

SFChronicle

**Contempt Retrial** JAN 5 1973**Chicago 7 Riot  
Charge Dropped****Chicago**

The federal government announced yesterday it will drop riot charges against five of the Chicago Seven defendants, but repeated that it plans to retry all seven on contempt charges.

The five were found guilty of crossing state lines to incite rioting during the 1968 Democratic National Convention, but their convictions were reversed in November by the U.S. Court of Appeals for the Seventh Circuit. Earlier that court had overturned contempt sentences for all seven defendants and two of their lawyers.

The government's decision on the riot charges was announced in Washington by Attorney General Richard G. Kleindienst and by James R. Thompson, U.S. district attorney for Northern Illinois.

The five — David Dellinger, Abbie Hoffman, Tom

Hayden, Jerry Rubin and Rennie Davis — were convicted in February, 1970, by a U.S. District Court jury of crossing state lines to incite rioting. They were acquitted of conspiring to do so. They were sentenced to five years in prison and fined \$5000 each.

The five defendants and two other defendants acquitted of all charges also were sentenced for contempt by Judge Julius J. Hoffman after the controversial trial, which lasted 4½ months.

The contempt citations were set aside early in 1972 after the U.S. Court of Appeals ruled that Judge Hoffman should have disqualified himself from ruling on the contempt charges.

The appeals court reversed the riot convictions Nov. 21, 1972 on several grounds, including Judge Hoffman's attitude toward the defendants.

*Associated Press*