

Questioning of Panel in Ellsberg Break-in Trial

Washington

John D. Ehrlichman went on trial yesterday.

He and three White House "plumbers" are charged with taking part in a violation of civil rights conspiracy involving the Pentagon Papers case of three years ago.

The former domestic affairs adviser to President Nixon listened attentively as U.S. District Judge Gerhard A. Gesell went through the process of questioning 120 potential jurors from which the final 12 will be chosen.

By day's end, only half of the three-stage procedure was done. The jury selection probably will not be completed until noon or later today, making it unlikely there will be any testimony until tomorrow.

Gesell first put more than 50 questions to two groups of 60 veniremen in open court. The 97 survivors of the first cut then were questioned individually in an empty courtroom whose windows had been papered shut.

The interrogation, both public and private, was aimed at determining how much the potential jurors knew about the case and—most importantly—whether they could free their minds of pre-set notions and judge on evidence alone.

After 4½ hours, 60 of the 97 had been questioned and five eliminated. The same procedure will resume this morning with the remaining 37.

By prior arrangement, Ehrlichman was separated from his three co-defendants, all of them convicted Watergate burglars.

He was at one table with his four lawyers. Eugenio R. Martinez and Bernard L. Barker shared a single table and a single lawyer. G. Gordon Liddy, the Watergate break-in mastermind, was at a third table with his attorney, a former law partner.

The government alleges they plotted to violate the Fourth Amendment prohibition against unreasonable search and seizure by breaking into the office of Beverly Hills psychiatrist Lewis J. Fielding in a fruitless search for his records on Daniel Ellsberg.

In addition, Ehrlichman is charged with three counts of lying to a grand jury and one of lying to an FBI agent. Conviction could mean a sentence of 30 years and a fine of \$50,000 for Ehrlichman; ten years and \$10,000 for the others.

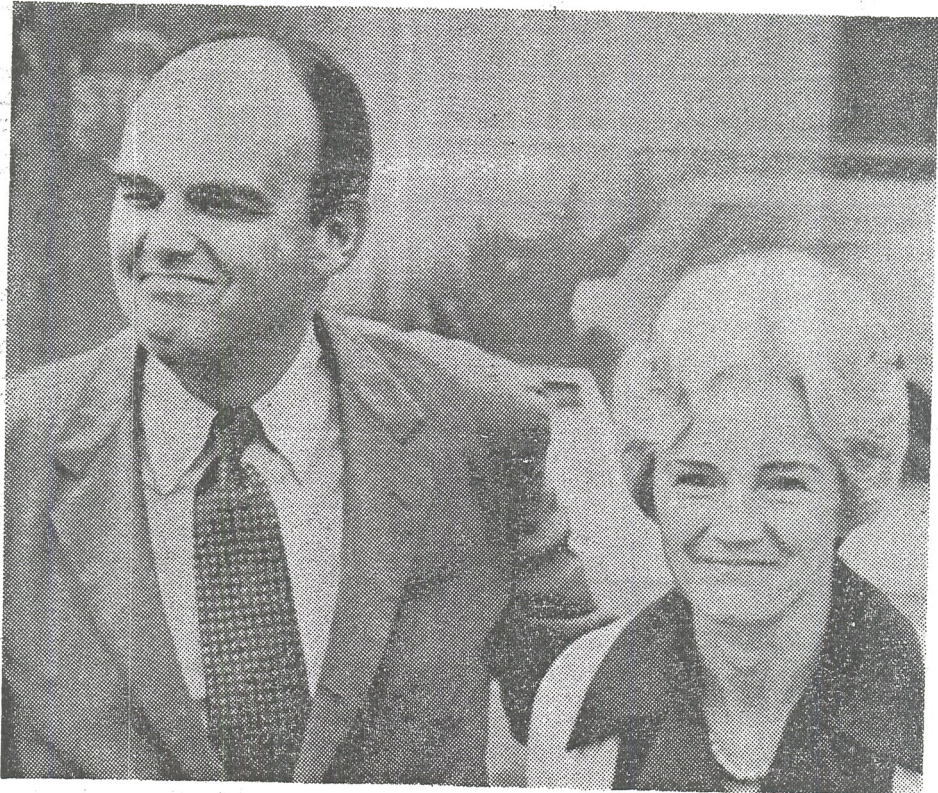
"This is a criminal case," Gesell told the potential jurors. He told them they would be sequestered, first in a residence portion of the courthouse, then at Mt. Vernon College, an exclusive Washington girls school, when summer vacation begins next week.

Gesell read a list of 58 witnesses who may be called by prosecution or defense. It included:

Secretary of State Henry Kissinger, White House Chief of Staff Alexander M. Haig Jr., former White House special counsel

Charles W. Colson, Assistant Attorney General Henry E. Petersen, former Secretary of the Treasury George P. Shultz and White House counsel Leonard Garment.

Associated Press



AP Wirephoto

John Ehrlichman and wife Jean outside Washington courthouse