

## MARYLAND ENDS RAP BROWN CASE

Riot and Arson Counts Are  
Dropped in Plea Bargain

By The Associated Press

ELLIOTT CITY, Md., Nov. 6 —Tangled litigation dating to a racial disturbance in Cambridge, Md., in 1967 was brought to a conclusion here today when H. Rap Brown, the black militant, pleaded guilty to a charge that he failed to appear at a trial in 1970.

The 29-year-old former chairman of the Student Nonviolent Coordinating Committee was sentenced to one year in jail, and riot and arson charges were dropped, in an arrangement resulting from plea-bargaining sessions held before the trial opened today.

Brown has effectively served the term already. Judge James MacGill of the Howard County Circuit Court ruled that the term run concurrently with a five to 15-year sentence that Brown is currently serving in New York state. That term began Oct. 15, 1971.

William B. Yates 2d, State's Attorney for Dorchester County, which includes Cambridge, told the court, "The state was willing to proceed with the case in this courtroom three and one-half years ago. Since that time, certain things have developed that make nol-pros [decisions against prosecution] necessary."

### Sentenced in Holdup

Brown was sentenced in New York after his conviction for participating in the holdup of a bar on the West Side of Manhattan and in a gun battle with the police in October, 1971.

The Maryland arson and rioting charges became the center of a controversy earlier that year, in July, when a weekly newspaper in Montgomery County quoted the State's Attorney of Howard County as saying that the charge was "fabricated" and "phony."

Richard J. Kinlein, the Howard County Prosecutor to whose jurisdiction the case had been transferred, acknowledged saying that the arson charge had been created to insure the involvement of the F.B.I. in the case.

The F.B.I. participates in the prosecution of felony cases if state lines have been crossed.

In addition, Mr. Kinlein described the riot indictment as "a phony indictment" and said that he would "rather defend than prosecute" Brown in the case.

Mr. Yates, who had brought the original arson and riot charges, denied Mr. Kinlein's accusations, and Mr. Kinlein was subsequently charged with contempt of a court order prohibiting extrajudicial statements. He was convicted and fined \$350.

According to sources close to the case, the plea-bargaining today depended on the willingness of Mr. Yates to drop the arson and riot charges after the public suggestion that the arson charge had been fabricated.

Mr. Yates is an elected official, and his constituency is considered racially conservative.

At the trial today, Edward C. Broege, Brown's attorney, said, "We don't have any objections to the [arson and riot] case being dismissed. Our position is Mr. Yates never had any evidence to proceed [with] in the first place."

At least four of the 30 witnesses Mr. Yates subpoenaed for the 1970 trial have since died, and several others have moved away.