

SF Chronicle

# A Squabble

DEC 6 1974

## On Ellsberg's

## Marin Papers

By Jim Brewer

The U.S. Attorney in San Francisco is trying to get a look at some papers that were stolen from Daniel Ellsberg's home in Mill Valley, and later recovered. The Chronicle learned yesterday.

Ellsberg doesn't want the government to see the papers.

The papers were among items stolen from Ellsberg's isolated hilltop home the night of October 1. Some of the papers have been recovered by Mill Valley police.

Ellsberg has retained a San Francisco attorney, Benjamin Dreyfus, who said he doesn't know what the papers say, but "We don't think they (the government) have a right to see them."

Assistant District Attorney Ernest Zunino of Marin county said the October 1 theft was "a plain old burglary, nothing political about it."

U.S. Attorney James L. Browning Jr.'s request for the papers went to Mill Valley's police chief, William Walsh, who is holding the papers for evidence in the burglary investigation.

Another source told The Chronicle some of the papers involved are stamped "TOP SECRET."

Ellsberg, the key figure in the Pentagon Papers case, moved to Mill Valley last summer.

Four White House aides—including John Ehrlichman, G. Gordon Liddy and two members of the "plumbers" group—were convicted last summer of charges growing out of the burglary of the Beverly Hills office of Ellsberg's psychiatrist.

In that case, the four were convicted of violating the civil rights of the psychiatrist, Dr. Lewis J. Fielding.

Mill Valley and Marin county authorities are convinced the October 1 burglary was just that—a burglary with no additional overtones.

Along with personal papers and documents, Zunino said, the burglar took stereo and camera equipment from Ellsberg's home in Mill Valley.

A 21-year-old man arrest-

Back Page Col. 5

### From Page 1

ed Wednesday in connection with a different Mill Valley burglary is a suspect in the burglary of Ellsberg's home as well, Zunino said. He identified the burglary suspect as Kevin Quinn of Mill Valley.

Chief Walsh said that some of Ellsberg's papers were recovered "during the investigation" of Quinn.

U.S. Attorney Browning was told of the documents, he said, because "some are marked with security classifications."

Browning asked Mill Valley police to hold the documents until they could be inspected by a specialist from the Defense Department, who was due to arrive from Washington last night and head right over to Mill Valley.

"The federal government has absolutely no interest in the personal papers or property of Mr. Ellsberg," Browning said. "Our sole interest is to determine if any of the documents are classified. If we find any that are classified, our intentions is to keep them and not return them to Mr. Ellsberg."

Browning said he had been contacted by Dreyfus, who asked if he could be present when the Defense Department expert inspected the papers. Browning said he had no objection to Dreyfus's presence.

Frank A. Bartimo, a Defense Department specialist who at one time participated in the Pentagon Papers investigation, arrived from Washington accompanied by an FBI agent and met with Dreyfus for an hour last night in the Mill Valley police station. But apparently nothing was resolved.

"He didn't see a thing," Dreyfus said after the meeting. "And if they want to take anything we'll file a suit to stop them."

Dreyfus said that the two had agreed to meet at an undisclosed future time to discuss the matter further.

Bartimo left the police station by a back door without comment.

Chief Walsh, who informed Ellsberg of Browning's interest in the papers, said after the meeting he refused to hand over the documents to anyone.

"I would have let them look at whatever they would agree upon," he said.