

Pandemonium Reigns At Ellsberg Dismissal

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LOS ANGELES, May 11—
"The only remedy," Judge
W. Matt Byrne Jr. was con-
cluding, and already the
wave of cheers began, ". . .
is that this trial . . ." specta-
tors climbed onto the
benches, ". . . be termi-
nated."

Pandemonium.

There was a rush for the
defense table. People began
hugging each other. Defense
attorney Charles Nesson im-
mediately lit a huge cigar.
Daniel Ellsberg, beaming,
reached for his wife. People
waiting in the corridor, who
had not been able to get in,
burst through the doors

even as Judge Byrne was
murmuring "thank you" to
the attorneys and leaving
the bench.

A photographer tried to
snap the Ellsberg embrace,
but it was still technically a
trial in progress, and mar-
shals descended.

That was the only sour
note for the openly partisan
crowd. Reporters who had
been covering the case for
two years shook the hands
of Ellsberg and his co-de-
fendant, Anthony J. Russo
Jr., resplendent in red-and-
white tie and blue shirt.
Others hugged Patricia
Marx Ellsberg and Russo's
wife, Katherine Barkley.

The prosecutors slipped

out almost unnoticed.
"What's your reaction?" a
reporter asked assistant
prosecutor Warren P. Reese.

"No comment," he said.

"Is there an appeal
possible?"

"No. It's over. It's dead."

For the winners it was
very much alive.

"We did it! We did it!"
cried Pat Ellsberg, handing
an Isaac Bashevis Singer
novel to a friend and run-
ning a brush through her
hair to get ready for the TV
cameras. "There'll be parties
tonight."

Now the hallway was fill-
ing with people, carrying
Ellsberg, Russo and the
three defense attorneys Nes-
son, Leonard Boudin and
Leonard Weinglass along al-
most by force.

Russo reached a hand out
to a building guard. "Hey
Oscar," he called, "Don't the
people own the courthouse
now?"

Outside, on the court-
house steps, they were
greeted by a horde of re-
porters, well-wishers and TV
cameramen, booms and
wires crossing like a Ben
Shawn line drawing.

"This was the right way to
end it," said Ellsberg, his
slender figure almost swal-
lowed by the crowd. Clad in
an academically proper blue
tweed sport coat and rep tie,
he might have been an-
nouncing final grades for
the semester. "It should
have been ended. It was the
government that cheated
the jury out of its right to
hear the evidence."

There was more small
talk, then Ellsberg an-
nounced his intention to sue
for damages against those
"conspirators" who had
caused all the trouble. "The
President led the conspiracy

— not only against Tony
and me, but the entire na-
tion."

Off to the side, Leonard
Boudin stood alone, remark-
ably. The man who had won
for Dr. Benjamin Spock, for
the Harrisburg Five, and
now, with the government's
help, for Ellsberg and
Russo, was asked what he
would do now.

White-haired, slightly
bent, 60 years old, he was
taking the excitement tran-
quilly. "Well, it's all over,
the end of two years of
work. We'll be cleaning up
here for about five days,
seeing friends I've been
meaning to see for about a
year, and taking a look at
Los Angeles. Then, I guess,
a week's vacation and back
to work."

The crowd was thinning
out now. "This puts the final
cap on the bankruptcy of
the Nixon administration,"
someone exulted.

"We won't have Nixon to
kick around much longer,"
said another.

They were down on the
courthouse plaza, now, the
defendants and their law-
yers and a few reporters.
Tony Russo noticed a spe-
cial edition of The Los An-
geles Times in a newspaper
vending rack. The banner
read: "Ellsberg Case Dis-
missed."

Russo plugged in a dime,
opened the rack, pulled out
a handful of newspapers
and passed them around.