

'I took this action on my own initiative and I am prepared for the consequences . . . I would be glad to go to jail to end this war . . . Ten years is a cheap price to pay to end the war.'

DANIEL ELLSBERG



CENTER OF ATTENTION — Daniel Ellsberg, with his wife, Patricia (left), is surrounded by newsmen and photographers as he holds an impromptu press conference after he left the Federal building in Boston. He is free on \$50,000 bond. (William Ryerson photo)

## Faces two new charges in secrets case

# Ellsberg admits leak, freed on bond

By John B. Wood  
Globe Staff

MIT research associate Daniel Ellsberg surrendered to Federal authorities yesterday, and admitted he had distributed copies of a secret Pentagon study of the Vietnam war to the press.

"I delivered the Pentagon papers to the Senate Foreign Relations Committee and to the people through the American press," Ellsberg said as he entered the Federal building yesterday morning.

He admitted that "all these actions were clearly in contradiction of security regulations, secrecy regulations, and, even more, the information practices of the Department of Defense.

"Nevertheless, I felt as an American citizen, a responsible citizen, I could no longer cooperate in concealing this information from the American people. I took this action on my own initiative and I am prepared for the consequences," he said.

Among the 47 volumes of Pentagon reports were several dealing with negotiations between the Johnson Administration and Hanoi, Moscow and other foreign capitals. Ellsberg said "None of these studies were given to any newspapers. That was a deliberate decision on my part. They were given to the Senate Foreign Relations Committee which could decide for itself whether to make them public."

Ellsberg was arraigned before US Magistrate Peter Princi and released after signing a \$50,000 bond. He did not enter a formal plea, and was not required to post bail. The Federal prosecutor had asked for \$100,000 bail "because of the severity of the

- Ellsberg says he had documents dealing with Johnson Administration contacts with Hanoi, Moscow and other foreign capitals but never gave any of these to newspapers.
- Gave this highly sensitive material to the Senate Foreign Relations Committee in 1969.
- Was in the Boston area all the time he was sought by the FBI.
- Moved from one home to another, sometimes staying with 'friends we didn't know'.

charges . . . which deal generally with espionage."

Princi continued the case until July 15 for a hearing on removal of Ellsberg to California, where a Federal grand jury is investigating dissemination of classified information contained in the Pentagon study.

Ellsberg, who has been in hiding

since June 15, appeared at the Federal building shortly before 10 a.m., as his lawyers had promised he would. He implied that he had remained in Cambridge while waiting out a massive FBI search, which continued until late Sunday night.

Ellsberg explained he had avoided authorities and the press for the past two weeks by moving from one per-

son's home to another, at times staying with "friends we didn't know." He said he never left the Boston area during this period of hiding.

"Dr. Ellsberg wanted to appear, and we wanted to have him appear, over the weekend, but we were not satisfied with the Roman orgy that seemed to be promised by the Federal Bureau of Investigation," attorney Leonard B. Boudin told the court.

Ellsberg's attorneys offered to produce him soon after the California court issued its complaint, if the government would guarantee his release on personal recognizance. The Justice Dept. refused the offer "because of the nature of the crime," according to assistant US attorney James N. Gabriel.

Approaching the Federal building, Ellsberg appeared nervous about his arraignment, but confident of his reasons for leaking the Pentagon documents. He repeated several times that he had "no regrets about publication" of the documents, and said he would be "glad to go to jail to end this war."

"I wonder if many people here wouldn't think 10 years is a cheap price to pay" to end the war, he said at an impromptu press conference.

Ellsberg said he had given information contained in the Pentagon study to Sen. J. William Fulbright, chairman of the Senate Foreign Relations Committee, in October, 1969.

"This spring, two invasions later and after 9000 more Americans had died, I could only regret that I had not at that time released that information to the American people through the newspapers. I have now done so," he said.

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## Monitor prints more of study

United Press International

BOSTON — The United States made plans in 1962 for a five-year withdrawal of troops from Vietnam, the Christian Science Monitor said today in a story based on a secret Pentagon report on the war.

The planning, begun in July 1962, "crashed to the ground in March, 1964," the newspaper reported. It originally provided for a cutback from 12,000 US troops to

1500 by fiscal 1968 and later was revised to reduce American strength from 15,215 to 2610 in fiscal 1969.

"The Pentagon study implies that it was doomed almost from the beginning—by flaws and 'some basic unrealities' in its conception; by serious weaknesses in intelligence reporting from the field that consistently underestimated the strength

MONITOR, Page 43

## US seeks, gets delay in case

# Globe wins speedy hearing after Supreme Court ruling

The US District Court in Boston granted a government request yesterday to postpone a hearing involving The Boston Globe's publication of secret Pentagon papers, but also acknowledged a request by Globe lawyers for a speedy hearing.

Judge Anthony Julian said he would "set a definite date for speedy hearing" immediately after notice of a decision by the US Supreme Court in similar cases involving the New York Times and Washington Post.

The constitutional rights of free press and free speech also were cited in a request filed by Harvard Law Prof. Vern Countryman on behalf of US Rep. Michael Harrington

and 26 other congressmen seeking to intervene in the Globe case.

The congressmen asked the court not to issue any further injunction against The Globe, saying such action would deprive them of information which they could acquire from newspaper accounts.

The injunction against The Globe, the congressmen argued, constitutes an unconstitutional "prior restraint on the exercise of the right of free speech and freedom of the press."

A letter to the court by counsel for The Globe, asking for a speedy hearing, also said the newspaper was "seriously concerned over the prior restraint on publication involved in this litigation."

GLOBE, Page 8

## High court delays recess until ruling on Vietnam papers

Washington Post

The Supreme Court extended its term indefinitely yesterday to decide the case involving whether newspaper publication of secret Pentagon papers endangers national security.

Chief Justice Warren E. Burger, announcing a raft of opinions at what was to have been the court's last session of the current term, surprised a packed courtroom by failing to mention the cases of the Washington Post and the New York Times.

There was no formal indication from the justices — who held an unusual Saturday session this past weekend on the cases — about exactly when they would rule.

DELAY, Page 9

## Federal building grants to colleges are upheld

# High court bans state payments to parochial schools

By S. J. Micciche  
Globe Washington Bureau

WASHINGTON — State financial aid for secular education in elementary and secondary parochial schools was banned by the Supreme Court yesterday as "excessive entanglement between government and religion."

But in a separate 5-4 decision, the justices upheld Federal con-

struction grants to church-related colleges as within the constitutional context of separation of church and state.

The court majority distinguished the cases upon the degree of governmental "entanglement," the susceptibility of young children to potential religious teaching in secular subjects, and the prospect of local political divisiveness because of religion.

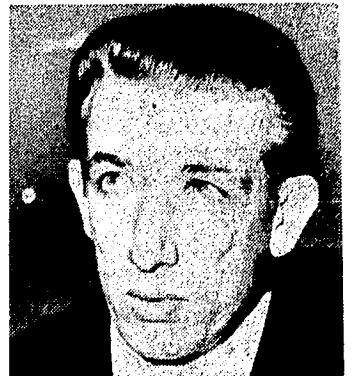
By an 8-1 vote, the court declared Rhode Island's plan to supplement parochial teachers' salaries unconstitutional because of the "potential for impermissible fostering of religion."

For similar reasons, the justices ruled 8-0 to overturn Pennsylvania's statute reimbursing parochial schools for the cost of textbooks, instructional materials and teachers' salaries in secular courses and providing such funds from increased racing and cigarette taxes.

The "cumulative impact" of both statutes, wrote Chief Justice Warren E. Burger in delivering the court's opinions on the "parochial" cases violates the First Amendment prohibition against "any law respecting the establishment of religion."

However, as to the Federal act on grants to colleges, Burger distinguished college construction grants as shaping "a narrow and

SCHOOL AID, Page 19



RICHARD SPECK  
... still faces review

## Court will rule on death penalty; 39 win reversals

Globe Washington Bureau

WASHINGTON — The Supreme Court agreed yesterday to review the death penalty as to whether it constitutes "cruel and unusual punishment" forbidden under the Constitution's Eighth Amendment. The court also reversed 39 death sentences, on other grounds.

With appeals from some 150 death penalty cases before them, the justices accepted for oral arguments in the Fall four cases that challenge the essence of capital punishment.

In the other death penalty reversals, the court reversed the death sentences of Richard Speck of Chicago and Peter J. Ladetto of Cambridge, Mass. Speck was convicted of the 1966 stabbing and strangling of eight student nurses. His conviction stands, but the case was returned to the Illinois courts for reconsideration in light of earlier Supreme Court decisions regarding the death sentence.

DEATH, Page 16

## House rejects war deadline in draft bill

By Thomas J. Foley  
Los Angeles Times

WASHINGTON—The House yesterday rejected a Senate-passed proposal urging President Nixon to end the war nine months after passage of the draft extension act—but by the smallest margin to date against any Vietnam withdrawal plan.

The vote was 219 to 176 against an amendment to the draft bill sponsored by Sen. Mike Mansfield (D-Mont.) in the Senate and urged upon the House by Rep. Charles W. Whalen Jr. (R-Ohio).

The margin would have been closer but for a pledge by House Armed Services Committee leaders, who promptly began to work out differences on the draft bill with their Senate counterparts. The Armed Services leaders promised to come back to the House with a compromise on the Mansfield amendment.

House GOP conference chairman John B. Anderson (R-Ill.), said he and a group of other Republicans were ready to vote for the Mansfield amendment until the compromise pledge was made. The number of votes in this group was put at 10 by one Republican.

Anderson said he was hoping for a declaration of policy by Congress to end the war although without a specific date.

DRAFT, Page 6



MUHAMMAD ALI  
... biggest fight

## Court clears Ali of draft evasion

Globe Washington Bureau

WASHINGTON—Former heavyweight champion Muhammad Ali won his biggest fight yesterday as the Supreme Court reversed his conviction for draft evasion.

The high court ruled that Ali, also known as Cassius Marcellus Clay Jr., was entitled to conscientious objector status because of his Black Muslim religious faith.

In an unsigned opinion, ruling 8-0 without dissent, the court declared that the Justice Department was "simply wrong as a matter of law" in advising Ali's draft board that his anti-war beliefs "were not religiously based and were not sincerely held."

ALI, Page 17

## IN THIS CORNER

### Nature tells time with 'bioclocks'

By Jay Scriba  
Special from the Milwaukee Journal

Astronomers say that we live in an "expanding universe," with stars and galaxies racing away from each other like bits of debris from a single explosion.

As a result, some suggest that this phenomenon might be part of a titanic, rhythmic cycle in which all matter in the universe alternately explodes from a central mass, then regroups to explode again.

The theory is most interesting because, at the opposite end of the scale of matter, the tiny atom displays similar rhythmic activity.

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