

Nixon Testifies To Grand Jury About Watergate

Washington

Former President Nixon has voluntarily submitted to 11 hours of questioning by Watergate special prosecutors and grand jurors, it was disclosed yesterday.

Documents filed in U.S. District Court said the questioning of Mr. Nixon under oath took place last Monday and Tuesday at the U.S. Coast Guard station near his San Clemente home.

Herbert J. Miller, Mr. Nixon's Washington attorney, said the questioning covered "a wide range of subjects." The grand jury that received his testimony has been investigating the 18½ minute gap on a White House Watergate tape, the financial affairs of Nixon confidant C.G. (Bebe) Rebozo, and campaign fund irregularities during the 1972 presidential race.

Two members of a grand jury formed in January, 1974 — the last remaining of three Watergate-related panels — were present for Mr. Nixon's questioning, which was conducted by attorneys from the office of special prosecutor Henry S. Ruth Jr.

A verbatim transcript of the session, which will remain secret in the manner of other grand jury testimony, will be presented to the 21 grand jurors. The 18-month life of that grand jury is due to expire July 7.

Mr. Nixon is immune from federal prosecution for any actions he took during his 5½ years as President, under terms of a full pardon granted last September by President Ford. Thus, his testimony would help the grand jury only as it may have related to other per-

Despite the pardon, Mr. Nixon was required to give truthful answers under penalty of perjury.

Chief U.S. District Judge George L. Hart Jr. allowed Mr. Nixon to be questioned in California because of "the health of Richard M. Nixon and other legal considerations." Papers signed by Judge Hart, Miller and Ruth indicated that the "other considerations" involved the Nixon pardon.

A joint statement by those men said Mr. Nixon wished to have his cooperation with the grand jury made known publicly.

A spokesman for Ruth declined to say how many attorneys were present for the questioning, who the jurors were, or whether Miller was allowed to attend. Under normal grand jury procedures, the lawyer for a witness is not permitted in the grand jury room, although the attorney may sit outside

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to consult with the witness on occasion.

During the three-month Watergate coverup trial that concluded last New Year's Day, Mr. Nixon was subpoenaed both by prosecutors and by lawyers for five former Nixon aides who were on trial. However, because the court-appointed doctors certified that Mr. Nixon was too ill to travel at the time, U.S. District Judge John J. Sirica said his testimony would not be required.

The special accommodation for Mr. Nixon's grand jury testimony was apparently in deference to his former high position as well as his still precarious health.

ials from undue publicity, grand jurors have occasionally taken their testimony in private offices away from the courthouse.

Miller said in a statement:

"It was Mr. Nixon's feeling in view of the anticipated length of his testimony, the present state of his health and the complications unavoidably attendant to extended travel, his examination would be most efficiently conducted in California."

Miller said the former President's testimony "followed consultation with his medical advisers."

It was understood that Mr. Nixon was not subpoenaed because he volunteered to give testimony. This was in contrast to his refusal to testify while President.

At a news conference on Feb. 25, 1974, Mr. Nixon revealed that he had rejected an offer by Leon Jaworski, then special prosecutor, to appear before a grand jury investigating Watergate coverup allegations.

"On constitutional grounds I declined to do so," he told newsmen. He said he had offered to provide written answers to written questions but that Jaworski had spurned this offer.

In the subsequent coverup case indictments handed down by the jury in March, 1974, Mr. Nixon was named an unindicted co-conspirator. Jaworski said later that the jury would have named Mr. Nixon as a defendant had he not been president.

Mr. Nixon resigned the following August in the closing days of the House Judiciary Committee's impeachment inquiry.

The Grand jury that took Mr. Nixon's testimony is investigating possible obstruction of justice in connection with the partial obliteration of a White House tape that had been under subpoena.

That tape was of a June 20, 1972, conversation between Mr. Nixon and H.R. Haldeman, then his chief of staff, three days after the Watergate break-in. Haldeman's handwritten notes of that meeting showed that the missing tape portion dealt with a discussion about Watergate.

The tape inquiry also has

expanded to cover deletions of Watergate material from some White House transcripts Mr. Nixon gave the House Judiciary Committee.

Rebozo, a Miami banker and friend of Mr. Nixon for nearly 20 years, is reportedly being investigated for the alleged mishandling of cash campaign donations given between 1970 and 1972.

Illegal donations by corporations to a variety of Democratic and Republican candidates also have been the subject of grand jury testimony.

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