

Secret Papers Destroyed by FBI, Report

WASHINGTON — (AP) — The sudden resignation of former Nixon campaign deputy Jeb Stuart Magruder from the Commerce Department adds a new dimension to the Watergate scandal.

It was the first resignation of any high official involved in the widening wiretap affair.

In another development, The Washington Post, The New York Times and New York Daily News quoted sources as saying that Acting FBI Director L. Patrick Gray III destroyed documents belonging to convicted Watergate conspirator E. Howard Hunt Jr. after being told by Nixon aides John Ehrlichman and John W. Dean III that the documents should "never see the light of day."

Sensitive

Ehrlichman then issued a statement confirming that at a June 1972 meeting in his White House office, Dean gave Gray a sealed envelope containing "some of the contents of Hunt's safe."

"Mr. Gray was told by Mr. Dean that the contents were sensitive materials not in any way related to the Watergate case," said the statement. "I was present but neither then nor at any other time did I give Mr. Gray any request, suggestion or instruction regarding what should be done with the contents."

Magruder reportedly had been both an accuser and an accused in the case. He left his \$36,000 - a - year job as Commerce Department director of policy development without formal notice. His lawyer, James Bierbower, was asked late last night for an explanation, and said flatly, "There will be none."

No. 2 Man

The tall, curly-haired Magruder, 38, set up the early Nixon campaign efforts and stayed on as No. 2 man when Attorney General

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John N. Mitchell formally quit his law-enforcement duties to run the campaign.

Recent news reports have quoted Magruder as telling federal prosecutors that Mitchell and Dean, the White House counsel, approved and helped plan last summer's wiretapping of Democratic HQ.

Magruder also reportedly said the pair later arranged payoffs to silence the defendants in the case.

Dean has said publicly he won't be a scapegoat, and has vowed privately to implicate others. News reports say Magruder broke down only after Dean made accusations of his own to prosecutors.

Magruder has refused to speak to newsmen on advice of counsel.

Although lawyer Bierbower has stated repeatedly that Magruder is ready to testify to the grand jury whenever called, no call has come. Asked why, prosecutor Earl J. Silbert said cryptically that conspiracy cases are built from the bottom up.

In other Watergate developments:

- The Washington Post,

quoting reliable sources, said Dean told Nixon on March 20 that "to save the presidency" Dean and Nixon's two top aides—H.R. Haldeman and Ehrlichman—would have to disclose all they knew about Watergate and face going to jail. The Post said Dean told federal prosecutors all he knew on April 6 but Haldeman and Ehrlichman apparently balked.

- Presidential spokesman Ronald Ziegler said that neither the President nor anyone acting on his authority has approached anyone with the aim of recruiting him to replace present staff members or to direct a shakeup.

- News reports have said Nixon has asked, or is about

to ask, Secretary of State William P. Rogers, former Defense Secretary Melvin R. Laird, NATO Ambassador Donald Rumsefeld or former White House lobbyist Bryce Harlow. Harlow says he hasn't been asked. Laird says he isn't available. Sources close to Rogers say he hasn't been asked, either. Rumsefeld couldn't be reached.

- A lawyer representing two presidential aides in the Watergate scandal shuttled yesterday from the White House to the office of federal prosecutor Silbert.

The lawyer John J. Wilson, has met twice with Nixon himself. Yesterday he had first talked to his clients, Haldeman and Ehrlichman, and then visited Silbert's office for roughly half an hour.

He said they discussed the Watergate affair, and that Haldeman and Ehrlichman would appear voluntarily before the grand jury if asked.

- Others who appeared in Silbert's office during the day were Powell Moore, a former spokesman for the Nixon campaign, and Hugh Sloan, the former treasurer.

Moore wouldn't comment on a report by columnist Jack Anderson that he ac-

companied one of the Watergate conspirators, G. Gordon Liddy, at a meeting with Attorney General Richard Kleindienst the day after the bugging crew was arrested.

Testimony

Anderson said Moore was present as Liddy told Kleindienst that the chief of the Nixon campaign security force was one of those arrested. Kleindienst reportedly gave orders on the spot that the wiretappers would be prosecuted the same way as anyone else.

Sloan's lawyer said he had been called in for a talk with Silbert, not to give testimony to the grand jury. Earlier this year, Sloan testified that he was ignorant of the purpose of \$199,000 in campaign money he gave to Liddy before the Watergate break-in. Judge John J. Sirica said he didn't believe Sloan.

The documents reportedly destroyed by Gray were in two folders. The newspaper stories said the files included phony State Department documents purporting to show the late President John F. Kennedy played a role in the 1963 political assassination of South Vietnamese President Ngo Dinh Diem, and a dossier on Sen. Edward Kennedy (D-Mass.) and his 1969 auto accident at Chappaquiddick, Mass., in which a woman secretary died.

Gray kept the documents in his apartment closet for nearly a week before destroying them by tearing them up and throwing the torn remnants in a "burn bag" in his FBI office, the sources said. "Burn bags" are destroyed routinely by security personnel at the FBI.

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L. Patrick Gray



E. Howard Hunt



John W. Dean III



John Ehrlichman

Washington authorities are investigating a report that Gray, while acting FBI director, destroyed documents belonging to convicted Watergate conspirator Hunt on orders from presidential aides Dean and Ehrlichman.

—AP Photos



JEB MAGRUDER
First to quit



JOHN W. WILSON
Confers with Nixon