

A Mysterious 'Mr. X' Enters 'Bugging' Probe

By Jim Mann

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Government prosecutors have revealed that they are asking questions about a person they identify only as "Mr. X" in a grand jury investigation of alleged bugging of Democratic Party headquarters at the Watergate Hotel.

In papers filed in U.S. District Court here, the prosecutors list Mr. X only as a close friend of E. Howard Hunt Jr. the former Central Intelligence Agency employee and former White House consultant who has been sought for questioning in the case.

According to the court papers, an important witness before the grand jury, attorney M. Douglas Caddy, is refusing to answer questions about Mr. X on grounds that he is the man's attorney and that he therefore is protected by a so-called "attorney-client privilege."

Caddy, 34, is a mysterious figure in the Watergate affair. He first appeared at the arraignment of the five defendants on the day they were arrested inside Democratic headquarters.

Since that time, according to the court papers, Caddy has asserted to the grand jury that he represents not only Mr. X but also Hunt, Hunt's wife, and each of the five arrested defendants.

He has so far refused to answer more than 55 different questions before the grand jury on grounds that he has an attorney-client privilege with all of those persons, according to the court papers.

The papers were filed by U.S. Attorney Harold H. Titus Jr. and other federal prosecutors as part of a motion to compel Caddy to answer questions before the grand jury.

It was the second time the government has moved to have Caddy ordered to testify before the grand jury. On June 30 the government said Caddy had refused to answer whether he knew Hunt and whether he had known Hunt before 1970, at the time when Caddy was admitted to practice law here.

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At that time, Sirica ordered Caddy to answer. According to the court papers, Caddy answered those two specific questions about Hunt but then invoked the attorney-client privilege in response to more than 30 other questions asked of him.

The papers say that "about 50 times" during the grand jury proceedings, Caddy requested and was granted permission to leave the room and talk with his attorneys.

Caddy's actions have "delayed, disrupted and frustrated orderly investigative proceedings of the grand jury," Titus alleges in the papers.

U.S. District Court Chief Judge John J. Sirica is expected to hear arguments and to rule on Titus's motion today.

Caddy, 34, a graduate of Georgetown University and New York University Law School, was the first executive director of the conservative Young Americans for Freedom and was a leader in the early 1960's of the Youth for Goldwater organization.

In their papers, the prosecutors say they are withholding the identity of Mr. X during the grand jury proceedings.

The papers include a list of questions that Caddy was asked and refused to answer. Those questions only serve to heighten the mystery regarding the identity of the unnamed person.

For example, Caddy was asked, "To your knowledge, has Mr. X ever used any names other than his own name of Mr. X?"

Caddy was also asked when he last saw and spoke with Mr. X, what fee or retainer arrangement he had as Mr. X's attorney, and whether he received any telephone calls from Mr. X in the early morning hours of June 17—at the time the five arrests were made at the Watergate.

The court papers indicate that much of the questioning of Caddy has been an effort to establish how Caddy was retained as an attorney in the case, under what circumstances and by whom.

Caddy originally told reporters that he had been called by the wife of Bernard L. Barker, one of the five arrested men, shortly after 3 a.m. on June 17. "She said that her husband told her to call me if he hadn't called her by 3 a.m., that it might mean trouble," Caddy said. The arrests at the Watergate were made shortly after 2:30 a.m.

The papers reveal that Caddy has admitted receiving approximately a half-dozen telephone calls and making a half-dozen others between midnight and 8:30 a.m. on the day of the arrests.

He reportedly refused to answer questions about those phone calls for the grand jury. According to the court papers, prosecutors asked him whether he received any calls from Hunt, Mrs. Barker, or Mr. X.

The court papers also disclose that Caddy denied seeing Hunt at the Watergate or within three blocks of the Watergate on June 16 or June 17. But when he was asked whether he saw Hunt within a quarter-mile of the Watergate on those days, he invoked the attorney-client privilege, according to the papers.

No one interviewed yesterday would disclose the identity of Mr. X.