DAY PLOTEN IN ELLSBERG CASE

Enter Pleas of Not Guilty to Conspiracy in the Burglary of Psychiatrist's Office

By ANTHONY RIPLEY

Special to The New York Times WASHINGTON, March 14-Four men, three of them members of the original Watergate burglary team, pleaded not guilty today to charges arising from a second burglary—that of the office of Dr. Daniel Ellsberg's former psychiatrist.

G. Gordon Liddy, 43 years old; Bernard L. Barker, 56, and Eugenio R. Martinez, 51, all of whom have been to prison for the burglary of the Democratic national headquarters at the Watergate office building, appeared in United States District Court here today along with Felipe de Diego, 45, of Miami.

All four were charged with conspiracy to violate the civil rights of Dr. Lewis J. Fielding of Beverly Hills, Calif. The charge grows out of a break-in at Dr. Fielding's office on Sept. 3, 1971, set up by a special White House investigation unit called "the plumbers."

May Call Nixon

Defense attorneys indicated that President Nixon would be called as a witness in the case. The President refused to testify in a California case that was brought as a result of the same burglary and was dropped when a Federal Watergate grand jury handed up indictments here March 8.

Some legal experts have said that the President's refusal to appear might bring about dismissal of charges because the Constitution guarantees a defendant the right to call witnesses in his own behalf.

When the four defendants met in court today, they warmly greeted one another with handshakes, hugs and smiles. It appeared to be their first reunion in some time with Mr. Liddy, who has been at the Terminal Island Federal prison in Los Angeles.

Mr. Liddy, who originally lost Continued on Page 14, Column 5

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20 pounds in prison and appeared gaunt and tired in court last year, has regained all his lost weight, his attorneys said today. He appeared bright-eyed, a bounce in his step, and saluted friends in the courtroom audience.

Judge Gerhard A. Gesell re-leased on their personal recog-nizance all but Mr. Liddy, who

is still serving time in prison.

Last week John D. Ehrlichman, former assistant to President Niver for the control of the con dent Nixon for domestic affairs, and Charles W. Colson, former special counsel to the President, both pleaded not guilty in the

Worked for Ehrlichman

Mr. Liddy was once a member of the White House Domestic Council under Mr. Ehrlichman and later was counsel for the Committee for the Re-election of the President. He has been an enigmatic figure in the Watergate investigations, pleading not

dent. He has been an enigmatic figure in the Watergate investigations, pleading not guilty in the original burglary "case and generally refusing to testify in other matters.

After the arraignment before Judge Gesell, Mr. Liddy and his attorneys, Peter Maroulis and Charles F. Barker, moved to the courtroom of Judge John H. Pratt. Mr. Liddy once again pleaded not guilty, this time on a two-count charge of contempt of Congress for his refusal to testify before a House subcommittee.

Henry Rothblatt, one of Mr. de Diego's attorneys, was asked as he entered Judge Gesell's court if Mr. Nixon might be called as a witness.

He replied that he would call "every relevant witness, including him."

Court in Washington.

that he was planning some "very elaborate" motions and Mr. Maroulis said that he planned to call "the President of the United States as a material witness."

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In the courtroom, Mr. Rothblatt told Judge Gesell that he planned to question the composition of the grand jury and to press for a Government-financed investigation for his client, who he said he believed was on a Government-sponsored mission at the time of the Fielding break-in.

John J. Wilson, attorney for Mr. Ehrlichman, told the court

and could be dealt with later.

He asked the lawyers to give their opinions in 10 days on whether the trial of Mr.Ehrlichman, who is charged with four additional counts in the case, should be separated from the case, should be separated from the case, should be separated from the their clients had a right to a speedy trial within six months from the day the indictment was handed up. He said that he had "no particular inclination" to have the metter drag outany longer.



Felipe de Diego of Miami going to U.S. District Court in Washington.