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# Cox Allows Hunt to Talk To L.A. Jury

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Special Watergate prosecutor Archibald Cox yesterday authorized the appearance of three imprisoned Watergate conspirators before a California grand jury investigating the break-in at the offices of Daniel Ellsberg's psychiatrist.

The three, E. Howard Hunt, Bernard Barker and Eugenio Martinez, are now in federal prison in Danbury, Conn., for their part in last year's burglary at the Democratic National Committee headquarters at the Watergate complex.

Cox said he approved their temporary release for grand jury interrogation after a meeting here yesterday morning with Los Angeles County District Attorney Joseph Busch.

"We are an independent investigation and we will proceed at our own rate," Busch told reporters at Los Angeles International Airport yesterday afternoon on returning from the three-hour conference.

Hurrying to review all the Watergate-related investigations before any major new steps are taken, Cox reportedly had intended to ask Busch at the conference to hold back on any immediate indictments.

In a prepared statement issued here, however, Cox said only that he had made "no request" for a delay in the West Coast inquiry.

Busch said it would start on schedule Tuesday. Until yesterday, the Bureau of Prisons apparently had refused to release the three witnesses.

"It was a special situation," an aide to Cox said. He said the bureau simply wanted to make sure the move had Cox's approval. "After talking with

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Busch," the aide said, "we agreed."

Busch said he did not know precisely when the three men would be called. He declined to say whether former presidential adviser John D. Ehrlichman would also be called to testify.

"I really shouldn't go into that," Busch said.

The Los Angeles inquiry involves the Sept. 3, 1971, burglary at the offices of Dr. Lewis Fielding by a team headed by Hunt and another Watergate conspirator, G. Gordon Liddy.

The two were working for the White House at the time as members of a secret unit organized at President Nixon's direction to investigate the leaks of the Pentagon Papers and other information that alarmed the administration.

Ehrlichman has told the FBI that he learned of the break-in only after it occurred. But former CIA Deputy Director Gen. Robert Cushman, now Marine Corps commandant, has said that it was Ehrlichman who called the CIA in

July of 1971 and requested that CIA assistance—chiefly spy paraphernalia—be furnished to Hunt.

Hunt told a federal grand jury here that he hired Barker and Martinez in Miami for the job. All three have been given immunity from prosecution under California law in return for their testimony.



ARCHIBALD COX

... no request for delay

In authorizing their release to testify on the West Coast, Cox said that he and Busch had agreed on "full cooperation" in their investigations.

Sworn in only last Friday, Cox is also planning to meet shortly with Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the Senate's special Watergate investigating committee.

The Washington Post reported yesterday that Cox had asked the committee, through chief counsel Samuel Dash, to halt its hearings on the grounds that they might jeopardize future trials.

Cox confirmed meeting with Dash Wednesday to discuss, among other topics, "the risk of serious damage to investigations and any resulting prosecution, and the various possible ways of reducing the harm."

But he said "there was no mention whatsoever, and I have never considered for a moment, court action to have them [the hearings] stopped." One Senate source had told The Post that Cox had mentioned the possibility of court action.

Dash had no comment on the "exploratory discussion" beyond stating that "the quoted portions" of the Post's account did not "accurately" reflect what he and Cox had said.

Ervin told Washington Post special correspondent Joe

Pichirallo in Winston-Salem N.C., Thursday night that he has no intention of postponing the hearings in any event. "The committee," Ervin said, "has the same powers under the Constitution to conduct the hearings that the courts have to institute prosecution."