

# 4 Burglars Get Immunity For Testimony in Senate

NYTimes

By ANTHONY RIPLEY MAY 12 1973

Special to The New York Times

WASHINGTON, May 11 —

L. Patrick Gray, 3d, who resigned as acting director of the Federal Bureau of Investigation in the wake of the Watergate scandals, spent today talking to Federal prosecutors, but it was unclear whether or not he appeared briefly before the grand jury investigating the case.

Mr. Gray, who was subpoenaed to appear, was at the Federal courthouse from 10 A.M. to shortly before 5 P.M. The 23-member grand jury met late in the afternoon, coming together about 4:30.

Other developments in the case today included the following:

Elliot L. Richardson, named by President Nixon to be the new Attorney General, has narrowed his search for a special supervising prosecutor in the Watergate case to a list of fewer than a dozen names.

Four of the admitted Watergate burglars were granted immunity from prosecution to clear the way for testimony before the Senate Watergate committee, scheduled to begin hearings next week.

The state's attorney for Dade County, Fla., said additional break-ins "of substantial

team.

Attorney General Richard G. Kleindienst said he had "no knowledge" of wiretaps allegedly placed on about a dozen telephones of newsmen and Government officials between 1969 and 1971.

The Finance Committee to Re-elect the President pleaded not guilty in Federal District Court to a charge that it failed to report the \$200,000 campaign contribution made last year by Robert Vesco, the financier.

Lawyers for the Senate's Watergate committee and lawyers for Common Cause, the citizen's lobbying group, asked the Federal District Court to let

them see confidential documents locked in a suburban safe deposit box by John W. Dean 3d, President Nixon's former counsel.

Mr. Gray's appearance before the grand jury may have been his second. There were reports last week of a special secretive midnight session of the grand jury at the courthouse on John Marshall Square. At the time it was unknown whether Mr. Gray or the former White House chief of staff, H. R. Haldeman, had testified.

Mr. Gray has admitted destroying papers taken from the Executive Office Building safe of E. Howard Hunt Jr., one of the men who pleaded guilty in the Watergate trial.

After the destruction of the documents became known, Mr. Gray resigned as acting director of the F.B.I. Mr. Dean has said the files contained fake State Department cables linking the Kennedy Administration with the assassination of President Ngo Dinh Diem of South Vietnam in 1963.

In the search for an outside supervising prosecutor to manage the Watergate investigation, the president of the American Bar Association, Robert W. Meserve, and the president of the American College of Trial Lawyers, William H. Morrison, were both called this morning by Mr. Richardson.

Both said they had been asked for their comments on a list of names but neither would disclose the names, saying only that there were fewer than a dozen.

Mr. Morrison said that he knew "several" of the men on the list and spoke highly of them. He said that "many of them, so far as I could tell, would be very satisfactory."

He said that he had prom-

ised to "check out" persons on the list and to report to Mr. Richardson over the weekend.

In clearing the way for the Senate hearings next week, Chief Judge John J. Sirica of the United States District Court here approved requests for immunity from prosecution growing from any self-incriminating statements made before the committee by four of the convicted Watergate burglars. Such grants only protect the men testifying from having their words spoken before Congress used against them in a further criminal action.

Those granted immunity today included Bernard L. Barker, Eugenio R. Martinez, Frank A. Sturgis and Virgilio R. Gonzalez.

In Miami, Richard E. Gerstein, the Dade County state attorney said his office and an assistant district attorney from Los Angeles spoke again today to Mr. De Diego, who the state attorney said, would not talk about other possible burglaries carried out by the Watergate team unless he was given a grant of immunity by the Federal prosecutors.



United Press International

L. Patrick Gray 3d

national interest" could be uncovered if Federal agencies would grant immunity from prosecution to Felipe de Diego, who said he took part in the break-in at the office of Dr. Daniel Ellsberg's former psychiatrist along with members of the Watergate burglary