

Quinn bound over for trial in burglary case

Kevin Patrick Quinn was bound over for trial yesterday for the burglary of Daniel Ellsberg's house following a day-long preliminary hearing in which Ellsberg and his wife testified.

Quinn was ordered held for trial by Municipal Court Judge Peter Allen Smith for the Ellsberg burglary, another residential burglary and possession of stolen property.

Ellsberg testified that much of the papers stolen were apparently removed from four four-drawer filing cabinets and stuffed into briefcases and suitcases by the burglar. He said the burglar appeared selective

in that files containing only newspaper clippings were not disturbed but random in his theft of the other papers.

He added that he has no way of knowing whether still more documents are missing.

"It may be that in time I will identify items that are still missing," he said.

During a court recess Ellsberg admitted that some of the stolen documents are quite significant and "cover a wide range of things."

At a recent press conference he said that in his mind none of the documents carried "the urgency" of the Pentagon Papers.

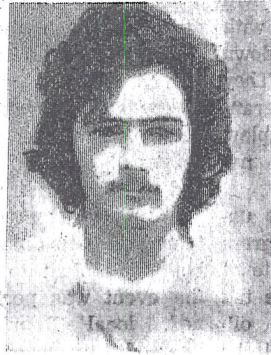
Yesterday he explained that there was an "urgency" to release the Pentagon Papers because "bombs were being dropped and people were being killed."

None of the papers now in the hands of the House Subcommittee on Foreign Operations and Government Information have that kind of urgency, he said.

However, he added, the documents could "in the long run be more important than the Pentagon Papers."

Ellsberg said that his main purpose in collecting the material was to use it in testimony

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Kevin Quinn

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before Congress. He said that writing a book based on the material was a secondary consideration.

He said he would probably be going to Washington soon in connection with the papers but that he was not sure when. He said he has informed the subcommittee that he is at its disposal.

During the hearing Carl Shapiro, Quinn's attorney, hinted at the possibility that his client was operating on instructions from a government agency.

Shapiro said that if Ellsberg's papers were proven to be the material chiefly sought by the burglar it would be "indicative of the fact that the papers in the Ellsberg house were stolen at the insistence of an agency of the US government."

Shapiro also told the court he could offer information which would "shake your ears off" but declined to elaborate.

Ellsberg said during the recess that he had only recently brought the papers to his home before they were stolen sometime between Sept. 28 and Oct. 1.

Patricia Ellsberg testified that

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Patricia Ellsberg testified that upon returning to her home around 11 p.m. Oct. 1 she noticed that one seven-by-10 and one 10-foot narrow rug were missing. She also noted the absence of a pre-amplifier and amplifier, both of which she described as being much heavier than the large rug.

Items later discovered missing included a pair of binoculars and their case, a pair of Ellsberg's boots and a pair of soft fleece-lined boots used by Ellsberg as slippers.

It was Ellsberg himself who discovered that papers and notes had been taken. He made that discovery later in the week.

Ellsberg testified that a number of the briefcases and suitcases subsequently recovered by police were to the best of his knowledge empty prior to the burglary. At the time they were recovered the bags were filled with papers.

In answer to a question from Shapiro, Ellsberg said he had told no one that the papers were in the house.

Testimony was also given about another residential burglary which occurred over a month after the Ellsberg theft.

Terrance Cuddy testified that Quinn had admitted taking items from Cuddy's home and eventually returned most of them.

Cuddy, a Mill Valley cab driver, further testified that he negotiated for a time with Quinn about the return of his property but that he ultimately decided to report

According to Cuddy's testimony, it was he who spotted Quinn the day he was arrested and initiated the chase during which Quinn was finally apprehended.