Negro doesn't need whitey conservatives, or liberals, ours is a black man's problem and the black man should solve it alone, by taking what we want.

I also have here a copy of *The Spectrum*, dated February 20, 1968, which is the newspaper at the State University of New York at Buffalo, which contains the information that was in a leaflet that I presented this morning regarding the protest when Dr. Spock and Michael Ferber were indicted, and also it makes mention of:

"In Buffalo, Martin Sostre . . . was brutally beaten, framed and his store smashed. * * * The anti-war movement must support these brave liberation fighters for Black self-determination without reservation."

Mr. SMITH. Mr. Chairman, I request that these documents be accepted for the record.

Mr. ASHBROOK. They will be received for the record.

(Documents marked "Felicetta Exhibits Nos. 18 and 19," respectively, and retained in committee files.)

Mr. ASHBROOK. Proceed.

Mr. SMITH. Mr. Chairman, at this point I would like to read into the record the following information on John Wilson, based on material in the committee's files:

John A. Wilson was born on September 29, 1943, in Baltimore, Maryland. He has been active in militant Negro organizations since he was a student at Maryland State College, Princess Anne, Maryland, and served as chairman of the Student Appeal for Equality at that college in 1964.

In 1964, John Wilson was one of six individuals who met in Chester, Pennsylvania, and formed the militant Negro organization called ACT. (This organization, ACT, has been described in part 1, pages 917, 918, of this committee's hearings on this subject.)

Wilson has been an active member of SNCC for the past several years and has served that organization as its New York field organizer. He has also been cited as a national spokesman for SNCC.

John Wilson was one of a group of Americans who visited with representatives of the National Liberation Front and North Vietnam in Bratislava, Czechoslovakia, last summer.

When he returned, Wilson served as cochairman of the National Mobilization Committee To End the War in Vietnam, which organized the march on the Pentagon on October 21-22, 1967.

In late January 1968, the National Black Anti-War Anti-Draft Union was formed. John Wilson was elected its national chairman.

Commissioner, have there been any further disturbances in Buffalo since the one that began on June 27 through 30, 1967?

Mr. FELICETTA. The only other one worth while mentioning was a little trouble that we had on April 6 of this year. It only lasted 1 night, where a group of youngsters were given permission to conduct a prayer service in the downtown area, and after they broke up and headed towards their neighborhoods again, they proceeded to break some windows along our main street. It lasted 1 day.

Mr. SMITH. Mr. Chairman, this concludes the staff interrogation of Commissioner Felicetta.

Mr. ASHBROOK. Thank you, Mr. Counsel.

I was interested in at least one point that I thought might be expanded, if you have the facts at your command right now.

You made reference to instructions in Molotov cocktails. We have had this come up at various hearings, various aspects of the riot situation in various cities. We have had it in Harlem; we had it in Newark, New Jersey.

Could you tell us the extent to which this was involved in the movement in Buffalo, the advocacy and the instructions in the use of Molotov cocktails?

While they have not been used yet, it has been our experience where there is exhortation to violence, sooner or later it follows. And if we have a pattern throughout the country of advocating the use of such devices and instruction in their use, it is our fear that sooner or later we might have these very dangerous, destructive items used.

Different than guns, that we are talking about now, this would really be something that could develop into terrorism, so anything that you could add to the record would be most helpful at this point.

Mr. FELICETTA. Yes, sir, Mr. Chairman.

In talking to—I read a report attributed to one of the youngsters who was involved in throwing some of these Molotov cocktails, and he was asked how this came about and he stated that it was customary for the kids to secure gasoline by going to the gas pumps after the gas stations were closed and draining the hoses, because there is always a certain amount of it in the hose after the mechanism is shut off.

He also said that because the gas stations wouldn't sell gasoline in containers during these times, that their friends would fill their tanks with gas, and these kids would drain it from the tank.

He also said that they would pick up bottles, preferably pint bottles, and fill the contents with gasoline and put some sort of a wick—it could be rope or it could be multiple strands of string—and seal it with vaseline or grease, light it, and throw it.

Off the record for 1 second, please.

(Discussion off the record.)

Mr. ASHBROOK. I would see no reason why that shouldn't be on the record.

If you want to, proceed and summarize that for the record.

Mr. FELICETTA. All right.

Information has reached us that a new substitute for Molotov cocktails is now being used, and it is referred to by many names, but one of the names that I know it by is "traveling jelly."

Mr. ASHBROOK. Traveling jelly?

Mr. FELICETTA. Traveling jelly. It is, as I understand it, a plastic container to be held in the hand with two or three chemicals, separated by plastic, in the container, and one of them, I understand, is a metal. And just as soon as the separators or the case is fractured or cracked, a chemical reaction takes place when these substances mix and they burn violently.

Mr. ASHBROOK. Going back to what you said earlier in your statement, there were actual instances, then, of Molotov cocktails being thrown?

Mr. FELICETTA. Yes, there were.

Mr. ASHBROOK. I take it they were directed at buildings, rather than at groups of people.

Mr. FELICETTA. That is correct.

Mr. ASHBROOK. In this case, used as fire bombs?

Mr. FELICETTA. That is correct.

Mr. ASHBROOK. Further on this same matter, because it is of some interest, we see it everywhere, and, of course, it is the type of thing we don't see great evidence of now, but as long as they are talking about it, preparing for it, and exhorting the use, we must figure that sooner or later it will be used, as with Molotov cocktails. You have given us a statement that they were used in some instances.

Do you have any record of dynamite being used in any instance?

Mr. FELICETTA. No, sir, we do not.

Mr. ASHBROOK. Well, Mr. Commissioner, we have another vote over there.

I am wondering if you have any general statement you would like to make in concluding your very fine and illuminating testimony.

Mr. FELICETTA. Yes, sir, I do have.

Because I felt that you would ask me this question, I prepared something while I was having a bite to eat.

I have traveled all over this country, attending conferences and seminars on civil disturbances in the last couple of years, and many police departments throughout the country seem to have similar problems.

Groups which advocate the destruction of our society have been making the police their major target.

We become natural enemies because of the fact that we are called upon when these civil disturbances take place, and we don't move in by choice; we must move in because this is our job. So, because we are present there, we become the natural enemy.

Since many of these organizations cross State lines, perhaps the Federal Government could provide the legal tools to cope with these activities. Their directions must be reversed.

That's all I have to say on that statement.

A closing statement, however, Mr. Chairman: I came to Washington here yesterday afternoon and I met with Herb Romerstein, and around 7 o'clock last night I came to the office adjoining this hearing room, wherein I met Director Francis McNamara and your general counsel, Chet Smith.

Oftentimes, those of us who have staff don't realize that they are dedicated people. Maybe you don't know how dedicated these people are, but I want to say this, and it may be a little embarrassing to those that are going to hear me say this. I stayed here until about 1:30 this

morning with these three gentlemen that I just mentioned, preparing the testimony that was going to be given here this morning.

Mr. Romerstein and myself left here, and we went to my hotel room, where we worked another hour in getting everything shaped up so that we could do it with not too much waste of time.

And I certainly want to thank them for being so generous to me, being so kind, and they made my stay here a very, very happy one.

Mr. ASHBROOK. Commissioner Felicetta, I certainly appreciate your kind comments for the men who work behind the scenes—quite often, as you point out, without a great amount of glory and quite a bit of condemnation by unthinking people—for this committee.

We have recognized this for a long time and we are glad that you do, and as far as your testimony is concerned, I want to thank you for coming to Washington to testify in these hearings.

It is obvious that you have done a lot of careful work in the preparation for your appearance here, and the committee is very grateful for that. It will be very obvious in the printed record.

I would point out that we will bring the printed record to the attention of other Members of this body, so you have added to the permanent record of facts that we are compiling regarding this very serious problem in our country.

These facts that you have cited make it clear that subversive elements are and have been at work in Buffalo in the area of racial agitation prior to, during, and since the riot which took place at the end of last June.

You have shown links between these elements and Peking and Communist organizations outside of Buffalo itself. Your testimony and the exhibits you have presented have demonstrated that Communists and other organizations are actively promoting the dissemination of inflammatory racist literature and that groups of this type in Buffalo have the cooperation and support of similar groups in other cities.

And that's what I mean when I say you add to the record that we have been compiling, because it does tie together in very definite form, which will take shape even more lucidly when it is all presented and all completed.

But I want to congratulate you for your excellent presentation. I wish that not only all members of the committee, but all Members of the Congress had had an opportunity to hear your testimony, and the printed record will certainly bring it to their attention. So I thank you for the committee and for the entire Congress.

Is there nothing else to come before the committee?

Mr. SMITH. Yes, sir; we have one more witness.

Mr. ASHBROOK. One more witness. We had probably better recess, then.

Thank you again, Commissioner Felicetta. We certainly appreciate all you have done.

The subcommittee will stand in recess until 3 p.m.

(Whereupon at 2:45 p.m. the subcommittee recessed and reconvened at 3:07 p.m., with Mr. Ashbrook presiding.)

Mr. ASHBROOK. Very well.

Mr. SMITH. Mr. Chairman, I would like to call to the stand Mr. Herbert Romerstein, investigator for the committee.

Mr. ASHBROOK. Do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROMERSTEIN. Yes, sir.

TESTIMONY OF HERBERT ROMERSTEIN

Mr. ASHBROOK. Be seated, please, and state your name.

Mr. ROMERSTEIN. My name is Herbert Romerstein.

Mr. SMITH. What is your employment?

Mr. ROMERSTEIN. I am an investigator for the House Committee on Un-American Activities.

Mr. SMITH. Mr. Romerstein, were you, as investigator of the committee, assigned to work on this hearing concerning racial agitation and disorder in Buffalo?

Mr. ROMERSTEIN. Yes, sir, I was.

Mr. SMITH. Have you developed information which supplements that given to the committee by Commissioner Felicetta?

Mr. ROMERSTEIN. Yes, sir; I have developed some additional information to supplement the testimony of the commissioner.

Mr. SMITH. Would you please proceed to present your information?

Mr. ROMERSTEIN. Yes, sir.

There were two persons mentioned by Commissioner Felicetta as active in the demonstrations on behalf of Martin Sostre at the time of his trial and active in demonstrations during the racial disturbances in Buffalo. These were Joel Meyers and Gerald Gross. I would like to present some additional information concerning them.

The two newspapers in Buffalo last year—I think the *Courier-Express* and *News*, 7-20-67 [Romerstein Exhibit No. 1-A], reported that:

Joel S. Meyers, a member of the Buffalo executive committee of Youth Against War and Fascism (YAWF), will appear in Federal Court Wednesday to answer a charge of violating the Selective Service Act.

Meyers, 23, of 484 Fourth St., was arrested Wednesday in his home by FBI agents who charged him with refusing to submit to induction into the armed forces.

It goes on to describe the arraignment of Meyers and says:

Neil J. Welch, special agent in charge of the Buffalo FBI office, said it was necessary for his men to force open the door of Meyers' apartment after he refused to admit them when told they had a warrant for his arrest.

Welch explained that Meyers, a native of Brooklyn who moved to Buffalo about two years ago, was ordered to appear at Ft. Hamilton, N.Y., for induction last May 4.

A similar story appeared on 7-27-67 in the *Buffalo Evening News* [Romerstein Exhibit No. 1-B] and identified Meyers again as a member of Youth Against War and Fascism.

Articles have appeared in *Workers World*, the publication of the Workers World Party, the parent organization of Youth Against War and Fascism, signed by J.—that is the initial—J. Meyers.

One article on August 27, 1964 [Romerstein Exhibit No. 2], is typical of the type of agitation that has been conducted by this group. The headline reads, "Cop Shoots 2 Kids, 2 Days in a Row," and this is, as I say, typical of the antipolice department agitation, the campaign against the police.

The same newspaper of July 30, 1964 [Romerstein Exhibit No. 3], carries another article by J. Meyers, entitled, "GOP's No. 2 Fascist Picketed in Buffalo," and the adjoining story is sort of interesting. It is entitled "Youth Chairman Protests Arrest of Epton and Injunction Against Demonstration in Harlem," and it says that:

The chairman of Youth Against War and Fascism today protested the police ban on the Harlem Defense Council march and demanded the release of two arrested leaders of the proposed action.

And comments in this vein.

I would like to refer back to part 2 of this series of hearings, in which a police officer testified that William Epton of the Progressive Labor Party was enjoined from organizing a march at the time of the Harlem riot and was arrested when he attempted to lead that march.

This was Youth Against War and Fascism coming out in support of the Progressive Labor Party which organized agitation in Harlem during the Harlem riot.

Mr. Gerald J. Gross, another participant in the demonstrations in Buffalo, both on behalf of Sostre and during the riot, received a letter from the city of Buffalo Department of Parks, signed by Stanley J. Stachowski—that is S-t-a-c-h-o-w-s-k-i—addressed to Mr. Gross in his official capacity as chairman, Youth Against War and Fascism, 241 Trenton Avenue, Buffalo, New York, and this relates to a request by Mr. Gross for Youth Against War and Fascism to hold a street-corner meeting against the war in Vietnam on February 17, 1968 [Romerstein Exhibit No. 4].

Also, on Meyers, the publication, *Workers' Power* No. 4 [Romerstein Exhibit No. 5], a publication of the Workers' Party of Maryland, without a date, on pages 8 and 9, contains a story concerning Joel Meyers, a member of Youth Against War and Fascism, who created a disturbance when he reported for induction when he was ordered to by Selective Service.

That is all on these two.

Mr. SMITH. Mr. Chairman, I request that these documents be received for the record.

Mr. ASHBROOK. They will be received and made a part of the record.

(Documents marked "Romerstein Exhibits Nos. 1 through 5," respectively, and retained in committee files.)

Mr. ASHBROOK. Please continue.

Mr. SMITH. What else do you have, Mr. Romerstein?

Mr. ROMERSTEIN. With the arrest of Martin Sostre, a number of the organizations that have been involved in racial agitation immediately came to his defense.

We have two issues of *The Crusader*, December 1967 and March 1968 [Romerstein Exhibits 6-A and 6-B].

Mr. ASHBROOK. That is the Robert Williams publication?

Mr. ROMERSTEIN. Yes, sir; this is Robert Williams' newsletter which he has printed in China and sent into the United States and disseminated here.

Mr. SMITH. Is that smuggled in?

Mr. ROMERSTEIN. Well, at the present time they are being sent in unmarked envelopes, in the sense that they have no return address, but directly from Peking, China, to recipients in the United States, and are being carried by the United States Post Office.

These envelopes, interestingly enough, don't even bear a regular postage stamp, but a stamped postage stamp, in the sense that it might be called a franked envelope from the Red Chinese, and is carried into the United States through the regular postal channels. These also come in in bulk and are then disseminated to the various racist groups by the members of Revolutionary Action Movement and other such organizations.

Both of these issues of *The Crusader* carry similar statements, which I would like to read. It is short :

AN APPEAL: SUPPORT FRAME-UP VICTIMS

Fascist forces in the USA are now endeavoring to create a national state of hysteria. Consequently, many Afro-American militants who refuse to sell out and who cannot be intimidated are being framed and imprisoned. A vicious campaign is being waged to destroy effective and potential ghetto leaders. Chief among these are Max Stanford, Rap Brown, Leroi Jones and Martin G. Sostre. Many others are framed in Philadelphia, New York, Chicago, Newark, Detroit, Cleveland, in the South and on the West Coast. As a matter of collective security all anti-fascist forces and partisans of justice must stir themselves and give financial and active support to these victims of fascist kangarooism and tyranny. Oppose the court mob with massive resistance!

As I say, both issues of *The Crusader* carry approximately the same text.

Now, of course, the Workers World Party and its youth affiliate, Youth Against War and Fascism, and its newspaper, *Workers World*, carried a considerable amount of propaganda material on behalf of Martin Sostre.

I would like to read some of the headlines, and in some cases quote from the articles themselves.

Workers World of August 3, 1967 [Romerstein Exhibit No. 7-A]: "Buffalo Frame-Up Of Black Militant." It says:

In the wake of last month's rebellion Buffalo police and federal agents made a midnight raid on the Afro-Asian Bookstore on July 14. They beat up and arrested the owner, Martin Sostre, 44, and charged him with inciting to riot, arson, second degree assault, and possession and sale of narcotics.

I would like to point out that Robert Williams didn't bother to say that Sostre was arrested for narcotics distribution. He just yelled, "Frame-up!" But in the course of the *Workers World* agitation, they do admit that in fact he was arrested for selling narcotics, and since they make a distinction between heroin and marijuana, let me point out that it was heroin that Mr. Sostre was selling.

Mr. ASHBROOK. I might also point out that they failed to mention that Sostre in fact attacked the police officers, who had a legal warrant.

Mr. ROMERSTEIN. Yes, sir. As a matter of fact, a police officer who is personally known to me and who was one of those who attempted to subdue Sostre, was knocked to the ground and his jacket torn as he attempted to place handcuffs on Sostre, who made quite a scene before he was subdued.

The issue of *Workers World* of August 17, 1967 [Romerstein Exhibit No. 7-B], carries: "Letter From A Buffalo Prison—A Black Frame-Up Victim's Reply," in which Martin Sostre himself sends a letter to "my dear Brothers" and describes what he was doing. He says:

By accusing me and our Afro-Asian Bookshop of being the center of dope, subversive, Marxist, Socialist, Communist activities—and of organizing the June "riots" in Buffalo—and then proceeding to destroy the only Black bookshop in the community (the only shop where you could purchase the works of J. A. Rogers, Frederick Douglass, DuBois, Robert F. Williams, Malcolm X, Richard

Wright, Nathan Hare, Le Roi Jones, etc.) the white oppressors have dealt the Afro community a serious blow!

Let me point out, sir, that I have been in Buffalo, and you can purchase the legitimate writings, which are interspersed with the extremist writings in this quotation, in any of the Buffalo bookstores. You can certainly find books, as I have seen, by Richard Wright.

Mr. ASHBROOK. Frederick Douglass.

Mr. ROMERSTEIN. And Frederick Douglass, yes, sir.

You will not find, I think, the writings of Robert F. Williams in any legitimate bookstore, and certainly Sostre was disseminating them. He says:

Ours was the only shop where one could purchase THE LIBERATOR MAGAZINE, BLACK BELT, AFRO-AMERICA, BLACK DIALOGUE, THE PARTISAN, GOLDEN HERITAGE, AFRICAN OPINION, PEKING REVIEW, CHINA RECONSTRUCTS and many other publications from Africa, America and Asia.

The last two, of course, *Peking Review* and *China Reconstructs*, are both official propaganda organs of the Red Chinese Government.

Mr. ASHBROOK. This is the letter that Sostre himself wrote to the *Workers World*?

Mr. ROMERSTEIN. Yes, sir, which they published in their own publication.

Then on October 20, 1967, another headline, "The Story of Martin Sostre. Fighter for Black Liberation Is Frame-Up Victim" [Romerstein Exhibit No. 7-C].

On November 16, 1967, "Fight to Free Martin Sostre, Framed Black Leader, Continues" [Romerstein Exhibit No. 7-D].

Once again, on November 30, 1967 [Romerstein Exhibit No. 7-E], the headline, "Liberation Fighter Gives Judge Lesson on Bail. 'It's for the Rich,' Sostre Argues in Own Case," and it describes the agitation by Sostre during the bail hearing and the insulting remarks made to the judge.

On December 16, 1967, once again, "Martin Sostre"—

I am sorry.

A statement is made by the *Workers World* [Romerstein Exhibit No. 7-F] that they should, "Send Xmas Greetings to a Black Liberation Fighter," specifically, Martin Sostre.

On January 18, 1968 [Romerstein Exhibit No. 7-G], they reported that: "Martin Sostre Tells Racist Judge To Resign in 'Sanity Test' Frame-Up."

One of the judges in the course of the various proceedings on Sostre suggested a sanity hearing for him, and he felt that that was a racist remark and that the judge should resign.

On March 28, 1968, *Workers World* [Romerstein Exhibit No. 7-H] carried the "Court Statement of a True Liberation Fighter," which went into detail about Sostre's sentencing and on the agitation by Sostre in the courtroom at the time of the sentencing. They quote him as saying, "I am not following any fascist rules!" And he said to the judge, "Waive my rights, just like you are waiving the rights of the dissenters, framing up those who oppose the rule of fascism."

He also said:

We must expose fascism. Dissent has come to the courtroom, just as it has come to all levels of society, in the streets, in the universities, in the homes . . . Black militants and their white allies have been framed up because they dissented from the rule of fascist goon squads.

Now, sir, this campaign by Sostre in the courtroom is directly parallel to the program that the Communist Party has advocated for many years in regard to court cases. That is, pack the courtroom with sympathizers to yell and shout and carry on as they have, of course, at hearings of this committee. The defendant in the criminal case insults the judge and insults the jury in order to be cited for contempt. He can then say that he is being persecuted for defending himself. The concept is to make the courtroom a forum for revolutionary propaganda, to talk over the head of the judge and of the court, to appeal to the people on the street, to demonstrate against the court system, and to break down the whole concept of law and order through the courts.

Mr. ASHBROOK. Then he quoted the *People's World*, and so forth, or what you have said.

I think we all recall Judge Medina's trying weeks of taking this type of punishment, but they did not succeed in that case, and I trust they won't succeed in any of these others.

Mr. ROMERSTEIN. Yes, sir. They didn't succeed in the Sostre case. They convicted him and gave him a stiff sentence on his drug peddling.

Once again, on April 25, 1968, *Workers World* [Romerstein Exhibit No. 7-I] appeals: "Aid Needed for Framed Liberation Fighter," and once again, this is for Sostre.

On May 23, 1968, *Workers World* [Romerstein Exhibit No. 7-J] reports that an "Afro-Asian Bookstore in Exile Aids Jailed Liberation Fighter," and reports that:

For over a month now, the Afro-Asian Book Store in Exile has been set up several times a week on the University of Buffalo campus. Members of the Martin Sostre Defense Committee are staffing it and arrangements have been made with several publishers who are replacing stock of Martin Sostre's original store which was destroyed by the police.

Then it goes on to describe the Sostre case.

A rather interesting piece also appeared in the same issue of *Workers World*, May 23, 1968, entitled "University Authorities' Exposed, Denounced at Buffalo U. Big Character Posters Work in U.S. Too." This refers to what the Red Chinese call big character posters, which they post on the walls denouncing people.

Let me read from the story:

The idea for adapting the *dazibao* (big character) wall poster media to the American political scene, as both a method of political expression and a counter to the controlled mass-media, was first conceived of and put into practice by Martin G. Sostre, a Black Liberation leader who was recently framed-up and sentenced to 41 years because of his political activism in Buffalo, New York.

It says further:

Members of Youth Against War and Fascism who had been close to Martin Sostre and active in his Defense Committee put forward the idea of utilizing the *dazibao* media up at the campus of the State University of N.Y. at Buffalo—along the lines initiated by Martin Sostre. The wall posters could be a mode of political expression for the anti-war students as well as a weapon for political agitation. * * *

And it goes on in this vein.

Of course, the posters in Red China have been very widely discussed in the press, and here is the application again of a Red Chinese technique in the United States.

Sostre has also received the support of other such organizations.

The Socialist Workers Party is the group that the Workers World Party split from originally and is an organization on the Attorney General's subversive list and has been described in part 1 of this series of hearings.¹ They also carried a story in their newspaper, *The Militant*, of April 8, 1968, in support of Sostre [Romerstein Exhibit No. 8].

A magazine is being distributed on the campus of Buffalo University, or the State University of New York at Buffalo, called the *Insighter* [Romerstein Exhibit No. 9]—and I suppose that the term “insighter” is meant both ways. It is spelled I-n-s-i-g-h-t-e-r, but “inciter” is what it is. It carries an article in its issue of January 29, 1968, in support of Martin Sostre and, on the front page, a list of the license plate numbers of unmarked police cars in the city of Buffalo, to aid the various extremist groups avoid arrest when they carry out their activities.

One of the most interesting groups to spring up in the Sostre defense is a group called the American Coordination Committee of the Left, operating from Post Office Box 5, Station C, Buffalo, New York, and giving a telephone number of 884-8370. This telephone number was checked and turned out to be the phone number of Edward A. Wolkenstein, W-o-l-k-e-n-s-t-e-i-n, of 158 Oxford Avenue, Buffalo, New York.

Mr. Wolkenstein appeared as a witness before this committee on April 29, 1964, and agitated before the committee in much the same way that Martin Sostre agitated in court. Mr. Wolkenstein had been identified by an FBI undercover agent as a person that he had known in the Communist Party and who had been expelled from the Communist Party on the orders of Benjamin Davis because of his support for the pro-Peking position within the Communist Party.

Mr. Wolkenstein refused to answer any questions concerning the testimony of the FBI undercover agent, but carried on considerable agitation in the hearing room.

His wife jumped up to help him. She had to be escorted from the hearing room.

It made the front pages of the Buffalo paper, which is, of course, the type of publicity that they were anxious to get.

Here is a picture in the *Buffalo Courier-Express* of April 30, 1964, headed “Marshals grapple with Mrs. Edward A. Wolkenstein and her daughter in the hearing room” [Romerstein Exhibit No. 10]. And the stories relate how Wolkenstein agitated, how he shouted at the chairman, how he insulted everybody in sight, and so on.

This is a technique that they have adapted from their courtroom techniques for use at hearings of congressional committees.

There is one other matter that I wish to call the committee's attention to that is not directly related to Buffalo, but rather broader than that.

The Communist Party, U.S.A., held a meeting of its Negro Affairs Commission in New York on October 14 and 15, 1967. The main report to this meeting was made by Claude Lightfoot, one of the national leaders of the Communist Party and the head of their Negro Commission. It relates to the question of violence and racial agitation.

Mr. Lightfoot points out that:

Throughout the Smith Act trials we Communists never renounced force and violence *per se*. We said that at certain historical moments the necessity for armed struggle may be present. * * *

¹ See pp. 899-902.

And while he points out in this speech that this is not yet the time for guerrilla warfare, which of course has been advocated by the Chinese-oriented Communist groups, he does say this:

The present wave of violent actions in the black ghettos by black people is of a defensive nature, and the right of the black people to defend themselves even by force of arms should be supported by all in the country who stand against injustice. * * *

This is open advocacy of racial violence in the cities, although the Communist Party is not yet prepared to advocate the type of guerrilla warfare that the Peking-oriented Communists are prepared to advocate. This type of open advocacy of violence by the Communist Party is indicative of the type of actions that they wish people to take, and as we have seen in a number of cities, people have taken such action after being agitated by these people.

Mr. ASHBROOK. Mr. Romerstein, would you state again for the record the source that you are reading from?

Mr. ROMERSTEIN. Yes, sir. This is a full text of the speech of Claude Lightfoot to the national Negro Commission of the Communist Party, published as a pamphlet by the Communist Party under the title, *BLACK POWER and LIBERATION—A COMMUNIST VIEW*.

Mr. ASHBROOK. Now, what was the date of that publication?

Mr. ROMERSTEIN. The publication itself is dated December 1967, but the speech was made October 14 and 15, 1967 [Romerstein Exhibit No. 11].

Mr. ASHBROOK. That is Mr. Lightfoot of the Communist Party of Illinois, I believe.

Mr. ROMERSTEIN. Yes, sir, he had been, but he is now in New York, operating as a national officer of the party.

Mr. ASHBROOK. He was national committeeman for Illinois and evidently has been moved up.

Mr. ROMERSTEIN. Yes, sir, he has been chairman in Illinois and has been moved higher.

Mr. ASHBROOK. Do you have anything else for the record?

I might add at this point that that has obviously been circulated throughout the country by the Communist Party, as what might be called their battle plan, in an effort to differentiate their advocacy of black power, using militance wherever they possibly can, to distinguish from the Peking variety of the Communist Party.

I think we can see that they will use and manipulate any group, whether it be white or Negro, to their advantage, if at all possible, and I think while they say it is not yet the time, there is every indication that they may not be far from that time when they advocate such force.

Anything else, Mr. Counsel?

Mr. SMITH. Mr. Chairman, I request that all the documents referred to by Mr. Romerstein be received for the record.

Mr. ASHBROOK. They will be received and placed at their appropriate points.

(Documents marked "Romerstein Exhibits Nos. 6-A and B, 7-A through J, 8, 9, 10, and 11," respectively. Exhibits 6-B, 7-A through 7-J, 8, 9, and 10 retained in committee files. Front and back pages of Exhibit 6-A and excerpts from Exhibit 11 follow:)

ROMERSTEIN EXHIBIT No. 6-A



THE CRUSADER

NEWSLETTER

ROBERT F. WILLIAMS, Publisher — IN EXILE —

VOL. 9 — No. 3

DECEMBER 1967

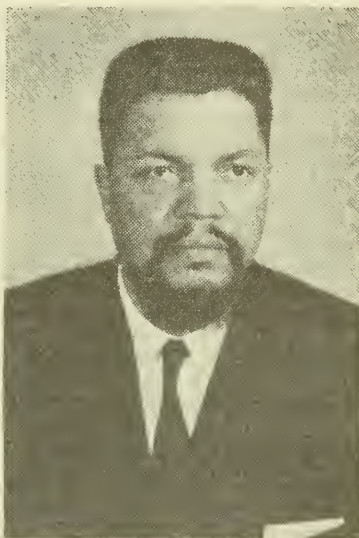
WHY I PROPOSE TO RETURN TO RACIST AMERICA

On July 28, 1967, I wrote a letter to the Union County, North Carolina Clerk of Court which simply stated: "Even though I have never been officially informed as such, I understand from press reports that I am under indictment in Union County. Inasmuch as I contemplate an early return to Monroe, will you please be so kind as to inform me specifically of the charges and statutes under which I am indicted? Also please inform me as to what amount of bail bond your office will require."

This inquiry was carried by one of the wire services and was very widely circulated internationally. As a result of this somewhat unexpected turn of events, many friends and interested parties wrote to me directly expressing disbelief. My close friends are expressing serious concern for my welfare. There is an almost unanimous chorus of voices from abroad warning me that almost certain death awaits me if I return to the so-called free world.

The smaller segment not completely convinced that the U.S. is totally controlled by incorrigible homicidal maniacs, as far as black men are concerned, merely warn me of certain long-term incarceration as the power structure's method of gagging and emasculating me.

Who can say that either assumption is wrong? Above all, I would be the last one to dignify or place faith in the racist American legal system. It is the touchstone of hypocrisy, the great tragedy of a schizophrenic society that honest and sincere citizens of the self-proclaimed guardian of democracy and law enforcer to the entire world are convinced that such a state is incapable of dispensing simple justice unincumbered by racism and a spiteful spirit of vindictiveness. Yes, so is the nature of American justice for its non-Anglo-Saxon peons and captive people. Only the rich and the powerful can afford to have faith in the legal system of the



R. Williams

AN APPEAL: SUPPORT FRAME-UP VICTIMS

Fascist forces in the USA are now endeavoring to create a national state of hysteria. Consequently, many Afro-American militants who refuse to sell out and who cannot be intimidated are being framed and imprisoned. A vicious campaign is being waged to destroy effective and potential ghetto leaders. Chief among these are Max Stanford, Rap Brown, Leroi Jones and Martin G. Sostre. Many others are framed in Philadelphia, New York, Chicago, Newark, Detroit, Cleveland, in the South and on the West Coast. As a matter of collective security all anti-fascist forces and partisans of justice must stir themselves and give financial and active support to these victims of fascist kangarooism and tyranny. Oppose the court mob with massive resistance!

critical justification of a fascist war in Vietnam on the basis of America's love and commitment to universal democracy and social justice. The Monroe Court-in, seminar on kangaroo justice, conference and encampment should be planned to coincide with the coming U.S. farce called elections. The Monroe campaign must also be the beginning of a drive to effect the release of all political prisoners incarcerated inside America.

The outline presented herein is tentative. Suggestions are now being received and urged. All just-minded individuals are asked to make suggestions, present more detailed plans, to volunteer and submit names of persons believed to be qualified for specific tasks of organization, publicity, international liaison, fund raising, legal bureau, coordination, logistics, security, etc. Persons wishing to join in the preparation of the crusade or to make positive offers for the movement can contact me directly by using the address of THE CRUSADER or can write me in care of Attorney Conrad J. Lynn, 401 Broadway—Suite 911, New York, N. Y. 10013 USA.

Yes, I propose to return to confront the racist kangaroo justice of Monroe, North Carolina, USA, because the ultimate mission of the freedom fighter must be to wipe out all forms of unbearable social injustice. The ultimate aim of a Revolutionary Black Nationalist must be to forge the closest possible unity based on common heritage, common suffering and a common faith of common resistance in a common endeavor to overturn a common tyranny. The Revolutionary Black Nationalist must turn his first attention to those who suffer most as brothers in travail and are most victimized by an alien and restrictive society, however, in the final analysis, the Black Nationalist's struggle is a front of the universal struggle for the liberation of all mankind, for human dignity, peace and justice in a prosperous people's world.

"The oppressed peoples and nations must not pin their hopes for liberation on the 'sensibleness' of imperialism and its lackeys. They will only triumph by strengthening their unity and persevering in their struggle."

— Mao, Tse-tung

A very MERRY CHRISTMAS and a fighting NEW YEAR! Make sure and see to it that **Soul Santa** brings you a do-it-yourself survival and liberation kit. In the cool peace of the Yuletide remember the battle of the coming long hot summer.

THE CRUSADER has survived racist attempts at economic strangulation, KU KLUX KLAN harassment and a license conspiracy in the racist USA. It has survived exile in Cuba and attacks by international liquidationists. Now it is struggling to survive a fascist ban invoked by U.S. Postal authorities. Help the indomitable CRUSADER to reach all who would be interested. Order copies to pass along. **KEEP ON PUSHIN'!**

Robert F. Williams, 1 Tai Chi Chang, Peking, China

**BLACK
POWER
and
LIBERATION**

A COMMUNIST VIEW



By Claude Lightfoot

50 cents



ABOUT THE AUTHOR

Claude Lightfoot was born in Lake Village, Arkansas in 1910. At the age of seven, he moved with his family to Chicago, where he has lived most of his life. Among his most vivid childhood memories is the Chicago race riot of 1919, which he witnessed at close hand. It left an indelible imprint on his memory and had far-reaching effect on his later thinking and activities.

In the twenties he joined the youth group of the Garvey movement. He dropped out of high school, then decided to return but was instead drawn into the mounting struggles for jobs and relief that followed the 1929 crash. He joined the Communist Party in 1931 and has been an active and prominent figure in that organization ever since, holding numerous posts of leadership. At present, he holds the position of Secretary of the National Committee in charge of the Department of Negro Affairs.

He is the author of many articles and pamphlets.

The present pamphlet contains the text of a report presented at a National Conference of the Communist Party of the United States, called by its Negro Affairs Commission and held in New York on October 14-15, 1967.

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ROMERSTEIN EXHIBIT No. 11—Continued

BLACK POWER and LIBERATION

A COMMUNIST VIEW

By CLAUDE LIGHTFOOT

Where We Stand Today

It has been historical, as well as current, experience that a coalescence of struggle of black and white at the grass roots level is the main prerequisite for social advance in our country. Yet, at a time when the nation faces unprecedented problems such as war and peace, the growth of a fascist danger and new economic difficulties, to many people black and white unity has become a dirty word. Germs of disunity, germs of a cancerous nature, are circulating in the body of the American people, and unless radical surgery is performed, many of the vital organs will be lost, if not the entire body. Patent medicines no longer suffice to meet this growing crisis.

To help unravel the reasons for this situation, we shall discuss the character of the present period, look into what is new in racism, define the nature of the present wave of black nationalism, discuss methods of struggle required for today, estimate the Communist Party's position on the Negro question in the last nine years. And finally, we shall determine what the vanguard role of the Party is in the circumstances of today.

* * * * *

of the 1950s, we were hounded, persecuted and prosecuted as being in league with a foreign power to overthrow this government by force and violence. Over a hundred and thirty Party leaders were convicted under the Smith Act. Many of them served several years in jail. Some of the young radicals may not remember this period, known to history as the era of McCarthyism. Perhaps some of them were too young to know what went on. But in any case, they should ponder over the experiences of those years, which can be useful as guide to action today.

Throughout the Smith Act trials we Communists never renounced force and violence *per se*. We said that at certain historical moments the necessity for armed struggle may be present. But we held that we were not guilty of a conspiracy to employ force and violence, nor were we guilty of teaching and advocating the necessity of the overthrow of the government by force and violence. Furthermore, we stated, we seek a socialist change through peaceful means. But if the majority should support such a change and if it should become impossible to solve the problems by peaceful means, if the ruling class should block the channels of democratic expression, we would unhesitatingly call for the overthrow of such a government by all possible means, including armed struggle. To this approach American Communists still hold.

The present wave of violent actions in the black ghettos by black people is of a defensive nature, and the right of the black people to defend themselves even by force of arms should be supported by all in the country who stand against injustice. However, it is one thing to defend oneself from attack by all necessary means, and it is another to choose this way as the main method of battle. As Communists pointed out in various Smith Act trials, there may well come a time when other forms of struggle must be supplemented by armed struggle. But this should not be dealt with as if it were a universal necessity. It is a matter of time, place and circumstances.

Before anyone begins talking about the necessity for armed

* * * * *

Mr. ASHBROOK. Anything else, Mr. Counsel?

Mr. SMITH. I have no further questions.

Mr. ASHBROOK. Thank you very much.

Anything else to come before the subcommittee?

If not, we will stand adjourned.

(Whereupon, at 3:33 p.m., Thursday, June 20, 1968, the subcommittee adjourned, subject to the call of the Chair.)

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