

Spock and 3 Others Given 2-Year Terms In Draft Conspiracy

By JOHN H. FENTON

Special to The New York Times

BOSTON, July 10—Dr. Benjamin Spock and three other defendants were sentenced today to two years in Federal prison for conspiring to counsel evasion of the draft.

The four stood quietly in Federal District Court as the clerk, Austin Jones, read the sentences imposed by Judge Francis J. W. Ford, who presided over the case. Execution of the sentences was waived pending legal steps for appeal.

Later, the four defendants took part in the early stages of a march to Boston Common, about two miles from the courthouse, where supporters held an antiwar rally at which several young men turned in what they said were draft cards.

Besides Dr. Spock, the pediatrician, who is 65 years old, the defendants sentenced today were the Rev. William Sloane Coffin Jr., 43, chaplain of Yale University; Michael

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SENTENCED: Dr. Benjamin Spock, center, and the Rev. William Sloane Coffin Jr. leaving Federal District Court in Boston yesterday after they received two-year prison terms for conspiring to counsel evasion of the draft. Mrs. Spock is at the left. Two other defendants in the case also received two-year prison terms. All four men were fined.

Spock and 3 Others in Draft Case Get 2 Years

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Ferber, 23, of Buffalo, a Harvard graduate student, and Mitchell Goodman, 44, a teacher and author from Temple, Me.

Also in the courtroom was Marcus Raskin, 34, co-director of the Institute for Policy Studies, a private research organization in Washington. He was acquitted by the jury that convicted the others on June 14.

In addition to the jail sentences, the three older men were fined \$5,000 each. Mr. Ferber was fined \$1,000. The maximum penalties under the law are five years in jail and \$10,000 fines.

Judge Ford allowed the four to remain free on personal recognizance under bonds of \$1,000. That meant they did not have to post security but would be subject to paying the bond if they failed to appear in court on order later.

The defense lawyers announced that they would appeal. The case would go to the U.S. Court of Appeals for the First Circuit. From there it could be appealed to the Supreme Court.

Before imposing sentence, Judge Ford said: "Where law and order stops, obviously anarchy begins."

Link to Evaders Seen

"Every week in this court, young men are sentenced to three years in prison for evading the draft," he went on. "It is reasonable to conclude that these defendants were instrumental in inciting some of these men to flout the law.

"Be they high or low, intellectuals as well as others must be deterred from violating the law. These defendants should not escape under the guise of free speech."

Neither Dr. Spock nor Mr. Coffin accepted an offer to speak for themselves.

Mr. Ferber said he was not a member of a conspiracy, "but a movement by my own generation for love of our country and what it might become." "I have no regrets," he added.

Mr. Goodman said he thought that part of his impulse in joining antidraft activities was based on trying to understand that young men "have grown up in the strangest and most awful period of our history."

The four men joined with more than 100 pickets, who had been circling the courthouse, in a march toward the Common.

Speak At Rally

The defendants dropped out of line at the Parker House, where they made statements at a rally that had been billed as a news conference. After lunch, the four went to the Common.

Dr. Spock, after asserting that the law must be obeyed, said, "I am not convinced I broke any law." He said he intended to go on working against the war in Vietnam and to take part in political activity aimed at ending the fighting.

The charge against the five men was conspiring to counsel, aid and abet young men to evade the draft law. An all-male jury was shown television

films depicting the burning of draft cards by young men in the Arlington Street Unitarian-Universalist Church in Boston last Oct. 16. Dr. Spock, Mr. Coffin and Mr. Ferber were shown as being present at a service connected with the burning.

The Government also introduced evidence concerning the turning in of draft cards at the Department of Justice in Washington on Oct. 20, and of a demonstration outside the induction center in Whitehall Street, New York, on Dec. 5 at which the Government alleged Dr. Spock was arrested by prearrangement with the Police Department and Mayor Lindsay.