

Witness Tells Rodino Unit Of Hunt's Money Demand

By DAVID E. ROSENBAUM 7-1-74

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WASHINGTON, July 3—A former lawyer for President Nixon's re-election campaign committee described for the House Judiciary Committee today the early stages of a scheme that led to a \$75,000 cash payment last year to one of the original Watergate defendants.

The lawyer, Paul L. O'Brien, was one of two figures involved in the payment who testified today in the inquiry into the possible impeachment of Mr. Nixon.

According to committee members, neither answered the ultimate question: Whether Mr. Nixon had ordered or acquiesced in the payment and, if so, whether he had intended the money to be used to keep E. Howard Hunt Jr. from testifying freely.

Mr. O'Brien and Frederick C.

LaRue, a former ranking campaign aide, were summoned before the committee at the request of James D. St. Clair, Mr. Nixon's defense attorney.

Mr. St. Clair and many Republicans on the committee believe that if Mr. Nixon can be exonerated of criminal complicity in the hush money scheme he should not be impeached.

Most Democrats, however, see the payment to Mr. Hunt as only one element in a broad range of Presidential abuses.

Mr. O'Brien, like Mr. Nixon, was named an unindicted co-conspirator in the Watergate cover-up case for his alleged role in the payment. Today he told the committee, which is headed by Representative Peter W. Rodino Jr., Democrat of New Jersey, about the events

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leading up to that payment on March 21, 1973.

The public was excluded from the hearing, and the varying interpretations given the testimony depended in large measure on each member's viewpoint about impeachment. But Democrats and Republicans agreed on the gist of Mr. O'Brien's statements.

According to the members, Mr. O'Brien gave the following account:

On March 16, 1973, William O. Bittman, Mr. Hunt's attorney, called Mr. O'Brien and said that Mr. Hunt wanted to meet with him. Mr. O'Brien then walked across the street to Mr. Bittman's office and saw Mr. Hunt.

Mr. Hunt, who was scheduled to be sentenced the next week after pleading guilty in the original Watergate conspiracy case, asked Mr. O'Brien for \$130,000 for legal fees and family support while he was in prison.

Disclosures Threatened

If he did not get the money, Mr. Hunt told Mr. O'Brien, he would disclose the "seamy things" he had done for the White House and might be forced to "re-examine" his "options."

Mr. O'Brien then reported the conversation to John W. Dean 3d, then Mr. Nixon's legal counsel, and had no further dealings in the case.

At lunchtime today, Republican members made the point that Mr. O'Brien had believed the money was legitimately for legal fees and sustenance and that no blackmail was involved.

Thus, these Republicans contended that Mr. Dean was embellishing on the facts when he told the President on March 21 that Mr. Hunt was blackmailing the White House.

After lunch, however, under close questioning from Democratic members, Mr. O'Brien reportedly acknowledged that there had been an "implicit threat" in Mr. Hunt's demand.

Nonetheless, the President's strongest supporters on the committee maintained that Mr. Nixon's case had been helped by the testimony. "It's not illegal to sustain defendants," said Representative Charles E. Wiggins, a California Republican.

However, one Republican, Representative Hamilton Fish Jr. of upstate New York, who is still undecided about his impeachment vote, complained wryly that Mr. O'Brien did not "have total recall."

And Representatives Jack Brooks and Barbara Jordan, both Texas Democrats, said that they could not see that it made any difference what Mr. O'Brien thought the money was going to be used for be-

cause in their view, the transcripts of the President's tape-recorded conversations showed that Mr. Nixon believed blackmail was involved.

Mr. O'Brien's testimony lasted until midafternoon, and the committee heard only two hours of testimony from Mr. LaRue before breaking for a long holiday weekend.

Mr. LaRue has pleaded guilty to obstruction of justice in the Watergate case, and his sentence has been deferred while he is cooperating with the authorities.

He has acknowledged that he collected the \$75,000 in campaign money that was given to Mr. Hunt and had made the arrangements for the payment.

Two Hours Before Panel

In the two hours he was before the committee today, however, Mr. LaRue was asked only background questions, and not about the March 21 payment.

He is scheduled to return to the witness table Monday.

Mr. St. Clair has told the committee that the critical question for Mr. LaRue is whether he received his authorization from the campaign director, John N. Mitchell, to make the payment before or after the March 21 conversation between the President and Mr. Dean at which Mr. Hunt's demand was discussed.

Mr. St. Clair hopes to show that the scheme was set in motion before the President even knew about it.

Mr. O'Brien and Mr. LaRue were the first of six key figures proposed as witnesses by Mr. St. Clair.

Appearance by Mitchell

One of the others, H. R. Haldeman, the President's former chief of staff, informed the committee through Mr. St. Clair yesterday that he would not testify voluntarily and that he would invoke his constitutional privilege against self-incrimination if he was subpoenaed. Committee members of both parties then agreed to forgo his testimony.

The three other men—Mr. Dean, Mr. Mitchell and Mr. Bittman—are expected to appear before the committee next week. After a serious partisan battle last week over the witness list, Mr. Rodino in a conciliatory move, agreed to allow all of Mr. St. Clair's witnesses to testify.

Mr. Mitchell refused last week to be interviewed by the impeachment inquiry staff, but Mr. St. Clair said today that he had been assured by Mr. Mitchell's attorney that the former Attorney General would appear when called.

Each of these men, Mr. St. Clair told the committee last week, has "first-hand knowledge critical" to the investiga-

tion of Mr. Nixon's official conduct.

When their testimony is completed, he declared, it will rebut charges that Mr. Nixon took part in the alleged payoff of hush money.

Some members of both parties, however, have already drawn their own conclusion on the question of the President's culpability in the Watergate cover-up, based primarily on their interpretation of the transcript of the President's March 21, 1973, conversation with Mr. Dean and Mr. Haldeman.

Mr. Brooks said today that the witnesses were "driving me starkraving mad" and added, "The facts speak for themselves." He is considered certain to vote for impeachment.

President Is Supported

On the other hand, one of the President's Republican supporters, Representative Delbert L. Latta of Ohio, said this morning that "the evidence shows [the President] was considering all the options" and that Mr. Nixon did not intend that money be paid to buy Mr. Hunt's silence.

There is no doubt from the transcript that Mr. Dean told the President on March 21, 1973, that Mr. Hunt was threatening to tell "seamy things" about his White House activities if he was not paid off.

Throughout the conversation, the President and Mr. Dean came back to the question of paying Mr. Hunt to keep him from testifying. According to the White House transcript of the conversation, there the following exchange took place:

Mr. Nixon: Just looking at the immediate problem. Don't you think you have to handle Hunt's financial situation damn soon?

Mr. Dean: I think that is—I talked with Mitchell about that last night and—

Mr. Nixon: It seems to me we have to keep the cap on the bottle that much or we don't have any options.

Mr. Dean: That's right.

Mr. Nixon: Either that or it all blows right now?

Mr. Dean: That's the question.

Later in the conversation, the White House transcript shows, Mr. Nixon said, "You have no choice but to come up with the \$120,000 or whatever it is. Right?"

Mr. Dean replied, "That's right."

And the President added, "Would you agree that that's the prime thing that you damn well better get that done?"

Mr. Dean said, "Obviously he ought to be given some signal anyway."

And the President, according to the White House version, declared "(Expletive deleted) get it."