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Liddy, Hunt Linked To Ellsberg Case

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LOS ANGELES (AP) — The judge in the Pentagon papers trial released a government memorandum Friday saying that convicted Watergate conspirators G. Gordon Liddy and E. Howard Hunt Jr. burglarized the office of Daniel Ellsberg's psychiatrist to take Ellsberg's records.

U.S. District Court Judge Matt Byrne, keeping the development secret from jurors in the trial of Ellsberg and Anthony Russo, said word of the possible burglary had come in a secret tip to the U.S. Justice Department, forwarded to the judge in a memorandum.

Byrne ordered an immediate investigation to find out whether the Ellsberg psychiatric files were used in any way in the prosecution of the Pentagon papers case.

Defense attorneys expressed shock, and Ellsberg's chief attorney, Leonard Boudin, said this could lead to a mistrial in the four-month-old espionage-conspiracy-theft trial.

The judge, who said the development could involve a violation of Ellsberg's constitutional rights, read to attorneys and spectators the contents of an April 16 memorandum from Earl J. Silbert, principal assistant U.S. attorney in Washington. It was addressed to Asst. Atty. Gen. Henry E. Petersen. Silbert refused comment Friday.

The memo said: "This is to inform you that on Sunday, April 15, 1973, I received information that at a date unspecified Gordon Liddy and Howard Hunt burglarized the office of a psychiatrist of Daniel Ellsberg to obtain the psychiatrist's files relating to Ellsberg.

"The source of the information," the memo continued, "did not know whether the files had any material information or whether any of the information or even the fact of the burglary had been communicated to anyone associated with the prosecution."

It was not immediately clear whether anything was actually taken.

The defense team recently has been involved in a dispute over withheld government documents relating to the trial.

Later, Ellsberg refused to say who the psychiatrist is or where the office was located.

Hunt had been hired by the White House to investigate the Pentagon paper leaks and occupied an office with Liddy in the Executive Office Building.