

# Tumult Erupts as '7' Trial Judge Jails 2 Defendants for Contempt

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CHICAGO, Feb. 14—The most emotional scene of the riot conspiracy trial took place today as Judge Julius J. Hoffman handed out stiff sentences to two defendants for contempt of court.

At one point in the tumult, spectators were dragged from the room, a defendant saluted the judge with "Heil Hitler" and defense lawyer William M. Kunstler broke into uncontrollable sobbing.

Marshals forcibly restrained several defendants and their sympathizers after the judge had cited defendant David T. Dellinger for 32 separate

points of contempt of court during the long trial.

The judge sentenced Dellinger to a total of 30 months in prison and sentenced another defendant, Rennie Davis, to a total of 26 months. Both were promptly led out to the court lock-up.

The jury, meanwhile, had retired to begin deliberating on a verdict for the seven men accused of conspiring to cross state lines with the intent of inciting violence at the Democratic National Convention in 1968.

Dellinger, the 54-year-old pacifist, was given a chance to comment on the contempt

charges and he launched into a condemnation of racism and the war in Vietnam.

"I don't want to talk politics with you," Judge Hoffman said, ordering marshals to put Dellinger in his chair.

"You wanted us to be good Germans and go along," Dellinger shouted at the judge.

"Now you want us to be like the good Jews who went quietly to concentration camps," he added. "I don't propose to do that."

Cheers, applause and shouts of "right on" erupted from the spectators' benches.

See TRIAL, A8, Col. 1



United Press International

Three defendants in the "Chicago seven" trial talk to newsmen as case goes to jury. From left, Jerry Rubin,

Abbie Hoffman and Rennie Davis. Davis and defendant David Dellinger received stiff contempt sentences.



## TRIAL, From A1

Marshals dragged out several persons who refused to leave when told to. One of them was Dellinger's daughter.

"Leave my daughter alone," Dellinger yelled, and another girl screamed, "Oh, my God."

During the shouting and confusion, Kunstler leaned on the attorneys' lectern sobbing. He looked up at Judge Hoffman and screamed, "My life has come to nothing. You've destroyed it. Please put me in jail now."

Defendant Jerry Rubin strode to the center of the courtroom, raised his right hand in a Nazi salute and shouted directly at the judge, "Heil Hitler—that's what you ought to be called."

When the courtroom finally was silent, Hoffman began reading off the days and months of sentence for each of Dellinger's contempt citations.

As Dellinger was led away, Davis said to the judge, "You have just jailed one of the most beautiful people in the United States."

"All right, we'll begin to talk about you now, Mr. Davis," said Judge Hoffman, who promptly read off the 29-year-old Davis' 23 separate citations.

The counts against Davis included laughing in the courtroom, not rising when the judge entered, accusing the judge of sleeping during the trial and exclaiming that the defendants were being considered "guilty until proven innocent."

Dellinger's contempt citations were for such behavior as calling it a "fascist court," calling Hoffman a "liar" and a "hypocrite" and telling the judge at one point, "You'll go down in infamy for your obvious lies in this courtroom."

Some of the citations dated back to the early days of the trial, which began on Sept. 24. In October, Hoffman sentenced another defendant, Bobby G. Seale, to an unprecedented four years in prison for 16 citations of contempt.

The judge today took up the contempt issue shortly after

noon when the jury began its deliberations.

"I must deal appropriately now with the contemptuous conduct that has pervaded this trial from the very beginning," he said.

The defendants' frequently interruptions and comments on his rulings, he said, had "impeded and obstructed the administration of justice."

"Particularly reprehensible," said Hoffman, "is the conduct of the counsel who . . . participated with their clients in making a mockery of orderly procedure."

Despite his warnings, he said, Kunstler and the other defense lawyer, Leonard I. Weinglass, made "repeated insults" to the bench.

He said the defendants engaged in "direct and defiant contempt of this court . . . aimed at baiting the judge and harassing the United States attorneys in an attempt to stop the trial."

Kunstler argued that the judge lacked authority to try for summary contempt after a trial persons who allegedly had insulted him personally. Another judge and a jury should be called in to try the contempt charges, he argued.

Hoffman said he disagreed and he also refused to consider motions for bail for those cited for contempt.

Judge Hoffman said that the "impudent repetition" of interruptions by defendants made it necessary to impose consecutive sentences. The terms for the citations ranged in length from one day to six months.

Hoffman observed that the jury was just beginning to deliberate on the conspiracy charges against the defendants. And he indicated that if a guilty verdict is produced he might entertain a motion to have the contempt sentences served concurrently with the sentences for substantive offenses.

The long contempt sentences will undoubtedly be appealed and New York lawyer, Morton Stavis, was in court today listening to the charges and preparing to file an appeal.