

Wounded Knee-- A Startling Break

St. Paul, Minn.

Defense attorneys asked a federal judge yesterday to dismiss all charges in the trial of Wounded Knee occupation leaders Dennis Banks and Russell Means on the grounds that the FBI set up an illegal wiretap.

The lawyers for the two Indian militants said they will call a telephone installation man to court to prove that the FBI caused a line leading to the trading post in the embattled Pine Ridge Indian reservation hamlet to be tapped during the 71-day occupation last year.

U.S. District Judge Fred Nichol said if the wiretapping charge is proven he may dismiss the case. He scheduled a hearing for Monday and Tuesday with the jury out of court.

The judge said of the wiretapping charge: "If my worst fears are realized, it could mean a dismissal, which could affect all Wounded Knee cases."

Prosecutor R. D. Hurd said he had no knowledge of any wiretapping during the confrontation between American Indian Movement members and sympathizers who seized the historic South Dakota hamlet and federal agents who besieged the occupiers.

Banks and Means are charged with ten felonies each and nearly 130 other persons face government charges stemming from the Wounded Knee confrontation.

The wiretap charge was the fourth attempt by the defense to have the case thrown out since the trial started ten weeks ago.

The defense said it will show that a wiretap was made for the FBI on a telephone line leading to the trading post at Wounded Knee shortly after the village was seized.

Defense attorneys indicated their key witnesses at the hearing will be M. Joe Pour-

Smokers To the Right

Sacramento

The Assembly passed, 43 to 12, a measure yesterday creating nonsmoking areas in its Legislative Committee rooms.

The resolution by Assemblyman John Briggs (Rep - Fullerton) takes effect immediately and applies only to assembly committees. It generally designates the left side of committee rooms as nonsmoking areas.

United Press

ier, an employee of the Bison State Telephone Co. of Pine Ridge, S.D. The defense asked that he be granted immunity from prosecution to appear in court. Wiretapping is a felony.

Nichol asked prosecutors to get authorization from the federal government for the immunity and hinted that if it wasn't granted he might dismiss the charges against Banks and Means without a hearing.

United Press