

Ellsberg burglary

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Don't know what it gained: Ehrlichman

LOS ANGELES, May 2 [UPI]—Presidential aide John Ehrlichman told the Federal Bureau of Investigation he does not know what were the "fruits" of the burglary of Daniel Ellsberg's psychiatrist's office, it was disclosed today at the Pentagon papers trial.

A second interview with Ehrlichman was turned over to the defense on orders of Federal District Court Judge Matt Byrne, who earlier had indicated he was considering dismissing all charges or declaring a mistrial.

Ehrlichman said he had seen FBI documents dealing with an investigation of Ellsberg's wife, Patricia, but that he did not know what had

come of the White House investigation of Ellsberg conducted by E. Howard Hunt and G. Gordon Liddy.

JUDGE BYRNE had told prosecutor David Nissen earlier in the day that he particularly wanted to know whether the burglary of the psychiatrist's office provided information about Ellsberg and how it was used.

The FBI summary of the interview quoted Ehrlichman as saying, "There must be papers covering the investigation of Daniel Ellsberg."

The report continued: "Mr. Ehrlichman recalled a project to prepare a psychiatric profile on Mr. Ellsberg. It has been over a year, however,

since Mr. Ehrlichman has seen anything on the Pentagon papers investigation."

BYRNE ALSO TOLD both defense and prosecution to produce "by tomorrow" legal precedents and points of authority supporting or opposing the possible court action of declaring a mistrial or dismissing the entire indictment of Ellsberg and Anthony Russo Jr.

According to the FBI report, Ehrlichman said the results of the Liddy-Hunt investigation must have been made available to White House aide Egil Krogh and National Security Council employe David Young. Ehrlichman said he does not know what was produced and

had not seen anything about the affair in more than a year.

ANOTHER REPORT handed over to the defense was an FBI interview with H. R. Haldeman, Nixon's chief of staff at the White House, who resigned along with Ehrlichman Monday.

Haldeman told the FBI he knew nothing of the investigation of Ellsberg or the Liddy-Hunt affair. Ehrlichman previously had said investigation of Ellsberg's leaking of the Pentagon papers was ordered by President Nixon.

Ehrlichman said that he kept a file of newspaper clippings about the Pentagon papers case and that he turned them over to the President's office.

EHRlichman SAID he also had seen FBI reports of an investigation of Neil Sheehan, the New York Times reporter who was given the documents by Ellsberg.

Judge Byrne had instructed the government that he especially needed evidence about the "fruits" of the burglary and whether it was used at the trial.

"Time is of the essence," the judge said. "If in the time left there is no full report I'm going to have to determine what steps have to be taken." Byrne said he did not want to wait until the end of the case before making a ruling on the defense motion for a dismissal of the indictment.