

Job Offer Admitted By Ellsberg Judge

Examiner News Services

LOS ANGELES — U.S. Judge Matt Byrne confirmed today that he had been contacted by John Ehrlichman about a possible appointment as FBI director but had refused to discuss it while the Pentagon Papers trial is under way.

In a statement at the trial of Daniel Ellsberg and Anthony Russo, Byrne confirmed earlier reports that the FBI position was brought up when he talked to Ehrlichman at the Western White House in San Clemente April 5 and met briefly with President Nixon.

Byrne, answering defense inquiries about his contact with White House officials

during the trial, disclosed in District Court today that he attended a party April 1 at which he was introduced to presidential adviser Henry Kissinger.

Dismissal Move

"There was absolutely no discussion of this case with Mr. Kissinger," said Byrne.

A motion to dismiss charges against Ellsberg and Russo, filed yesterday by the defense, had charged that the FBI job offer was "an attempt to offer a bribe to the court — an attempt made in the virtual presence of the President of the United States — which was frustrated only because the judge refused to listen to the offer."

Byrne said he met with Erlichman on April 5 at the Western White House and was contacted by him on April 7.

"I confirmed my initial recollection that I would not consider it nor would I in any way discuss the position of director of the FBI while this case was pending," Byrne said.

Scolds Prosecutor

In his continuing investigation of Watergate and White House links to the prosecution of Ellsberg, Byrne scolded the government prosecutor for moving too slowly in providing more data.

Byrne has demanded to know everything the government can find out about the alleged burglary of Ellsberg's psychiatrist's office by Watergate conspirators E. Howard Hunt and G. Gordon Liddy.

"We are told that Hunt and Liddy were told to perform some investigation about this case with regard to the Pentagon Papers leak," Byrne said. "I have yet received nothing about what they did other than this alleged burglary."

Mistrial Hint

Byrne directed both sides to file legal arguments within the next few days as to whether the indictment should be dismissed or a mistrial declared in the case.

The judge turned over to the defense four documents given to the court yesterday by the prosecution. One was an interview with the police chief of Beverly Hills, where the burglary of the psychiatrist's office occurred.

After the statements by the judge, the jury was brought into the courtroom and Harry Rowan, former president of the Rand Corp., where Ellsberg and Russo worked, continued his testimony.