

NYTimes SEP 1 1973

Acquittal in Gainesville

The swift acquittal by a Florida jury of the Gainesville 8, accused of conspiring to disrupt the Republican National Convention, is another deserved rebuke for the Administration in its effort to prosecute antiwar activists by infiltrating their ranks with undercover agents and provocateurs.

As in the cases of the so-called Harrisburg 7 and the Camden 28, the Justice Department relied heavily on the testimony of paid informers whose credibility faded under cross-examination. Charges that the indicted members of Vietnam Veterans Against War had plotted to attack police stations, police cars and stores with "fire teams" using automatic weapons and incendiary devices came down to courtroom admissions by Government witnesses that the only weapon they had ever seen as figuring in plans to molest Miami Beach during the convention was a slingshot.

Particularly disturbing were repeated indications at the trial that the people the Government had planted inside the antiwar group sought to incite violence of precisely the kind the Government was professedly trying to stop. One undercover agent even offered to help the V.V.A.W. buy machine guns.

The testimony along that line, already made familiar by the use of similar tactics in actions against other war protesters, paralleled evidence in the Watergate investigation that E. Howard Hunt Jr., a White House master "plumber," had attempted to "embarrass the Democrats" by hiring infiltrators to cause trouble among antiwar demonstrators at the 1972 Presidential convention in Miami Beach. The Watergate parallel in the Gainesville proceedings was made stronger when two F.B.I. agents loaded with electronic equipment were discovered in a small telephone terminal room adjacent to the defense lawyers' conference room.

The trial of the Gainesville 8 was another sordid example of abuse of the legal system by an Administration that seems more intent on making political capital out of intimidating its critics than it is in enforcing the laws for the sake of order. In the wake of the Watergate exposures and the winding down of the Indochina war, we trust this trial will be the last such misuse of Governmental power.