

FBI Incident Marks Protest Trial Start

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GAINESVILLE, Fla., Aug. 2 —A U.S. District Court hearing has been scheduled here Saturday afternoon on the discovery of two FBI agents with electronic gear in a room adjacent to the office of defense attorneys for eight war protesters charged with conspiring to riot at last summer's Republican National Convention.

U.S. District Court Judge Winston E. Arnow announced the hearing after sequestering a seven-woman, five-man jury—including a Vietnam war veteran—that had been selected after three days of questioning about potential jurors' military connections and their personal beliefs about actions and appearances of protesters.

Opening statements in the trial are set to begin Friday morning, unless last-minute motions are filed by either side.

At one point today, the government said it would want to be heard on what one prosecutor termed a "very vital" motion before the jury was selected.

However, the prosecutors later backed off, neither filing the motion nor releasing its contents. One prosecutor said it might be introduced later and that it would have a "very significant" effect on the trial. He would not discuss it further.

Judge Arnow's decision to sequester the jurors immediately took both the defense and the prosecutor by surprise, but the judge said the move was necessary "because of the unusual publicity" being generated by the case. He indicated that the order might be lifted once the case gets underway.

On trial are seven members of the Vietnam Veterans Against the War and one supporter, and there have been nightly peaceful demonstrations here on their behalf.

The defense has attempted to claim government misconduct in investigation and prosecution of the case, saying it was brought as a justification for the Watergate break-in.

The point out that one reason for the break-in given to the Senate Watergate committee by convicted Watergate conspirator James McCord, for example, was a Republican fear of violence by groups "such as the Vietnam Veterans Against the War."

Saturday's hearing will be another defense attempt to establish that the government has acted in bad faith in the case. The defense has charged that the two FBI agents were in the closed telephone wire room Tuesday night to overhear defense attorneys' conversations or to bug the room. But the government has said the agents were "checking out" FBI telephone lines.

The jury that was finally selected today averages only 31 years of age. There are three blacks on the panel, including the Vietnam veteran.

The defense was aided in its selection of the jury by a team of social psychologists who have specialized in advising defense lawyers in jury selection in other major cases against antiwar protesters. They studied a list of potential jurors and made recommendations to the lawyers based on the jurors' answers to questions and their backgrounds.

The youngest juror is a 21-year-old college sophomore and the oldest is a 58-year-old woman who works with retarded children.