

WATERGATE

Four Walls Close In on Nixon

Whatever psychic relief and favorable publicity are generated by the President's foreign travels, they cannot stop or even slow the machinery that threatens the Nixon presidency. Last week, as Nixon prepared to go abroad, Capitol Hill and Washington courtrooms produced only bad news for him.

The House Judiciary Committee began to climb out of its rut and seemed ready to quicken the march toward impeachment. Charles Colson, a former member of Nixon's innermost circle, confessed his criminality and professed a desire to tell all that he knows about Watergate. It was revealed that a federal grand jury had named the President as an unindicted co-conspirator in the Watergate cover-up case—the first official citation of direct criminal association ever brought against a U.S. President. Adding to Nixon's judicial problems, a federal judge openly threatened to cite him for contempt of court. Last week's major actors and their roles:

I. RODINO PROMISES ACTION

Alarmed at the President's previous success in slowing the impeachment inquiry by withholding evidence, House Speaker Carl Albert summoned Judiciary Committee Chairman Peter Rodino and urged him to push on despite that obstacle. Rodino replied that the committee was gaining momentum and should meet a target date of July 15 for taking its vote. That would be a month earlier than predicted two weeks ago. The House would then have time to decide the issue by Labor Day. If impeachment is voted—current estimates show a pro-impeachment margin of at least 70 members in the House—the Senate trial could begin in September.

Albert and other Democratic House leaders suggested that Rodino could avert any dilatory tactics by Nixon Lawyer James St. Clair if the committee completed its closed-door staff presentation of evidence and then voted without calling witnesses. "St. Clair could keep every witness on the stand for three days," one top Democrat warned. But Rodino replied that Republicans on the committee will insist that such witnesses as John Dean, Charles Colson, John Ehrlichman, H.R. ("Bob") Haldeman and John Mitchell be called and tested under cross-examination. Rodino advised that this should be permitted, but that tight controls, including a one-day limit for each witness, should be imposed.

Key Democrats on the committee have advised party leaders that a Judiciary vote in favor of impeachment is now all but certain. "We've got enough to impeach the guy now," said one Democrat. "We're putting together a fail-proof case." TIME has learned that the

committee staff has begun to prepare articles that will accuse the President both of offenses that are indictable in criminal practice and of broader violations that deal with a President's particular legal responsibilities. Each article will be accompanied by evidence of specific Nixon actions to support the charge.

The thrust of the six articles—which are still subject to change—is that Nixon has 1) failed to execute faithfully the laws of the U.S., 2) failed to fulfill other constitutional responsibilities, 3) subverted the Constitution, 4) participated in an obstruction of justice, 5) participated in the subornation of perjury and 6) defied the Congress in its proper constitutional authority and is in contempt of the Congress.

II. COLSON CONFESSES GUILT

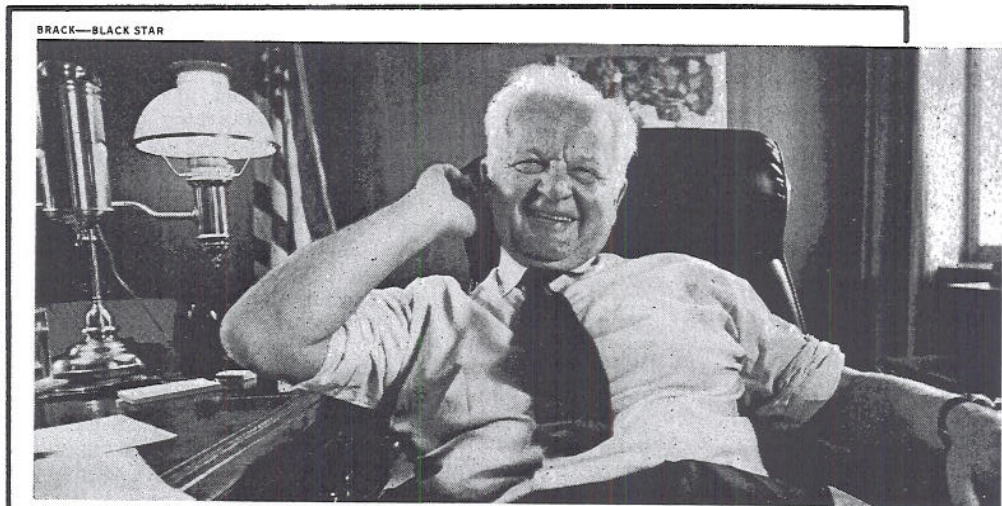
No one seemed more surprised than Presidential Counsel St. Clair when David Shapiro, the attorney for Charles Colson in the Ellsberg burglary case, stepped up behind him in Judge Gerhard Gesell's courtroom and confided: "We're going to plead guilty to one count of obstructing justice." Incredulous, St. Clair asked Shapiro to repeat the statement. He did. A St. Clair aide, John McCahill, hurriedly borrowed a dime from



PRESIDENTIAL COUNSEL ST. CLAIR
A broken commitment.

another aide, and rushed to telephone the news to Nixon's top White House assistant, Alexander Haig.

A statement of Colson's confession was then read by Assistant Special Prosecutor William Merrill. It said that Colson had admitted having devised "a scheme to obtain derogatory information about Daniel Ellsberg," who at the time was facing trial for leaking the Pentagon papers. Colson wanted Ellsberg to "be tried in the newspapers" even though this would have an "adverse ef-



Judge Gerhard A. Gesell's scalding lectures to James St. Clair are typical of the outspoken jurist's conduct on the bench. A Yale Law School graduate (1935) and longtime Washington attorney in both private and Government practice, Gesell, a Democrat, was appointed to the federal judiciary by Lyndon Johnson in 1967. He generally takes a libertarian line and has been a tart critic of Government wiretapping, restrictive anti-abortion laws and the Nixon Administration's mass arrests during the 1971 May Day antiwar demonstrations. Noted for facing judicial issues

head-on, Gesell has been both helpful and damaging to Nixon in the President's judicial showdowns. He rejected the Administration's attempts to stop publication of the Pentagon papers in the *Washington Post* in 1971, but sided with Nixon in ruling that the Senate Watergate committee had not shown a sufficient need for presidential tape recordings to override Nixon's claim of Executive privilege. If he cites Nixon for contempt in the Ellsberg case, Gesell, 63, may become as well known as his father, the late child psychologist and pediatrician Arnold Gesell.

