

# U.S. Acknowledges Bugging In Bobby Seale Contempt Case

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CHICAGO, July 31—The prosecution acknowledged in U.S. District Court here today that there had been electronic surveillance "relevant" to the contempt conviction last November of Black Panther leader Bobby G. Seale. And the federal prosecutor went on to ask that the log of the electronic eavesdropping be submitted to the appeals court. Presumably, the government believes that the log would tend to uphold the contempt findings against Seale.

Defense lawyers had filed a motion with the U.S. Seventh Circuit Court of Appeals Thursday charging that scientific eavesdropping on Seale during the "Chicago 7" conspiracy trial should be the basis for dropping convictions against all the defendants and their attorneys.

The 33-year-old Panther leader was sentenced to four years in jail for contempt by Judge Julius J. Hoffman before being separated from the other conspiracy defendants. All were being tried on riot conspiracy charges that grew out of disorders at the 1968 Democratic National Convention here.

In the hearing today, Judge Hoffman heard a motion by Seale's San Francisco Attorney Charles F. Garry. Garry asked that Hoffman disqualify himself from the upcoming trial of Seale on grounds of personal prejudice.

The judge rejected the motion, then took under advisement a proposal by first assistant U.S. attorney James R. Thompson that the surveillance material go to the appeals court.

He also turned down Garry's request that the text of the eavesdropping report be made known to the defense.

The motion filed with the appeals court Thursday by "Chicago" defense attorneys William N. Kunstler and Leon

riot charges. Two others, Lee Weiner and John Froines, were acquitted.

All seven, along with Weinglass and Kunstler, received contempt sentences from Judge Hoffman. All the convictions are being appealed.

Hoffman ordered the five convicted men to pay court costs in excess of \$40,000.

Weinglass and Kunstler asked the appeals court to consider their motion for reversal ahead of all others because of the eavesdropping matter.

They were joined in filing the brief by a dozen attorneys who volunteered to assist with the appeal.

Should the appeals court

not reverse the convictions on the basis of the eavesdropping motion, the lawyers asked for a hearing and oral arguments in the matter.

They said Seale had been in contact almost exclusively during the trial with his lawyers, the other defendants and their attorneys.

Eavesdropping on such conversations violates the constitutional rights of defendants and any such "interference with the lawyer-client relationship constitutes a denial of the right to counsel itself," the motion said.

Seale, the national chairman of the Black Panthers, is scheduled to go to trial before Hoffman Sept. 15.

ard Weinglass accused the government of electronically monitoring Seale while he was in custody at the Cook County Jail and during his appearances in the federal building.

They contended the government listened to conversations Seale had with other defendants and the defense lawyers.

Such action violates the rights of all defendants and their lawyers, who also were convicted of contempt, according to the motion.

The pleading cited U.S. Supreme Court rulings which it said reversed convictions because of government eavesdropping.

Five members of the Seven—Abbie Hoffman, Thomas Hayden, Rennie Davis, David Dellinger and Jerry Rubin—were sentenced to five-year jail terms and \$5,000 fines on