

PANTHER WITNESS TELLS OF 'MISSION'

Says Party Aides Talked to Sams After Slaying

By JOSEPH LELYVELD
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NEW HAVEN, July 24 — Warren Kimbro testified today that a report was made to two black Panthers on a "mission" that resulted in the death of Alex Rackley. The two Panthers had been charged with overseeing the reorganization of the party's chapters were and in New York, he said.

Kimbro, a former community worker who pleaded guilty in January to second-degree murder, was testifying for the third day in the trial of Lonnie McClucas in Superior Court here. Mr. McClucas is alleged to have gone on the "mission" with Kimbro and George Sams Jr. on the night of May 20, 1969.

The next morning, the witness said, Landon Williams and Rory Hithe came to Kimbro's duplex apartment in an attractive middle-income housing development on Orchard Street here. The apartment had been serving as the party's local headquarters.

"They spoke to George Sams and they wanted to know what had taken place," Kimbro said. "They pulled him to one side and I overheard them asking if the mission was complete. He said everything had been taken care of."

According to the witness, Sams then left New Haven in the company of Mr. Williams and Mr. Hithe, who have been in Denver for the last year fighting extradition to Connecticut on charges related to the Rackley slaying.

Kimbro's testimony generally supported the prosecution's contention that Rackley had been executed by Mr. McClucas and others on orders from the party. The defense has attempted to lay the blame for the torture and execution of Rackley on Sams, who has also pleaded guilty to second-degree murder.

The defense depicts Sams as an unstable personality and stresses items of evidence that seem to reflect irrational behavior on his part. An opportunity to do this turned up yesterday when tape recordings were played of the interrogation of the victim in the basement of Kimbro's apartment.

Sams, who had just finished scalding Rackley with hot water, could be heard saying flatly, "He is not an informer." The defense is expected to argue that this shows he ordered the torture session on a sadistic whim.

Denies Changing Story

Under cross-examination today, Kimbro acknowledged that he and Sams had been lodged for the last four months in the same prison, the Connecticut

Correctional Center at Brooklyn, Conn., and that they meet and talk nearly every day. But he denied that they had tried to square their versions of the

The New York Times reported Wednesday that Mr. Hickel had submitted the names of 13 companies. Mr. Hickel later confirmed the number, but today the Justice Department said Mr. Hickel had been in error.

He said that Sams sometimes tried to talk about the case but that he avoided conversation on the subject. "I don't particularly want to be involved with it—it's all history," he said, shrugging and swiveling his long, thin body from side to side in the witness box.

In fact, Kimbro's testimony has revealed a major discrepancy between his account of the events leading up to the murder and that given by Sams. Yesterday, Kimbro said he was asleep at a time when Sams said Bobby G. Seale, the Black Panther chairman, allegedly confronted Rackley and ordered the killing. Sams had listed Kimbro as one of those present then — the only other one besides Sams himself who

might have been expected to support the state's contention.

Mr. Seale is one of seven Panthers scheduled to be tried on charges in the Rackley slaying after the McClucas trial.

Won't Oppose Parole

The 36-year-old Kimbro faces a life sentence and normally would not become eligible for parole before serving 20 years. The prosecutor, State's Attorney Arnold Markle, told the court on Wednesday that he had made only one commitment to the witness—not to oppose parole when he comes up for it.

At the time of his arrest, Kimbro was a coordinator for Community Progress, Inc., a local antipoverty agency.

Court adjourned early today to enable Mr. McClucas's lawyer, Theodore I. Koskoff, to listen to a tape recording of Kimbro's first statement to the police after he decided to confess on Jan. 12. Mr. Koskoff expressed surprise when Kimbro was able to quote that date precisely from the stand.

"That date will always stick

up here," the witness said, pointing to his head.

Superior Court Judge Harold Mulvey recessed the proceeding until Tuesday to give the defense time to study material that the prosecution planned to submit in evidence.

'Obsolete' Libraries Found

VANCOUVER, British Columbia (Canadian Press)—An investigation financed by the Education Research Federation found that many British Columbia school libraries are ob-