

# Mitchell Contends 2d Ellsberg Study Was News to Him

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By The Associated Press

Former Attorney General John N. Mitchell was quoted by the American Broadcasting Company Wednesday as saying that he never knew the White House was conducting its own investigation of Dr. Daniel Ellsberg's release of the Pentagon papers, and that the case might not have been prosecuted if he had.

A White House aide has told the California judge conducting the trial of Dr. Ellsberg and Anthony J. Russo Jr. that the White House investigation included burglarizing the files of Dr. Ellsberg's former psychiatrist.

Mr. Mitchell did not refer directly to the burglary during the interview with Bill Brannigan of A.B.C. News outside Mr. Mitchell's Manhattan apartment.

A.B.C. reported this exchange:

Mr. Brannigan: Were you aware at the time that the White House was running its own Pentagon papers investigation?

Mr. Mitchell: No. I was not.

Q. Isn't it a bit unusual they wouldn't cut the Attorney General in on something like that?

A. Apparently not, because it wouldn't involve the Justice Department activities in connection with it.

Q. Wouldn't the investiga-

tions crisscross somewhere that you'd become aware of?

A. I don't know whether they would or not. They didn't.

Q. Is it a usual practice to run investigations from the White House without cutting in the Justice Department?

A. The Justice Department had its own investigative agency, and I don't know what was being done at the White House. Obviously, we didn't know about this, or the case would have been thrown out.