

Epton Gets Year in Anarchy Case; Harlem Leader Defends Views

He Is the First New Yorker
Convicted Under 1901
Law in 46 Years

By JACK ROTH

William Epton, the 33-year-old Communist who was convicted of criminal anarchy and spreading the Harlem riots of 1964, was sentenced yesterday to a year in jail. In imposing sentence, Supreme Court Justice Arthur Markewich said Epton envisioned himself "as a hero, a leader, a Lenin, a Trotsky, a Castro."

"But I can't see that at all," Justice Markewich said of Epton, an electrical worker who headed the Harlem branch of the Progressive Labor Movement, an ultraleftist group. "He didn't lead any great cause."

Epton's conviction was the first time in 46 years that a person had been found guilty of criminal anarchy in New York State. The anarchy statute under which Epton was convicted was enacted in 1901, following the assassination of President William McKinley. It was under that law that Benjamin Gitlow, a Communist, was convicted in 1919, sentenced to prison and subsequently pardoned by Gov. Alfred E. Smith.

Justice Markewich said the tall, lanky defendant saw himself as a "martyr who would wear punishment as a medal." And he noted that he was imposing three one-year jail terms not because the court sought vengeance or because it wanted to give Epton the opportunity to enjoy punishment but rather as a deterrent. He added that he was ordering the terms to be served concurrently.

Epton could have received a maximum prison sentence of 12 years and a \$6,000 fine. He was convicted last Dec. 20 of conspiring to riot, of advocating the overthrow of the state government and of conspiring to overthrow it.

Before the sentencing, Epton's lawyer, Mrs. Eleanor J. Piel, spoke for nearly two hours, making motions to set aside the verdict and pleading for leniency for her client.

Then she told the court that Epton wanted to speak himself. Sixty of Epton's sympathizers, friends and relatives were in the court. Outside the Criminal Court's building at 100 Centre Street, 35 pickets paraded chanting, "Free Bill Epton."

Epton rose in the crowded courtroom where 15 court attendants and a number of city patrolmen and detectives continually scanned the audience. Outside the court, a police inspector, captain, lieutenant and a dozen policemen kept order among those waiting in the corridor for the sentence.

Epton read for nearly 45 minutes from the sheets of a long yellow pad.

"I've agitated against the system my people have been forced to live under," the Ne-



Associated Press

William Epton

gro defendant said, as he commenced on a blistering attack against imperialism, capitalism and the United States Government.

"I've fought police brutality and a system of exploitation," he said. "I'm guilty of being against the war in Vietnam. I'm guilty of advocating Socialism. I'm guilty of being a Communist. I'm guilty of being a black Communist. I will fight as long as I have breath. You are desperately afraid of dissent. I agitated for a better way of life for the people of this city."

"Our views and programs are more valid than those of other political parties because we have the solution. It is capitalism that is waging war. We have an imperialist, racist government. This is just the opening shot."

As the lanky Epton, wearing a brown tweed jacket and dark pants, sank back to his seat, his supporters burst into prolonged applause.

Justice Markewich, who appeared bored during Epton's lengthy address, which he later called "puerile," sprang to his feet and directed the court attendants to remove from the courtroom those persons who had been applauding. The attendants guided about 60 persons from the court.

Assistant District Attorney Joseph A. Phillips, who had prosecuted the case against Epton, rose and said only that the District Attorney's office felt that a "jail sentence is appropriate."

Most of Epton's sympathizers apparently had been under the impression that Epton was going to receive a much stiffer sentence and there was little protesting as they rode down the elevators.

Epton, who lives at 1420 Amsterdam Avenue, is married and the father of two children. A jury of three men and nine women, including two Negroes, found him guilty after deliberating for five hours.