

Ehrlichman and 3 Others Reported Indicted in West

Special to The New York Times

LOS ANGELES, Sept. 5—John D. Ehrlichman and three other former White House aides have been named defendants in the secret indictments for the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist, according to sources close to the investigation.

Besides Mr. Ehrlichman, formerly the chief White House adviser on domestic affairs, the defendants named in the secret indictments returned late yesterday are said to be Egil Krogh Jr., former aide to Mr. Ehrlichman; David R. Young Jr., a former aide to Henry A. Kissinger, President Nixon's adviser for national security affairs, and G. Gordon Liddy, the convicted Watergate conspirator.

Mr. Ehrlichman will surrender next Tuesday, the deadline for voluntary surrender, his attorney, Joseph Ball, said today. Mr. Krogh's attorney, Steven Shulman, said that Mr. Krogh would surrender tomorrow in Los Angeles. Mr. Young's attorney, Irwin Woodland, was not available for comment.

Perjury Charge Made

Informed sources said that each defendant was charged with one state count of burglary and one count of conspiracy to commit burglary.

Mr. Ehrlichman, it has been learned, was additionally charged with one count of perjury as a result of his two hours of testimony before the Los Angeles County grand jury.

Each count carries a possible sentence of one to 14 years in state prison.

Mr. Krogh, according to the sources, has also been charged with one count of solicitation to commit burglary, which carries a possible sentence of one year in county jail or five years in state prison.

The secret indictments were returned in the courtroom of Judge James G. Kolts of the Superior Court, a local trial court. He said that the indictments would remain secret until one of the named defendants surrendered.

The indictments came at the

Continued on Page 29, Column 3

Continued From Page 1, Col. 6

close of the eighth and final day of testimony in a four-month grand jury investigation into the Sept. 3, 1971, break-in at the Beverly Hills office of Dr. Lewis Fielding, former psychiatrist to Dr. Ellsberg.

The investigation was opened by District Attorney Joseph Busch in May after the disclosure of the burglary at the Federal trial here of Dr. Ellsberg and Anthony J. Russo Jr. They had been charged with conspiracy, espionage and theft involving the disclosure of the secret Pentagon papers on the history of the Vietnam War.

Federal District Judge William Matthew Byrne Jr. threw out the Ellsberg-Russo charges after the burglary was disclosed. President Nixon has deplored the burglary, committed by agents for a secret White House group, known as the "plumbers," that was set up to stop leaks of security information.

Warrants Held Up

Next Tuesday, if all the burglary defendants have not surrendered, the local authorities will act on warrants of arrest that were issued yesterday but held by the bench for one week at the request of the District Attorney's office.

Upon surrender, the defendants will be booked, fingerprinted, photographed, and released on \$500 bail after arraignment.

The District Attorney's office said that Liddy, currently serving a sentence in Danbury, Conn., for his conviction in the burglary of the Democratic headquarters at the Watergate complex in Washington, is not required to surrender but will be transported here by the Federal authorities for arraignment. Plans for that procedure have not yet been completed.

The indictments further complicate the investigation of Archibald Cox, the special Watergate prosecutor, who has attempted to centralize the prosecution in Washington.

James Doyle, a spokesman

NYT
9-6-73
for Mr. Cox, said in Washington today that the indictments "might impede our investigation."

Mr. Busch's office said that the Los Angeles investigation had been held up for two months at the request of Mr. Cox. The grand jury recessed here on July 5 and returned yesterday to hand up the true bill.

Informed sources said that Mr. Busch concluded his case yesterday with evidence aimed exclusively at Mr. Ehrlichman, who has denied any prior knowledge of the break-in.

The prosecution's case is believed to be based primarily on a juxtaposition of Mr. Ehrlichman's testimony before the Senate Watergate committee and the Los Angeles grand jury.

According to informed sources, Mr. Busch introduced yesterday three hours of Watergate testimony in which Mr. Ehrlichman admitted that he had approved a "covert" operation to obtain the psychiatrist's files. Mr. Ehrlichman has defended the break-in as a national security operation that was "well within constitutional function of the Presidency."

These sources said that other evidence presented by the District attorney included three memorandums. One, dated Aug. 11, 1971, written by Mr. Krogh and Mr. Young, reportedly outlined plans to obtain the psychiatric files and was reportedly initialed by Mr. Ehrlichman with the warning "if done under your assurance that it is not traceable."

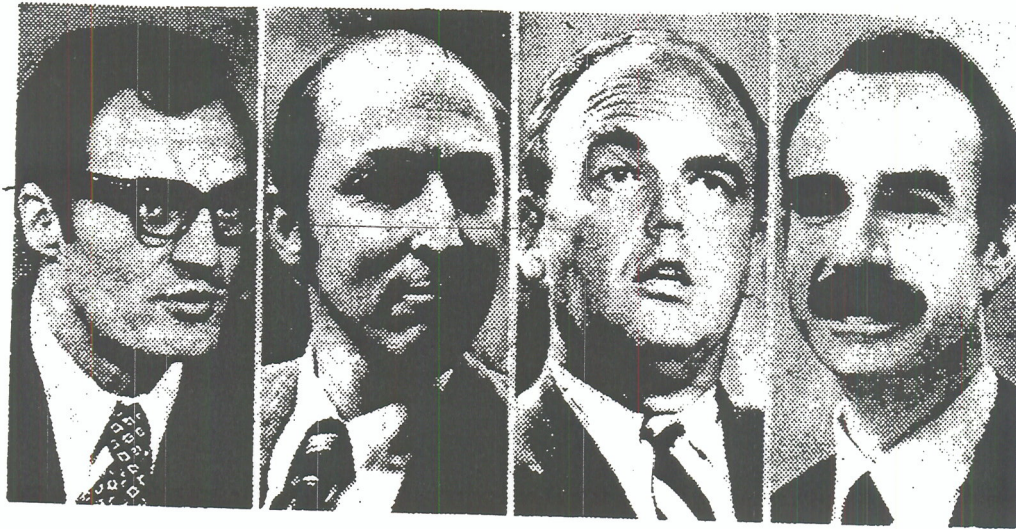
The other memorandums are dated Aug. 26, 1971, from Mr. Young to Mr. Ehrlichman, and Aug. 27, 1971, from Mr. Ehr-

lichman to Charles W. Colson, special counsel to the President at the time, it was said.

Mr. Ehrlichman had been given over-all supervision of the "plumbers" and the three other defendants were members of the group.

E. Howard Hunt and three Cubans who have admitted involvement in the operation with Liddy were granted immunity from the local grand jury in return for their testimony.

Dr. Ellsberg, commenting on the indictments here, said, "I wish them a fair trial."



Associated Press

Reported to be named in indictments in Los Angeles were, from left, Egil Krogh Jr., former aide to John D. Ehrlichman; David R. Young Jr., former aide to Henry A. Kissinger; Mr. Ehrlichman, former Presidential aide, and G. Gordon Liddy, Watergate spy.