

# DECISION DELAYED ON VIETNAM STUDY

Supreme Court Aides Say  
Ruling Probably Will Be  
Issued by Friday  
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Special to The New York Times

WASHINGTON, June 28—The Supreme Court put off today a decision on the Government's efforts to block The New York Times and The Washington Post from publishing material from the Pentagon papers on Vietnam.

Two sets of the Pentagon papers were delivered to Congress today in cardboard boxes marked "Top Secret" and were quickly placed in locked vaults.

No indication was given as to when the Supreme Court decision would be announced. Court officials said that it could be issued at any time. They said it probably would be issued by Friday.

Chief Justice Warren E. Burger announced the decisions in all five of the cases that were settled today and, without mentioning the Pentagon-study case, said that the court would not adjourn for the summer today as planned.

Instead, a brief order was

Continued on Page 9, Column 1

Continued From Page 1, Col. 5

issued stating that "the Court will take a recess pending further order of the Court."

Justice William O. Douglas's seat was left empty as the Justices filed behind the bench to announce the day's decisions.

Justice Douglas, an ardent foe of all censorship, had flown here from his mountain retreat at Goose Prairie, Wash., to be present at the arguments on Saturday. It appeared improbable that he would leave if the issue were undecided. Court officials said that he flew back to Washington state yesterday.

## 13th Day Since Restraint

Today was the 13th day since The New York Times was restrained from publishing further articles in its series on the origins of the Vietnam war, which appeared on June 13, 14 and 15. The series was drawn from a secret Pentagon study and included the texts of accompanying documents.

Part of the delay could be attributable to the vast bulk of this material, portions of which the Government contends would damage national security if disclosed. Several of the Justices commented during the two-hour argument Saturday that they intended to check the material for evidence of possible security breaches.

Lawyers for The Times and The Washington Post argued that the Government was unable during secret trial hearings to point out specific items that struck the trial judges as dangerous to United States security. Both trial judges, Murray I. Gurfein of the Federal District Court in New York and Gerhard A. Gessell of the Federal District Court here, refused to issue injunctions against further publications.

The Court clerk's office had planned to end the 1970-71 term officially today by opening new docket books for the 1971-72 term, and by assigning numbers to all incoming cases based upon the docket for the new term. However, after Chief Justice Burger's announcement today, arrangements were made to close out the docket for the present term on Friday.

Two other newspapers besides The Times and The Post have been restrained from printing materials from the secret study, until the Supreme Court renders its decision. The Boston Globe and The St. Louis Post-Dispatch were also sued by the Justice Department after they published some of the materials, and preliminary restraining orders were issued against further disclosures. These cases are now being held in suspension, awaiting the Supreme Court's decision.