

STATE OF NEW JERSEY)
) ss:
COUNTY OF ESSEX)

I, EMERSON MOSS, being duly sworn, do depose and say:

1. That I am 34 years of age.
2. That I reside at 240 Livingston Street, Newark, New Jersey.
3. That I have been married to Louise Moss for the past twelve years and have fathered four children by her.
4. That on February 4, 1967, I sustained third-degree burns upon my body because of which I have been unable to work since that time.
5. That on July 14, 1967 at approximately 8 P.M., I left my residence at 240 Livingston Street with my wife, my four children and my brother-in-law, for the purpose of going to White Castle located on Elizabeth Avenue and Hawthorne Avenue in Newark, New Jersey.
6. That as I was driving my automobile on Hawthorne Avenue and approaching Belmont Avenue, I observed before me a yellow-barricade. As I approached the barricade, I observed three or four National Guardsmen and began to brake my automobile. As the automobile slowed to a stop, the National Guardsmen began to shoot at the car without any prior warning and with absolutely no provocation.
7. That responding to this unprovoked shooting which put me in fear of my life and the lives of the passengers in my automobile, I drove around the barricade as bullets were striking my car.

8. That shortly thereafter I approached another barricade, manned by the National Guard, and was again the object of unprovoked and indiscriminate shooting.

9. That I was able to avoid the barricade and return to my house at 240 Livingston Street.

10. That as soon as we arrived home, my son, Clarence, age nine, said, "Eddie's been shot." I removed Eddie from the car and laid him on the ground and asked that someone seek help.

11. That I cannot recall very much of what happened thereafter except that my son Eddie, age ten, was taken away.

12. That all of the above is true to the best of my information, knowledge and belief.

EMERSON MOSS

Sworn to and subscribed before me
this ____ day of _____, 1967.
