

Brown's Troubles Began With

By John Hanrahan

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When H. Rap Brown went to Cambridge, Md., on the night of July 24, 1967, the white power structure of that Eastern Shore community of 12,000 was ready for him.

The police chief, the late Bryce G. Kinnamon, and State's Attorney William B. Yates II equipped two black policemen with a tape recorder and sent them in to moni-

tor Brown's speech to Cambridge's black community.

After the speech, violence erupted in the black community, the rundown second ward. Shooting broke out. Fires were set. The National Guard was called in. State and local officials, including then Gov. Spiro T. Agnew, blamed Brown for it all.

From that speech stemmed all of Brown's subsequent difficulties with the law up until

he was reported shot in an alleged holdup attempt at New York bar yesterday.

First, the Dorchester County, Md. grand jury in August, 1967, returned an indictment in connection with the Cambridge uprising, charging Brown with riot, incitement to riot, arson and counseling arson.

A few days after the Dorchester County indictment,

Brown was arrested in Louisiana and charged with transporting a gun across state lines. Brown's attorney, William N. Kunstler, has repeatedly noted that carrying the gun across a state line would not have been a crime if Brown had not been under indictment in Maryland for a felony.

While in federal court in New Orleans on a hearing on the gun charge, Brown had an-

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other federal charge lodged against him, that of intimidating an FBI agent, after an encounter with the agent outside the courtroom.

Eventually, Brown was convicted of the gun charge and sentenced to five years in prison and a \$2,000 fine. Kunstler appealed that decision and Brown was freed on bail.

After numerous delays, Brown's trial on the Maryland

charges was switched from Dorchester County to Harford County. Brown was scheduled to appear for trial in Bel Air, the Harford County seat, on March 10, but failed to show up. That night, two associates of Brown, Ralph E. Featherstone and William (Che) Payne, were killed by a bomb blast while driving in their car in Bel Air.

State police later concluded the pair were carrying a bomb and perhaps intending to blow up the county courthouse. Members of the black community thought otherwise. Featherstone and Payne, in their view, had been murdered.

Two days later, an early morning blast ripped open the Dorchester County courthouse in Cambridge. That bombing remains unsolved. It was never made clear whether it had anything to do with the Brown trial, or with Cambridge's history of seething racial tension.

Brown's Bel Air trial was postponed. Then came another surprising development. Judge Harry E. Dyer, who was to preside over the case, told reporters, "I think Mr. Brown can win this trial." Prosecutor Yates was furious. He demanded Dyer withdraw from the case. The trial was then shifted to Ellicott City, in Howard County.

On May 4, 1970, the trial was again scheduled, in Ellicott City, and again Brown failed to appear. Soon after, a federal fugitive warrant was issued for his arrest and the FBI placed him on its "most wanted" list.

Brown was nowhere to be

found. Rumors abounded. One newspaper reported he was in Algeria. Some officials speculated he was somewhere out of the country. State Sen. Clarence Mitchell III (D-Baltimore) said many members of the black community continued to believe he was dead.

Then, last January, came another strange twist in the case. Richard J. Kinlein, the Howard County state's attorney who had assisted in the prosecution when the case was moved to his county, alleged to the press that Yates had fabricated the arson charge against Brown.

The reason, Kinlein said, was that Yates wanted to ensure FBI involvement in the case in the event Brown failed to appear for trial. Only a felony charge such as arson would guarantee FBI entry into the search.

Yates denied this. Subsequently, Kunstler sought and was granted a hearing.

Kunstler argued that if, in fact, the arson charge was phony, then all of the following charges against Brown — the gun charge, intimidating an FBI agent, jumping bail — would tumble, because they were all contingent on the original felony charge of arson. (The original riot charges are only misdemeanors.)

Judge James Macgill of the Howard County Circuit Court ruled after a hearing last May that there was no evidence to show that the arson charge had been fabricated. Macgill then later initiated contempt proceedings against Kinlein, which are scheduled to be heard Monday.