

# U. S. WON'T FIGHT MONITOR'S SERIES

## Justice Department Action Follows Talk With Editors on Vietnam Articles

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Special to The New York Times

WASHINGTON, June 29 —

The Justice Department said today that it would not move to enjoin The Christian Science Monitor series on the Vietnam war. The action followed a brief discussion with the editors about the articles not yet published.

The Monitor, a Boston daily, published this morning the first of three articles it said were based on the Pentagon's secret study of the war. Four other newspapers — The New York Times, The Washington Post, The Boston Globe and The St. Louis Post-Dispatch—have been blocked by Federal Court order from continuing their series.

The Justice Department issued a statement saying that the United States Attorney in Boston had talked with the Monitor's editors and that "they had cooperated by disclosing to him the nature of the contents of the two remaining installments they propose to publish."

John Hughes, editor of The Monitor, immediately issued a statement that it had "elected not to accede" to a request from the District Attorney's office in Boston that it stop publication of the series and added that the Justice Depart-

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ment was not "in any way privy" to the content of the future installments.

Mr. Hughes said that The Monitor had assured the Government that "the remaining sections of the papers it would publish in no way threatened the security of the state and related to historical events in the nineteen forties, nineteen fifties and the early nineteen sixties."

### Linked to Pentagon Study

Justice department officials, in a statement, said that they learned that The Monitor had published an article reportedly based on materials contained in the 47-volume Pentagon study. The statement continued:

"The U.S. Attorney for the District of Massachusetts contacted the editorial staff of The Christian Science Monitor today and they cooperated by disclosing to him the nature of the contents of the two remaining installments they propose to publish.

"The Department of Justice has been advised by the Departments of Defense and State that the materials which form the basis for these installments are not among those designated by the United States as potentially injurious to the national defense under the standards enunciated by the Second Court of Appeals.

"For this reason, the Department of Justice at this time does not intend any legal proceedings to enjoin the publication of these articles by The Christian Science Monitor."

A department spokesman said later that the decision not to move to prevent the Monitor from printing the remaining installments did not mean that the controversial Pentagon papers were "automatically declassified."

### 'Irreparable Harm'

"The department's position from the beginning has been it would never seek injunctive relief on all forms of classified material, but simply those that would cause irreparable harm," the spokesman explained.

Monitor officials said that they had received a telephone request shortly before noon from Herbert F. Travers Jr., United States Attorney for the District of Massachusetts.

Erwin D. Canham, editor in chief of The Monitor, said that Mr. Travers "was very amiable and told me he was acting under instructions of his superiors." Mr. Canham said that Mr. Travers asked The Monitor not to publish further articles on the Pentagon study.

Mr. Hughes said that the editors informed Mr. Travers that they would not voluntarily cease publication and that he then asked what the future articles would include.

Mr. Canham said that he told him the second article would be an "analytical piece" on Ho Chi Minh, dating from the nineteen forties, and the third would deal with United States relations in the Far East in the middle to late nineteen forties.

### 'That's Very Helpful'

Mr. Canham said that Mr. Travers said, "Thank you, that's very helpful," and hung up.

"I was in no sense submitting this or seeking clearance," Mr. Canham said. "There was no question of clearance. It was the last thing I would have done."

Meanwhile, the Supreme Court again delayed its decision on Government efforts to block The New York Times and The Washington Post from publish-

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ing material from the Pentagon papers. There was no indication when a decision would be announced.

In Boston a hearing on the continuation of a court order preventing The Boston Globe from printing articles based on its copies of the Pentagon documents was postponed yesterday until the Supreme Court acts in the case of The New York Times and The Washington Post. United States District Judge Anthony Julian promised the Globe, which has enjoined after one installment, a "speedy" hearing following the decision.

#### Ellsberg to Meet Press

Special to The New York Times

CAMBRIDGE, Mass., June 29 —Dr. Daniel Ellsberg, back at home here after having been arraigned on charges of unauthorized possession of secret documents, announced today that he would hold a news conference on Thursday.

Meanwhile, a spokesman for the Massachusetts Institute of Technology, where Dr. Ellsberg served half time as a senior research associate, said that the indictments against him would have no bearing on his status with the university while litigation was pending. The spokesman added that Dr. Ellsberg had accumulated an "extensive amount" of vacation and that he was taking it now.



Associated Press

**EXPLAINS EXECUTIVE PRIVILEGE:** Assistant Attorney General William H. Rehnquist testifying at House Government information subcommittee hearing. He said denial of documents or information to legislative and judicial branches "is implicit in the separation of powers established by the Constitution. The President's authority to withhold information is not an unbridled one."