

The Mitchell Case

Washington

Former White House aide John D. Ehrlichman has agreed to testify as a prosecution witness in the New York conspiracy trial of former Attorney General John N. Mitchell and former Commerce Secretary Maurice Stans.

Ehrlichman's lawyers made the arrangement public yesterday in contesting a subpoena ordering him to appear before the Watergate grand jury Monday.

The appearance would be his fourth before the Washington grand jury and his lawyers called the demand "unreasonable and oppressive."

The one-time presidential

adviser's attorneys, John J. Wilson and Frank H. Strickler, also accused Archibald Cox's special Watergate prosecution force of renegeing on earlier assurances that Ehrlichman would not be required to testify about the 1971 White House-sponsored break-in at the offices of Daniel Ellsberg's California psychiatrist.

His lawyers protested in pleadings filed in U.S. District Court yesterday that they had been notified only last Thursday that the Watergate grand jury here would also want to question him about "the Los Angeles break-in."

Contending that Ehrlichman has been trying to

cooperate with government prosecutors, the attorneys asked Judge John J. Sirica to quash the new subpoena.

Wilson and Strickler gave no indication of the nature of Ehrlichman's expected testimony in the New York trial, but they affirmed that he "is involved as a witness for the United States in New York — the so-called Vexco case prosecution against Messrs. Mitchell and Stans."

The two ex-Cabinet officers were indicted earlier this year on obstruction of justice charges involving a Securities and Exchange Commission investigation of fugitive financier Robert L. Vesco.

In connection with that

case, Ehrlichman, his lawyers said, was interviewed here in Washington, apparently months ago, and has also appeared before the federal grand jury in New York assigned to the Vesco case.

There were reports earlier this year that Ehrlichman had promised on at least two occasions to help Vesco buy the U.S. government's interest in a scandal-wracked bank in Lebanon.

Ehrlichman publicly denied any offer of help but sources in New York told the Washington Post that one of the meetings Ehrlichman attended was held in the Executive Office Building with three Vesco repre-

sentatives, including the New Jersey politician who made arrangements for Vesco's secret \$200,000 cash contribution a few months later to President Nixon's campaign.

The Dec. 17, 1971, meeting was held while Vesco was under investigation by the SEC. It took place about two weeks after Vesco had been arrested in Switzerland on a charge of business fraud. According to the Post's source, there was no discussion at the session of any potential campaign contribution by Vesco, but Ehrlichman agreed to help on the Lebanese bank deal.

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