

MAR 30 1973

KIX AD

Two Are Acquitted Of Having Bombs At G.O.P. Meeting

NYTimes

Special to The New York Times

MIAMI, March 29 — Two members of the Youth International party were acquitted here today by a Federal judge of charges of illegal possession of firebombs at the Republican National Convention in Miami Beach last August.

United States District Judge Peter T. Fay ruled as a matter of law that Thomas K. Forcade and Cindy Ornsteen could not be tried under the Federal firearms statute that was the basis for their indictment.

The acquittal ended a two-day trial after Judge Fay, ordering the jury out of the courtroom, heard arguments on the defense motions for dismissal.

Both Mr. Forcade, who is 27

years old and whose address is 11 E. 17th Street, Manhattan, and Miss Ornsteen, 24, of Gladwyne, Pa., are writers for an underground press syndicate.

On Aug. 23, law enforcement officers found in a van driven by Mr. Forcade and Miss Ornsteen one can of gasoline and four tanks with wax and chemicals, which a prosecution witness said "could be used as an incendiary device."

Helene Schwartz, a defense lawyer, argued that the objects found were harmless candles and that their possession in itself did not fall under the statute cited by the indictment.

Agreeing with the defense, Judge Fay commented: "For the life of me I cannot see how this evidence will substantiate the charges."

The two were arrested in New York last month following the indictment by a Miami Federal grand jury. They were released on \$50,000 bond each.