

Check of Phone Lines by F.B.I. Stirs Dispute at Trial of 7 Antiwar Veterans

By JOHN KIFNER

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GAINESVILLE, Fla., July 31 —A short-lived imbroglio developed today on the first day of the trial of seven antiwar Vietnam veterans here after two F.B.I. agents were discovered with telephone and electronic gear in a broom closet adjacent to the court-supplied defense offices in the Federal Building.

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The seven veterans and a supporter are accused of plotting an assault by automatic weapon, crossbow and slingshot on the Republican National Convention in Miami Beach in 1972.

In an informal hearing in the chambers of Federal District Judge Winston E. Arnow, defense attorneys directed a series of questions at the two F.B.I. men from the Federal Bureau of Investigation in an attempt to discover if they were bugging the lawyers' offices.

But Judge Arnow overruled many of the questions and said he thought the lawyers were making "mountains out of mole hills."

Judge Arnow denied the defense's motion for evidentiary hearing to discover if there had been bugging, wiretapping or other penetration of the defense camp.

'Checking F.B.I. Lines'

Clutching a telephone receiving device equipped with alligator clips and a small plastic box of screw drivers, one of the F.B.I. agents, Carl Ekblad, asserted that he was only "checking the F.B.I. lines."

The other agent, Robert Romann, said that he "had no knowledge" of the use of any electronic devices, but was "only holding the paper" on which they took notes.

The agents had with them, when one of the defendants, Peter Mahoney, saw them through a vent, a large Samsonite attaché case packed with electronic equipment including, they testified, a battery pack, an amplifier, an output transmitter, a receiver and "a couple of little earphones" and other gear and tools.

Although the defense attorneys indignantly attempted to press their questioning of the two men, Judge Arnow said, with a wave of his hand, that "these gentlemen have been perfectly candid and honest."

The trial began this morning in an atmosphere of gathering tension.

Electronic metal detectors stand in front of the elevators in the lobby of the Federal Building and in the corridor leading to the third-floor courtroom. Some 25 Federal marshals have been brought in from around the country and others have been placed on standby alert.

At a park by the airport at the edge of the city, about 200 veterans and supporters have set up an encampment, preparing for a series of demonstrations against the trial.

Federal District Judge Winston E. Arnow has placed a "gag rule" on the defendants, their attorneys and "all persons in active concert or participation with them." Citing their contention that the trial is an example of "political repression," he has forbade them from speaking to reporters.

Papers Protested

Yesterday, Judge Arnow refused to modify the order despite arguments brought on behalf of The Miami Herald, other papers and the Reporters Committee for Freedom of the Press. In a pretrial hearing last month, he banned a television artist and fined the Columbia Broadcasting System \$500 for airing sketches she made from memory outside the courtroom, but was later reversed by the United States Court of Appeals for the Fifth Circuit.

The Government charges that the seven members of Vietnam Veterans Against the War and an employe of a local hippie store conspired to "organize numerous 'fire teams' to attack with automatic weapons, fire and incendiary devices police stations, police cars and stores" in Miami Beach during the convention.

The indictment further alleges that they would "fire lead weights, 'fried' marbles (heated so they would shatter on impact), ball bearings, 'cherry' bombs, and smoke bombs" at the police with "wrist rocket slingshots and cross bows."

Denying the charges, the defendants contend that the indictment is an attempt to discredit their antiwar activities

and part of an attack by the Department of Justice on radical groups.

The defense — noting that James W. McCord Jr., convicted Watergate conspirator, testified before the Senate Watergate Committee that he had been briefed by the Justice Department's Internal Security Division and that he cited the indictment in saying that fears of violence had prompted the bugging of the Democratic national headquarters — have attempted to link the case with the Watergate scandal.

Judge Arnow has shown scant patience with such arguments in pretrial sessions and has repeatedly said that he does not regard this as a "political trial." In a pretrial session last month, he ruled out 30 defense questions directed at former Attorney General John N. Mitchell seeking such political links.

The indictment is one of a series of conspiracy cases brought against radical groups by the Internal Security Division — recently placed under the Criminal Division — primarily by the chief of its Special Litigations Section, Guy L. Goodwin.

Over the last few years, Mr. Goodwin has traveled about the country directing grand jury investigations of radical groups. His indictments include the Berrigan case — in which Roman Catholic activists were charged with plotting to kidnap Henry A. Kissinger, the Presidential adviser, and a series of indictments against alleged Weathermen.

As in his past cases, Mr.

Goodwin will not be trying the case in the courtroom. The prosecution is being handled by Jack Carrouth, the senior assistant United States Attorney for the Northern District of Florida, aided by Robert Schneider, a prosecutor sent down from Washington who has worked under Mr. Goodwin on racial cases. However, Mr. Goodwin is here.

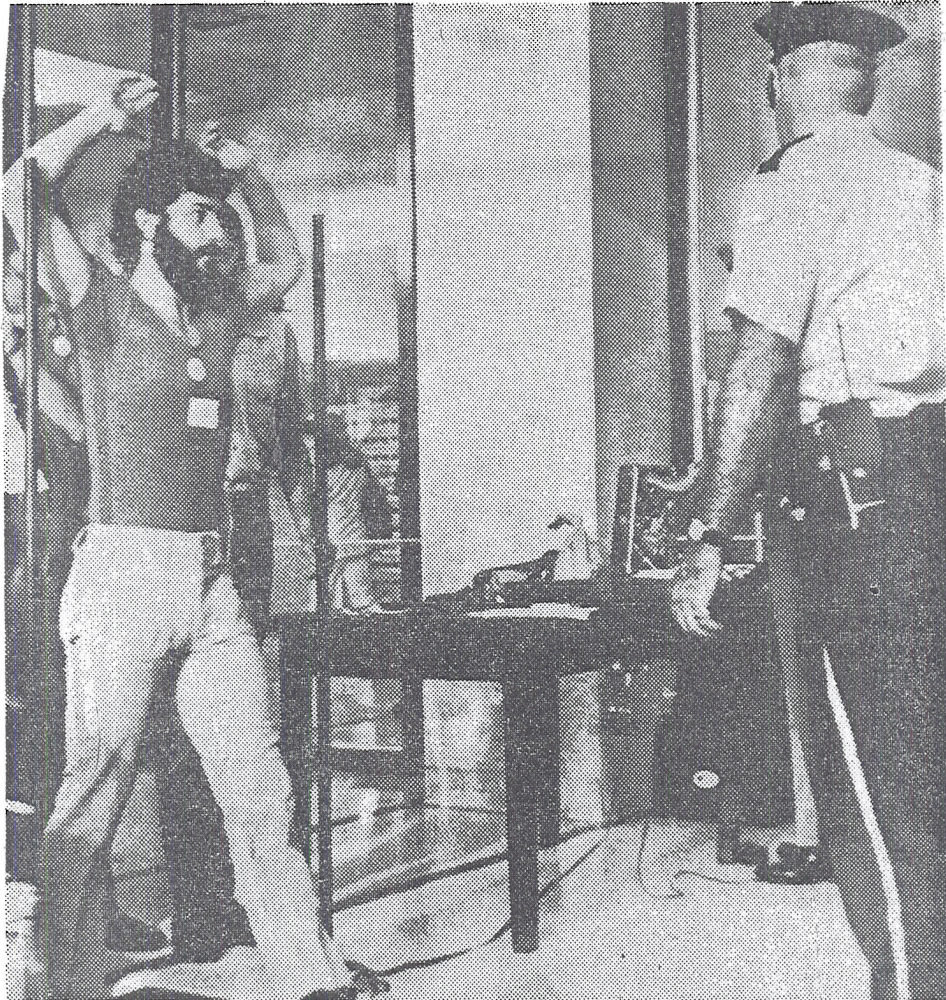
The seven antiwar group members — all combat veterans, most of them decorated — are: Scott Camil, Alton C. Foss, John W. Kniffin, Peter P. Mahoney, William J. Patterson, Donald P. Perdue and Stanley K. Michelson Jr., who is charged with knowing of the alleged conspiracy but not telling the authorities. The eighth defendant, John K. Briggs, is charged with ordering 60 wrist rocket slingshots from the store at which he worked.

At the rain-drenched cluster of tents where they are camped, the other members of the Vietnam veterans group held a news conference this afternoon to read a statement of support in apparent defiance of Judge Arnow's order.

'Serious Jeopardy'

"The trial of the Gainesville Eight clearly shows the extremes the Government will go to smash legal dissent against its policies," the statement said. "This order by Judge Arnow continues a precedent that is putting the basic human rights of the people of this country in extremely serious jeopardy."

In pretrial motions this morning, Judge Arnow directed the Government to turn over any



Associated Press

A spectator passing through metal detector at the trial of antiwar protesters in Gainesville, Fla. Earlier, device had recorded shrapnel remaining in bodies of three defendants.

exculpatory evidence. He over-ruled a defense motion objecting to a mass questioning of the prospective jurors from Morton Stavis, a lawyer, who attempted to have Richard Christie, a Columbia University social psychology professor, testify that	this would be ineffective in discovering possible prejudice. This afternoon the jury selection began, with the judge conducting the questioning. As they entered the courtroom shortly before 8 o'clock this morning, Mr. Camil, Mr.	Kniffin and Mr. Foss triggered the electronic metal detectors and had to remove their belts and shoes. The detectors had been set off by shrapnel remaining in their bodies from their Vietnam wounds.
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