

FBI Admits Newspaper Break-In, Calls It Legal

Washington

The FBI acknowledged yesterday that its agents had investigated the offices of a Washington radical newspaper without a search warrant in early 1969, but denied that the action was an illegal break-in as reported Thursday by the New

York Times.

A spokesman for the FBI said the search of the offices of the Washington Free Press was conducted at the invitation of the building manager, who had evicted the newspaper for nonpayment of rent.

The manager, Edward J. Walsh, confirmed in a tele-

phone interview that he had provided four FBI agents with a key to the office during the normal working hours on Jan. 14, 1969, one week after he had evicted the newspaper and less than a week before President Nixon's first inauguration.

BREAK-IN

The New York Times, quoting J. John Wagner, a

former Army intelligence officer, and another former member of a military intelligence unit, reported that FBI and Army officials had planned a break-in — said by Wagner to have been staged through a second-story window — in an attempt to find evidence of overseas Communist influence in the financing and direction of the newspaper.

Wagner, in another interview yesterday, conceded that "it may not have been a second-story job, but it was still a bag job. They took the stuff from the office."

FILES

"What is the FBI trying to say," he asked, "that the landlord then becomes the possessor of files left in the office for nonpayment of rent?"

Wagner and his former colleague reported earlier that 300 to 500 self-addressed postcards had been stolen from the newspaper offices during the raid.

The cards, which were to have been filled out by Washington residents who were willing to house dem-

onstrators during the anti-war activities being planned for Nixon's inauguration, were instead filled out with bogus names and addresses by the FBI and the Army, the two former enlisted men said.

The FBI spokesman denied the charge and added, "We didn't have anything to do with the Army." He asserted that the military men had appeared — uninvited, he said — during the investigation.

As for the search through the remaining material in the Free Press offices, the spokesman said, "We're talking about trash. All that was left behind was garbage," he added. "And whatever there was was in the possession of the landlord."

"All that it comes down to is this — that it was a completely legal entry and a completely legal search," the FBI spokesman said. "We'd have been remiss in our duty if we didn't go through that stuff."

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