

# Seale in New Haven Court on Murder Charge; Garry Enters Case

By JOHN DARNTON

NEW HAVEN, March 18 — Bobby G. Seale, national chairman of the Black Panther party, made a 10-minute appearance today in tightly guarded Superior Court, where he will stand trial on a murder charge.

The 33-year-old Panther leader, wearing an olive windbreaker and a bright blue shirt, remained silent until the end of the proceedings, when he was asked a question by his lawyer, Charles R. Garry.

In response to a request by the state attorney, Arnold Markle, that "the record show the accused is present," Mr. Garry

turned and said: "Mr. Seale is here. Is that right, Mr. Seale?"

"Yes, I'm here, I'm present," the defendant replied.

Shortly before Mr. Seale's appearance, at 11:15 A.M., Mr. Garry was permitted to enter Superior Court, where he will stand trial on a murder charge. Judge Harold M. Mulvey. He is appearing in conjunction with a local lawyer, David N. Rosen.

The judge's decision ended speculation that Mr. Garry, who has tried 38 Panther cases in the last three years, might not be allowed to defend Mr. Seale because he is not a member of the Connecticut bar. Mr. Garry is from San Francisco.

During the recent Chicago conspiracy trial, Mr. Seale was gagged and shackled to prevent court outbursts when he insisted on defending himself in the absence of Mr. Garry, who had undergone surgery. In November, his case was severed as a mistrial and he was sentenced to four years on contempt charges.

Mr. Seale was extradited from California last week to face an indictment charging murder, kidnapping resulting in death and conspiracy to commit both crimes. The charges, which could bring the death penalty, arise from the death

last May of Alex Rackley, a 24-year-old Panther party member from New York.

Thirteen other Panthers have been arrested in the case. The police assert that Rackley was killed because he was thought to be an informer, but Panthers maintain that he was a member "in good standing" and that his death was caused by a Panther who they assert was in reality a law-enforcement agent.

Rackley's body, bearing bruises, burns and bullet wounds in the head and chest, was found on May 22 in Middlefield, about 20 miles north of here.

Mr. Seale appeared in court today to enter his plea, but Judge Mulvey granted the defense a continuance to file preliminary motions, to be in by April 14. No date has been set for the trial, which could be months away.

The Panther leader was brought to the courthouse in an armored van from the Correctional Center in Montville, 50 miles away. Before he entered the heavily guarded room, Mr. Garry approached the spectators' gallery and told a half-dozen Panthers, including David Hilliard, the party's chief of staff, to "cool it."