

1
2 A He came back and told us what he said--the
3 Honorable Elijah Muhammad said and we took him at his
4 word.

5 Q So you actually never heard any agreement
6 reached between any representative of Muhammad's Temple
7 of Islam, Incorporated and Malcolm X Little?

8 A I don't remember because--he was the minister.

9 THE COURT: I want you to remember
10 that you called this witness yourself.

11 You can cross examine if you want.

12 MR. SUTTON: Is he a hostile witness?

13 THE COURT: I can't read your mind.

14 If you want him as a hostile witness,
15 say so.

16 MR. SUTTON: May I declare him a
17 hostile witness?

18 MR. WILLIAMS: I object on the
19 ground that is is not proved that this wit-
20 ness is hostile.

21 THE COURT: This was a witness for
22 the landlord yesterday. I assume he was
23 not your own witness but I cannot read your
24 mind.

25 MR. SUTTON: For the record, will

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2 you declare him a hostile witness?

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THE COURT: Yes.

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5 Q Then it is a fact that you never heard any
6 agreement reached as between Muhammad's Temple of Islam,
7 Incorporated and Malcolm X Little with regard to the
8 terms of his employment as minister?

8

9 A No, that's not true. He was the one who said
10 it.

11

12 Q Tell us when you heard the agreement reached
13 as between Muhammad's Temple of Islam, Incorporated and
14 Malcolm X Little?

13

A Sometime around 1956.

14

15 Q Who reached the agreement on behalf of the
16 Muhammad's Temple of Islam, Incorporated?

16

17 A He came back with the report from Honorable
Elijah Muhammad, and told us.

18

19 Q You considered that the reaching of an agree-
20 ment between Muhammad's Temple of Islam, Incorporated
21 and Malcolm X Little?

21

A He was the top official. We took what he said.

22

23 Q Is Muhammad the same--the spiritual Muhammad
24 the same person as Muhammad's Temple of Islam, Incorp-
25 orated?

25

A That's what the name is under, yes.

1
2 Q So there are two bodies, one spiritual body
3 and one corporate body?

4 A The spiritual body has its central headquarters
5 in Chicago.

6 MR. WILLIAMS: I object. This
7 calls for an opinion on the part of this par-
8 ticular witness.

9 THE COURT: It's cross examination.
10 He's bound by his answer. If he wants it,
11 he can have it.

12 Q The spiritual body has its headquarters in
13 Chicago, is that right?

14 A He has jurisdiction over--

15 Q You received instructions from him as to the
16 operation of the spiritual body?

17 A Through the minister.

18 Q I see. This is the procedure throughout the
19 country, is that correct?

20 A As far as I know.

21 Q Muhammad's Temple of Islam, Incorporated
22 operated under this procedure, is that correct?

23 A As far as I know, yes.

24 Q What was the method of discharging persons
25 under it, if you know, ministers? What was the method

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1
2 of discharging?

3 A I don't know. That was taken care of by the
4 Honorable Elijah Muhammad himself. We had nothing to
5 do with the discharge of any minister.

6 Q You don't know what that procedure is?

7 A No, sir.

8 Q You don't know the procedure used by Muhammad's
9 Temple of Islam, Incorporated to discharge Malcolm X
10 Little?

11 A We had no jurisdiction to discharge a minister.

12 Q Has Muhammad's Temple of Islam, Incorporated,
13 to your own personal knowledge, discharged Minister
14 Malcolm X Little?

15 A He discharged himself.

16 Q Has the temple discharged him?

17 A He discharged himself.

18 Q Would you answer the question? Has the
19 temple taken any procedure to discharge him?

20 A Yes.

21 Q What was the procedure taken by Muhammad's
22 Temple of Islam, Incorporated to discharge Minister
23 Malcolm X Little?

24 A The letter we wrote.

25 Q The letter which was offered over the tenant's

2 objection and is now marked Landlord's Exhibit 5, is
3 that you say the method of discharging?

4 A We discharged him ourself. We wrote to him
5 on response of what he had said. Since he had publicly
6 said that he was finished and said that, we wrote him a
7 letter in response.

8 Q You asked him?

9 A He was suspended by Honorable Elijah Muhammad.

10 Q He was suspended by Elijah Muhammad?

11 A Yes.

12 MR. SUTTON: Nothing farther of
13 this witness.

14 CROSS EXAMINATION

15 BY MR. WILLIAMS:

16 Q When did the suspension take place?

17 A The suspension took place in December, as far
18 as I know.

19 Q This was from his religious duties?

20 A Yes.

21 Q Subsequently thereto, did he then not come
22 back to the temple at all?

23 A No.

24 Q It was after this that he made these public
25 statements and set up another organization?

MR. SUTTON: Objection. There has been no testimony about him setting up another organization.

THE COURT: There was testimony.

MR. SUTTON: Let's hear it from this witness.

Q It was after that that this letter was sent, Landlord's Exhibit 5, to Minister Malcolm X Little?

A Yes.

Q Has he performed any duties since the time that he publicly declared he disassociated himself from his--

MR. SUTTON: Objection. That's the point we haven't had any statement by him because I would like to question him on it if he does make it.

THE COURT: Let him finish the question. Secondly, your objection is overruled.

MR. SUTTON: May I state my objection for the record?

THE COURT: Let him finish his question. You interrupted him in the middle.

Proceed.

MR. SUTTON: I thought he was through.

MR. WILLIAMS: No, I'm not.

THE COURT: Reframe your question.

Q At any time after Minister Malcolm declared publicly that he was disassociating himself from the body, has he performed any duties as minister?

A No, sir.

MR. SUTTON: Objection. There has been no testimony by this witness that Minister Malcolm publicly disassociated himself.

THE COURT: He said so a few minutes ago.

MR. SUTTON: Did he state it?

THE COURT: I'm not being cross examined.

MR. SUTTON: I'm not. You only said he said it.

THE COURT: Proceed.

Q Is it your testimony that after Minister Malcolm came back to the body and reported to the body that the body then agreed to pay what he said Mr. Muhammad had recommended?

A That's right.

Q Did you consider that the means whereby he was being compensated for his services?

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Gravitt - cross

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2 A Yes.

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MR. WILLIAMS: Nothing further.

4 REDIRECT EXAMINATION

5 BY MR. SUTTON:

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Q You said he publicly stated that he was in sus-
7 pension.

8

A Not in suspension. He publicly stated that
9 he quit.

10

Q When did he say that?

11

A Sometime in March.

12

Q Were you present? Did you hear him?

13

A When he made the statement?

14

Q Yes.

15

A Present with him?

16

Q Yes.

17

A I was not present with him.

18

Q Then you don't know what he said, do you person-
19 ally of your own knowledge?

20

A Personally of my own knowledge, no.

21

THE COURT: All right. Step down.

22

MR. SUTTON: Minister Henry, please.

23

HENRY DAWSON, residing at 120

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Baruch Drive, New York, New York, was called as a

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witness by the respondent, was duly sworn and

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Dawson - direct

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2 testified as follows:

3 DIRECT EXAMINATION

4 BY MR. SUTTON:

5 Q Minister Henry, how long have you been active
6 in Muhammad's Temple of Islam, Incorporated?

7 A Would you explain that, please?

8 Q Muhammad's Temple of Islam, Incorporated is
9 the petitioner here. There is an allegation in the
10 petition that prior to March 1964 your petitioner as
11 employer entered into an agreement of employment with
12 Malcolm X Little, and it is that breakdown that I ask
13 you the question how long have you been a member of--
14 withdrawn. Are you a member of Muhammad's Temple of
15 Islam, Incorporated?

16 A I am at present.

17 Q How long have you been a member?

18 A When you say am I a member--just for clarifi-
19 cation, when you say am I a member, am I a member of the
20 board or what?

21 Q Just a member. Are you a member first?

22 A I have been a member.

23 Q Are you now a member?

24 A I am now a member.

25 Q Have you been a member since 1956, continuously

1
2 since 1956?

3 A I am one of the corporate members.

4 Q Since 1956 you have been a corporate member?

5 A Yes.

6 Q During all of that time up to March 1964 and to
7 the present, was Minister Malcolm X Little also a member?

8 A Not to March 1964.

9 Q Was any--you said not to March?

10 A That's right.

11 Q Well, let me ask you this: Is Minister Malcolm
12 X Little still a member of the incorporated body of
13 Muhammad's Temple of Islam, Incorporated?

14 A No, sir.

15 Q He is not?

16 A No, sir.

17 Q Do you know of any proceeding that took place
18 to remove him from his position of membership?

19 A He left on his own.

20 Q He did, sir?

21 A Yes.

22 Q Did he give notice to you as a member of
23 Muhammad's Temple of Islam, Incorporated?

24 A No, sir, not to me.

25 Q Did you hear him state that he left?

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Dawson - direct

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A I did not hear him state it.

3

Q Then you do not know of your own personal

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knowledge that he left Muhammad's Temple of Islam,

5

Incorporated?

6

A Personally I do.

7

Q Do you?

8

A Yes.

9

Q How do you know?

10

A I know through the New York Times.

11

Q You read it in the newspapers. Is that the

12

only way you know?

13

A Yes.

14

MR. SUTTON: Nothing further.

15

CROSS EXAMINATION

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BY MR. WILLIAMS:

17

Q You haven't seen Minister Malcolm perform any

18

of his duties after March of 1964, have you?

19

A No, sir, he has not.

20

Q Do you know, of your own knowledge, whether or

21

not he is engaged in any work at the present time?

22

A Yes, sir, I do.

23

Q What work is that?

24

A He has formed an organization of his own called

25

the Muslim Mosque, Incorporated.

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2 Q Do you know members of that organization also?

2

3 A Yes, I do.

3

4 Q Were some of these members formerly members
5 of the petitioner organization here?

4

6 A Yes.

6

7 MR. WILLIAMS: No further questions.

7

8 REDIRECT EXAMINATION

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9 BY MR. SUTTON:

9

10 Q This raises a question for me. As a matter
11 of fact, you served as an assistant to Minister Malcolm
12 for over a period of six or eight years.

10

11

13 A I was an assistant, yes, sir.

13

14 Q During that time you saw Minister Malcolm sent
15 out to organize mosques in many sectors of this country?

14

16 A He said he was sent out.

16

17 Q You never went with him?

17

18 A No.

18

19 Q You did see him go out and organize other
20 mosques, didn't you?

19

21 A I saw him go out.

21

22 Q And they incorporated those mosques?

22

23 A I did not see him organize those mosques.

23

24 Q You knew that he did organize them, didn't you?

24

25 MR. WILLIAMS: I object. The witness

25

has answered that he did not.

THE COURT: I don't know. You're trying to break down your own witness, Mr. Sutton.

MR. SUTTON: May I ask that he be declared a hostile witness?

THE COURT: Not now. Finish with your witness.

Q Are you in any structure now withdrawn?

A Yes.

Q What is that structure?

A Muhammad's Temple of Islam.

Q What is your position?

A I'm a trustee.

Q When were you elected a trustee?

A Approximately, March.

Q In March?

A Yes.

Q Was a meeting held for this election?

A Yes, it was.

Q What notice was given of this meeting?

A It was a verbal notice.

Q Is that the only notice you had?

A Best notice.

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2 Q Was this the only notice you had?

3 A Yes.

4 Q And the meeting was called for when?

5 A It was called sometime in March.

6 Q Do you know when in March?

7 A I know it was sometime in March. I don't know
8 the exact date.

9 Q Who was present at that meeting?

10 A Members of the congregation.

11 Q Was this a corporate meeting?

12 A Yes.

13 Q What did the members of the congregation do?

14 A Minister James had appointed me to be a trustee
15 of Muhammad's Temple of Islam, Inc. and he brought this
16 to the members of the congregation.

17 Q Is Minister James the minister of Muhammad's
18 Temple of Islam, Inc.?

19 A Yes, he is the minister assigned by the Honor-
20 able Elijah Muhammad.

21 Q He is now presiding there?

22 A He was sent to us by the Honorable Elijah
23 Muhammad.

24 Q You were appointed by him a trustee of the
25 corporate body of Muhammad's Temple of Islam, Incorporated?

1
2 A With the approval of the members of the body
3 and appointed by him.

4 Q You had a meeting?

5 A Yes.

6 Q As a result of this?

7 A Yes.

8 MR. SUTTON: Thank you very much.

9 THE COURT: All right. Step down.

10 Proceed, counsel.
11 MR. SUTTON: May I have a five-minute
12 recess?

13 THE COURT: All right.

14 (Whereupon, a five-minute recess was had.)

15 THE COURT: Proceed.

16 MR. SUTTON: Minister Malcolm X Little,
17 please.

18 MALCOLM X LITTLE, residing at
19 23-11 97th Street, East Elmhurst, New York, called
20 as a witness by the respondent, was duly affirmed
21 and testified as follows:

22 DIRECT EXAMINATION

23 BY MR. SUTTON:

24 Q Minister Little, would you keep your voice up
25 and tell me, sir, how long have you been a member of

2 Muhammad's Temple of Islam, Incorporated?

3 A Since 1952.

4 Q Incorporated, sir.

5 A Since it was first incorporated in 1956.

6 Q Have your services with Muhammad's Temple of
7 Islam, Inc. ever been terminated?

8 A They have never been terminated.

9 Q Muhammad's Temple of Islam is an incorporated
10 body incorporated in the State of New York, is that
11 correct?

12 A Right.

13 Q Were you one of the incorporators?

14 A Yes.

15 Q Separate and apart from Muhammad's Temple of
16 Islam, Inc., is there a spiritual body, a higher spiritual
17 body that has its local outside of New York City?

18 A Yes.

19 Q What is that?

20 A That's the entire Muslim body known as the
21 Nation of Islam.

22 Q Ministers who handle the various temples--I'm
23 sorry. Withdrawn. The place of worship in each of
24 the cities where there is a member of the Nation of
25 Islam--what is this temple known as?

MR. WILLIAMS: If your Honor, please,

I'm going to object now unless Mr. Sutton is going to qualify this witness as an expert on this particular religion.

MR. SUTTON: I will be happy to.

Q How long have you been in the Nation of Islam?

A Since 1952.

Q How many temples are there in the Nation of Islam, to your own personal knowledge?

A In 1952 there were ten.

Q How many are there today? You don't have to give me the exact number.

A There are more than thirty five outright that are numbered but there is a Temple of Islam in practically-- in most of the cities of this country.

Q Of those how many did you personally organize, sir?

A Well, I was involved in the organizing of practically every one above number ten.

Q So that of all the temples that have been organized since 1950, you had some involvement in their organization, is that correct?

A Yes.

Q Would you say, sir, that during the course of

1

2 this time you got to know the Islamic faith as practiced
3 by the Nation of Islam in America?

4 A Yes, I probably spread it personally in more
5 different cities than all of the rest of the Honorable
6 Elijah Muhammad's ministers combined.

7 Q Would you say, sir, that you had had intimate
8 knowledge of the procedures, practices, customs, rules
9 and regulations of the Nation of Islam in America?

10 A Yes, I have been actively involved in the ad-
11 ministration of more Temples of Islam than any other
12 individual in the Nation of Islam.

13 MR. SUTTON: Would you now concede
14 that he is an expert?

15 MR. WILLIAMS: May I inquire?

16 THE COURT: Certainly.

17 MR. SUTTON: Certainly.

18 EXAMINATION BY MR. WILLIAMS:

19 Q Now, sir, you say that you have been involved
20 with the administration. You don't mean the national
21 headquarters?

22 A Out of the national headquarters.

23 Q Do you have a national position?

24 A Yes, I was the national minister.

25 Q Are you now the national minister?

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A I am in suspension now.

3

Q You are in suspension now, is that your position?

4

A I am in a state of suspension now.

5

Q By whom were you suspended?

6

A By the Honorable Elijah Muhammad.

7

Q Do you still adhere to the Nation of Islam and

8

the Honorable Muhammad's orders and directions?

9

A I am in suspension.

10

Q You say you are in suspension. Does that mean

11

that you do not abide by the directives and the requests

12

of the Honorable Elijah Muhammad?

13

A In a state of suspension--

14

Q Answer my question.

15

MR. SUTTON: Just a moment. Give him

16

an opportunity to answer.

17

THE COURT: I think you both are out

18

of line.

19

First of all you are questioning him

20

as to whether he is qualified and now you

21

are going into cross examination.

22

MR. WILLIAMS: No, I was not cross-

23

examining. Withdrawn.

24

Q Are you familiar with the methods whereby

25

ministers are appointed and removed and how a minister

1
2 can be removed?
3 A Yes.
4 Q Can there be more than one minister in any one
5 particular mosque?

6 A No, there can be--is that with qualification?

7 Q All right. Let me hear it.

8 A In a mosque there can be a minister and then
9 he has other ministers.

10 Q As associate ministers or assistant ministers?

11 A That's correct.

12 Q But there can only be one minister who is
13 actually the spiritual leader?

14 A That has to be qualified.

15 Q He is the head?

16 A This answer has to be qualified. I was the
17 only minister who was a national minister. All other
18 ministers were local ministers. I was a national
19 minister and a local minister.

20 Q Who made you a national minister?

21 A Honorable Elijah Muhammad.

22 Q Is it a normal evangelistic type of thing that
23 you called yourself a national minister?

24 A He called me a national minister. I had never
25 called myself that.

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2 Q Now, he called you now a national minister, is
3 that correct?

4 A No. The designation or title or office of
5 national minister is something that the Honorable Elijah
6 Muhammad set up himself and something that he himself
7 always stated.

8 Q But this is not fixed in the hierarchy?

9 A Yes.

10 Q Is it a part of the structure?

11 A Yes.

12 Q How many are there?

13 A Only one.

14 Q What are the qualifications for it?

15 A He qualified it.

16 Q What was the qualification for it?

17 A Well, the--what made me--

18 Q I am asking the qualifications.

19 A I'm giving you the answer. What made me the
20 national minister was the work that I had done at a
21 national level in organizing the Nation of Islam.

22 Q I'm asking--

23 A No other minister organized or functioned at
24 a national level.

25 Q But there were no other qualifications but what

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2 the Honorable Elijah Muhammad said is the national min-
3 ister, is that correct?

4 A Yes.

5 Q And you followed the Honorable Elijah Muhammad's
6 call yourself as a national minister in the Nation of
7 Islam, is that correct?

8 A I never referred to myself as a--any title.
9 This was the title that he gave, the same as national

10 minister, national captain and national secretary.

11 Q Were you a minister?

12 A Yes.

13 Q Did you consider yourself a minister when you
14 performed your duties?

15 A Yes.

16 Q Before your suspension, as you say, you were
17 minister?

18 A Yes.

19 Q Now, are you familiar with the methods of
20 appointment of the ministers?

21 A Yes.

22 Q Who appoints them?

23 A Honorable Elijah Muhammad.

24 Q Does anyone question this?

25 A No.

1 Q That's absolute, is that correct?

2 A Yes.

3 Q And he appoints one minister to be spiritual
4 leader of each mosque, is that correct?

5 A Yes.

6 MR. WILLIAMS: No further questions.

7 DIRECT EXAMINATION (continued)

8 BY MR. SUTTON:

9 Q Do you know the method of termination?

10 A Yes.

11 Q Tell us that.

12 A Whenever a minister under the Honorable Elijah
13 Muhammed is terminated with his services, he is brought
14 in front of the Muslim body and whatever reason for which
15 he is terminated is stated to that body.

16 MR. SUTTON: Thank you very much.

17 Do you concede he is an expert?

18 MR. WILLIAMS: One other question and
19 then I will concede that he is an expert.

20 EXAMINATION BY MR. WILLIAMS:

21 Q Mr.--

22 A If charges are levelled against him, then he
23 has a chance to defend himself against any charges that
24 are levelled against him even by the Honorable Elijah

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Muhammad. Q All right. Now, this I must ask you: Who
was predecessor in your office as minister of Muhammad's
Temple of Islam, Inc.?

A Sultan. Q Do you know how he was removed?

MR. SUTTON: Just a moment. There is
a question that hasn't been answered.

A Sultan was not my predecessor. Q Who was it?

A I had no predecessor because there was no
national minister.

Q You mean that Muhammad's Temple of Islam, Inc.
must have a national minister?

A I was the first person to occupy the position
that I was occupying at the time of my suspension.

Q I'm not talking about the time of your sus-
pension. I'm directing your attention to the time that
you assumed the duties as minister of Muhammad's Temple
of Islam, Inc.? When was that?

MR. SUTTON: May I make an objection?
We are going on now, I think--we are questioning
whether or not he is an expert. This is not
within the realm of determining that.

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THE COURT: This is direct examination. You go ahead to your heart's content afterward.

DIRECT EXAMINATION (continued)

EX MR. SUTTON:

Q During the course of questioning as to whether or not you were an expert, a question was asked of the method of termination. You say there was a hearing before removal.

A Yes.

Q Did you ever have a hearing?

A No.

Q Were you ever removed?

A No, I was suspended.

Q Have you ever resigned?

A No. I asked for a hearing. They wouldn't give me one.

Q Have they given you a hearing yet?

A Never gave me a hearing.

Q They allege in the petition that your duties were terminated. Have your duties with Muhammad's Temple of Islam, Inc. ever been terminated?

A No, sir.

Q Now, would you now remove from these premises

1 if you were allowed a hearing that you were entitled to?

2 A Yes, I would move from these premises if I
3 were permitted a hearing in front of the Muslim body
4 as has always been the case according to the procedures
5 in the Nation of Islam.

6 MR. WILLIAMS: If your Honor please,
7 I object to this. I ask that this be stricken
8 because this is a situation here--we are
9 dealing primarily with one question and the
10 one question is on the question of this
11 termination. We are now getting into a
12 question of the religious beliefs and tenets
13 of the Nation of Islam.

14 THE COURT: You didn't object to
15 all of the hearsay before it. There must
16 be something in writing but apparently there
17 is nothing in writing.

18 Q Is there anything in writing with regard to
19 national customs, practices--withdrawn. Are there
20 any rules and regulations in writing with regard to the
21 employment or termination of employment of ministers in
22 the Nation of Islam?

23 A No, not employment, no, sir.

24 Q What about termination of employment?

2 Q No.

3 Q When you speak of the rules and regulations,
4 are these in fact customs and practices?

5 A Customs and practices that have become a form
6 or procedure.

7 Q You heard the witness testify that you received
8 a salary. Have you ever received a salary, sir?

9 A No.

10 Q Did you hear them testify that you received
11 \$125 and \$150 a week salary?

12 A Yes.

13 Q Would you tell the court what, if any monies,
14 you received during your ministry and for what purpose
15 was that money tendered to you?

16 A First, there weren't five people in Muhammad's
17 Mosque or Muhammad's Temple of Islam who could tell you
18 what I received per week.

19 MR. WILLIAMS: I object, not responsive.

20 THE COURT: Yes, be responsive to
21 the question. Strike it out.

22 Q How many people in the Muhammad's Temple of
23 Islam, Inc. that could tell how much money you received
24 a week?

25 MR. WILLIAMS: I object. Irrelevant.

2 THE COURT: I don't know. Proceed.

3 A At Muhammad's Temple of Islam, there weren't
4 but three people in the entire temple that could tell
5 you what amount of money was made available for me each
6 week.

7 Q Was this money made available to you as a
8 salary?

9 A No.

10 Q What was this money given to you for and what
11 was it used for?

12 A That's why I said my position in the movement
13 was unique.

14 MR. WILLIAMS: I move that be stricken.

15 THE COURT: Strike it out.

16 Q Was there anyone else that had the same position
17 but you in the within movement?

18 A No.

19 Q Would you consider that unique?

20 MR. WILLIAMS: Objection.

21 THE COURT: Strike it out.

22 Q You were the only one in the position of
23 national minister?

24 A Yes.

25 Q Was this money given to you in your position

2 as a national minister as well as minister of Muhammad's
3 Temple of Islam, Inc.?

4 A That amount was made available to me to carry
5 on the work that I was doing in organizing the mosque
6 throughout the country. If ever any expenses exceeded
7 that I could get that--there was no limit to the amount
8 of money that I had access to, but the minimum was always
9 \$150 a week.

10 Q What did you use this money for?

11 A I used it to propagate the teaching of the
12 Honorable Elijah Muhammad into organized--other Muslim
13 communities in various cities throughout the country.

14 Q Who got this money to you, sir?

15 A The secretary--

16 Q Who gave it to you?

17 A The secretary.

18 Q Where did it come from, if you know?

19 A Yes, it came from the funds in the mosque in
20 the temple.

21 Q When it was in excess of \$150 for traveling
22 and otherwise, where did it come from?

23 MR. WILLIAMS: Objection.

24 THE COURT: First of all you are

25 leading the witness. He can go himself without

leading.

Q You said propagating the faith. How did you do that? I didn't want to go into all of these details.

A I was--as I said, I was the national minister which meant very seldom did I have the opportunity or I should have the privilege to stay in New York City but travel. In most other temples around the country, the ministers were weak and incapable.

MR. WILLIAMS: I move that this all be stricken.

MR. SUTTON: All right.

THE COURT: You are losing sight of the issues here. This person may be unique in his impression and other people's impressions but we are confronted with one situation here.

MR. SUTTON: The question is whether or not there was employment and there has been testimony there was employment and there was a salary.

THE COURT: The fact that it was an effort to avoid taxes, that you may go into.

MR. SUTTON: No, I won't go into that unless you want me to go into it.

THE COURT: But stay within the issues.

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MR. SUTTON: I don't think avoiding taxes would be beneficial to me. Don't direct me into a thing that would be damaging to my client. I don't intend doing that.

THE COURT: There was some allegation made yesterday that \$150 was made in cash for the purpose of avoiding taxes.

MR. SUTTON: Are you suggesting that I go into that but I can't go into this other?

THE COURT: You can question him about his--stay within the field.

MR. SUTTON: All right.

Q Did you hear them testify that you received \$150 for salary?

A Yes.

Q Was that \$150 received for salary?

A No, sir.

Q What was it received for?

A It was received to help me propagate the religion of Islam in the office I had.

Q Was it in the nature of a drawing account?

A Yes.

MR. WILLIAMS: I object to your leading now.

1 Little - direct 144

2 THE COURT: You are leading.

3 MR. SUTTON: How can I get--

4 THE COURT: You know better than that.

5 Ask him what the purpose is. Let him give the
6 answer.

7 Q What would happen in the event there was more
8 than \$150 a week needed for the propagation of the faith?

9 A I had access to more.

10 Q Where was that that you got it from?

11 A Same source.

12 Q Suppose the \$150 a week was not used by you
13 for propagating the faith, what happened to the money then?

14 MR. WILLIAMS: Objection.

15 THE COURT: Overruled.

16 A I always used it. If I wasn't here at the time
17 that it became due, it was held for me until I returned.

18 Q Did you receive from time to time traveling
19 expenses from persons when you made personal speech
20 or speaking engagements?

21 A Yes.

22 Q What was done with this money?

23 A They were always turned into the treasury of
24 the mosque.

25 Q During the time that you were receiving what

1
2 is alleged to have been a salary of \$150 a week, did
3 you receive outside income for services rendered in
4 the nature of speaking engagements and otherwise?

5 A I have never received any income.

6 Q Where did that money go to?

7 A To the temple treasury.

8 Q With regard to magazine articles and other
9 things that you were paid for, did you receive the money?

10 A Always to the temple treasury and it was used
11 to propagate the Honorable Elijah Muhammad's teaching.

12 Q None of this money came to you personally?

13 A No, sir, but I had access to money for the
14 propagation of the faith.

15 Q Was there ever an agreement of employment
16 entered into between you and Muhammad's Temple of Islam,
17 Inc. whereby you were to occupy the house as long as
18 you were minister of that temple?

19 A No, sir. No, sir. The house agreement
20 was between me and the Honorable Elijah Muhammad himself.

21 Q What was that agreement, sir?

22 A The house was purchased for me. The Honorable
23 Elijah Muhammad told me that the house should be mine.

24 Q Should be yours?

25 A Yes, was mine. You will have to excuse my

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2 English. The Honorable Elijah Muhammad told me it was
3 my house, that the house was purchased for me.

4 MR. WILLIAMS: I object and ask that
5 all this be stricken on the grounds that he is
6 giving a conversation--an alleged conversation
7 with a person.

8 THE COURT: Overruled.

9 A As it was testified to yesterday, everything
10 comes from the Honorable Elijah Muhammad. He gives the
11 orders for everything. As they pointed out, he gave
12 it through me. I have to tell this conversation that
13 took place between me and him or they wouldn't know

14 what took place.
15 Q Would you tell us what the conversation was?

16 A Yes. I had gotten married and had a couple--
17 rather my wife and child and we were living in cramped
18 quarters and the Muslims had been trying to get me to
19 move into larger quarters for a long time which I kept
20 refusing until finally the Honorable Elijah Muhammad
21 insisted that a house be purchased for me and when
22 the house was purchased he told me over and over that
23 it should be in my name, that it was for me because of
24 the work I was doing and had been doing so I told him
25 that I would rather--

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2 Q May I interrupt? Was this the work you were
3 doing for the Temple Islam or as national minister?

4 A National minister because my work with the
5 Muslim movement was separately from my position as
6 national minister. I never was at the local mosque
7 more than maybe once a month or sometimes a little
8 more than that. I was traveling from coast to coast
9 and he told me that I should have this house for my
10 family so they would have some place to be comfortable
11 during my many absences.

12 Q Was the house bought?

13 A Yes, it was.

14 Q In whose name was title first taken?

15 A I think Curtis Kenner.

16 Q Was that the house delivered over to you to
17 be used by you?

18 A Yes.

19 Q Was there ever any limitation placed by the
20 Honorable Elijah Muhammad as to how long you were to
21 occupy that house?

22 A No. The Honorable Elijah Muhammad made
23 plain to me that the house was mine.

24 Q Has the Honorable Elijah Muhammad, following
25 the customs and practices of the Muslim religion, ever

terminated your employment?

A No. When this came up, I wrote to the Honorable Elijah Muhammad, which I have a copy of the letter, and told him that there was a move afoot to put me out of the house which was mine and I told him that I would still get out if they would bring me in front of the Muslims and let me defend myself against the charges that had been levelled against me in my absence. That's all I asked was a hearing.

THE COURT: Aren't you being inconsistent? In one breath you tell us the house was bought for you and in the next breath you tell us you were ready to get out.

THE WITNESS: No, I'm not being inconsistent. From the time I left the Muslim movement, I wanted--I didn't want what the reason for my being put out made known to the public and I was willing to make that sacrifice to keep it from being made known to the public and I asked them for a private hearing and they would not let me have it so this is why it ended up in court.

Q Are you still in suspension?

A Yes, sir.

Q You said when you left the Muslim movement. What did you mean by that?

A When I was put out by the Honorable Elijah Muhammad--when I was put out I was actually put out by the agreement of three persons, the Honorable Elijah Muhammad, Raymond Sharieff and John R. Ali and there was a hearing between the three--four of us, that took place at the time that I was put out.

Q Sir, have you at any time been called before the body--the organized body which you say exists in the Muslim movement for the purpose of conducting a hearing on any charges brought against you to terminate your employment with Muhammad's Temple of Islam, Inc.?

MR. WILLIAMS: This is repetitious.

I object.

THE COURT: Overruled.

A No, sir, I have never been brought before the body and given a hearing when a person is being put out. I had a hearing before three other national officials. There are four national officials in the Nation of Islam, the Honorable Elijah Muhammad, Raymond Sharieff and John Ali. The hearing was based upon

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2 something that I had come back and told the captain
3 in New York and they didn't want it to be made public
4 so they kept that closed hearing.

5 Q Was this the preliminary hearing that was to
6 take place that--

7 MR. WILLIAMS: I object to that.

8 Q This hearing that was held, a preliminary
9 hearing that was held before the Nation--

10 A Yes, that was a preliminary hearing, if I may
11 say. This was a preliminary hearing at which it was
12 stated that at the end of ⁹⁰nine days which was to term-
13 inate on the last day of February, I would then be
14 brought before the Muslim body and given a public
15 hearing. That was on January 6th in Phoenix, Arizona.

16 Q Was there ever a hearing?

17 A No.

18 Q Have you asked for one?

19 A Yes. I wrote during the entire time that I
20 was in that particular suspended state asking the
21 Honorable Elijah Muhammad asking for one thing alone,
22 a hearing, at the end of those nine days but during
23 those times he used his position to poison the--

24 MR. WILLIAMS: I object to all
25 this and ask it be stricken.

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THE COURT: This is a defense.

I don't see how it's relevant to the question before me, Mr. Sutton.

MR. SUTTON: On the relevancy of the question of appointment.

THE COURT: Thank you for interrupting me. You are a distinguished lawyer. I will give you some leeway later.

MR. WILLIAMS: Thank you, your Honor.

Q Mr. Minister Malcolm X Little, tell me, sir, have you heard comments during the course of this trial-- testimony, rather, to the effect that you resigned from, Muhammad's Temple of Islam, Inc.? Did you hear that testimony?

A Yes, I did.

Q Did you ever resign?

A No, I never have.

Q What is the method of resignation if one does seek to resign?

A No Muslim minister has ever resigned.

MR. WILLIAMS: I object to the question on the ground that the answer is not responsive.

THE COURT: It is hearsay of the

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worst type. I am taking it, nevertheless.

3

A There is no such thing as a resignation of
4 a Muslim minister of the Nation of Islam.

5

Q Do you say this from your personal knowledge
6 of customs, practices and procedures?

7

A Yes.

8

Q There was a minister in Washington, the
9 minister of the temple in Washington during the course
10 of your time as a national minister there who was
11 removed from office, is that correct?

12

A It was a highly publicized fact that I was
13 sent there by the Honorable Elijah Muhammad himself
14 and held a hearing for that minister when he was re-
15 moved.

16

Q Was a hearing conducted under the procedures--

17

A Yes, he was brought before the body in Wash-
18 ington, D. C.

19

Q Did you, as a representative of the Honorable
20 Elufah Muhammad, conduct a hearing for that body?

21

A Yes.

22

Q Was this in accordance with the customs,
23 practices and procedures?

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A This is the procedure in Philadelphia. That
25 one was removed there just a month ago and he was

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brought before the body.

Q In accordance with the procedures?

A Yes, in accordance with the procedures.

MR. SUTTON: Nothing further of

this witness.

CROSS EXAMINATION

BY MR. WILLIAMS:

Q Sir, now you say that--

THE COURT: May I first ask a

question to enlighten myself?

Give me that exhibit.

I notice in this exhibit, Landlord's

Exhibit 5, 1 X, 2 X, 7 X. What does that

mean?

THE WITNESS: Well, the Honorable

Elijah Muhammad has always taught us that

the names that our people of this country

have are a holdover from slavery. Like

Jones doesn't fit a black man. It fits an

Irishman.

THE COURT: What does 9 X mean?

THE WITNESS: I'm getting to that.

The name, Murphy, doesn't fit a

black man. It's an Irish name.

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2 He teaches us that these were names
3 given during slavery, so when one receives
4 his teaching and comes under his religious
5 or spiritual guidance, the X negates the
6 slave name.

7 If one person comes in named Henry,
8 he is Henry X, then two, three, four X, and
9 so forth.

10 THE COURT: It's not the degree or
11 qualifications of the individual?

12 THE WITNESS: It's only the time
13 he came or how many were before him and so
14 forth.

15 THE COURT: All right. Proceed.

16 Q Minister, you say there is a fixed procedure
17 for suspending or terminating ministers in the Muslim
18 movement, is that correct?

19 A Yes.

20 Q Will you spell that out in detail? Tell us
21 what that procedure is.

22 A When a minister is removed--well, for one
23 thing he can be removed for one or two purposes--one
24 or two reasons. Either he is not effective in the
25 functioning as a minister or he has broken some law,

some rule, some regulation.

Q You held a preliminary hearing before whom?

MR. SUTTON: You asked him for the procedure. Objection, your Honor.

THE COURT: Proceed.

Q Preliminary hearing before whom?

A The Honorable Elijah Muhammad.

Q Every minister who is to be suspended is entitled to a preliminary hearing before the Honorable Elijah Muhammad?

A Yes.

Q Where is this written?

A Where is it written?

Q Yes.

A None of this is written.

Q How many ministers that have been removed that you knew had a preliminary hearing before the Honorable Elijah Muhammad? Did the man in Philadelphia have a preliminary hearing before the Honorable Elijah Muhammad?

A Yes.

Q Before the Honorable Elijah Muhammad?

A He doesn't have to appear in person to get a hearing. If the charges are--

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2 Q If charges are leveled--

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MR. SUTTON: Just a moment. May

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I object to counsel interrupting him?

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MR. WILLIAMS: I'm cross examining.

6

MR. SUTTON: If he is responding to

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a question, he should be permitted to complete

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his answer.

9

THE COURT: Cross examination.

10 MR. WILLIAMS: Thank you, sir.

11

Q You say that the man may be represented by

12

a proxy at this hearing?

13

A By a what?

14

Q Somebody else, a standin, somebody else can

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represent him?

16

A No, no.

17

Q He must be there in person?

18

A No. If charges come to the Honorable Elijah

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Muhammad on a minister, the Honorable Elijah Muhammad

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weighs these charges. Now, he can give the minister

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a hearing by mail, by phone. There are many ways. All

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he has to do is contact that minister and hear his

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story.

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Q Did the Honorable Elijah Muhammad ever hear

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your story?

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A My story involved the Honorable Elijah Muhammad.

Q Yes or no. Did he?

A My story involved the Honorable Elijah Muhammad.

Q I asked you the question did he hear your story?

A Yes, sir.

Q Did he reply to you, sir?

A Yes.

Q By way of suspension?

A Yes.

Q So that at this point he had made his ruling. This is the person who rules on this so you in effect had a preliminary hearing, that is, by custom and usage?

A Let me see if I understand.

Q All right.

MR. SUTTON: He said "Let me see."

Let him try to understand first.

THE COURT: Mr. Sutton--

MR. SUTTON: May I direct it to you? May he pause for meditation?

THE COURT: And prayer, I think.

MR. SUTTON: Not in prayer, just

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meditation.

THE WITNESS: Prayer, too.

THE COURT: Proceed, Mr. Williams.

Q Do you understand the question?

A Yes.

Q You said that the Honorable Elijah Muhammad gives a preliminary hearing to any minister who is removed according to custom and usage?

A Yes.

Q Further, you say he made this in a number of ways after the charges had been made and he weighs them?

A Yes.

Q And then he responds, is that correct?

A Yes.

Q And he can respond by letter or telephone, is that correct?

A Yes.

Q Giving his decision?

A Yes.

Q This amounts to the preliminary hearing you spoke about, is that correct?

A Yes.

Q And I said to you in effect you had charges

2 made against you and the Honorable Elijah Muhammad
3 heard them and responded to you by suspending you, so
4 you had your preliminary hearing, is that correct?

5 A No, I had a partial hearing, sir. It never
6 was completed.

7 Q You did not get your complete charges to
8 him or your complete answer to him?

9 A My--the charges that were directed against
10 me involved the Honorable Elijah Muhammad.

11 Q Now, in other words, what you are saying is
12 this: You are saying now that the Honorable Elijah
13 Muhammad could not pass on this because he was in-
14 volved, is that what you are saying?

15 A No.

16 Q You are saying that.

17 A But the charges that were leveled against me
18 was misinformation by the captain of the New York
19 Mosque that was sent to the Honorable Elijah Muhammad
20 and the Honorable Elijah Muhammad told me himself that
21 he would not complete the hearing until the end of
22 the ninety days. Before those ninety days had arrived,
23 the captain had succeeded in poisoning the community
24 here to the point where there could not be a hearing.
25 They just put me in limbo until they had a chance to

1
2 solidify their position with false information and
3 this is why they could never give me a hearing in front
4 of the Muslim and have not given me one to this date.

5 Q I go back again after all of that to the
6 point that there was some reply that you were suspended
7 as a result. Now, you say after the Honorable Elijah
8 Muhammad makes his decision, is this then that the
9 body passes on?

10 A No. See, by law, any court is not a case
11 of the Honorable Elijah Muhammad making the decision.
12 He never makes a decision.

13 Q From the preliminary hearing?

14 A Any kind of a decision, whether it pertains
15 to a minister, captain or anyone other than bringing
16 that person in front of the body so that the person
17 will get justice if anybody in the body that can speak
18 for him and against him.

19 Q The man in Washington, did he go before
20 the Honorable Elijah Muhammad?

21 A Yes, he did.

22 Q He had a hearing, didn't he?

23 A Yes, he had a hearing.

24 Q Before the Honorable Elijah Muhammad?

25 A Yes.

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2 Q The man in Philadelphia, did he have a hearing?

3 A Not in front--I don't know whether he went
4 in front of the Honorable Elijah Muhammad, but--

5 Q You don't know too much about it?

6 A I do know. They found him guilty--found the
7 minister guilty--the Muslim found him guilty and still
8 didn't remove him. He was guilty and so they had to
9 have another court hearing about a week later and they
10 found him guilty and officially wouldn't remove him
11 until the officials themselves announced his removal.

12 Q Isn't it a fact that the Honorable Elijah
13 Muhammad can remove any minister he wants to?

14 A Yes.

15 Q All right. He need give you no reason to
16 remove you. He just says you are no longer the
17 minister of this mosque and that's it, is that right?

18 A Because he is a divine man.

19 Q Isn't that correct?

20 A And because he is a religious man.

21 Q Answer my question.

22 A I'm answering your question. Because he
23 is a divine man and because he says he is a religious
24 man. He always follows the divine religious procedure.
25 He is a stickler, what you call a stickler or at least

he was for procedure and he never--he has always--

Q As an expert--

MR. SUTTON: Let him finish. May

I object to the interruption?

A (continuing) It has always been his policy

never to handle a person in any way that a person could

accuse him of an injustice.

Q Sir, I go back to my original question and I

say to you, isn't it a fact that the Honorable Elijah

Muhammad removes ministers with or without cause and

that has been the custom since this movement started?

A No. The Honorable Elijah Muhammad has never

removed a minister without cause.

Q If he feels that a minister is better in

one place than another, wouldn't he remove him and

put him there?

A That's cause.

Q Is that your cause?

A You have to have a cause.

Q Is that what you mean by a cause?

A Yes. You have to have a cause.

Q You haven't had a hearing and you have been

desperately trying to get a hearing?

MR. SUTTON: He didn't say "desperately."

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He just tried.

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Q Tried to get a hearing a number of times?

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A Yes.

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Q Have you ever filed a petition in the Supreme Court of the State of New York setting forth the same matters you set forth that you were illegally removed from your position as a minister of this temple? Yes or no.

7

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MR. SUTTON: Objection. There has been no testimony that he was removed.

12

I don't know what he's talking about.

13

THE COURT: Reframe your question.

14

MR. WILLIAMS: All right.

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Q Have you ever brought any action under the religious corporation law questioning your suspension or alleged removal or put out out, as you testified, the Nation of Islam or removal from your position as minister?

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MR. SUTTON: Objection. There is no testimony by him that he has been removed.

THE COURT: Overruled. Proceed.

He gave him the alternative.

A I am still seeking a hearing.

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Little - cross

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Q Answer my question, sir.

3

THE COURT: Have you filed a

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petition he asked you, in Supreme Court or

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any other court? He's asking you that

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primarily.

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THE WITNESS: No, sir.

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Q You know this avenue is available to you?

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MR. SUTTON: Objection.

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THE COURT: Overruled.

11

A No, I don't know that avenue is available

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to me. I'm glad you informed me.

13

Q Have you been in touch with lawyers over the

14

period of the last two or three months, as a matter of

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fact, as far back as in December?

16

A When you say "in touch," what kind of lawyers?

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Dealing with what?

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Q I will withdraw that question then. Did you

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see a lawyer--your lawyer is available--did you go to

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see him with respect to your rights? Your rights

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were affected, were they not?

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MR. SUTTON: Just a moment. This

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impinges on the right of man to seek counsel

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and confidential relationship. There is no

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harm or disgrace. May I object to the

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question because I'm the attorney involved
and I will now have to take the witness stand.

THE COURT: He asked him if he con-
sulted an attorney.

MR. SUTTON: I wish you would
specify.

MR. WILLIAMS: All right.

Q When this suspension without cause was taken,
did you ever seek any legal remedy to restore you to
your position?

A I tried to keep it private. I tried to keep
it out of the court and I tried to keep it out of the
public and I asked them for a hearing in private so
that it would never come out to the public and because
there were facts that I thought would be destructive
to the Muslim movement which I felt shouldn't be made
public.

Q You are making it public now.

A Yes, only because they have driven me to
the point where I have to tell it in order to protect
myself but I have been trying to keep it quiet.

Q Isn't it a fact that you have organized
another mosque?

A I organized Mosque Number 14. I organized--

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2 Q Answer my question.

3 A I have organized another mosque.

4 Q I'm talking about a mosque that does not
5 belong to the Honorable Elijah Muhammad.

6 A I organized the Muslim Mosque, Incorporated.

7 As I stated, during the period of my suspension while
8 I was out, I was going to try and continue to spread
9 the Honorable Elijah Muhammad's teaching among the
10 22,000,000 non-Muslims and that's my statement that
11 I organized the mosque for that purpose.

12 Q Did you organize another mosque in New York?

13 A Yes.

14 Q Some of the members of that mosque were
15 formerly members of the Muhammad's Temple of Islam, Inc.,
16 are they?

17 A Some of them?

18 Q Yes.

19 A Some of them are.

20 Q A good majority?

21 A Some of them. I don't know about the majority.

22 Q How many members do you have?

23 A I have no idea. I have been traveling.

24 Q You have been traveling. You say now that
25 all during this period you were still--you were working

1 while you were under suspension?

2 A I don't understand you.

3 Q You say you were traveling around propagating
4 while you were under suspension?

5 Mr. SUTTON: I don't think he said
6 he was traveling around propagating.

7 THE COURT: That wasn't the way
8 you mean it. He was trying to do what he
9 thought was his duty.

10 A When I said "traveling," I went to Mecca.
11 That's in Africa.

12 MR. WILLIAMS: Withdrawn.

13 Q The question that I want to put to you is
14 this: Did you not have a press conference in March--
15 around March 10th of 1964 wherein you stated that you
16 no longer were affiliated with the New York Muslim?

17 A I stated that--

18 Q Answer yes or no.

19 A Just a moment.

20 Q Did you have the conference, first?

21 A I had a press conference.

22 Q Now, at that press conference, did you make
23 this statement--

24 MR. WILLIAMS: Mr. Sutton, I quote
25

from the New York Times.

MR. SUTTON: Is that over Mr. Malcolm

X's byline?

MR. WILLIAMS: No.

MR. SUTTON: You are quoting from
the New York Times?

MR. WILLIAMS: I am telling you
where I got it from.

Q "I reached the conclusion that I can best
spread the Honorable Elijah Muhammad's message by
staying out of the Nation of Islam."

Did you make that statement?

A That's out of context.

Q Did you make the statement?

A It's out of context. What else is with it,
I don't know.

Q I'm asking you a question.

A I don't know if I made that unless you give
me the entire statement.

Q All right. Did you make a statement, sir,
that you were removing yourself from the Nation of Islam?

A No.

Q You didn't make that statement?

A I don't think so.

Q You don't think so?

A No.

Q Could you have made that statement?

MR. SUTTON: Objection as to what
he could have.

THE COURT: Sustained.

Show him the document. Mark it
for identification first.

MR. WILLIAMS: Will you mark that
Landlord's Exhibit 6 for identification?

MR. SUTTON: May I ask that be
identified first. Is that a newspaper
article that he is to be questioned on?

THE COURT: He can mark a horse's
tail if he wants to for identification.

MR. SUTTON: I want it for the
record that this is a newspaper article
that he has.

THE COURT: He doesn't have to
tell you what he wants marked for identifi-
cation. As he goes along you will find out.

MR. WILLIAMS: On this one separately.

THE COURT: He doesn't have to
show it to you if he doesn't want to.

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MR. WILLIAMS: Could I have a
short adjournment for about five minutes
to let the witness read these?

THE COURT: Yes.

(Whereupon, a short recess was taken.)

THE COURT: All right. Proceed.

CROSS EXAMINATION (continued)

BY MR. WILLIAMS:

Q Sir, did you have an opportunity to refresh
your recollection to read Landlord's Exhibits 6 and
7 for identification which I am now asking the reporter
to so mark?

A Yes, sir.

(Landlord's Exhibits 6 and 7
marked for identification.)

Q Now, I ask you again whether or not you
stated at this press conference that you had around
March of 1964 that you were leaving the Nation of Islam?

A That article does not stem from a press con-
ference.

Q Did you make that statement, sir?

A No.

Q You never made this statement?

A No, not in those words.

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Q Then this is a misquote?

A Let me take it and I will show you in the article there is an explanation.

Q Is this a misquote?

A It's out of context.

Q Are these the words that were quoted what I read?

MR. SUTTON: I object. It's not in evidence any quotes.

THE COURT: Proceed.

Q This "I have reached the conclusion that I can best spread the Honorable Elijah Muhammad's message by staying out of the Nation of Islam and continuing to work on my own among Americans," did you make that statement?

A The exact words I made were--

Q I'm asking, did you make that statement?

A Let me see it.

Q It's quoted there.

A This means, sir, that I remained under suspension.

Q Did you make that statement? That's all I'm concerned with, that quote.

A This was a press conference, I'm sorry. Yes,

1
2 I made that statement. I made this.

3 MR. WILLIAMS: No further questions.

4 MR. SUTTON: Just a moment.

5 THE WITNESS: This is from a news-

6 paper, sir.

7 THE COURT: He's entitled to his

8 answer. He got his answer.

9 MR. SUTTON: He has a right to the

10 explanation. May I object to the witness

11 not being allowed to complete--to give an

12 explanation. He is not deprived of the

13 right to give it on direct examination. I

14 don't have to wait until cross examination

15 to do it.

16 THE COURT: I disagree with you,

17 so take your objection and go ahead with it.

18 You may make a note to take care

19 of it on redirect examination.

20 Proceed.

21 CROSS EXAMINATION (continued)

22 BY MR. WILLIAMS:

23 Q On April 3rd you were quoted as saying in

24 the New York Times by Junior Griffin, "I am taking

25 my cue from those methods used by Billy Graham to

1
2 preach the Gospel of Christ. and I am preaching the
3 gospel of Black Nationalism to negroes without
4 asking them to join my organization but rather asking
5 them to go out and join any existing civil rights
6 organization.

7 MR. SUTTON: Just a moment. I
8 object on the ground it's not relevant to
9 the issue here.

10 Are we going to go through all the
11 quotes that Minister Malcolm X made or are
12 we going to require ourselves to stay
13 within relevant quotes?

14 MR. WILLIAMS: I will connect
15 it up.

16 THE COURT: Overruled.

17 THE WITNESS: Give me that.

18 Q Yes.

19 A If I am not out of order, this is by Junior
20 Griffin of the New York Times. He was not even present
21 when this statement was supposed to have been made.

22 Q Did you make that statement I have read, the
23 quoted statement?

24 A Which one?

25 Q Listen carefully. "I am taking my cue from

1 those methods used by Billy Graham to preach the
2 Gospel of Christ. I am preaching the gospel of
3 Black Nationalism to negroes without asking them to
4 join my organization but rather asking them to go out
5 and join any existing civil rights organization."

6 MR. SUTTON: I object on the grounds,
7 that, one, it's not relevant, and, two, no
8 date is set for it. To whom it was said is
9 not stated and I object.

10 THE COURT: Objection overruled.

11 Proceed.

12 Q Did you make that statement, yes or no?

13 A I am not going to answer you yes or no. How
14 can I answer yes or no--

15 THE COURT: That's something else.
16 Before you answered yes. I stopped you.

17 If you say you can't answer yes or no, I
18 will give you leeway to answer it your way.

19 THE WITNESS: I can't answer it yes
20 or no.

21 THE COURT: What date is that news-
22 paper?

23 MR. WILLIAMS: April 3rd. I read
24 it into the record. April 3rd and the
25

byline of Junior Griffin.

THE COURT: I want the date for

Mr. Sutton's edification.

MR. SUTTON: Yes. I object. It's

not relevant to the issues here.

THE COURT: We are not concerned

about that. I want you to have the date.

Proceed.

THE WITNESS: Ask me the question.

Q Did you make that statement that was quoted?

A Let me see it? Which statement?

Q Right here.

A Not in this form.

Q Not in that form?

A No, not in that form.

Q But you made a similar statement to this?

A He changed the idea completely in that case.

Q Then you are saying that Griffin misquoted you?

A He was not even there.

Q You were misquoted here?

A He was not there.

Q Sir, are you misquoted here?

A Yes.

Q Thank you.

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A By misquote, if I may explain. The quote is incomplete. It conveys an idea that is--it's limited or was not designed to project the idea that I had in mind.

Q Mr. Malcolm, we are quibbling.

MR. SUTTON: Just a moment. Don't argue with the witness, "we are quibbling." Ask him the question.

THE COURT: If you have any objection, make it to me.

MR. SUTTON: Of course.

THE COURT: You are interrupting him right in the middle.

MR. SUTTON: I sort of have to.

Q Is it your testimony that you said the words that were quoted here but you said more than this, is that correct?

A That's not correct. I said that's incorrectly quoted. It's incomplete. The words have been rearranged.

Q Were these words used? Did you say those words that I read to you?

A In that structure?

Q I mean, did you say those words that I read?

1
2 Did you say that?

3 A Sir, I had given an hour's talk before
4 Presbyterian ministers in Brooklyn--

5 Q Excuse me, sir. You said--

6 A During that hour's talk I said many things
7 and probably those words in one part or another was
8 in some of the sentences and paragraphs that I used.

9 Q Did you ever see this article before?

10 A Yes.

11 Q Did you ever say or write a letter to the
12 Times that you were misquoted?

13 A I'm misquoted in so many papers that it would
14 take all my time to answer their misquotes.

15 THE COURT: Your answer is no, I
16 take it?

17 THE WITNESS: That's right.

18 Q Now, when you say your own organization--join-
19 ing your organization, that's another organization you
20 are speaking of?

21 MR. SUTTON: Just a moment. I don't
22 believe I heard him testify to that.

23 MR. WILLIAMS: Withdrawn and move
24 on to something else.

25 Q When you were suspended, weren't you told the

1 reason why you were suspended?

2 A Yes or no?

3 Q Yes or no.

4 A Which suspension?

5 Q Well--

6 A There was--

7 Q Suspension of the Honorable Elijah Muhammad?

8 A There were three suspensions. One was made
9 public.

10 Q I meant the one when you were suspended by
11 the Honorable Elijah Muhammad?

12 A There were three. One was made public.

13 Q Let's go to the first one, the first one in
14 point of time by the Honorable Elijah Muhammad. You
15 are saying now he suspended you three specific times?

16 A He suspended me in part, the suspension.

17 Q Everything is part, the hearing in part, now
18 this in part.

19 MR. SUTTON: Just a moment, I ob-
20 ject to that remark.

21 THE COURT: Yes. That's more like
22 this. This is like a Perry Mason case.

23 A Sir, my suspension involved three stages or
24 three parts. The first one was made public. It was

1
2 made known internationally by the press out of Chicago.
3 There was another part of that same suspension that was
4 made known only to the Muslims and there was another
5 part of that that was made known only to me and the
6 national officials and this part of this suspension was
7 supposed to come out at the time I was given a hearing.
8 They didn't want it to come out so they wouldn't give
9 me a hearing in front of the Muslims.

10 Q Now I am going back to the time when you were
11 suspended whether it was first, second or third. You
12 were told a reason were you not or you were given some
13 reasons.

14 A Yes.
15 Q Isn't it a fact that you were suspended be-
16 cause the Honorable Elijah Muhammad said you should not
17 make political statements as a religious group?

18 A Sir?
19 Q That you made a political statement and he
20 felt you shouldn't make one as a political group.

21 A No.
22 Q Wasn't there a directive that you should not
23 make political statements that went out to all ministers?

24 MR. SUTTON: I object. I think we
25 are getting into things not before the court.

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Little - cross

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THE COURT: This is cross examination.

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MR. SUTTON: It opens the avenue to

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a number of things.

5

THE COURT: Let him open it.

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MR. WILLIAMS: I'm going to open it.

7

THE COURT: Proceed.

8

THE WITNESS: What is your question?

9

MR. WILLIAMS: Please read the last

10

question, Mr. Reporter.

11

(The question was read.)

12

A He called me on the telephone. There was no

13

directive. The instruction that I got came from him

14

personally over the telephone in regard to a certain

15

situation.

16

Q But didn't all the ministry receive instructions

17

that they not comment on certain events?

18

A Yes.

19

MR. SUTTON: Objection.

20

THE COURT: Overruled.

21

Q And you commented, is that correct?

22

A Yes.

23

Q That resulted in your suspension?

24

A No, no, it did not.

25

Q You broke the rule?

1
2 A No.
3 Q You violated the directive, is that correct?

4 A The Honorable Elijah Muhammad told me himself
5 that he would have made the statement that I made, that
6 he had the same feelings that I expressed.

7 Q But yet he suspended you for it?

8 A He did not suspend me for that.

9 Q He publicly said he suspended you for it.

10 A Yes.
11 Q But he suspended you for something private?

12 A Yes, he suspended me for something private.

13 Q Let's move to--

14 A Very private.

15 MR. SUMON: Just a moment.

16 A (continuing) I am answering your question.
17 The suspension--I think it was on the 3rd of December
18 that the suspension was announced supposedly attached
19 to a statement that I had made on the 1st of December.
20 The reason for my suspension was not the statement that
21 I made concerning that situation.

22 Q Did you receive a letter suspending you?

23 A No.

24 Q You only got it on the telephone, is that
25 correct?

1 A So, I went to Chicago.

2 Q And he told you personally why you were being
3 suspended?

4 A He told me that because of the climate of
5 the country and the statement that had been made.

6 Q By whom?

7 A By me, it would be better for me to remain
8 silent for ninety days.

9 Q That's your suspension?

10 A Yes. He told me that it would be better for
11 me to remain silent for ninety days.

12 THE COURT: Is this a political
13 statement that you made?

14 THE WITNESS: Yes.

15 THE COURT: Affecting what?

16 THE WITNESS: You mean what did it
17 pertain to?

18 THE COURT: Democrat or Republican
19 or--

20 THE WITNESS: Both.

21 THE COURT: Go ahead.

22 Q You have testified that you spoke all around
23 the country and you received fees for this, is that
24 correct?
25

1

2 A No fees. I never received a fee.

3 Q For speaking you never received a fee?

4 A No.

5 Q They paid it to the mosque?

6 A No. Whenever any group before whom I
7 spoke or before which I spoke had anything that they
8 wanted to give, I told them they would only accept
9 a contribution to the mosque.

10 Q That was the local mosque?

11 A Sometime it was the local mosque and sometime
12 it was the national mosque.

13 Q What happens to these monies that were given
14 to the local mosque?

15 A They go to Chicago.

16 Q Did you ever have these checks cashed and
17 cash given to you?

18 A Only if--

19 Q Answer yes or no.

20 A I will answer with an explanation.

21 Q Answer it yes or no first.

22 A No.

23 Q All right.

24 A Sir, every question, can I answer--

25 THE COURT: If you say no, that's it.

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That's the end.

THE WITNESS: It's yes or no and

I would like to explain.

Q Yes and no?

THE COURT: He may answer it.

A If I went to speak at Harvard and it would

cost me, say, \$100 or \$90 or something like that, what-

ever the expense was, if they'd give it to me, it would

appear as income wherein actually it would be money

that I was receiving for that which I had already taken

out of my pocket, so whatever place before whom or

before which I spoke or at which I spoke, I asked them

always to make a contribution to the mosque. Whatever

amount of money that I had spent in the form of expenses

after that check was cashed, I asked the secretary to

give me back that which I had spent.

Q Now, the check that these people gave you,

was that expense money or fees? What was it?

A Contributions to the mosque.

Q Was that for your speaking?

A In some cases it would be. It was a con-

tribution to the mosque.

Q Which mosque?

A Number--whatever it is, number 7 mosque or

1 the Chicago mosque.

2 Q Did you make a record of those contributions
3 when you turned them in?

4 A How do you mean?

5 Q Did you get a receipt for them?

6 A I turned them over to the secretary. They
7 never came to me.

8 Q The monies never came to you?

9 A No.

10 Q When you spoke at Harvard for Mosque 14, didn't
11 you get a check?

12 A I gave it back to them because--

13 Q You gave it to Minister Thomas X?

14 A It was made out in my name.

15 Q You sent it out and had it made out to the
16 name of the mosque?

17 A Yes.

18 Q You cashed the check and took the cash?

19 A No.

20 Q You never got money from the minister?

21 A No.

22 Q Let me--

23 A Just a moment. All you have to find out is
24 the amount of the check that was given and you will

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see that it cost me more to go to Harvard and back.

Q Was the check that was made out to the mosque, was that not cashed and the cash given to you?

A No. Wait a minute, sir.

Q Didn't you--

A Wait a minute. I don't want to put--to be put in a position of giving you the wrong answer. When you say the check was made out, which one are you talking about?

Q You said they sent you two checks. The first one was made out in your name which you sent back, not to them, but to the minister.

A I gave it back.

Q Was it made out in the name of Mosque 14?

A No, Mosque 7, if my memory serves me correct. I'm not sure but I think it was made out to Mosque 7 because it was my policy always to have my contributions that were made for personal appearances that I made to be turned over to the mosque.

Q Wasn't Thomas J. X the minister of that mosque?

A Which mosque?

Q 14.

A Yes.

1 Q Didn't you give the check to him to cash?

2 A No, sir. If my memory serves me--wait a
3 minute. If I know my procedure--

4 Q I'm not talking about your procedure. When
5 you got that second check, did you give it to Minister
6 Thomas J. X to cash it?

7 MR. SUTTON: I'm objecting. The
8 witness was about to respond. He was con-
9 tinuing his answer when he was interrupted.

10 THE COURT: Proceed.

11 A (continuing) See, sir, with all due respect
12 to the court and everybody else, you are dealing with
13 a time, a year ago at least and this is something that
14 happened with me every single day. For me to remember
15 the intricate details of what took place on a certain
16 day between me and a remote individual, I can't give
17 you the exact date but to my knowledge--

18 THE COURT: Mr. Witness, nobody
19 is asking you to remember. If you don't
20 remember, say so.

21 THE WITNESS: I don't remember.
22 Thank you, Judge.

23 Q When you spoke to the Ford Hall Forum--you
24 remember that?

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Ford? Yes.

Q You got a check there, did you not?

A If I did, it was--if my memory serves me

correct, it was made out to the mosque.

Q Did you cash that check?

A I have never cashed a check.

Q Did you have anybody cash that check?

A Not have them cash it for me. All checks

I received I turned over to the secretary of the

mosque.

Q You are saying that you received none of

these monies yourself?

A That's right.

Q You received no salary? All this money you

got, this minimum amount of \$150 you got each week

was used for your travel around, is that correct?

A Not only that. I had access to unlimited

funds.

Q I'm talking about the \$150.

A I had access to unlimited funds.

Q You had to put in a requisition to approve

it?

A No, all I had to do was ask the Honorable

Elijah Muhammad for any amount I wanted.

1
2 Q I'm talking about locally.

3 A Also locally.

4 Q Did you ever have to verify what you were
5 going to do with it?

6 A Sometimes yes and sometimes no.

7 Q If it was over \$150 you had to verify what
8 you had to do with it?

9 A No. As they testified yesterday, the min-
10 ister was in complete authority and got the directives
11 from the Honorable Elijah Muhammad.

12 Q Yes, sir. So, therefore, if you say the
13 minister was in complete authority and got all of his
14 directives from the Honorable Elijah Muhammad, do you
15 know of any particular case where a local mosque had
16 passed on the removal of a minister?

17 A The local--yes.

18 Q Where was this?

19 A Philadelphia. The minister--

20 Q Was this at a meeting?

21 A It was a trial. Charges were brought in
22 front of him and whenever a charge is brought against
23 any Muslim that Muslim must be brought before the
24 body, so charges were brought before the minister in
25 Philadelphia just two months ago while all of this

1
2 stuff was going on about me and he was given a hear-
3 ing. He was found guilty and still Chicago wouldn't
4 remove him because he knew too much so they had to
5 give him another hearing and Chicago still wouldn't
6 remove him until the Muslims themselves demanded his
7 removal.

8 Q Isn't it also a fact that every mosque you
9 go to, that the mosque itself takes care of your
10 expenses?

11 A No. In some cases yes and some cases no.

12 Q But usually, isn't that so?

13 A No. I can name the ones that do and the
14 ones that don't and the ones that don't number more
15 than--

16 Q I want to ask--

17 A (continuing) -- The number that don't and
18 the number that didn't and the number that couldn't
19 were far greater than those that could. This is why
20 I had to travel to those mosques all the time. They
21 stayed in financial distress. They didn't know how
22 to organize their finances.

23 Q Did you give this money to these mosques?
24 You said they were financially in distress.

25 A I went to help them organize their business

1 procedures which were very slack as testimony in this
2 trial has already pointed out.

3 Q Do you think this mosque here that you
4 headed from 1952 had good financial procedures from
5 the testimony you heard here today?

6 A It was the most economically sound.

7 Q That's not the question.

8 A It was only one of the temples that is in
9 the black. The rest were in the red.

10 Q Was it good?

11 A I founded the procedure that the Honorable
12 Elijah Muhammad gave me in everything I did. I
13 followed the procedure, the instructions, the orders
14 of the Honorable Elijah Muhammad.

15 Q All right. Did you ever make any records,
16 sir, of these monies that you received on these speak-
17 ing engagements that you gave back to the mosque?

18 A No, I didn't have to.

19 Q Was any record made in the temple of them?

20 A You would have to ask the secretary. I
21 don't know.

22 THE COURT: Will you be much
23 longer with this witness?

24 MR. WILLIAMS: Not much longer.
25

1
2 Q Now, when payments are made into the mosque,
3 isn't it a fact that a written record is kept of each
4 payment that is made and all monies that are received?
5 Is that the procedure?

6 A I don't quite understand you, sir.

7 Q If a believer would come in and bring some
8 money, isn't it a fact that a record was kept of every
9 dime that went in?

10 A Yes.

11 Q You insisted upon that, didn't you?

12 A Yes.

13 Q When these other monies that were supposed
14 to come in and you gave them to the secretary, did you
15 insist that he make a record of those monies, too?

16 A How do you mean?

17 Q You said that you spoke around the country
18 almost daily and received these checks that you brought
19 back to the mosque, is that correct?

20 A Yes.

21 Q Yet you say that there was no record from
22 1952 down to the time you were suspended as to any of
23 those monies, is that correct?

24 A I didn't say that.

25 Q Well, are there records of these monies you

1 received?

2
3 A The secretary keeps records, I imagine, of
4 everything he receives. I wasn't the secretary.

5 Q You said previously that you ran this mosque;
6 you knew everything that was going on, didn't you?

7 A I thought I did. I thought I did.

8 Q Did you know anything about the financial--

9 A I now know there was much going on that I
10 didn't know.

11 Q Answer me about the financial structures.

12 Did you know the financial structure?

13 A Yes.

14 Q You saw the records, too, didn't you?

15 A When you say I saw them--

16 Q You made a statement here--

17 MR. SUTTON: Just a moment. Objection.

18 He was about to explain.

19 THE COURT: Did you finish?

20 THE WITNESS: No, I don't think so.

21 Did I have a minute knowledge of the exact
22 state of every aspect of the economy in the
23 financial transactions of the mosque?

24 Q No, I didn't mean that. I mean, that these
25 checks and so forth you didn't keep any track; these

1

2 were the fruits of your labor?

3

4 A The entire income of the mosque was the
5 fruit of my labor.

6

7 Q The entire?

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9 A Yes.

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11 Q Were there donations and contributions?

12

13 A Yes.

14

15 Q Are you the entire mosque?

16

17 A No, I am not.

18

19 Q Weren't there other believers who donated
20 to the house? Didn't they donate to that?

21

22 A When I say I was the entire economy income
23 of the mosque, was due to my labor, I'm going back to
24 the statement where I said it was the only mosque that
25 was in the black, it was the only mosque that had made
any progress economically. All of the others were in
the red including the headquarters mosque at number 2.
That stayed in the red.

26

27 Q Now, sir, when this house was being purchased,

28

29 you were not even around when they met to buy this

30

31 house. When they had the first discussion in the
32 mosque about the house you weren't around, were you?

33

34 You were out of town, is that not a fact?

35

36 A I stayed out of town most of the time but

1 when the purchase of the house was being discussed,
2 naturally it had to be brought to my attention.

3 Q After you came back, is that correct?

4 A With an explanation.

5 Q Answer yes or no. After you came back they
6 told you they had agreed to buy a house, is that
7 correct?

8 A I had always--

9 Q Is that correct or not?

10 A Only with an explanation can I say yes or no.

11 Q Say yes or no with an explanation.

12 A Yes, with an explanation. I never sought
13 to gain anything personally from the Nation of Islam.
14 This is why I lived in a room and then lived in three
15 rooms.

16 Q And the believers while you were away said
17 that you should have better quarters, isn't that a
18 fact?

19 A They had been saying that for about three
20 years--about two years and I had gotten married and
21 had a child and that it was not good for me to live
22 where I had been living and since I was working so
23 hard they insisted that a house be purchased for me.
24 This idea was presented to the Honorable Elijah
25

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Muhammad.

3

Q By whom?

4

A By me and by them. All of us.

5

Q All of you together?

6

A Not all together.

7

Q By letter?

8

A Yes, and in person.

9

Q Who wrote the letter?

10

A I imagine some of the officials.

11

Q You were the head?

12

A I didn't have to read to him because I saw

13

him periodically.

14

Q But you conveyed this idea, is that correct?

15

A I told the Honorable Elijah Muhammad that

16

the Muslims in New York wanted to buy me a house. He

17

felt they should but dealt--he transacted the business

18

through the then secretary at that time.

19

Q Now, sir, let me get back to the house. You

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said when the believers agreed to buy the house you

21

came back, is that correct?

22

A They wanted to surprise me with a gift.

23

Q So you didn't know anything about it?

24

A Yes, I did.

25

Q They were not surprising you with a gift?

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A Yes.

3

Q You knew all that was going on?

4

A I had an idea of what was going on, yes, be-

5

cause, sir, they had been trying all of the time to get

6

me a house.

7

Q For the minister to live in?

8

A No, not for the minister to live in. They

9

were trying to get me a house because of the work I

10

was doing.

11

Q You were trustee, were you not?

12

A Yes.

13

Q They were buying you this house for a gift,

14

is that correct?

15

A They were buying the house for me.

16

Q As a gift, right?

17

A I don't know whether you would word it as a

18

gift.

19

Q This was to be yours?

20

A Yes.

21

Q And they were using the monies from the mosque

22

to do this?

23

A The group of Muslims got together and raised

24

sufficient funds for a down payment on a house.

25

Q This house from the very inception was known

1
2 throughout the mosque as being owned by the temple,
3 is that correct?

4 A The Honorable Elijah Muhammad, not the
5 temple.

6 Q Is that correct? In the temple?

7 A No, sir. In the Muslim movement, as you
8 probably learned from the testimony of your witnesses,
9 the Honorable Elijah Muhammad gave orders; directives.

10 Q Are you saying that the Honorable Elijah
11 Muhammad directed this house to be purchased?

12 A Honorable Elijah Muhammad gave orders through
13 me. The Honorable Elijah Muhammad consented for the
14 purchase of the house. He o. k.'d the purchase of
15 the house. The Honorable Elijah Muhammad gave orders
16 concerning the house through me. The Honorable Elijah
17 Muhammad himself stated to me that the house was mine,
18 that it was to be for me.

19 Q Now, sir, then this was not an official act
20 of the body?

21 A The witnesses yesterday said--

22 Q I'm asking you, sir: Was this an official
23 act of the corporation?

24 A I don't know.

25 MR. WILLIAMS: NO further questions.

THE COURT: How long will you be?

I'm not limiting you.

MR. SUTTON: Not long.

THE COURT: We will take a recess.

(Whereupon, a short recess was taken.)

THE COURT: All right. Proceed.

M A L C O L M X L I T T L E, resumed

the stand.

REDIRECT EXAMINATION

BY MR. SUTTON:

Q The question was just asked of you was this giving over of the house to you an official act of the corporation. Now, was this an official act of the corporation?

A No, sir. To my knowledge the corporation never met to perform any official act.

Q Since the date the corporation was organized, during the entire time you were trustee, did the corporation ever hold a corporate meeting?

A No, sir, not one time. I had followed the Honorable Elijah Muhammad's instructions to have it incorporated for tax purposes but we never did function as a corporation and never held meetings--corporate meetings.

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2 Q Did the wages come from corporate funds?

3 A It came from the spiritual body from the
4 Muslims.

5 Q Were there monies that came in for the
6 purpose of purchasing that house outside of the Muslim
7 movement?

8 A I don't know.

9 Q All right. Did the corporation ever have
10 a bank account?

11 A Not---

12 Q At that time?

13 A Not at that time.

14 Q Did the corporation ever hold a meeting for
15 the purpose of purchasing a house?

16 A No, sir, never did.

17 Q Did they hold any meetings?

18 A No, sir.

19 Q Was there money set aside, not even in a
20 bank in the corporate name of Muhammad's Temple of Islam,
21 Inc. and the corporate name?

22 A There was never any money set aside for
23 the purchasing of this in the corporate name.

24 Q Was there ever any money set aside in the
25 corporate name?

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2 A. No, sir, not at that time.
3 Q Since the date of your suspension and to
4 the present, has a hearing been held for removing you
5 as is the practice, custom and procedure of the faith?

6 A. No, sir. My suspension, as I said, was in
7 three parts and I was to have--the Honorable Elijah
8 Muhammad told me that I would get a hearing at the end
9 of ninety days and the hearing was to be based upon
10 some information that had been reported to him by
11 Captain Joseph. I had told him and the secretary and
12 the minister in Boston that the Honorable Elijah
13 Muhammad had taken on nine wives besides the one that
14 he had.

15 MR. WILLIAMS: I object and move
16 that be stricken.

17 MR. SUTTON: I'm not asking that.

18 THE WITNESS: This is the reason
19 for my suspension.

20 Q I'm not asking that. What I want to know is--
21 I'm sorry, I probably phrased it improperly--from the
22 time of your suspension until the present, sir, has
23 there been any termination of your employment by a
24 hearing as is provided in the customs, practices and
25 procedures of the Nation of Islam?

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2 A This hearing was to have ~~was supposed to~~
3 have taken place at the end of February and I wrote to
4 the Honorable Elijah Muhammad and asked him for the
5 hearing but they were afraid to bring me before the
6 Muslim body for fear of what I would tell them.

7 MR. WILLIAMS: I move it be stricken.

8 THE COURT: Overruled. I don't

9 see the bearing yet.

10 Q From the time of your suspension until this
11 procedure was started in March, the question was asked
12 of you whether during that time you consulted with any
13 attorney to find out why you were not getting a hear-
14 ing. Did you hear the question asked of you by Mr.
15 Williams?

16 A Yes. At that point, the Honorable Elijah
17 Muhammad was my attorney. I wrote to him and I asked
18 him for a hearing immediately because I knew he was
19 the one that knew that the house was mine. He knew
20 it. It was an agreement between him and me.

21 THE COURT: Is he a member of the

22 bar?

23 THE WITNESS: He is in the Muslim

24 bar, in the Nation of Islam.

25 THE COURT: Is he licensed to

practice law?

THE WITNESS: Not in the legal structure of the state.

THE COURT: Proceed, sir.

Q Now, sir, so that from the time that you were suspended until the time these procedures were brought, were you still of the belief that you would have your hearing?

A Yes.

Q Did you have any doubt until this procedure was brought that you would have a hearing?

A Up to the time that that procedure was brought I absolutely felt that the Honorable Elijah Muhammad out of a sense of justice would see that I was brought before the Muslims and given a hearing. I requested that of him.

Q Over and apart from ministers, what is the custom, practice and procedure within the Nation of Islam for the removal of a brother or sister from the faith?

MR. WILLIAMS: Objection. There is only a minister involved.

THE COURT: Yes. I'm not really concerned. If you want to go

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ahead--

Q Even a member, must he have the opportunity of confrontation before he can be removed?

A No Muslim can be charged by a lone individual without four witnesses and no Muslim is ever charged with anything without giving--without being given an opportunity to defend himself.

Q Not "charged," you mean removed.

MR. WILLIAMS: Just a second. He made a statement. I object to Mr. Sutton testifying.

THE COURT: It's harmless.

Q Did you say he is never charged without an opportunity to defend himself?

A That's right. He cannot be removed without charges being placed.

Q What is the procedure for that?

A Our law is that when charges are leveled against a brother or sister, that brother or sister is brought before the Muslim body and these charges are stated and then that person who is being accused is given an opportunity to defend himself. In any case I was suspended and my mouth was closed so that I couldn't talk. Then they poisoned the Muslim body

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2 to keep me from--to keep them from demanding that I
3 get a hearing. That's all. That's what I fought
4 against. I said I would have kept the whole thing
5 secret and private if they would give me a hearing.
6 They would rather take the public court than keep
7 it private among the Muslims simply because I told
8 Joseph that the Honorable Elijah Muhammad had taken
9 on nine wives.

10 Q Mr. Williams asked the question, sir,
11 about your seeking counsel. Now, I ask you, sir,
12 even now, even though you say the house does not
13 belong to them, would you remove from the house if
14 you had your hearing?

15 A All I asked--yes, if I was given a hearing
16 in front of the Muslims as is our law and custom,
17 they would have no trouble out of me whatsoever.

18 MR. SUTTON: No further questions.

19 RECROSS EXAMINATION

20 BY MR. WILLIAMS:

21 Q Now, sir, you made a statement. Do you
22 have proof of the charges of these so-called nine
23 wives you have talked about?

24 THE COURT: What he is saying is
25 that one is too many. Is that true?

THE WITNESS: I don't know.

Q Do you have proof of that?

THE COURT: Let's not go into that.

MR. WILLIAMS: He raised it.

THE COURT: Go ahead if you want.

A All you have to do is ask the Honorable
Elijah Muhammad and see if he denies it.

Q I would like--

A See if he can give you a yes or no answer.

MR. WILLIAMS: Mark this Landlord's

Exhibit 8 for identification.

(Document marked Landlord's
Exhibit 8 for identification.)

Q Look at this paper and tell me whether or
not you have seen that or anything similar to that be-
fore. Have you, sir?

MR. SUTTON: May I object to "have
seen that or anything similar to that"?

THE COURT: Just refer to it by
number.

Q Exhibit number 8 for identification.

THE COURT: What is your answer?

THE WITNESS: I'm looking, if I may.

THE COURT: Yes.

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A I can't say for certain but I think I have.

Q This is a report of what?

A It says the report on purchase of ministry home as of January something or other.

Q Now, this report--you have seen this report, have you not?

MR. SUTTON: He just stated--

THE WITNESS: Wait a minute.

MR. WILLIAMS: If your Honor please--

MR. SUTTON: Objection.

THE COURT: Overruled.

Q You have seen this?

A What's the date on this?

Q As of January 15th gives a report.

A January 15th?

Q 1960.

A That's four years ago.

Q I'm asking you a question. You were in charge of the religious society and the president of the religious corporation, were you not?

A Yes.

Q Was not this report made to you as to the purchase of this home?

A Not as the president of the corporation.

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2 Q As the leader of the religious society?

3 A As the minister in charge of the spiritual
4 body but it was never presented to me as an officer of
5 the corporation because we had no meetings of the
6 officers or trustees of the corporation.

7 Q But it was presented to you as the leader
8 of the spiritual body?

9 A Yes, if I remember correctly.

10 MR. SUTTON: May I see it?

11 MR. WILLIAMS: Yes.

12 MR. SUTTON: May I object?

13 Not every item which relates remotely
14 is admissible in evidence is no basis for the
15 admission of this as affecting the corporate
16 body. It refers in no way to a corporation
17 purpose.

18 THE COURT: Well, Mr. Sutton, since
19 there is no jury here, I'm both the court
20 and jury. I will take it and evaluate it
21 properly.

22 MR. SUTTON: Thank you.

23 THE COURT: Let it be marked.

24 (Landlord's Exhibit 8 for
25 identification marked Landlord's
Exhibit 8 in evidence.)

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2 Q Now, sir, this report was made to you as
3 the head of the spiritual body?

4 A I said if my memory serves me correct. It
5 doesn't have to be a paper that I have seen--

6 Q One similar to this, a report was made to
7 you concerning this information. It says the deed
8 and title in transfer--

9 MR. SUTTON: Objection. The paper
10 speaks for itself.

11 THE COURT: He wants to question
12 him.

13 Don't go into it too extensively.

14 Q It's a deed entitled at the top "Report of
15 Purchase of Ministry Home as of January 15, 1960."
16 Deed entitled, "Transferring house from Brother Curtis
17 to Temple was completed Friday, January 15th. The
18 property is now recorded in the Temple's name with the
19 title insured."

20 That report was made to you, is that correct,
21 this report?

22 A If my memory serves me correct, the Honorable
23 Elijah Muhammad suggested that it be put in my name
24 because it was to be my house.

25 Q I'm talking about this house.

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2 A I'm giving you an answer with an explanation.

3 Q That was in that report?

4 A Ask the question again.

5 Q All right. I will leave it. Did you ever

6 object to the fact that the house was in the Temple's
7 name after you saw this report?

8 A The Honorable Elijah Muhammad was the one
9 who objected. He objected to me.

10 Q Did you object, sir?

11 A To what?

12 Q To the house being in the name of the Temple?

13 A No, sir. The Honorable Elijah Muhammad
14 objected. He said it should have been in my name.

15 Q Did you ever take any steps to remove the
16 Temple's name from the title of this deed?

17 A It wasn't necessary.

18 Q In other words--

19 A Excuse me. Every move that I made I followed
20 under the guidance of the Honorable Elijah Muhammad
21 and under his instructions and orders.

22 Q Is it your assertion that this is your house?

23 A Yes.

24 Q Since what period of time did you consider
25 it as your home?

2 A At the time it was purchased.

3 Q How much real estate taxes have you paid on
4 it?

5 A It was in the corporate name. This was the
6 reason for which it was put in the corporate name.

7 Q Because it was the Temple's property?

8 A Right--no.

9 Q Well, now, who applied for the exemption on
10 it? Didn't you as the minister because it was in the
11 corporate name?

12 A No, the secretary handled that.

13 Q Under your direction.

14 A Under the Honorable Elijah Muhammad's direction.

15 Q You mean the Honorable Elijah Muhammad told
16 the secretary?

17 A No, I got my instructions from the Honorable
18 Elijah Muhammad as they have all told you.

19 Q Did you tell the secretary to make the appli-
20 cation as a parcel for tax exemption?

21 A I told the secretary what the Honorable Elijah
22 Muhammad told me to do.

23 Q I'm leaving the Honorable Elijah Muhammad out.

24 A You can't leave him out.

25 Q I'm leaving him out. Did you tell the

1 secretary to make an application to get a tax ex-
2 emption as a personage on this property?

3 A I told the secretary that the Honorable
4 Elijah Muhammad had instructed me to have this prop-
5 erty set up in the corporate name although it was mine.

6 Q Sir--

7 A I told the secretary that the Honorable
8 Elijah Muhammad told me or instructed me to have the
9 property set up in a corporate name and to follow
10 whatever procedures or papers were necessary to see
11 that it was tax exempt.

12 Q Now, you know it was exempt--tax exempt as
13 a personage.

14 A Well, I don't know.

15 Q For the use of a minister.

16 A I don't know.

17 Q And the minister of Muhammad's Temple 7.

18 A If I understand you correctly, that par-
19 ticular phase of the law corrects itself, the tax--
20 it's tax exempt for the use of the minister.

21 Q Yes, sir, is that correct?

22 A It's tax exempt for the use of the minister.

23 Q It's the personage of this particular
24 religious body, is that so?

- 1
2 Yes, the Nation of Islam. C.gov records NYC.gov records
- 3 Q It's their personage, is that right?
- 4 A No, it's mine.
- 5 Q I will move to the next question. What was
6 the last mortgage payment you made? C.gov records NYC.gov records
- 7 A I didn't handle any of the payments.
- 8 Q You haven't paid anything?
- 9 A The spiritual body which--
- 10 Q Answer my question. Have you paid any-
11 thing?
- 12 A Sir, the body was going to pay the complete
13 sum for the house, cash, and the cash would have been
14 mine. Rather than to put the burden upon the Muslims
15 of raising such a large sum of money, they only raised
16 enough for a down payment and then they took the re-
17 sponsibility of continuing payments each month. This
18 procedure was used only to keep from burdening them
19 outright at that one time.
- 20 Q I see. Now, with respect to--
- 21 A I might say this: I didn't want a house
22 nor did I want the house from the start. It was
23 they who insisted a house be purchased for me.
- 24 Q Or the ministry?
- 25 A For me, not the ministry. It was not

1
2 any corporate body. It was the religious body who
3 knew the work I was doing and whose minds at that time
4 hadn't been filled with poison at that time.

5 Q Now, tell me this: You were president of
6 the corporate body, is that right?

7 A Yes, sir.

8 Q You never called a meeting, did you, of
9 the corporation?

10 A No, the Honorable Elijah Muhammad never--

11 Q Answer me. You never called a meeting
12 of the corporate body?

13 A The Honorable Elijah Muhammad had instructed
14 me to set up the corporation for tax purposes. He
15 had never instructed me to follow through the legal
16 procedures that involved corporate bodies.

17 Q In other words, you never called a meeting?

18 A I followed the Honorable Elijah Muhammad's
19 instructions.

20 Q But the Honorable Elijah Muhammad is not
21 an official, is he, in this?

22 A The Honorable Elijah Muhammad told me--

23 Q Of the corporation I'm talking about.

24 A The Honorable Elijah Muhammad instructed me--

25 Q Sir, the corporation?

COPIED CONTENT

1 State of New York?

2 A I don't have a knowledge of the corporate laws.

3 Q In other words, the reason you didn't do it
4 was because you didn't know what to do?

5 A I didn't have a knowledge of the corporate
6 laws but I followed the Honorable Elijah Muhammad's
7 instructions in every area that my position had re-
8 sponsibility or authority in.

9 Q You say now that all you require is a hear-
10 ing before the body and you are prepared to move out
11 of the house, is that correct?

12 A I wrote the Honorable Elijah Muhammad a
13 letter--

14 Q Is that correct? Is that your testimony?

15 A Can I answer it with a qualification?

16 Q Was that your testimony?

17 MR. SUTTON: Objection. He asked
18 to qualify it.

19 THE COURT: No, it calls for a yes
20 or no answer.

21 A What was the question?

22 Q The question was: Have you now testified
23 today that you are prepared to move out of the house
24 if you are given a hearing, is that correct?

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2 A Before the entire Maslin body. Sir, if
3 you forgive me, there are many complex things.

4 THE COURT: I know but you have
5 a tendency to be repetitious. I will let
6 you answer it in your own way, but don't be
7 repetitious.

8 A I want that to be understood. I am not
9 suspended for a law that I broke. I have broken no
10 laws.

11 Q You didn't answer my question. Is this what
12 your testimony was here today?

13 A Sir?

14 Q That you were prepared to leave if you get
15 a hearing by the body?

16 MR. SUTTON: I object. The tes-
17 timony is a part of the record.

18 THE COURT: All right. You may
19 answer.

20 A Sir?

21 Q I will leave that question. Isn't it a
22 fact, sir, that you did break the law when you commented
23 on President Kennedy that called for your suspension?

24 A No.

25 MR. WILLIAMS: No further questions.

THE WITNESS: No. g No. records

MR. SUTTON: You said no.

REDIRECT EXAMINATION

BY MR. SUTTON:

Q You have done the same thing before, haven't you? You had made comments about chickens coming home to roost before, hadn't you?

A Yes.

Q They didn't suspend you then, did they?

A No. I made worse comments. The Honorable Elijan Muhammad said worse things being how he suspended me because of what I knew and was afraid I would tell the Muslims. I told Joseph and Lewis and they sent in the report that I was spreading false rumors and I came back and they know all about it. I told him that he had nine wives, that he had made nine sisters pregnant or, rather, I mean, six of them pregnant. That's the reason for which I was suspended. That's the reason for which I was put out of the movement and Lewis, the minister confessed that he knew about it all the time.

Q Let me refer now to get back to the point. The point is Landlord's Exhibit 8. I hand you that which has been admitted in evidence, Minister Malcolm. It says "ministry home purchased funds raised on contributions."

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2 Were these funds taken from any corporate funds
3 or were they, just like the statement says, from con-
4 tributions?

5 A Yes, they were taken from contributions.
6 It had nothing to do with the corporate funds because
7 we had no corporate funds.

8 MR. SUTTON: Thank you very much.

9 The record clearly reflects that it
10 was contributions.

11 MR. WILLIAMS: Contributions to the
12 religious society.

13 THE COURT: Are you finished, Mr.
14 Sutton?

15 MR. SUTTON: Yes.

16 RECROSS EXAMINATION

17 BY MR. WILLIAMS:

18 Q The contributions were from the religious
19 society, were they not?

20 A Yes.

21 Q And the original society is the same body
22 as the religious body?

23 A The religious corporation was on paper.

24 Q But the same people. It's the same body,
25 one body being two different things, a religious society

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2 and a religious corporation, is that right?

3 A They didn't do it as a corporation.

4 Q But the title is in the corporation?

5 A Yes, certainly.

6 Q Didn't you testify earlier that the Honorable

7 Elijah Muhammad was disturbed that title was not in

8 your name?

9 A In two different ways.

10 Q Yes or no?

11 A But see in two different ways.

12 Q Now, sir, stop it. Did not you say that

13 the Honorable Elijah Muhammad was disturbed because

14 title was not in your name? Yes or no?

15 A The Honorable Elijah Muhammad--

16 MR. SUTTON: Objection.

17 THE COURT: Overruled.

18 A (continuing) The Honorable Elijah Muhammad--

19 Q Yes or no?

20 MR. SUTTON: Objection to a yes or

21 no answer as to what he testified to. It's

22 a matter of record.

23 THE COURT: Overruled.

24 Q Did you not testify that the Honorable Elijah

25 Muhammad was disturbed that the title was not in your

1 name? Yes or no?

2 A He was disturbed because--

3 Q Yes or no?

4 A He was--yes, he was disturbed because he had
5 told me that the house should be for me. On the other
6 hand, the Honorable Elijah Muhammad had always instructed
7 me on how to handle taxes. It was because of the
8 taxes that would be involved that he instructed me then
9 to go ahead and put it in the corporate name or have it
10 put in the corporate name between the time it was pur-
11 chased in the name of Kenner and the time it was placed
12 in the corporate name there was the discussion and an
13 agreement between me and the Honorable Elijah Muhammad
14 himself.

15 Q Which tax was he concerned about?

16 A I don't know.

17 Q Are you saying now that he told you to do
18 this, duck the taxes?

19 A I don't know, sir. First, he insisted that
20 the home be purchased for me because of the work that
21 I had done for him and his followers. Then, because
22 of my own status as a minister, he told me that the
23 best thing for me to do would be to put it in the
24 corporate name until it was paid for, something like
25

1
2 that. It had something to with the involvement of taxes
3 but not having a knowledge of real estate law or not
4 having owned any property, I didn't know. I had
5 complete confidence and trust in him and I did exactly
6 what he said.

7 Q But you hired a lawyer?

8 A When?

9 Q To close title?

10 A I have to have a lawyer.

11 Q Did you talk to the lawyer about it?

12 A I didn't handle it.

13 Q You didn't know anything about it?

14 A I didn't handle it.

15 Q As a matter of fact, you were in Africa

16 when these discussions were on about buying the home?

17 You were in Africa at that time?

18 A When was the home purchased?

19 Q The home was purchased, sir, in December of

20 1959.

21 A Well, I went to Africa--

22 Q June or July.

23 A Yes, July.

24 Q You were not there when they were talking
25 about it at the temple?

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2 It was discussed before I left.

3 Q Now--

4 THE COURT: You're going over the
5 same thing again.

6 Are you finished?

7 MR. WILLIAMS: Yes, I'm finished.

8 THE COURT: Are you finished?

9 MR. SUTTON: No. Just one question.

10 REDIRECT EXAMINATION

11 BY MR. SUTTON:

12 Q Sir, corporate existence, was there in ex-
13 istence a functioning corporate body known as Muhammad's
14 Temple of Islam, Inc. when the donations were received
15 as recorded here in Landlord's Exhibit 9?

16 MR. WILLIAMS: I object on the
17 grounds that it calls for a legal conclusion
18 and calls for a conclusion on the part of
19 the witness that I don't think he's competent
20 to answer.

21 THE COURT: But you can always tell
22 when an organization has been incorporated or
23 not. Papers are issued and so forth. The
24 date will tell you. Allowed.

25 MR. SUTTON: I will ask it another

2 way.

3 THE COURT: I allowed it.

4 MR. SUTTON: I will reframe it.

5 Q Was there a functioning organization in the
6 sense of having monies in its own name?

7 MR. WILLIAMS: I object to "function-
8 ing."

9 MR. SUTTON: I was trying to explain
10 what functioning meant.

11 THE COURT: I let the first question
12 stand.

13 Q At the time these collections were made that
14 were recorded in Lendlord's Exhibit 8, donations were
15 given for the purchase of a house which they describe
16 as a ministry home, was there then in existence a
17 functioning organization known as Muhammad's Temple of
18 Islam, Inc.? By "functioning," I mean was there an
19 organization which was holding meetings, raising funds,
20 having a bank account or anything of that nature?

21 THE COURT: Do you want to object?

22 MR. WILLIAMS: I want to object to it.

23 THE COURT: Overruled.

24 A If I understand your question, nothing was
25 ever done in the name of the corporation. It didn't

1
2 take up money in its name or bank money in its name.

3 Q Was there a functioning organization? Was
4 there a corporate thing by holding meetings and having
5 a bank account, anything of that nature? That's all
6 I want to know.

7 A Do you mean, did it hold trustee meetings?

8 Q Yes.

9 A No, I don't think--I don't think I under-
10 stand your question.

11 Q All right. At the time the collections were
12 taken, donations were given, as is recorded in the
13 Landlord's exhibit here, it says "Ministry home
14 purchased, funds raised on contributions to December
15 31, 1959." At the time these contributions were made,
16 was there in existence a functioning organization known
17 as Muhammad's Temple of Islam, Inc.? By "functioning"
18 I mean was Muhammad's Temple of Islam, Inc. having
19 corporate meetings? Was it banking? Was it transacting
20 business as an organization?

21 A No, we never transacted any business as an
22 organization.

23 MR. SUTTON: No further questions.

24 RECROSS EXAMINATION

25 BY MR. WILLIAMS:

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Q But a charter had been issued and this organization is legally incorporated under the laws of the State of New York, is that correct?

MR. SUTTON: This calls for a legal conclusion.

THE COURT: No, this calls for a legal conclusion as to the date when it was issued.

Q On the 11th day of May 1956, was not the Muhammad's Temple of Islam, Inc. legally incorporated in the State of New York?

MR. SUTTON: Objection. H. wouldn't have knowledge whether it was legal.

THE COURT: Do you concede it was issued?

MR. SUTTON: Certainly.

THE COURT: All right.

Q You held meetings without characterizing them, right?

A How do you mean by that?

Q Did the temple have meetings at the temple? You had religious meetings and you had business meetings, did you not?

A We had both.

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2 Q So now you don't carry on business at your
3 religious meetings, do you?

4 A Yes.

5 Q While you were having devotions you carry on
6 business, too?

7 A Sometimes we do.

8 Q At the same time?

9 A Sometimes we do.

10 Q Is this called for in the Islam--Nation of
11 Islam? Is that proper?

12 A Well, it's proper when you have people who
13 have never been taught business; the importance of
14 business.

15 Q Sir, did you pay bills and so forth at your
16 meetings?

17 A No.

18 Q You didn't have monies to pay bills at your
19 meetings?

20 A Maybe I don't understand the question.

21 Q You paid rent for the temple?

22 A Yes.

23 Q Did you get these monies from the same place
24 at these meetings? You got the money from the con-
25 tributions of the brothers?

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2 A We got the money from rent and contributions
3 made by Muslims.

4 MR. WILLIAMS: No further questions.

5 MR. SUTTON: No further questions.

6 THE COURT: Step down before they
7 change their minds.

8 Both sides rest?

9 MR. SUTTON: I had expected that we
10 would proceed quicker. I had another wit-
11 ness but I think--

12 MR. WILLIAMS: I have two short
13 rebuttals.

14 THE COURT: What about you?

15 MR. SUTTON: Maybe I can stipulate
16 with him as to them.

17 Would you step to the bench?

18 (Whereupon, a discussion was had
19 at the bench.)

20 THE COURT: All right.

21 CHARLES MORRIS, residing at
22 314 East 143rd Street, Bronx 51, New York, was
23 called as a witness by the respondent, was duly
24 affirmed and testified as follows:

25 DIRECT EXAMINATION

1
2 BY MR. BURTON:

3 Q Tell me, sir, how long have you been in the
4 religious body known as the Nation of Islam?

5 A I became a Muslim in the Nation of Islam the
6 year of 1960.

7 Q During the period of your time in the Nation
8 of Islam, have you had occasion to see the methods, the
9 practices and procedures followed by the Nation of Islam
10 in removing brothers as well as ministers from the
11 Nation of Islam?

12 A Yes.

13 Q Tell me the methods both of removal from the
14 brothers as well as the ministers, if you know, sir.

15 A In the Nation of Islam, it is the law and the
16 policy that any Muslim, including ministers who violate
17 the law, must have seen that brother doing whatever that
18 act that he was accused of and in the meantime they
19 have investigators and various mosques throughout the
20 country who writes up these various laws that these
21 different members violate and when they write them up,
22 they send them into Chicago. When they goes into Chicago,
23 they have to wait for hearings when these letters are
24 acted upon by the supreme captain, the Honorable Elijah
25 Muhammad himself. Then they're sent back to the various

1
2 mosques and then that individual is brought before the
3 board and is given his time out which sometimes is
4 ninety, sometimes is one to five.

5 Q "Given his time out," is that after a hearing?

6 A After the hearing.

7 Q At this hearing, is the brother entitled
8 to confrontation by the person accusing him?

9 A The brother is entitled--there is the law
10 that he must face his accuser.

11 Q Have you ever seen any brother in the time
12 you have been there removed except by the methods you
13 described?

14 A There is no brother--it is the violation for
15 any brother according to the law, the Nation of Islam
16 here in the--

17 THE COURT: What do you mean by "the
18 law"? What law?

19 THE WITNESS: The law which is laid
20 down in the religious body of Islam.

21 Q When you say "the law," this is not a written
22 law? This is custom, practice and procedure and teaching?

23 A That's right, by the religious teaching of
24 the Honorable Elijah Muhammad.

25 Q Have you ever seen this in writing?

1

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A As a matter of fact, there is nothing in
3 writing. As a matter of fact, dictatorial powers by
4 the Honorable Elijah Muhammad.

5

MR. SUTTON: Nothing further.

6

CROSS EXAMINATION

7

BY MR. WILLIAMS:

8

Q Are you a minister?

9

A No.

10

Q You are not qualified to speak with respect
11 to removal of ministers and procedure, are you?

12

A I am. I am qualified.

13

MR. SUTTON: Objection.

14

THE COURT: Overruled. He is bound
15 by his answer.

16

MR. SUTTON: Just a moment. Did

17

you hear my objection? I object to that

18

portion which asks him is he qualified. It's

19

an improper question to ask him.

20

THE COURT: It's proper cross examin-

21

ation. I learned that a long time ago.

22

MR. SUTTON: To ask a man whether

23

he's qualified?

24

THE COURT: If he wants to accept

25

his answer, he's bound by his answer.

MR. SUTTON: All right, sir.

THE COURT: Proceed.

Repeat your question.

Q How many visitors have you known in the Nation of Islam?

A Well, I have known a number of ministers.

Q Were you a member of Temple Number 7?

A I were.

Q Are you now?

A Am I a member now?

Q Yes.

A I am a Muslim.

Q Are you a member of the Muslim Temple? Are you a member of Temple Number 7?

A I am now a member of Temple Number 7.

Q You are?

A I am a member of the Nation of Islam.

Q When were you last at Temple Number 7?

A I haven't been at Temple Number 7 since about four or five--about pretty close to six or seven months.

Q Six or seven months?

A Yes. Correct.

Q So you haven't been keeping up with your religious obligations, have you?

1
2 A My religious obligations?

3 Q Of going to the Temple.

4 A Yes.

5 Q Where have you been going to keep them up?

6 What mosque have you been going to?

7 A I don't have to necessarily go to the mosque
8 to keep up with my religious obligations.

9 Q Have you been going to the mosque?

10 A I don't have to go to the mosque.

11 Q I didn't ask you that.

12 A Not a custom that I have to go to the mosque.

13 Q Have you been going to any temple?

14 A Yes.

15 MR. SUTTON: Objection. It's wide
16 from the point.

17 THE COURT: Why not ask him a
18 blunt question what you have in mind?

19 Q One question I have in mind. You no longer
20 belong to this temple. You are a follower of Minister
21 Malcolm, is that true?

22 A Every minister is a follower of Minister
23 Malcolm because he taught every one of us.

24 Q I asked you one question: Do you belong to
25 this mosque and are you a follower of the New York

1
2 Mosque that was incorporated and that Minister Malcolm
3 now leads?

4 A I am a follower in the now mosque that the
5 minister sets up throughout the country.

6 MR. WILLIAMS: No further questions.

7 REDIRECT EXAMINATION

8 BY MR. SUTTON:

9 Q Minister Malcolm sets up most mosques?

10 A Practically all the mosques in the country.

11 Q You know that Minister Malcolm set up many
12 mosques?

13 A Correct.

14 Q Have you ever been removed as a member of
15 Temple Number 7?

16 A Never.

17 Q Have you resigned from Temple 7?

18 A No.

19 Q Do you consider yourself a member of Temple 7?

20 A Yes.

21 Q Is it possible for you to worship in other
22 temples and still remain a member?

23 A That's right.

24 MR. SUTTON: That's all.

25 RECROSS EXAMINATION

1
2 BY MR. WILLIAMS:

3 Q You never were an official of Temple 7?

4 A I was not an official. I was a Muslim.

5 Q Were you an official?

6 A Acting in an official capacity. No, I was
7 not.

8 Q You didn't know what they were doing in the
9 other temples?

10 A Yes.

11 Q Minister Malcolm told you everything that
12 went on?

13 A He didn't have to tell me.

14 Q How much is Minister Malcolm earning?

15 A How much was he earning?

16 Q Yes.

17 A I don't know.

18 Q When you testified as to the removal, have
19 you ever been present at any proceeding where a min-
20 ister was removed?

21 A At any procedure?

22 Q Where a minister was removed?

23 A Yes.

24 Q Which ones?

25 A I was present in Washington, D. C.

- 1
2 Q How long ago was that?
3 A Some time ago.
4 Q What year?
5 A I think it was in the year of 1963.
6 Q And Minister Malcolm presided?
7 A Did Minister--
8 Q Did he preside at that trial?
9 A He presided on that trial under orders of

10 the Honorable Elijah Muhammad.
11 MR. WILLIAMS: That's all.

12 THE COURT: Step down.

13 Do you rest?

14 MR. SUTTON: Yes, sir.

15 MR. WILLIAMS: I call Minister

16 Thomas J. X.

17 THOMAS J. X RIDGES, residing
18 at 432 Edgewood Street, Hartford, Connecticut,
19 called as a witness by the landlord, was duly
20 affirmed and testified as follows:

21 DIRECT EXAMINATION

22 BY MR. WILLIAMS:

23 Q Minister Thomas, are you a minister of a
24 particular mosque?

25 A Yes, sir.

1
2 Q Which mosque?

3 A Number 14, Hartford, Connecticut and Number
4 13, Springfield, Massachusetts.

5 Q Are you acquainted with the procedures of
6 the appointment and removal of ministers?

7 A Yes.

8 Q Did you hear the testimony given by Minister
9 Malcolm?

10 A I did.

11 Q Do you know of any procedure or any time
12 where it is required that there be a hearing before the--

13 MR. SUTTON: I ask to examine on
14 voire dire. He's being called as an expert.

15 THE COURT: Suppose you save it
16 for later.

17 MR. SUTTON: All right.

18 Q Are you familiar with that?

19 A Yes.

20 Q Have you heard of these procedures he speaks
21 of?

22 A Yes, sir.

23 Q In the removal of a minister, is it required
24 that there be a hearing?

25 A The Honorable Elijah Muhammad has complete

1
2 authority to remove at any time any one, to appoint
3 anyone and to remove anyone at any time without a
4 bearing and there have been many Muslims, even regular
5 Muslims who have been given time out of the mosque
6 that never came before the body.

7 THE COURT: Isn't that rather
8 dictatorial?

9 THE WITNESS: This is the procedure
10 and he has the complete authority.

11 THE COURT: You mean just make
12 them and break them as he pleases?

13 THE WITNESS: He has that authority.

14 THE COURT: All right. Proceed.

15 Q I direct your attention to the time Minister
16 Malcolm spoke at Hartford. Do you recall those checks?

17 A Yes, sir. There was a check that was--he
18 told me before that he never wanted a check made out
19 in his name because of tax purposes and that--so I told
20 the gentleman to make the check out as he did, to our
21 mosque. He told me and I told them but he made the
22 check out to him. It went to him and he gave me the
23 check back. I took it back to the young man and he
24 changed it to Mosque Number 14 and we cashed the check
25 and gave it to him. I gave it to him myself plus we

1

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2 always took care of his expenses and even most time
3 exceeded his expenses.

4 Q As a minister, are there ranges of ministers?

5 A Whenever you become a minister of the Honorable
6 Elijah Muhammad, usually he gives you an identification.

7 All of us receive the same identification.

8 Q All ministers are equal?

9 A Yes.

10 Q Is there any national minister?

11 A The Honorable Elijah Muhammad never told me
12 of a national minister.

13 Q Do you know why Minister Malcolm was suspended,
14 sir?

15 A I know that the Honorable Elijah Muhammad in-
16 structed all of us and he even told me himself not to
17 make any derogatory statements, any statements politically
18 concerning the death of the president. The Honorable
19 Elijah Muhammad said we mourn the death of our president
20 and he told us--instructed all of us to teach the
21 spiritual side and I was here the Sunday he made the
22 remark. I told him that they were contrary to what
23 the Honorable Elijah Muhammad had told us to do.

24 Q Was he suspended as a result of that?

25 A Yes, sir.

MR. WILLIAMS: No further questions.

CROSS EXAMINATION

BY MR. SUTTON:

Q You said he was suspended as a result of that. Do you know this of your own personal knowledge?

Did you hear the Honorable Elijah Muhammad--

A He told me--

Q (continuing) Did you hear the Honorable

Elijah Muhammad suspend Minister Malcolm X?

A I heard what the Honorable Elijah Muhammad told me.

Q That's not the question. You said that was the reason for his suspension. Did you hear the Honorable Elijah Muhammad suspend Malcolm X?

A Malcolm X told me that the Honorable Elijah Muhammad had suspended him.

Q Did you hear him?

A I didn't hear the Honorable Elijah Muhammad.

Q Thank you. As a matter of fact, the mosque that you come from was organized by Minister Malcolm X, wasn't it?

A He went through. There was a few Muslims here and I went there and the Honorable Elijah Muhammad made me the minister of that mosque.

1

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2 Q Who organized the mosque?

3 A He was the first one.

4 Q Minister Malcolm?

5 A Yes.

6 Q How long have you been in the Muslim move-
7 ment?

8 A Ten years.

9 Q Was Minister Malcolm already active in the
10 movement when you came in?

11 A He was beginning.

12 Q Where did you come in from? What city?

13 A New York City.

14 Q Was he the minister of the temple at that
15 time?

16 A When I came into the mosque, the minister
17 before him was here and he was sent down. He was not
18 given a hearing as he says is proper and a Brother
19 James was teaching. After I came into the mosque, he
20 came to New York City at that time. At the time, he
21 was in Philadelphia.

22 Q As a matter of fact, you had appeared on
23 rostrums that Minister Malcolm was considered a
24 spokesman for the Muslims?

25 A I have appeared on the rostrum when he spoke

1
2 for the Honorable Elijah Muhammad as all of us do.

3 Q But you appeared there as a minister when
4 Minister Malcolm was speaking on behalf of the Hon-
5 orable Elijah Muhammad when he was referred to as the
6 national representative, the spokesman?

7 A Well, he tried to. This is one of his
8 convictions because he wanted to be recognized as
9 the national spokesman.

10 Q You were there when you heard these ref-
11 erences, is that right?

12 A I heard him speak many times.

13 Q You never refuted this because he was the
14 spokesman for the Muslims in America?

15 A Any minister is a spokesman for the Honorable
16 Elijah Muhammad.

17 Q He was the national spokesman for him, wasn't
18 he?

19 A Many of them were national spokesmen.

20 Q You haven't answered my question.

21 A He was never officially made national
22 spokesman. The Honorable Elijah Muhammad never told
23 me that he was the national spokesman.

24 Q All you know about who was spokesman is
25 what the Honorable Elijah Muhammad told you?

1
2 A He appoints them.

3 Q He can appoint and he can remove; no hearing
4 is required; nothing, is that correct?

5 A That's right.

6 Q And you have been in the movement for ten
7 years?

8 A Yes.

9 Q You heard a brother testify that with regard
10 to brothers they were entitled to a hearing and a
11 confrontation by their accusers. Do you also say this
12 is not true?

13 A I said that the Honorable Elijah Muhammad has
14 the authority at any time and the minister that pre-
15 ceded me in Springfield, he was removed without a
16 hearing. Minister George was--

17 THE COURT: We don't want a disser-
18 tation.

19 Q Only the answer, please. I am asking you
20 now about brothers. You heard testimony that even a
21 brother has the right to confrontation by his accusers.

22 A There is a different procedure.

23 THE COURT: Answer the question.

24 Don't go off on a long harangue.

25 Q Is that true? A brother has a right to

1
2 to confrontation by his accusers before he can be
3 removed?

4 A Sometimes they do. Sometimes they don't.

5 Q Does he have the right under the practices
6 and procedures of the faith to the hearing?

7 A Say that over again.

8 Q Does a brother under the practices and pro-
9 cedures of the Muslim faith in America have a right
10 to a hearing before the congregation or body by his
11 accusers where he stands trial, to hear the charges
12 that he is accused of and the right to defend himself
13 before he can be removed?

14 A He has a right to bring his case before the
15 officials of the mosque. If he is a higher official,
16 one that can remove a captain or a minister, is the
17 Honorable Elijah Muhammad himself.

18 Q Did the Honorable Elijah Muhammad ever re-
19 move Minister Malcolm?

20 A He told me he did.

21 Q When did he tell you that?

22 A This was after his suspension. He was
23 suspended at that time and Malcolm told me that he
24 was suspended by the Honorable Elijah Muhammad and
25 that it was the best thing that ever happened to him

1
2 because they probably would have killed him about the
3 statement he made about--

4 THE COURT: Let's not go into that.

5 MR. SUTTON: He just made a state-
6 ment. Let's go into that.

7 THE COURT: We covered that subject
8 pretty completely.

9 MR. SUTTON: I don't want it left
10 out.

11 THE COURT: All right. Complete it.

12 Q You said that Minister Malcolm told you, sir,
13 that he probably would have been killed in the Muslim
14 movement?

15 A No, that the public over this inflamed
16 statement that he made concerning the president, the
17 general public were aroused because the president had
18 died and he made a half cocked statement. So then he
19 said the Honorable Elijah Muhammad set him down. It
20 probably saved his life.

21 Q A man told you that he might have gotten
22 killed?

23 A By the people who were involved by the death
24 of the president.

25 Q He told you that?

1
2 A Yes.

3 Q On what date did he tell you that?

4 A I don't remember the date.

5 Q What month did he tell you that?

6 A After his suspension.

7 Q While he was still in suspension?

8 A Yes. He told me that the Honorable Elijah

9 Muhammad suspended him and the Honorable Elijah

10 Muhammad told me himself that he suspended him.

11 MR. SUTTON: Nothing further.

12 REDIRECT EXAMINATION

13 BY MR. WILLIAMS:

14 Q Is Minister Malcolm now in the Nation of
15 Islam as recognized by the Honorable Elijah Muhammad?

16 A No.

17 Q He has severed his relationship?

18 A Yes.

19 Q Does he receive communications from the
20 national headquarters at the other mosques?

21 A No.

22 MR. WILLIAMS: Nothing further.

23 RECROSS EXAMINATION

24 BY MR. SUTTON:

25 Q How do you know that?

1

2 A The Honorable Elijah Muhammad told me that he
3 does not.

4 Q When you say that, you are relying on some-
5 thing you don't know of your own personal knowledge?

6 A The Honorable Elijah Muhammad--

7 Q You don't know of your own personal knowledge
8 but you heard someone say that and that person was the
9 Honorable Elijah Muhammad?

10 A Yes.

11 Q You don't know that of your own knowledge?

12 THE COURT: He said that. It's
13 hearsay. We know that. Come on.

14 MR. SUTTON: I wanted it for the
15 record.

16 We rest.

17 THE COURT: The record speaks for
18 itself.

19 MR. SUTTON: I want to get everything.

20 THE COURT: You have everything but
21 the kitchen sink.

22 Are you finished Mr. Williams?

23 MR. WILLIAMS: Yes.

24 THE COURT: You, too?

25 MR. SUTTON: Yes.