

Panther Trial to Begin Today

Jury in Case Includes 3 Negroes

By PETER COWEN
NEW HAVEN, Conn. (AP) — A jury that includes three Negroes begins hearing testimony Tuesday in the trial of one of eight Black Panthers charged in the slaying of a fellow party member 14 months ago.

The trial of Lonnie McLucas is being held separately from the rest of the defendants, who include Black Panther National Chairman Bobby G. Seale. McLucas, 24, is an area captain in the Panther organization and founder of the Panthers' Bridgeport chapter. The charges against him include the capital offense of kidnaping resulting in death. However, the prosecutor has assured defense attorneys that he does not intend to seek the death penalty.

FOUND IN RIVER

McLucas and the other defendants are charged in connection with the shooting death of Alex Rackley, 24, of New York City. Rackley's body was found in a shallow river in Middlefield—about 15 miles from New Haven—May 21, 1969.

Police contend the Panthers began suspecting Rackley was an informer after 21 Panthers were indicted in New York City for allegedly plotting several bombings. The New Haven Panthers abducted Rackley, tortured him and conducted a kangaroo trial, police said, then shot him in the head and chest on orders from Seale.

The Panthers and their political allies, who include a number

of White radicals, maintain that Rackley was a "member in good standing" of the party.

'PART OF CONSPIRACY'

Panther attorney Charles R. Garry has charged that Rackley was murdered by government agents. Black Panther Chief of Staff David Hilliard recently asserted that Rackley was killed as part of a conspiracy to "annihilate" the party.

Fourteen Panthers were originally indicted in the case. Two were turned over to juvenile authorities, and three others including Warren Kimbro, 35, whom police charged with firing the first shot pleaded guilty to noncapital charges.

Another, Frances Carter, 20, was jailed on contempt charges for refusing to testify against the others after being granted immunity. She is out on bond pending appeal.

Of the remaining eight defendants, two are fighting extradition from Colorado and the other six are in Connecticut jails awaiting trial.

ARRESTED IN UTAH

McLucas, a native of Wade, N.C., was arrested in Salt Lake City, Utah, in June 1969 during a series of raids on Panther headquarters in four cities by police and federal agents. He waived extradition proceedings. His case was separated from that of the other defendants in May by Superior Court Judge Harold M. Mulvey, a former Connecticut state attorney general who is scheduled to preside at his trial. Mulvey granted the state's request for a separate trial of McLucas because of

statements McLucas gave authorities shortly after his arrest that allegedly implicated the other defendants.

The state's key witness is George Sams Jr., 23, who pleaded guilty in December to second-degree murder in Rackley's death. Sams has maintained that Seale ordered Rackley's execution, and that McLucas fired the second shot at Rackley.

In the course of cross examining Sams during a bail hearing, Garry disclosed that Sams had spent four years at two New York State mental institutions. Mulvey ordered a mental examination for Sams, which concluded last month with the find-

ing that he was mentally incompetent to testify.

Another probable witness for the prosecution is Kimbro, who pleaded guilty to second-degree murder following two visits by his brother, a Miami police sergeant.

Selection of the McLucas jury took 13 days and required the questioning of 242 persons to pick the 12 primary jurors and three alternates. The alternates are white.