

# Display of Temper in The Senate

Washington

Daniel Ellsberg's appearance before a Senate committee yesterday produced a red-faced shouting match between Senator Edmund S. Muskie and Strom Thurmond.

Ellsberg's allegations about the "conspiratorial apparatus" of the Nixon administration were met by an angry series of questions from Thurmond (Rep-S.C.) who accused him of unfairly imputing guilt to individuals, such as Mr. Nixon, when they should still be considered innocent.

By contrast, Thurmond complained, Ellsberg's "innocence" of the government's charges of conspiracy, espionage and theft of the Pentagon papers had never been "proved."

Ellsberg replied that he was entitled to a presumption of innocence in a courtroom. But, he said, "that does not oblige me as an American citizen to think that he (Mr. Nixon) had no involvement" in the Watergate case, for example.

"Your guilt or innocence has never been determined by the court," Thurmond

persisted near the close of the hearing.

His temper rising, Muskie (Dem-Maine) broke in.

"Your innocence is given to you until proven otherwise," Muskie told Ellsberg. "I disagree with Senator Thurmond utterly. The constitution gives him (Ellsberg) his innocence."

"The court didn't pass on his guilt or innocence," Thurmond shot back again, his face growing red. "They threw out the case, as you well know," he told Muskie, "because of the prosecution's tactics in the case."

Glaring at Thurmond, Muskie said angrily: "Senator, you are guilty of the very posture that you have just attributed to the witness."

"You are guilty yourself," Thurmond shouted at Muskie, who began rapping his gavel loudly. Thurmond kept going.

"You are playing politics with this hearing," he told Muskie before subsiding. "You brought him here today to criticize the president of the United States. You are not fit to be a presidential candidate!"

After a few seconds' silence, Muskie turned to Ellsberg and apologized "for



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**SENATOR EDMUND MUSKIE AND DANIEL ELLSBERG**  
**Ellsberg chatted with the senator before the hearing**

this display of senatorial temper." The Maine Democrat, who began the round of hearings on government secrecy and executive privilege more than a month ago, said that he did not "bring" Ellsberg to the hearing, but simply "invited" him to testify.

Later, Thurmond issued a statement saying that he feels "the Senate should not allow its chamber to be used by individuals to attempt to discredit the President and other agencies of our government . . ."

"To do so abrogates our responsibility as members of the Senate and supporters of the Constitution of the United States," she continued.

"I shall never condone or fail to speak out when any

Committee of the Senate rushes to its witness table a man who only days ago was on trial for violation of the Espionage Act or any other law of our government. Further, while a man is presumed innocent until found

quilty, it should be clearly recorded that because of unfortunate circumstances, the trial of Dr. Ellsberg reached no conclusions as to his guilt or innocence," Thurmond

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