

Post 4/29/70

Rap Brown Trial to Reopen Monday

The arson-riot trial of H. Rap Brown has been rescheduled to begin Monday in the Howard County Circuit Court, Judge James Macgill said yesterday.

Brown's attorneys, seeking to have the trial moved from the state to the federal courts, have been rebuffed on five separate occasions—most recently on Monday by a panel of the 4th U.S. Circuit Court of Appeals.

A further appeal, to the U.S. Supreme Court, is still a tech-

nical possibility, but such an action would not necessarily postpone the proceedings in the state courts. Defense lawyers said yesterday they have not decided whether to seek another delay in the trial.

Brown, 26, has been unaccounted for since March 7, two days before he would have been due to appear in court to stand trial. The case was subsequently postponed after an explosion killed two of Brown's friends.

The trial was later moved to Macgill's court in Ellicott City from Harford County, where it had been transferred earlier from Cambridge, in Dorchester County. Brown is charged with arson and incitement to riot in connection with a speech he gave in Cambridge in July, 1967.

The trial was later moved to \$10,000 bond and has not been required to appear in court for pretrial matters. But if selection of a jury begins on

Monday, as scheduled, his presence will be required. If Brown does not appear, his bond can be forfeited and a warrant issued for his arrest.

William M. Kunstler, Brown's chief counsel, was scheduled to begin a jail term for contempt of court on Monday—arising out of his defense of the 'Chicago 7' at the conspiracy trial before Federal Judge Julius Hoffman. The sentence, however, has been stayed pending appeal.