

Ellsberg Demands Testimony on Link

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Daniel Ellsberg's chief attorney asked yesterday that 11 present and former government officials be ordered here to tell what they know about links between Watergate conspirators and an alleged burglary of an office containing Ellsberg's psychiatric records.

Attorney Leonard Boudin said he wants to find out whether the Pentagon Papers indictment was part of "political espionage" plot.

U.S. District Judge Matt Byrne took the request under submission but said affidavits probably would have to be taken from the men before they were called to testify at the trial.

The witnesses Boudin wants to call to a special hearing include former Attorney General John N. Mitchell, just-resigned Attorney General Richard G. Kleindienst, resigned White House aide John Ehrlichman, former acting FBI Director L. Patrick Gray and convicted Watergate conspirators E. Howard Hunt and G. Gordon Liddy.

Boudin also named former special presidential counsel Charles W. Colson; John W. Dean III, ousted yesterday as presidential counsel;

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Watergate trial prosecutor Earl Silbert; Justice Department criminal division chief Henry E. Petersen, and Robert C. Mardian; former assistant attorney general who became political coordinator of the Committee for Re-Election of the President.

The judge indicated he would be amenable to a request by Boudin to send jurors home and suspend trial testimony "until this situation is cleaned up, if it can be cleaned up."

Boudin said he felt revelations which would come out of affidavits and testimony "we think, will mean the end of this case," but added the defense would not be satisfied with affidavits alone because "very frankly, we don't trust the government of the United States."

RUSSO

"I am certain," defense attorney Leonard Weinglass told the judge later, "that this case should not go to the jury under the cloud that now sits over it." Weinglass is chief attorney for Anthony Russo, Ellsberg's codefendant.

Weinglass also asked that Ehrlichman be questioned about his intentions when he contacted Byrne about possible appointment as FBI director last month.

Byrne announced from the bench before proceedings began that he had been contacted on April 5, had met with Ehrlichman at the Western White House in San Clemente at an unspecified date and was introduced to President Nixon.

He said there was no discussion of anything related to the Pentagon Papers trial and that he refused to consider the offer until the trial's end.

"The mere fact of the contact," said Weinglass, "raises some questions in our minds of what was in Mr.

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Ehrlichman's mind when he contacted the court."

COMPLAINTS

Both attorneys complained bitterly about the prosecutor's report to the court that no further information regarding the reported burglary was turned up over the weekend.

The government had been ordered to make a far-reaching inquiry Friday to find out more details. But when court reconvened yesterday, Assistant U.S. Attorney David Nissen told the judge: "We have no investigation information."

The judge snapped, "That, Mr. Nissen, is not going to be sufficient."

MEMO

The Watergate link to the four-month-old espionage-conspiracy-theft trial surfaced Friday when Byrne revealed he'd been given a ten-day-old Justice Department memo reporting that Liddy and Hunt had burglarized the office of Ellsberg's psychiatrist to get at Ellsberg's psychiatric records. He raised the possibility that evidence in the trial was "tainted" by use of those records.

The defense team said it conducted its own investigation over the weekend and found what appear to be links to a "political espionage" effort to involve Ellsberg in early efforts to discredit the Democratic presidential candidate, before a candidate was even chosen.