

New Pleas In Ellsberg Break-In

Washington

Defense lawyers asked U.S. District Judge Gerhard Gesell yesterday to dismiss charges in the Ellsberg break-in case—or delay or move the trial—because of “massive, prejudicial pretrial publicity.”

Gesell hinted one solution might be to increase substantially the number of preemptory challenges allowed the lawyers in jury selection. He asked both the defense and the prosecution whether they would object to this, and both sides said no.

Gesell concluded four days of oral arguments on motions leading up to the trial, scheduled to begin in his court June 17.

Gesell said he will rule on motions involving national security this morning, and urged all lawyers to be present at 11 a.m. today when his subpoena of President Nixon for the personal files of defendants John Ehrlichman and Charles Colson comes due.

The White House did not say whether it would comply. Chief Watergate counsel James St. Clair said his staff is “studying the situation.”

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