

Nixon's crucial 40 minutes

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WASHINGTON — The survival of Richard Nixon's presidency may depend on what Congress or a federal jury believes happened between 11:15 and 11:55 a.m. on Wednesday, March 21, 1973.

During that 40 minutes, three men met in the Oval Office of the White House — the President, his chief of staff, H.R. Haldeman, and his counsel, John W. Dean.

By the testimony of all three of them, they spent part of that time discussing the demand of chief Watergate burglar E. Howard Hunt for \$120,000 in hush-money.

If he didn't get the money, Hunt had threatened to tell about "the seamy things" he had done for the White House.

The President has repeatedly denied that he approved the payment of hush-money to Hunt or anyone else, but that very evening, arrangements were made by his aides to deliver \$75,000 in cash to Hunt's lawyer, William O. Bittman.

Of the three men in the Oval Office on March 21, only the President has not been charged with criminal wrongdoing.

But the indictment issued by the Watergate grand jury Friday puts Nixon directly in the sequence of events that led to the payoff.

The indictment lists 45 "overt acts" which the grand jury said were committed as part of the conspiracy to cover up the burglary.

Overt Act No. 38 was Hunt's request for \$120,000,

which he made on March 16 to Paul O'Brien, an attorney for the Committee for the Re-Election of the President.

Overt Act No. 39 took place on March 19, when presidential aide John Ehrlichman told Dean to tell John Mitchell, former chairman of the Re-Election committee, about Hunt's demand.

Overt Act No. 40 was the meeting on March 21. The indictment says that from 11:15 to approximately noon, Haldeman and Dean "attended a meeting at the White House, in the District of Columbia, at which time there was a discussion about the fact that E. Howard Hunt Jr. had asked for approximately \$120,000."

The indictment does not mention that Nixon was there, but Haldeman testified before the Senate Wat-

ergate Committee last summer that "I was in a meeting with the President from 11:15 to 11:55 on the morning of March 21."

That meeting followed an earlier, hour-long session between Nixon and Dean. The Watergate grand jury has a tape recording of the entire conversation, from 10:12 to 11:55 a.m.

Nixon and Haldeman have acknowledged that the payment of hush money up to a million dollars was discussed with Dean that day, but they both said Nixon told Dean "it would be wrong."

The indictment specifically charged that Haldeman lied when he quoted the President as saying "it would be wrong."

Furthermore, the remaining overt acts alleged in the indictment make it clear

ronicle, March 3, 1974

that, no matter what Nixon said, the payoff to Hunt went ahead.

Overt Act No. 41 charged that at 12:30 p.m. on March 21, barely a half hour after

leaving Nixon's office, Haldeman talked on the telephone with Mitchell.

Overt Act No. 42 said that Mitchell, early that afternoon, phoned another re-

election official, Fred C. LaRue, and authorized him to pay \$75,000 "to and for the benefit of E. Howard Hunt, Jr."

Overt Act No. 44 said that

on the next day, March 22 Ehrlichman, Haldeman, Mitchell and Dean met and Mitchell assured Ehrlichman that Hunt "was not a problem any longer."