

# PROTESTERS FAIL TO STOP CONGRESS; POLICE SEIZE 1,146

1,000 Mass on House Steps  
to Press 'People's Treaty'  
With North Vietnam

CAMPAIGN SEEMS ENDED

Other Rallies Across U.S.  
Are Mostly Peaceful—  
10,000 Gather Here

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WASHINGTON, May 5 —

Antiwar protesters massed on the marble steps outside the House of Representatives today to demand that Congress ratify a "people's treaty" with North Vietnam to end the war in Southeast Asia.

But the 1,000 demonstrators, chanting, "Sign the treaty," as about 1,000 others cheered across a line of helmeted policemen, failed to achieve their stated goal of disrupting Congress.

By late this afternoon, the District of Columbia police had arrested 1,146 young people for "unlawful assembly" on the Capitol grounds, apparently ending the last major confrontation planned in a three week "peace offensive" this spring.

The actions in Washington today raised to more than 12,000 the number of arrests since the police began dealing firmly with protesters on Sunday. Many of the protesters deliberately sought arrest today for the second time.

## Ruling Against Police

A three-judge panel of the court of appeals for the District of Columbia affirmed today a lower court ruling that the police had acted improperly on Monday, when they arrested many individuals in groups and carted them to impromptu prisons without making specific individual charges of wrongdoing.

The police reverted today to their customary procedures. As the protesters sat on the House steps on the east front of the Capitol, chanting, "The whole world is watching," patrolmen took the demonstrators away one at a time to be photographed and cited for unlawful assembly.

## 4 Democrats Join Group

Four House Democrats opposed to the war stood on the steps with the demonstrators, lamenting the fact that theater doors to the Capitol's interior were locked. One conservative from Mississippi tore a copy of the "people's treaty," printed on a bedsheet, from the hands of one group of demonstrators.

The day's events appeared to have capped 17 days of protest. With many of the participants in jail and other disenchanted with detention after earlier arrests, the size of the protest group was dwindling. Many individuals said they were going home to try to initiate antiwar activities similar to those in the capital.

Earlier today, the opposition

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# Antiwar Protesters Fail to Stop Congress

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to the war was enunciated in Lafayette Park, across Pennsylvania Avenue from the White House, by participants in a rally sponsored by Federal Employees for Peace. More than 1,000 people, conservatively attired, many freely stating their names and the Government agencies for which they worked, protested against the war during their lunch break or took part of their annual leave to demonstrate.

The Capitol police initially refused to permit the demonstrators onto the grounds of the Capitol after the group had marched there, three abreast in clusters of 20 or 25, from an assembly point nearby on the Mall.

But they permitted them to gather on the steps after Representatives Bella S. Abzug, Democrat of Manhattan, and Ronald V. Dellums, Democrat of California, had said the protesters were their "guests."

Capitol Police Chief James Powell, his hand shaking as he spoke through a portable loud-speaker to the crowd, warned them that they were illegally gathered and gave them 10 minutes to leave.

About half the demonstrators assembled in a grassy section of the Capitol grounds, alongside spectators and curious members of Congress, rather than risk arrest.

But the rest remained on the Capitol steps, disregarding Mr. Powell and reading off their "people's treaty" demands: an immediate withdrawal of American forces from Vietnam, a \$6,500 guaranteed annual income for families of four and the release of all "political prisoners" in jails in this country.

Representative Charles B. Rangel, Democrat of Harlem, told the crowd that he had come to join them, but that "they have locked the doors" behind him.

Policemen preparing to arrest the demonstrators were filling in sections of their arrest forms as Mr. Rangel, Mrs. Abzug, Mr. Dellums and Representative Parren J. Mitchell,

Democrat of Maryland, exhorted both the police and the protesters to remain calm.

Representative G. V. (Sonny) Montgomery, Democrat of Mississippi, attired in a conservative gray suit, walked up to one group of protesters and snatched from them part of the printed text of the "treaty." He later told reporters that he had felt "it shouldn't be on the Capitol steps."

"I just lost my cool," he said. "It was just too much." He looked at the portion of the scroll bunched in his hand and said, "I'm sorry we didn't get it all."

Earlier, former Representative Laurie Battle of Alabama, now the chief clerk of the House Rules Committee, plunged into the marchers and grabbed a National Liberation Front flag from a young woman. Some bystanders said Mr. Battle had knocked her down, but he refused to deny or affirm it.

## Taken in Buses to Cells

After their arrest, the demonstrators were taken in buses to cells in six police precinct houses or to the Washington Coliseum, one of the makeshift jails officials began using when their prison cells overflowed Monday.

The protesters were charged with unlawful assembly, which carries a possible fine of \$500 and imprisonment for up to six months. Unlike charges of disorderly conduct lodged against demonstrators on Monday and yesterday, when they protested outside the Department of Justice, the unlawful assembly charge requires the assignment of bail before the protesters can be released.

There was confusion among the police today about the specific law that the protesters had violated. Initially, on arrest forms written out in advance, the police were charging the protesters with "unlawful entry" into the Capitol grounds. But midway through the arrests the charge was changed to "unlawful assembly" in violation of a 1967 law.

That law makes it unlawful to "utter loud, threatening or abusive language or to engage

in disorderly or disruptive conduct" on the Capitol grounds "with intent to impede, disrupt, or disturb orderly conduct" of Congress or "to impede passage" through the Capitol.

Many of the demonstrators, perhaps 200, had indicated prior to seeking arrest at the Capitol that they wished to remain in jail without being released on bail as another form of protest.

A number of Senators and Representatives stood outside the Capitol to watch the protest and arrests while others, inside, made floor speeches to denounce, according to their inclinations, either the tactics of the demonstrators or the tactics of the police earlier this week.

Superior Court Judge Harold Greene ruled late yesterday that the police must release without bail all demonstrators who had been jailed on Monday without being linked specifically to an illegal act.

The three-judge Court of Appeals affirmed most of Judge Greene's ruling today, but said the demonstrators must submit to fingerprinting and photographing. The appeals judges also reversed Judge Green's ruling that the records of those not found guilty of an offense must be destroyed rather than given routinely to the Federal Bureau of Investigation.

## Chief Issues Statement

The police issued a statement in which Police Chief Jerry V. Wilson assumed responsibility for the order Monday to suspend field arrest procedures and gather up all demonstrators for arrest. He said he felt the unusual steps had been "necessary to protect the safety of law-abiding citizens and to maintain order in the city."

A few protesters sought to regain access to the Capitol grounds after the arrests tonight, but the police quickly rounded them up, including a young man who had taken off all his clothes and tried to climb a lamp post and another who had climbed into the office of House Speaker Carl Albert through an open window.