

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Lincoln ROCKWELL
928 N. Randolph Street,
Arlington, Virginia,

J. V. Kenneth MORGAN,
296 Chinquapin Village,
Alexandria, Virginia,

Eugene B. COULTON,
4910 S. Tenth Street,
Arlington, Virginia,

John PATIER,
600 N. Emerson Street,
Arlington, Virginia.

Roger FOSS,
928 N. Randolph Street,
Arlington, Virginia

PLAINTIFFS

vs:

Case Number: _____

Fredrick SEATON,
Department of the Interior,
Washington 25, D. C.

Harold THOMPSON,
Department of the Interior,
Washington 25, D. C.,

T. Sutton JETT,
Department of the Interior,
Washington 25, D. C.

Robert McLAUGHLIN,
Commissioner,
District of Columbia,
District of Columbia Building,
Washington, D. C.

Mark SULLIVAN, jr.
Commissioner,
District of Columbia,
District of Columbia Building,
Washington, D. C.

Fredrick CLARK,
Commissioner,
District of Columbia,
District of Columbia Building,
Washington, D. C.

Clark KING,
Assistant Corporation Counsel,
District of Columbia,
Municipal Court Building,
Washington, D. C.

STEWART, Chief,
National Capital Park Police,
Headquarters Building,
Independence Avenue,
Washington, D. C.

Walter LANGE,
National Capital Park Police,
Independence Avenue,
Washington, D. C.

The Anti-Defamation League of B'Nai B'Rith,
1640 Rhode Island Avenue, North west,
Washington, D. C.)

Jason SII VERMAN,
Anti-Defamation League of B'Nai B'Rith
1640 Rhode Island Avenue, Northwest,
Washington, D. C.)

Herman EDEI SBERG,
Anti-Defamtaion League of B'Nai B'Rith,
1640 Rhode Island Avenue, Northwest,
Washington, D. C.)

David BRODY,
Anti-Defamation League of B'Nai B'Rith,
1640 Rhode Island Avenue, Northwest,
Washington, D. C.)

John B. SCHUI TZ,
Medical Director,
District of Columbia General Hospital,
Washington, D. C.)

DEFENDANTS)

C O M P L A I N T F O R
CONSPIRACY, FALSE ARREST, AND DEPRIVA-
ATION OF CIVIL CONSTITUTIONAL RIGHTS UN-
DER TITLE 42, SECTIONS 1981 THROUGH 1986,
UNITED STATES CODE.

I

Jurisdiction:

1. This Court has jurisdiction of this case on all three grounds provided under Federal Statutes:
 - a. The Plaintiffs are all citizens of the Commonwealth of Virginia, and the Defendants are all citizens of, or are operating or doing business in, the District of Columbia, giving the Federal District Court jurisdiction under the Diversity of Citizenship Rule, 8(a)(1), FRCP.
 - b. The matters in controversy exceed, exclusive of interest and costs,

the sum of Ten Thousand Dollars (\$10,000).

c. The action arises under the First, Fifth and Fourteenth Amendments to the Constitution of the United States, and under the United States Code, Title 42, Sections 1981 through and including 1986, and is brought to enforce the legal rights of Plaintiffs, to clarify the interpretation of existing statutes, and to enjoin and restrain the continuing deprivation, under color of certain statutes of the District of Columbia, of certain rights, privileges and immunities secured to the Plaintiffs by the Constitution of the United States, and to secure for the Plaintiffs from the Defendants redress of damages sustained already as a result of such unlawful deprivation of rights by Defendants.

2. The Defendants, where applicable, are sued as individuals and proper persons, in addition to their capacities as officials and/or agents of government or private organizations.

II

Identification of Plaintiffs

1. Plaintiffs in this action are associated together or working together with an unincorporated, non-profit organization called The American Nazi Party of the World Union of Free Enterprise National Socialists, which has its headquarters at 928 North Randolph Street, Arlington, Virginia, and which has as its purpose the preservation of the American Constitutional Republic and the White Race of People against the criminal Communist conspiracy to destroy these things. This organization hopes to achieve this purpose by winning political power through the elective processes, and then installing its reform program by Constitutional means with the support of the American people. In order to win such support of the American people, the Party must exercise its rights under the Constitution to disseminate its facts and ideas to the people, sometimes by unorthodox but legal methods because of the tendency of opposition political groups to use their considerable power in the media of public information to maintain a "blanket of silence" around the activities and preachments of the Plaintiffs, and to misrepresent the aims of Plaintiffs as including such criminal and vicious aims as the murder of innocent people, and the brutal suppression of liberty and freedom. It is the unlawful effort of such opposition groups to suppress and intimidate and eliminate Plaintiff's ideas and aims

and even their organization, by force and violence, threats and finally by deprivation of their plain rights under the Constitution of the United States, under color of the District of Columbia Statutes of Disorderly Conduct and Competency to stand trial, -all of which give rise to this action.

III

Narrative of the Facts

1. On or about 3 February, 1960, Plaintiffs requested, in writing, a permit to speak in the "Sylvan Theater", an area of the National Capital Parks especially designed and used for public speeches, rallies, etc. Defendant Jett, on behalf of the Department of the Interior and Defendant Thompson and Defendant Seaton, denied Plaintiff's request on the grounds that Plaintiff's projected speech was too controversial, although Communists had previously been granted permission to speak there.

2. In lieu of permission to use the Sylvan Theater as requested, Plaintiffs were advised by Jett that they would be able to speak without any special permit in any of four other areas of the National Capital Parks System in the District of Columbia which were especially set aside for the exercise of First Amendment rights by the public without permit.

3. Plaintiffs objected to the prior restraint nature of the denial of permission to speak in the "Sylvan Theater", but agreed to speak, instead, in the park Southwest of the corner of Ninth and Constitution Avenues, North West, since this location appeared to give them a fair opportunity to reach and convince members of the public with their facts and arguments. Plaintiffs then held a preliminary conference with Defendant Jett on the grounds of the Park at Ninth and Constitution Avenues, on or about the 25th day of March, 1960, to arrange details of cooperation and to learn the applicable regulations for the speeches, which were planned for every Sunday afternoon from two to four o'clock, PM. Plaintiffs submitted plans and sketches of platform, signs, loud-speaker system, etc, and, at the request of Defendant Jett, eliminated various elements of signs and other items which said Jett considered too "controversial". Jett volunteered to provide a roped-off area in which Plaintiffs were to set up their speaking stand, to prevent too-close contact of crowds with the speaker, and warned Rockwell that if, at any point in the speaking, police felt there was danger of serious disorder or riot, they would halt the speech. The Plaintiffs were also warned to maintain the loud-speaker volume at a moderate level.

4. On or about 3 April, 1960, Plaintiffs held their first speech at Ninth and Constitution Avenues, but, since it rained heavily, did not use the stand, loudspeakers or any signs and equipment. There was no crowd and no disorder.

5. On or about April 10, 1960, the stand and speakers and all other equipment were used for the first time in a successful speech with no serious disorder or difficulty.

6. On subsequent Sundays, speeches were held successfully, with some heckling, but no major disorders. Only once, on or about 15 May, 1960, did the hecklers grow so disorderly that the Police moved in and halted the speech. At no time did the speeches consist of anything else by the lawful expression of the facts, beliefs, ideas and recommendations which the Plaintiffs believe are vital to be disseminated for the preservation of our Government and Race.

7. During the months of April through October, 1960, Defendants The Anti-Defamation League of B 'Nai B 'Rith, Silverman, Edelsberg, Brody, and other Jewish persons, approached Defendants Seaton, Thompson, Jett and King by mail, by telephone calls and in personal visits, and exerted extreme and unlawful pressures on these officials to deprive Plaintiffs of their loud-speakers, police protection, and of their speaking location at Ninth and Constitution. The Jewish defendants objected to the large numbers of people who were able to hear the speeches and were attracted thereby at Ninth and Constitution, and unlawfully urged the other Defendants to use any and all means to close that part of the National Capital Park System to any further speaking without permits. All of this was in direct violation of Title 42, Sections 1981 through 1986 of the United States Code.

8. As a result of this unbearable and unlawful pressure by Defendants the Anti-Defamation League of B 'Nai B 'Rith, Silverman, Edelsberg, Brody, and other Jewish persons, Defendants Seaton, Thompson, Jett, Stewart, Lange and Hower, together with Defendants District of Columbia, and King, began to attempt to intimidate Plaintiffs in the exercise of their rights to speak and use loud speakers at the Ninth and Constitution site. The previous courteous treatment and scrupulous observance of the law by the government officials began to be replaced by a growing laxity in policing the tendency of certain groups in the audience to be disorderly and provocative.

9. By the end of June, 1960, the most flagrant kind of disorderly conduct and incitement to violence and riot by members of a mob which began to attend regularly, was tolerated.

10. On or about 10 June, 1960, Defendant Jett called Plaintiff Rockwell on the telephone and unlawfully forbade Plaintiffs the further use of their loud-speaker system because, he said, of "complaints" thereof.

11. Preparatory to filing suit to regain the speakers, Plaintiffs then wrote an official letter to Defendant Seaton requesting reasonable and objective standards of setting a proper sound level, and the return of the right to use the loud-speakers. At a conference with the Counsel for the Department of the Interior, attended by Defendants Thompson and Jett, it was agreed that Plaintiffs could use the speakers, and the officials on the ground would advise Plaintiff Rockwell if and when they were "too loud". Plaintiff offered to procure and make available a decibel meter to insure objectivity, but this offer was refused by the Department of the Interior.

12. On 19 June, 1960, the speakers were again used, without any notification that they were too loud at any time, as it had been agreed Plaintiffs would be notified if the sound was too high. Nevertheless, Jett again called Rockwell and ordered him to cease the use of the loudspeakers, and again based his unlawful order and deprivation of rights on the grounds of "complaints".

13. On or about 25 June, 1960, Defendant Thompson called Plaintiff by telephone and informed him in what seemed to be a highly excited state that the Department of the Interior and the Park Police had so many reports of planned violence and rioting at the next speech, scheduled for 26 June, 1960, that the Department felt it might not be able to guarantee police protection to the Plaintiffs or the general public because of the "controversial" nature of the facts, ideas and opinions expressed previously by the Plaintiffs. Thompson urgently requested Rockwell to cancel further speaking altogether. Failing that, he stated that much of the "trouble" was caused by the availability of the Ninth and Constitution site to the public, which was concerning those who were "complaining", and begged Plaintiffs to remove their speaking to a more isolated area of the Parks. When Plaintiffs insisted on their right to reach as many of the public as they lawfully could in spite of threats and intimidation, Thompson then asked Rockwell to bring all of his partisans within the roped-off area, in-

stead of keeping them among the disorderly sections of the mob, where they had previously been able to keep the crowd from adhering into a riotous mob. Rockwell agreed to do this upon Thompson's assurances that this would help to preserve order.

14. On or about 26 June, 1960, less than an hour before dark, a special messenger from the Department of the Interior delivered personally to Rockwell a letter from Thompson officially confirming the things previously stated in the telephone call mentioned in 13 (supra), and again adjuring Plaintiffs not to speak, or to speak in one of the isolated areas.

5. In view of the official and urgent warnings, and the anonymous threats also being received by Plaintiffs that "this time" they would "get it", etc, a large sign was painted reading, "WARNING! U. S. Officials warn us that certain groups may riot here. They hope police will silence us for their acts! Keep order!" Rockwell sternly warned his associates of the attempts to create a riot which could be used to silence the dissemination of the Party's facts and ideas, and ordered them not to respond to provocations, no matter how outrageous they might be. Mustering 26 of his associates, Rockwell proceeded to the speaking site with the sign and other, usual equipment, placed all partisans inside the enclosure, as requested by the Department of the Interior, and posted up the warning sign prominently. Motion pictures were taken of all occurrences, and every possible precaution against rioting taken.

16. In spite of an amazing lack of uniformed policemen, in view of the exceptionally urgent warnings of the Department of the Interior, the Plaintiffs were able to maintain order and make a speech, in spite of being spat upon, screamed at, challenged to come out and fight, etc.

17. The following Sunday, 3 July, 1960, Plaintiffs were unable to muster more than eleven men because of jobs, vacations, sicknesses and family responsibilities, but it was hoped and believed that the success of the week before in holding off the riot-bent mob seeking to halt the speeches would have discouraged the mob leaders who sought to break up the speech by force and violence.

18. On or about 3 July, 1960, Plaintiffs were spat upon and hit with thrown objects as they set up their speaking stand at Ninth and Constitution Avenues, and a bigger mob of bigger and huskier men than had ever appeared before be-

gan to gather with obvious intentions, made even clearer by their shouts and taunts. Even before Rockwell attempted to speak, their curses and screams were well beyond the realm of expression of ideas or facts protected by the First Amendment. Again, however, there were less than seven uniformed policeman on the immediate scene, and these stood off at a distance, refusing to act in spite of the most flagrant conduct by the members of the mob. Metropolitan Police officials who were present, but who were powerless to act in the Park, where the Park police had jurisdiction, attempted to get the Park Police to restore order with the available forces, but these forces had orders, originated by Defendant Stewart, to hold off at a distance and permit the disorder to develop, in direct violation of Title 42, Section 1986 of the United States Code.

19. When Rockwell attempted to speak the first words, "My fellow Americans!", the mob, in obviously planned and concerted action, drowned him out with screaming and shouting and with threats. The mob was not simply booing or hissing or arguing, as was lawful and proper, but were screaming savagely and purposefully to make it impossible for Plaintiffs to be heard by the orderly group of persons toward the rear who had come to hear the speech.

20. When large numbers of burly, husky men began to lean heavily on the ropes and press them toward the ground, shaking their fists and daring the Plaintiffs to fight, and even punching them when they could lean near enough, Rockwell sent three men, or attempted to send three men to appeal to police officials to restore order and restrain the crowd from further violence to the Plaintiffs or the ropes. One of the men sent for police was kicked by the mob, and sent back into the ropes by a uniformed policeman who came down from where they, the police had been standing. The other two men were told "If Rockwell wants order, tell him just to stop speaking!".

21. In spite of Thompson's warnings of violence and riot, only seven uniformed policemen were on hand to help maintain order, -less than had been on hand on many other, more peaceful occasions. It was later learned that other policemen who were usually in uniform were ordered to come in plain clothes, in order not to intimidate the mob, and to permit the build-up of the spirit of riot and disorder which did, as a matter of fact, develop. Two mounted policemen, who had previously proved most effective in preventing the rise of disor-

derly conditions, were actually hidden around behind the building of the Smithsonian Institution, over a hundred yards away from the scene and well out of sight, and were not brought out, in spite of suggestions by the Metropolitan Police officials, until after the actual occurrence of rioting, even though riotous conditions prevailed for more than an hour and a half.

22. During said period of one hour and a half, during which there was extreme disorder just short of rioting, and during which Plaintiffs never were able to deliver so much as one word of the usual speech, the Defendants procured a state of almost complete passivity by the Police, who approached the immediate area of the disorderly and threatening mob only rarely when there was a particularly heinous aggressive act. At approximately three forty-five, PM, members of the mob asked Lieutenant Hower of the Park Police if they could go through the ropes. Although he well knew their purpose and the result of such going through the ropes, Lieutenant Hower, in plain dereliction of his duty and in violation of Section 1986, Title 42, United States Code, told these persons that it would be alright for them to go through the ropes, so long as they did not cut or break them, and get inside the ring with Plaintiffs.

23. After another few minutes of working up their frenzy and courage, a mob of almost twohundred burst through the ropes, dragged Plaintiff Morgan through the ropes outside and five of them beat him bloody and unconscious while the rest of the mob brutally attacked the other nine members of Plaintiff's organization.

24. Plainclothesmen, together with the uniformed police, then came down to the scene after several minutes of hard fighting, and broke up the riot. The mounted policeman galloped up from the other side of the Smithsonian Institution and cleared the area in a matter of moments. Four of the mob, who were found piled on the unconscious Morgan were arrested, and all of Plaintiff's members were arrested and charged with violation of the District of Columbia code, Title 22, Section 1103, Disorderly Conduct., by the orders of Defendants Stewart, Hower, Lange, and King.

25. Defendants Corporation of the District of Columbia and King then conspired together on several occasions with Defendants Silverman, Edelsberg and Brody and others unknown to secure the unlawful and unreasonable

commitment of Plaintiff Rockwell, under color of the District of Columbia Code for determining the mental competency of defendants to stand trial, to the District of Columbia General Hospital's Psychiatric lock-up for "observation" and, as they hoped, eventual permanent commitment to St. Elizabeth's Hospital for the insane. Defendants Silverman, Edelsberg and Brody, using the intelligence network of Defendant Anti-Defamation League of B'Nai B'Rith, secured photostats of cartoons drawn over twenty years earlier by Plaintiff Rockwell, plus printed matter containing Rockwell's political ideas, gave them to Defendant King, and procured Defendant Schultz in his position as Medical Director of the District of Columbia General Hospital, to examine them for a period of one or two hours on one evening. Thereupon, Defendant King called said Dr. Schultz to the witness stand in the District of Columbia Municipal Court on or about 27 July, 1960, as Plaintiff Rockwell was preparing to defend himself on charges of Disorderly Conduct fraudulently and unlawfully brought against him as set forth in Paragraph 24 (supra), and the said Dr. Schultz testified that Plaintiff Rockwell was "probably insane" and a "paranoic", which made out a Prima facie case for the commitment of Rockwell, although Dr. Schultz admitted he had never seen or talked to Rockwell, and did not even know if the material he examined was by Rockwell or had any particular purpose. In spite of the testimony of the testimony of the other government witnesses that Rockwell was thoroughly competent to stand trial, and solely as the result of the testimony of Dr. Schultz fraudulently and unlawfully procured by the other Defendants named in this paragraph, Rockwell was, as a matter of fact, committed to the Mental lock-up of the District of Columbia General Hospital for thirty days. In thus depriving Rockwell of his fundamental constitutional rights and procuring his incarceration as a mental case suspect, although they well knew Rockwell was more than ordinarily competent to stand trial and not insane, and in using their official positions to procure the deprivation of all rights and liberty of Rockwell under color of the District of Columbia Code provisions for the mental examinations of accused who appear not competent to stand trial, Defendants District of Columbia Corporation, King and Schultz were in direct violation of title 42, Sections 1981 through 1986, United States Code. And Defendants Anti-Defamation League of B'Nai B'Rith, Silverman, Edelsberg and Brody were guilty of a conspiracy and acts calculated to cause, and successful in causing, the false arrest and incarceration of Rockwell.

26. The outrageous and infamous nature of the conspiracy to commit the Plaintiff Rockwell to a mental lock-up under color of the incompetency to stand trial provisions of the D. C. Code became more apparent when three honest psychiatrists, including one Jewish psychiatrist, risked their positions under Defendant Schultz to find Rockwell competent and sane. In a highly unusual move, Rockwell was thereupon hurriedly released from custody by the District of Columbia General Hospital, by a letter to the court, the evening before a scheduled Habeas Corpus hearing in the Federal District Court, twenty days before the thirty-day period originally procured, on or about 4 August, 1960.

27. In the meantime, after the riot on 3 July, 1960, Defendant Jett again attempted, on 4 July, 1960, in a telephone call to Plaintiff Rockwell, to intimidate and harrass the Plaintiffs into cessation of all speaking. Jett told Rockwell in said telephone call that it would be "impossible" to guarantee police protection to the Plaintiffs or the public if Rockwell again attempted to speak. When Rockwell insisted on his right to speak in spite of such threats, Jett informed Rockwell that Plaintiffs would not be allowed to use their speaking stand, and the ropes would be removed, permitting the mob direct approach to the speaker and his associates. Rockwell reiterated his determination to speak anyway, despite this flagrant effort to use the threat of mobbing and violence, by an official of the United States Government.

28. When Plaintiffs appeared at two o'clock PM at Ninth and Constitution Avenues, NW, to speak as usual, -but standing with his back to a tree, -officials of the Interior Department and Police approached Rockwell and handed him a tyewritten notice that the Department of the Interior regulations had been changed as of that date, Monday, July 4, 1960, -a holiday, and public speeches were thenceforward banned at Ninth and Constitution. Defendants again advised Plaintiffs not to attempt to speak.

29. Plaintiffs thereupon proceeded to one of the other three areas designated for free speech, Judiciary Park at Fifth and E Streets, N. W., and attempted to speak. Again the mob of riotous "hecklers" was permitted the most outrageous provocations by the Police. The attempt to create another riot which could then be used to arrest Plaintiffs once again for the acts of the mob was so obvious that Plaintiff Rockwell ordered his associates to fold their arms and turn their backs to the threatening mob which was less than ten feet away. Rockwell lighted a cigar to emphasize Plaintiffs' determination not to agitate

or do anything "disorderly", and waited quietly while the mob howled and shrieked savagely. There was no police action, but eventually the mob grew conscious of the spectacle of tyranny and violence it was creating, became ashamed, and there were shouts of "Let him speak!". This destroyed the previously existing singleness of purpose of the mob, and Plaintiffs were at length able to speak with some success. Defendant Stewart, who was personally present at this scene, again failed to use the forces at his disposal, as was his duty, to remove threatening and disorderly persons from the scene, in direct violation of Title 42, Section 1986, United States Code.

30. After two more relatively successful speeches on 10 and 17 July, Defendant Stewart had made it clear that the Park Police would not discipline the riotous mobs, and Rockwell asked Police officials why they did not remove from the area or arrest persons who were cursing and openly disorderly. He was told that these persons had the same right as Rockwell to "speak", and the Police were powerless to stop their "free speech". Thereupon, Rockwell sent a letter to Defendants Jett and Thompson that, since members of the mob were permitted to howl and threaten and scream with impunity, Plaintiffs would take advantage of the same liberty to mingle with the mob as was the earlier practice, until stopped at the request of Defendant Thompson, and shout back at the disorderly members of the mob.

31. On or about 24 July, 1960, Plaintiff Rockwell instructed his associates, at his direction, to walk out into the crowd with their arms folded to preclude charges of violence or violent intent, and shout and scream at the "hecklers" as they had been doing to Plaintiffs without any action by police. Motion pictures were taken as a precautionary measure again, in case of charges of disorderly conduct or assault. Against the direct and forceful orders of Plaintiff Rockwell, one of his associates appears, in the motion pictures, to have raised his folded arms under the chin of a "heckler" to strike him. Thereupon, although there was no further or other violence, all of Plaintiffs and their associates were again arrested for "Disorderly Conduct", -including a man holding the American flag. None of the mob were arrested, and these discriminatory arrests were in direct violation of Title 42, Section 1986, United States Code.

32. On or about 12 October, 1960, several members of Plaintiffs' organization went to 1001 Connecticut Avenue, N. W. to picket Democratic National

Headquarters against the election of Senator John Kennedy as President of the United States. When said members commenced to pickett silently and peacefully with their signs, Defendants Anti Defamation I eague of B 'Nai B 'Rith, Silverman Edelsberg and Brody procured several individuals to approach the police of- ficials on the scene and threaten said Police officials that if they, the police, did not remove the pickets, these individuals would "take matters into their own hands", implying clearly the use of force and violence. The police did not arrest nor order the threateners to move on, as was their right and plain duty, but instead ordered the members of Plaintiffs' organization to leave, which such members did. The District of Columbia Code makes it Disorderly Con- duct for individuals to refuse to move on when ordered by Police, and the fail- ure of the Police so to order or so to arrest for Disorcerly Conduct the per- sons who threatened force and violence, makes Defendant District of Columbia and Defendant King guilty of violation of Title 42, Section 1986, United States Code.

34. When Plaintiff;s again appeared at 1001 Connecticut Avenue to Pick- et, at about four PM on or about 12 October, Plaintiff Rockwell had decided to make a "test" case of the District of Columbia Statute on Disorderly Conduct which had so often been used to stifle the expression of ideas of the Plaintiffs and to deprive them of their liberties and rights. A telegram was sent to the Chief of the Washington Metropolitan Police Force, asking police protection from threateners of violence. Again the Defendants Anti-Defamation I eague of B 'Nai B 'Rith, Silverman, Edelsberg and Brody procured several individuals to threaten violence unless the police removed Plaintiffs' pickets, and again Police did not arrest them or order them to move on, in violation of Title 42, Section 1986, U. S. Code, but instead ordered the pickets to leave. All com- plied, with the exception of Plaintiff Foss, who remained to test the Disorderly Conduct Statute as planned. For the third time, the threatening individuals announced to Police that they would "take matters into their own hands" unless the picket was removed. When Plaintiff Foss refused to move as ordered by the Police, he was arrested for Disorderly Conduct and jailed in lieu of ten dollars collateral, depriving him unlawfully of his right to speak and of his liberty under color of the D. C. Disorderly Conduct Statute, in direct violation of Title 42, Sections 1981 through 1986, U. S. Code.

35. The following morning, on or about 13 October, 1960, Rockwell and several associates went to the Municipal Court of the District of Columbia for the trial of Plaintiff Foss. At a preliminary hearing in the office of Defendant King, the same persons who had three times, the day before, threatened the police with force and violence against Plaintiff's peaceful pickets, now appeared and demanded that Defendant King arrest and prosecute Plaintiff Rockwell and the associates who had picketed the day before, even though Rockwell had not participated in the picketing at all, and the others had moved on when asked to do so by the police force. Defendant King unlawfully complied with this conspiratorial plan of Defendants Anti Defamation League of B'Nai Brith, Silverman, Edelsberg and Brody, and once again deprived Plaintiffs of their liberty and their rights under color of the District of Columbia Disorderly Conduct Statute, Title 22, Section 1121, in direct and purposeful violation of Title 42, Sections 1981 through 1986, United States Code.

IV

1. Defendants Anti-Defamation League of B'Nai B'Rith, Silverman, Edelsberg, Brody and Schultz have repeatedly succeeded in conspiracies to cause the unlawful deprivation of constitutional rights, the arrest and the false imprisonment of Plaintiffs by the use of threats and intimidation against public officials, and have damaged the Plaintiffs in the sum of One Hundred Thousand Dollars each, by subjecting them to such false arrests, imprisonments and besmirching their reputations and standing in the community with false criminal records.

2. WHEREFOR, the Plaintiffs demand judgment against the Defendants named in paragraph (1) (supra), in the total sum of Five Hundred Thousand Dollars (\$500,000.00) plus interests and costs of this action.

V

1. Defendants Seaton, Thompson, Jett, McLaughlin, Sullivan, Jr., Clark, King, Stewart, Lange and Schultz, as set forth in the body of the complaint, Section III, have repeatedly and flagrantly acted together and individuals in a conscious, purposeful and discriminatory conspiracy to deprive Plaintiffs of their rights under the First Amendment to the Constitution and cause their arrest and incarceration unlawfully under color of the District of Columbia Disorderly Conduct Statute, Title 22, Section 1121, Code of the District of Columbia, and the Mental Competency laws, all in direct violation of Title 42, Sections 1891, through 1896, United States Code.

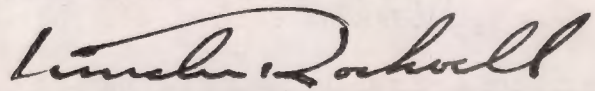
2, Said Title 42, United States Code provides for civil redress of damages and the Plaintiffs therefor demand judgment against each of the Defendants named in paragraph (1) (supra), in the total sum of Five Thousand Dollars, for a total judgment of Fifty Thousand Dollars, plus interest and costs of this action.

VI

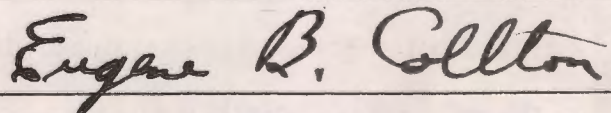
1. As set forth in the complaint, Defendants have entered into a continuing conspiracy with each other and other persons and officials, to defame, discredit, disgrace and malign the defendants by making them appear to be criminals and insane persons, and to deprive them of their liberty and property unlawfully, fraudulently and wrongfully, and have actually accomplished these ends, although they well knew that the Plaintiffs are not and were not engaged in any wrongful or unlawful acts, and were not insane or incompetent to stand trial, but the Defendants nevertheless maliciously caused the prosecution, the unlawful conviction, the incarceration and the stigmatizing of Plaintiffs as criminals and persons not competent mentally to stand trial.

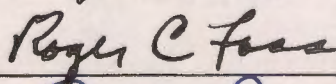
2. This unlawful conspiracy has caused the Plaintiffs irreparable and incalculable damage in their lawful plans and legitimate political aims, and, in addition, has cost them money in excess of the sum of ten thousand dollars.

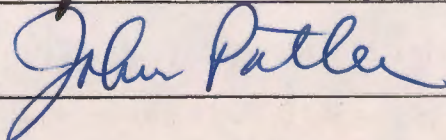
3. The Plaintiffs demand, therefor, from each of the Defendants and all of them, the sum of Ten Thousand Dollars, for a total of One Hundred and Forty Thousand Dollars, plus interest and their costs in this action.



(Pro Se)







JURY TRIAL DEMANDED

DISTRICT OF COLUMBIA) ss.

This date, November 30, 1960, personally appeared before me,

_____, a Notary Public in the aforesaid District of Columbia, I incoln Rockwell and Roger Foss, and made oath in proper form of law that they are two of the Plaintiffs in this suit filed against Fredrick Seaton, et al, and that all of the matters and facts set forth in the foregoing complaint are true to the best of their knowledge and belief.

Notary Public

My Commission expires: _____

Motion for Temporary Restraining Order
and
To Show Cause for Permanent Injunction.

COMES NOW I incoln Rockwell, a Plaintiff in the cause of Rockwell versus Seaton, et al, and moves the Honorable Court for an immediate temporary restraining order against the Defendants commanding them to cease and desist forthwith from any and all actions and prosecutions designed to restrict, interfere with or destroy the rights of the Plaintiffs to preach and disseminate their ideas by all lawful and peaceful means, including picketing, distribution of literature and public speaking, having due regard for the public safety and order; and further commanding Defendants McLaughlin, Sullivan, Clark, King, Stewart and Lange to provide proper police protection for the Plaintiffs or other citizens attempting to disseminate their facts, ideas and opinions, regardless of the threats or hostility of any mob or the leaders thereof, as is their duty; and further commanding the said Defendants to cease and desist interpreting the District of Columbia Code, Title 22, Section 1121, "Disorderly Conduct", to mean that a citizen is guilty of an offense merely because another group of citizens finds his opinions, ideas or versions of fact, stated lawfully and peacefully, "annoying", or "disturbing", etc. and threaten to, or do commit violence because, they claim, they are "provoked".

For his reasons, Plaintiff advances all of the facts set forth under oath

in the complaint in this cause, and respectfully shows to the Honorable Court that the deprivations of rights under the Constitution, the illegal and fraudulent use of the District of Columbia Code to discredit, harrass and incarcerate the Plaintiffs in the lawful and peaceful exercise of thier rights under color of a law, and the unlawful and impossible interpretation of the Disorderly Conduct Statute so as to give the police the power to halt any speech whenever a mob or a few leaders thereof threaten violence, regardless of the innocence or rights of citizens trying to speak, picket or disseminate their literature, making a mockery of justice, law and the courts, has been continuing for a period of more than six months now, and there is no reason to believe such unlawful deprivations and harrassments and imprisonments will stop.

The Plaintiff further shows to the Court that such deprivations and harrassments and prosecutions are causing irreparable harm and damages to the Plaintiffs from moment to moment, such that only an immediate Temporary Retraining Order can provide relief therefor.

2. For the same reasons, the Plaintiffs move the Honorable Court that, at a hearing of this cause, an injunction issue permanently restraining the Defendants or any other officials of the District of Columbia or the Government from utilizing the Disorderly Conduct Statute of the District of Columbia, Tittle 22, Section 1121, District of Columbia Code, from halting the lawful and peaceful attempts of any citizen to express facts and ideas in appropriate places and under reasonable regulations, solely because of the threats, disorders, riots or violence of other citizens.

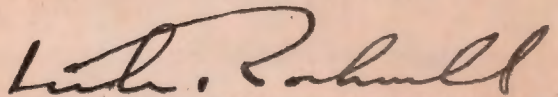
3. Plaintiff further prays the Honorable Court for such other and further relief, including general relief, as the Court may deem necessary and proper.

Motion for Mandatory Injunction

1. For all of the reasons advanced in the Complaint in this cause, under oath, the Plaintiffs pray the Honorable Court to issue a Mandatory Injunction, commanding Defendants Seaton, Thompson, Jett and Stewart to:

- a. Promulgate and publish objective standards for the use of loud speakers in the National Capital Park System, including statement of the decibels permitted at measured distances from such speakers.
- b. Re-open the section of the National Capital Parks at Ninth and Constitution Avenues, as described in III(3) (supra) to members of the gen-

- eral public who wish to express their facts and opinions without a permit therefor from the Department of the Interior, or, in lieu thereof,
- c. open another area of the Parks, equally accessible to the public and equally frequented by the public, for speaking without a permit, in order to give substance to the Constitutional right of free speech.
- d. Replace or construct another roped-off enclosure for the maintenance of order and safety of speakers and the public, either in the park at Ninth and Constitution, or at another area as set forth in (c) (supra).
- e. Release from custody any individuals they may unlawfully hold as a result of violations of Title 42, Sections 1981 through 1986, U. S. Code.
- f. Return any sums of money taken, or to be taken, from any of the Plaintiffs as fines or Court Costs and as a result of violations of Title 42, Sections 1981 through 1986. U. S. Code.
- g. Initiate vigorous criminal prosecutions of individuals who have committed crimes of violence against the peace and order of the community and against the Plaintiffs, but against whom the Plaintiffs have been unable to obtain warrants as a result of violations of Title 42, Sections 1981 through 1986, U. S. Code.
- h. Effect the removal from office, as Chief of the National Capital Park Police, of Harold Stewart.



Plaintiff, pro se