

Ehrlichman Says Nixon Told Him to Quit Plumbers

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WASHINGTON — John D. Ehrlichman, taking the stand in his own defense, testified today that President Nixon had ordered him to end his association with the White House "plumbers unit" two months before the group broke into the offices of Dr. Daniel Ellsberg's psychiatrist.

Ehrlichman said that Nixon had directed him to resume his activities as White House domestic affairs chief and that management of the plumbers would be placed in other hands.

Speaking slowly and chopping at the air with his fists, Ehrlichman sought to convince the jury he was not part of a conspiracy to violate the civil rights of Dr. Lewis J. Fielding by plotting to break into his office and copy Ellsberg's psychiatric files.

Ehrlichman testified that Nixon was greatly concerned in June 1971, when the Pentagon Papers first began to appear in the press. Ellsberg has admitted he had leaked the papers, which outlined the history of U. S. involvement in Southeast Asia.

Cites New Duties

Later that month, Ehrlichman said, the President "charged not only myself but Dr. Kissinger and several other people in the White House" to help the Justice Dept. prepare suits to prevent further publication of secret documents.

Secretary of State Kis-

singer at the time was Nixon's national security adviser.

The group "met over a period of two weeks" to implement the President's instructions, Ehrlichman said.

But "the status of the group changed on the second of July," Ehrlichman testified. "The President said, 'You get back on domestic policy stuff and you have the Pentagon Papers and the Ellsberg matters handled by the person I will designate.'"

That man was Egil (Bud) Krogh, Ehrlichman said. Krogh has already served a prison term for his part in the Ellsberg case.

The break-in at Fielding's Beverly Hills offices occurred Sept. 3, 1971.

The prosecution has accused Ehrlichman of approving the Fielding break-in several times in the weeks preceding the operation.

In his testimony, Ehrlichman also will attempt to show he was not trying to cover up the break-in, because of "guilty knowledge," nearly two years after the crime took place by instructing plumbers' co-chiefs Egil

Krogh Jr. and David R. Young not to discuss it with anyone, including a grand jury studying the case.

Nixon's Orders?

Instead, he will insist the orders not to discuss the case came from the President himself. "The jury has a right to believe that Mr. Ehrlichman was following the President's orders," Ehrlichman's chief defense lawyer, William Frates, told Federal Judge Gerhard A. Gessell on Friday as the defense opened its case.

But Gesell warned Frates that if Ehrlichman takes that approach — that the President issued the orders, based on national security considerations — "they were illegal orders and I intend to tell the jury that. The inquiry of a grand jury cannot be limited by the President or anyone."

Ehrlichman and three others are charged with violating Dr. Fielding's civil rights by breaking into his Beverly Hills, Cal. office during Labor Day weekend of 1971.

The former Presidential aide is also charged with three counts of perjury before a grand jury and one count of making false statements to FBI agents.

'Serious Reservations'

Gesell said Friday, after the prosecution finished its case, that he had "very serious reservations" about the FBI count, noting that "there may be some question of its Constitutionality."

But he told Frates that for the moment he would not dismiss it because he felt the jury might misinterpret his actions, and that he might consider such an action later.