

KROGH IS INDICTED FOR LIES TO PANEL ON ELLSBERG CASE

Faces 2 Counts in Inquiry Linked to the Break-In at Office of Psychiatrist

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WASHINGTON, Oct. 11—A

Federal grand jury today indicted Egil Krogh Jr., the former Presidential aide who directed the White House "plumbers," on two counts of false declaration in a case growing out of the break-in at the office of Dr. Daniel Ellsberg's former psychiatrist.

The charge of "false declaration" carries possible penalties of up to five years in prison and a fine of up to \$10,000. Perjury carries the same possible prison term but a maximum fine of \$2,000.

According to the United States Code, the charge of false declaration is essentially the same as the charge of perjury.

The indictment was the first formal one initiated by the special prosecutor in the Watergate case, Archibald Cox, who sat in court along with several assistants while the grand jury foreman was called and, without a word, handed the charges to Chief Judge John J. Sirica of United States District Court.

Meanwhile, Mr. Cox's office was asking Congress for legislation to extend the life of the Watergate grand jury up to one year beyond its scheduled expiration on Dec. 4.

Accused of Lying

The Krogh indictment was filed by a grand jury impaneled last Aug. 13, to look into illegal campaign activities other than the Watergate break-in.

It charged Mr. Krogh with lying in two specific instances in an appearance before the original Watergate grand jury on Aug. 28, 1972. Both instances involved questions related to his knowledge of the activities of G. Gordon Liddy and E. Howard Hunt Jr., who are among seven men imprisoned in the Watergate case.

Mr. Krogh has already been indicted—by a Los Angeles County grand jury—in the break-in Sept. 3, 1971, at the Beverly Hills office of Dr. Ellsberg's psychiatrist, Dr. Lewis Fielding. Agents for the "plumbers" unit, which was organized to stop leaks of

Krogh Indicted as Lying to Grand Jury

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security information, effected the break-in.

Others indicted with Mr. Krogh in that case are John D. Ehrlichman, former chief White House adviser on domestic affairs; David R. Young Jr., a former aide to Henry A. Kissinger, then President Nixon's chief adviser for national security affairs, and Liddy.

The burglary was cited by Federal District Judge William Matthew Byrne Jr. when he threw out charges against Dr. Ellsberg and Anthony J. Russo Jr., who were accused of conspiracy, theft and espionage involving the disclosure of the secret Pentagon papers on the history of the Vietnam war.

Hunt and Liddy are known to have traveled to California in 1971 in an effort to obtain information from Dr. Fielding.

Questions on Travels

Questions and answers cited in today's indictment concerned those travels. In support of the first count, it cited repeated answers of "No, I do not," when Mr. Krogh was asked if he knew about trips by Hunt "in connection with the declassification of the Pentagon papers" and in support of the second count, similar responses to some questions about Liddy's travel.

In each case, the indictment said, key parts of the replies by Mr. Krogh, "as he then and there well knew were false."

Mr. Krogh had been named Under Secretary of Transportation but resigned from the \$42,500-a-year position when his role in the break-in was reported. He acknowledged in an affidavit released at the Ellsberg trial that he had approved a covert operation to obtain information from Dr. Fielding's office.

3 Others Pleaded Guilty

An aide to Mr. Cox said today that there was no special significance to the timing of the indictment, but other sources noted that the action followed by only one day the resignation of Vice President Spiro T. Agnew under pressure from a Justice Department investigation of much shorter duration than that of the Watergate affair.

They said that the special prosecutor's office was sensitive about the comparison but noted that further action was being delayed by suits over White House tapes. A decision in the United States Court of Appeals for the District of Columbia is now pending on Mr. Cox's demand for release of the secret recordings of conversations between President Nixon and White House aides who have been linked to the Watergate case.

Although this was the first formal indictment, three other men involved in the 1972 Nixon campaign have pleaded guilty to minor charges in return for



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Archibald Cox, special prosecutor in the Watergate investigation, leaving Federal Court in Washington after a grand jury handed up an indictment of Egil Krogh Jr., former White House aide, on perjury charges.

their cooperation with the prosecutors.

Jeb Stuart Magruder and Frederick C. LaRue have pleaded guilty to a charge of conspiracy to obstruct justice, and Donald H. Segretti, who directed a "dirty tricks" operation, has pleaded guilty to three misdemeanor counts involving violations of Federal election laws.

In still another development related to the Watergate case, Mr. Cox opposed today a request for bail by Hunt and four men guilty in the break-in. The four are Bernard L. Barker, Vir-

gilio R. Gonzalez, Eugenio R. Martinez and Frank A. Sturgis.

He filed a brief asking Judge Sirica to deny bail as the same four men argued in new affidavits today in support of a request to have their guilty pleas reversed.

They said that they had been led to believe that the Watergate break-in was a national security operation sanctioned by a Government intelligence agency, and that even in prison they had continued to regard Hunt as their "supervising agent."