

# Prospective Juror Who Read 'Pentagon Papers' Dismissed

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LOS ANGELES, July 20—After nine days of quizzing prospective jurors for the Pentagon Papers trial here, a federal court today discovered the first person who had actually read the papers in detail.

Carl Travers, a statistician from Hollywood, the 40th potential juror to be exhaustively questioned by U.S. District Court Judge W. Matt Byrne Jr., said he "couldn't wait to get a copy" of The New York Times last year when that newspaper first published articles based on the top-secret history of U.S. involvement in Southeast Asia.

Almost all of the people previously interrogated professed ignorance about the paper's precise contents, although some had strong views on the Vietnam war or had some general knowledge of the documents.

Travers said he had read the documents in some detail because they contained "reveals that I was not aware of . . . it was revealing information pertinent to American foreign policy."

"I felt sort of had as a citizen—you know, duped," he told the judge when pressed for his reactions to the papers. "I felt that I had been misled as an American citizen."

Defense lawyers for Daniel Ellsberg and Anthony Russo, who are charged with espionage, conspiracy and theft for disclosing the papers, reacted gleefully to Travers' initial answers. They have been hoping that the 12 jurors and six alternates eventually selected would include someone familiar with the controversial war study.

But Travers virtually guaranteed his own elimination

from the jury later, when he said, "I would find it very hard, regardless of the evidence, to punish someone that severely for something that I felt was justified."

He said that ever since being called as a potential juror in the case he had "wrestled" with the question of whether he could be fair and impartial, as required. "I find myself a borderline case, your honor, I really do," he told Byrne.

Earlier in the day, Byrne conducted a long examination of Gyula Demeter, a Hungarian immigrant now working for an insurance company here who insisted, "I don't know nothing" about the Pentagon Papers case.

Struggling with his broken English, Demeter appeared determined to try to serve on the jury, assuring the judge repeatedly that "I want to listen to both sides" and "I want to be a good citizen."

In a move agreed to by the defense, Byrne sought to dismiss Demeter from jury service because of his obvious language difficulties. But chief prosecutor David R. Nissen opposed that suggestion and insisted that Demeter's ability to serve be debated fully at a later time.

The judge rejected the prosecution's motion, however, and later dismissed both Demeter and Travers from jury service on his own motion.

Also questioned today was Lola L. Schlabs, whose son is stationed in West Germany

with the Army. She said of the war, "I just don't want to see any more boys go over there and be killed, and expressed concern about how a verdict in the Pentagon Papers trial might affect her son.

With the additional dismissal this afternoon of Julian Gottlieb, a Los Angeles city tax auditor who said he is biased against anyone who leaks secret information, hopes faded of selecting a complete panel of jurors and alternates before the end of the week.

In Washington, the Justice Department denied a charge by Sen. Mike Gravel (D-Alaska) that subpoenas served on two prospective witnesses at Ellsberg's trial were in violation of court rulings and agreements among counsel.

The witnesses, Gobin Stair of the Beacon Press and Howard Webber of the MIT Press, were served with orders to appear at the Ellsberg trial while Gravel's case, which also involved the disclosure of the Pentagon Papers, was still under advisement in the Supreme Court.

The court ruled against Gravel last month.

The Justice Department's denial of bad faith was contained in a memorandum to the Supreme Court today opposing Gravel's motion to stay the ruling against him. Solicitor General Erwin N. Griswold said a stay would frustrate further jury action in Boston involving the private publication of the Pentagon documents.