

TRIALS

Time
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End of a Futile Case?

It is still remembered as an incredible, nearly surreal trial. Defendants shouted "pig" and "fascist" at the judge, mocked him by wearing judicial robes. One day they tried to hold a birthday party, and when the cake was banned from court, one defendant cried out: "They've arrested your cake!" At one point a defense attorney threw himself across a table and tearfully implored the judge: "Put me in jail, for God's sake, and get me out of this place." As for the judge, he addressed the defendants with irony and invective. Besides being almost unbelievably chaotic, the trial lasted five months and cost at least \$2,000,000. One of the main charges against the seven antiwar activists: conspiring to cross state lines to create a riot at the 1968 Democratic National Convention. In the view of many legal scholars, the law involved is unconstitutional. Last week the trial's futility was further demonstrated as a three-judge federal appeals panel in Chicago threw out the last convictions remaining against the defendants.

After examining some 22,000 pages of trial transcripts, the U.S. Court of Appeals for the Seventh Circuit severely scolded the presiding judge, Julius J. Hoffman, 76, who is on senior status on the district court and therefore now carries a reduced case load. The court ruled that Judge Hoffman had not only made numerous legal errors but had biased the jury by repeatedly making sarcastic remarks about the defendants or their lawyers. Said the opinion: "The demeanor of the judge and prosecutors

JUDGE JULIUS HOFFMAN



MIKE MAURNEY—LIFE