

# Tension Halts Indian Trial

Sioux Falls, S.D.

State Judge Joseph Bottem yesterday adjourned until May 14 the trial of five American Indians accused of riot and arson after he conferred with mediators from the federal Community Relations Service about racial tensions in Sioux Falls.

The mediators, Leonel E. Cardenas and Manuel Salinas, said the city of 100,000 in eastern South Dakota is "very apprehensive" because of a melee in Bottem's

court on Tuesday.

The two mediators said the city is ready to explode.

Indians continued to circle the courthouse yesterday afternoon but attorneys for the American Indian Movement were urging them to leave town.

On Tuesday, police clubbed defendants and spectators in the court after the judge ordered the courtroom cleared when the Indians would not rise as a gesture of respect for the court.

Ten Indians and five police officers were injured in that scuffle. Indians outside the courthouse in downtown Sioux Falls attacked the building with rocks and bricks, damage was set at \$10,000.

The trial of one of the defendants, David Hill, a coordinator for AIM in Salt Lake City, was postponed indefinitely by Bottem when Hill reported he was not physically able to stand trial at this time.

Hill was severely wounded in the courtroom fight Tuesday and was brought into court yesterday on a stretcher.

Hill and the other four defendants were charged after riots on Feb. 6, 1973 in Custer, a small city in the Black Hills section of South Dakota. They were protesting the killing of a Sioux Indian by a white man.

From his stretcher, Hill attacked Bottem as a racist, and told the judge, "I have contempt for you, I think you are an egotistical maniac."

Ignoring Hill's remarks, the judge said he will continue to require spectators to rise in his court to show their respect for it. Defendants need not rise, he said. "They are physically within their legal right not to do so," he added. The judge said this principle had been established by the federal appeals courts.

Testimony in the trial has not yet begun. Jury selection was underway when the dispute over rising in the courtroom began.

*New York Times*