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BROWN FORFEIT OF BOND RULED

9/24/70
Fugitive Is 'Alive, Well,'
Whereabouts Unknown

Federal District Judge Lansing L. Mitchell Wednesday entered a forfeiture of a \$15,000 bond posted by black militant H. Rap Brown who is under a conviction for illegally transporting a firearm across state lines.

Judge Mitchell was to re-sentence Brown for the offense Wednesday but the defendant failed to appear.

Brown's whereabouts have been unknown for over a year.

When Brown was convicted in 1968, Judge Mitchell imposed the maximum sentence of five years and \$2,000.

However, the U.S. Fifth Circuit Court of Appeals later sent the matter back to Judge Mitchell for a hearing to determine if certain government wiretaps in any way affected the conviction.

Judge Mitchell held that they had no connection with the conviction and first set Brown's re-sentencing for Sept. 9. He reset the matter when it developed that no attempt had been made to serve Brown with a notice of the re-sentencing.

When the Brown case was called Wednesday and Brown failed to appear, Asst. U.S. Atty. Pat Hand asked for the bond forfeiture and also requested that in the event Brown is ever arrested he be held without bail.

Judge Mitchell denied the latter request and set new bail at \$100,000.

Murphy Bell, a Baton Rouge attorney who represented Brown at his trial along with William Kunstler of New York, was in the court room and told Judge Mitchell that he heard from Brown shortly after a bomb exploded in an automobile in Maryland and two Negro men were killed.

At the time it was thought that Brown might be one of those killed in the explosion.

Bell said that Brown told him that he was alive and well but had no intention of appearing in any court.

Judge Mitchell said that Kunstler has asked to be heard on the subject of Brown's sentencing and that he is to be in court Thursday at 2 p.m.