

WXF Post
SEP 9 1973
U.S. Expected
SEP 9 1973
To Indict in
L.A. Break-in

By George Lardner Jr.
Washington Post Staff Writer

A federal grand jury investigating the White House-sponsored break-in at the office of Daniel Ellsberg's psychiatrist is expected to return indictments this week or next.

One of the targets, by his own lawyers' account, is former presidential adviser John D. Ehrlichman, already indicted on state charges in Los Angeles. He is scheduled to be called for prolonged grand jury questioning here starting Tuesday.

Three of the men who carried out the burglary attempt—Bernard Barker, Eugenio Martinez and Felipe de Diego—have also been "invited" to testify—but even this offer, according to informed sources, was good for this week only.

"They've been told that 'if you want to do it, do it this week,'" one source said.

The indictments would be the first obtained by Watergate Special Prosecutor Archibald Cox since he was appointed in May.

The exact form of the charges has yet to be determined, but Cox' office is reportedly considering a federal law that, in effect, prohibits

See INDICT, A12, Col. 1

Indictments Expected

INDICT, From A1

the misuse of government agencies.

First used by Cox in an information against former Nixon campaign deputy director Jeb Stuart Magruder, who pleaded guilty in the Watergate case, the broadly phrased conspiracy statute covers any plot "to defraud the United States, or any agency thereof in any manner or for any purpose . . ."

Carried out with CIA technical help, the break-in, along with the disclosure of other "government misconduct," prompted U.S. District Court Judge W. Matt Byrne Jr. last may to dismiss all charges at the Pentagon Papers trial of Ellsberg and his co-defendant, Anthony J. Russo Jr.

Also under consideration is a federal charge that the conspiracy to burglarize the Beverly Hills offices of psychiatrist Lewis M. Fielding, who was treating Ellsberg, was hatched here in Washington.

Asked whether indictments were imminent, a spokesman for Cox, James S. Doyle, said: "We have absolutely no comment."

According to sources outside Cox' office, however, the prosecutors have almost completed their investigation of the break-in. They reportedly asked Los Angeles County District Attorney Joseph P. Busch Tuesday to hold off for a week—any state indictments in the case.

A Los Angeles County grand jury under Busch's direction went ahead anyway. Ehrlichman, who testified there in June, was indicted for perjury, burglary and con-

spiracy to commit burglary.

Three others—Egil (Bud) Krogh Jr., former deputy assistant to the President; David R. Young Jr., another ex-White House deputy, and G. Gordon Liddy, the one time White House aide serving a prison term for the Watergate burglary—were also indicted on burglary and conspiracy charges.

All but Liddy, who has yet to be arraigned, have pleaded innocent. They were all members of a secret White House investigative unit established by President Nixon in 1971 to track down news leaks.

Nicknamed the plumbers," the unit dispatched Liddy and E. Howard Hunt Jr. to Los Angeles, where they hired Barker, Martinez and de Diego to carry out the burglary over the 1971 Labor Day weekend in a search for Ellsberg's medical records.

According to the transcript of a telephone conversation obtained by the Senate Water-