

CHICAGO, Feb. 9.—The 4½-month-long Chicago conspiracy trial moves to the stage of final arguments Tuesday. The defense is preparing to make its side of the case a major test of the right of dissent.

The defense rested this morning and U.S. District Judge Julius J. Hoffman ordered closing summations to begin Tuesday morning. The government and the defense will have seven hours each. The case probably will go to the jury Thursday afternoon.

Hoffman denied several last-minute defense motions seeking directed judgments of acquittal for the seven men accused of conspiring to cross state lines to incite a riot at the Democratic National Convention of 1968.

Philosophical Issue

As lawyers for both sides squared off for the final round, it became apparent that a central contended point will be whether the defendants can argue that they came to Chicago to register legitimate dissent against the Democratic Party's policy on the war in Vietnam.

The defendants contend they did, but the government wants to keep that broad philosophical issue out of the final arguments.

Assistant U.S. Attorney Richard G. Schultz, seeking to forestall such a confrontation, asked Judge Hoffman to caution the defense lawyers against raising the free speech argument during their summation.

"We expect the defense will argue that a guilty verdict would mean that dissent in this country is in danger," Schultz said.

Defense Points Rejected

The judge did not answer directly, stating only that he would disallow any argument if it "has no place in the law." Defense attorney William M. Kunstler arose to note specifically that the judge had not precluded argument dealing with the broad area of public dissent.

In another manner, however, the judge indicated he does not intend to bring the general question of free speech to the jury's attention.

He announced that he had rejected 45 of the 80 points that the defense had asked him to include in his final in-

structions to the jury later this week.

Defense lawyers said a considerable number of the rejected requests concerned points involving free speech, dissent and civil disobedience.

Accepts Prosecution Points

Judge Hoffman rejected only two of the government's 88 requests. Another four of those requests will be given "in substance" only, he said. The remainder will be directed to the jury in the form the government attorneys had requested.

As the judge read off the long list of numbered requests he had rejected from the defense side, audible moans arose from the defense table. The judge said he would insist there be no "audible observations" during the summations.

Throughout the trial, the government has maintained that the right of dissent has nothing to do with the case. Its attorneys have said repeatedly that the only issue is whether the defendants conspired to violate a criminal statute—the antiriot law passed by Congress in 1968, ostensibly to deter disorders occurring in urban slums.

The defense request today for judgments of acquittal was strictly a pro forma argument, one that is almost always made at the close of a trial.

Argument on Motion

Kunstler and Leonard Weinglass argued that the government had shown no evidence to prove that the defendants conspired to do anything or that they had used the facilities of interstate commerce to further any alleged plot.

Kunstler said the government had presented only a "kaleidoscopic panorama" of events unconnected to any conspiratorial agreement.

Schultz insisted that the government had shown the defendants "met together" and "agreed together" to bring thousands of demonstrators to Chicago to provoke a "violent confrontation with the authorities." He cited a meeting early in 1968 at Lake Villa, Ill., where several defendants were present.

Judge Hoffman denied the motions after examining transcripts of the argument during a luncheon recess.

Closing Arguments In Chicago '7' Trial Will Begin Today

By William Chapman
Washington Post Staff Writer

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