

OCT 27 1971

NYTimes

A PANTHER CASE NEARING ITS END

In New Haven, the Last Two
Defendants Plead Guilty

By JOSEPH B. TREASTER

Special to The New York Times

NEW HAVEN, Oct. 26—The final chapter in the Black Panther murder case that focused national attention on New Haven and the militant organization opened here this morning as two men pleaded guilty of conspiracy to murder.

Rory Hithe, 20 years old, and Landon Williams, 27, were the last of a group of 14 Panthers to answer charges in connection with the torture-murder of their fellow party member, Alex Rackley, nearly two and a half years ago.

The case, which also involved Bobby G. Seale, national chairman and a co-founder of the party, is expected to be closed with the sentencing of Hithe and Williams on Nov. 19.

Five charges had been filed against Hithe and Williams, but they were allowed to plead on one of them—conspiracy to murder, which carries a maximum penalty of 15 years. The other charges, two of which were capital offenses, are expected to be dropped.

Only three of the accused Panthers ever went to trial. The first defendants, Lonnie McLucas, was convicted of conspiracy to murder and drew a 12-to-15-year sentence. The next trial, that of Seale and Mrs. Erica Huggins, ended in a hung jury and the dismissal of all charges against them.

Other Dispositions

One woman was given immunity after she testified for the state; two juveniles were eventually released without the details of their cases being made public and the others pleaded guilty to lesser charges.

Seale, who had come to New Haven on May 19, 1969, to speak at Yale University, had been accused of ordering the other Panthers to kill Mr. Rackley, whose battered body was found in a shallow stream about 20 miles north of here two days later.

Concern that the Panthers might not receive a fair trial mounted in New Haven, culminating in a student strike that virtually closed Yale University and a huge rally downtown on May 1, 1970.

In an address to the faculty at the height of the crisis, Kingman Brewster, president of the university, said he was "skeptical of the ability of a black revolutionary to receive a fair trial anywhere in the United States." And Vice President Agnew later suggested Mr. Brewster should resign his post, a suggestion Mr. Brewster brushed aside.

The trial of McLucas ran through the summer of 1970. He is appealing his conviction.

At present only two other Panthers involved in the case are in jail in addition to McLucas and the two men awaiting sentencing.

They are George Sams and Warren Kimbro, both of whom testified for the state, pleaded guilty to second-degree murder and were sentenced to life imprisonment. Earlier this month the State Pardons Board reduced Kimbro's sentence to a minimum of four years and he will be eligible for parole early next year.