

Arson Accusation Supported

Burch Defends Brown Charge

ELLICOTT CITY, Md. — CAP

The Maryland attorney general and a county state's attorney have denied the accusation that an arson charge placed against black militant H. Rap Brown was "fabricated."

Richard J. Kinlein, Howard county prosecutor, claimed there was insufficient evidence to support the arson charge.

He said Friday that the charge had been used to guarantee FBI involvement in the case in the event that Brown failed to appear for trial.

Brown did not appear for the trial last May and is now listed as a fugitive.

MARYLAND ATTY. GEN.

Francis B. Burch said Friday night that the arson charges were fully justified and that Kinlein was in error.

William B. Yates, state's attorney of Dorchester County, where the charges originated against Brown, said he has a recording of a speech Brown made, in which the militant leader allegedly shouted: "You ought to burn down the old schoolhouse over there."

Two hours later the schoolhouse was burned to the ground.

The closest Yates came to agreeing with Kinlein was when he admitted commenting at one point that "I was glad we had the

arson charge so the FBI could be called in to assist."

BROWN WAS CHARGED in connection with racial disorders in Cambridge, Md. in the summer of 1967.

Some \$240,000 worth of damage was done in the Eastern Shore community after Brown made a speech from the top of a car in a black neighborhood.

Kinlein emphasized that Yates never used the term "fabrication" but pointed out that an arson charge, being a felony in Maryland, would insure the assistance of federal agents if Brown failed to appear.

The defendant's other charge, inciting to riot, is a misdemeanor.

"I REALLY STIRRED up a hornet's nest, but I have no regrets," said Kinlein, who explained he normally would not comment on the action of another state's attorney.

But, "in this instance . . . the case was being tried in our court," Kinlein added that if "messed up court schedules for two months," cost heavy police overtime and put the courthouse "in a state of near-hysteria."

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