

Excerpts From Transcript of Testimony

Special to The New York Times

WASHINGTON, June 7—

Following are excerpts from a transcript of testimony in the eighth day of hearings on the Watergate case today before the Senate Committee on Presidential Campaign Activities:

MORNING SESSION

Hugh W. Sloan Jr.

SENATOR WEICKER: In relation to, again, the Halde- man meeting, was there any discussion at all at that meeting of Mr. Magruder's per- jury suggestion?

MR. SLOAN: I did not men- tion it by name, but in re- lating to why I had left—I was trying to give him an ac- counting of why I had made the personal decision I had. I said I have been asked to perjure myself on numerous occasions and in my judg- ment, there was pressure to take the Fifth Amendment, and I said, Bob, I am just not prepared to do that.

Q. What was his response?

A. I am not positive. I think I would be putting words in his mouth, but I think it was to the effect that, well, I re- alize there were mistakes made in the early period.

SENATOR MONTROYA: Doesn't it stand to reason that Mr. Mitchell was con- sulted on these expenditures by Mr. Magruder? Doesn't it stand to reason that he knew of the disbursements to Mr. Liddy and to Mr. Porter?

A. Senator, you know I would be making an assump- tion, obviously, with you. I think in an original sense it is inconceivable to me he would not be in a general sense, if his aides were doing their proper job, aware of this kind of situation. Cer- tainly Mr. Stans indicated to me on two occasions that was the source of his con- firmation, I should continue on making distributions. So Mr. Mitchell had some knowl- edge, yes, sir.

Picking Up Contributions

Q. Was there any ceiling on pickup during those last days?

A. I would say I am not sure there was a dollar amount and I may have been misunderstood in a previous deposition on this. There was one case where we did not think it worth our while to pick up a \$100,000 con- tribution, which happened to be the money in Mexico, but generally there were certain sums—the man could not get around to all of the places. He did it by priority, he took the largest sums first. There were places where we couldn't pick up a \$50,000 contribution.

Q. Didn't you indicate to the committee through your deposition or interview in the last hectic days your limitation of pickup was \$100,000 or more?

FRIDAY, JUNE 8, 1973

Before Senate's

Watergate Committee

AFTERNOON SESSION

Herbert L. Porter

MR. DORSEN: Mr. Porter, while you were at the com- mittee, did you know G. Gordon Liddy?

MR. PORTER: I did, sir.

Q. In connection with your duties at the committee, were you ever asked to give cash to Mr. Liddy? A. Yes, sir, I was. Mr. Magruder told me that Mr. Liddy was going to be taking on dirty tricks and other special projects and that Mr. Liddy would be coming to me from time to time to request funds and that I was to, in turn, ask Mr. Sloan for the funds and turn them over to Mr. Liddy.

Q. Did Mr. Liddy ever give you anything?

Envelopes Shredded

A. I would say on three or four occasions Mr. Liddy handed me white, large, letter-sized envelopes sealed on the back with his initials written over the seal and asked me to keep them in my safe in my office. He instructed me that if any- thing should ever happen to him that I was to take those directly to the Attorney General.

Q. Who was the Attorney

A. That may have been overstated, Senator. There was no set amount. I think that came out of citing an example of the fact that in one case we made that decision with regard to a \$100,- 000 contribution. I know of no policy that stipulated be- low a certain level.

Q. You weren't picking up any \$5,000 contributions dur- ing those hectic days? A. No, sir. They would have to come in by mail.

Q. You weren't picking up any \$10,000 contributions dur- ing those hectic days when all of your manpower was being used internally to col- lect big amounts, were you?

A. It would depend on the area.

SENATOR BAKER: The questions I have asked so far on this subject obviously lead to one master question, and that is: In your judgment, did the men to whom you talked—Mr. Chapin, Mr. Ehr- lichman, Mr. Haldeman, Mr. Stans, Mr. Mitchell, Mr. Ma- gruder—did the men to whom you talked respond in your judgment in an appropriate way to the quality or the in- tensity of your admonition, warning or conversation?

A. But the thing that dis- turbed me was the not nega- tive response but lack of posi- tive response.

General? A. Mr. Mitchell.

Q. What happened to the envelopes? A. Mr. Liddy came by and he said you know those envelopes I gave you or that you are holding for me? I said, yes, He said, "go ahead and shred them." I did that and in doing so they were stuffed full of paper of some kind and would not go through a shredder without looking inside.

Q. Did you open the envelopes? A. I did. I opened all of them, yes sir.

Q. Did you see what was inside the envelopes? A. I determined very quickly that they were very similar to a salesman's receipts if he went on a trip—an airline ticket, parking ticket, a restaurant stub, that kind of thing, and so I didn't bother to look and inspect each one. There were no memos in them. I do remember I think one of the airline tickets was from Washington to Los Angeles and back, I think.

Q. Mr. Porter, prior to April 7, 1972, how much money did you receive from Hugh Sloan? A. Approximately \$52,000.

Q. After April 7, 1972, how much money did you receive from Hugh Sloan. A. Approximately \$17,000.

Q. And is it your best recollection and knowledge that you received from Mr. Sloan a total of approximately \$69,000. A. Yes, sir, to the best of my knowledge.

Q. Following the break-in at the Watergate, did you have a conversation with Mr. Jeb Magruder concerning any statements you might make to the Federal Bureau of Investigation?

A. I am not sure of the exact date, whether it was June 28 or the 29th. Mr. Magruder asked me to come into his office, which I did. He shut the door and he told me that he had just come from a meeting with Mr. Mitchell, Mr. LaRue, himself, and fourth party whose name I cannot remember, where my name had been brought up as someone who could be—what was the term he used—counted on in a pitch or a team player or words to that effect.

Corroboration Sought

He said that I believe at that time Mr. Liddy had been fired from the campaign. He said it was apparent, was the word he used, that Mr. Liddy and others had on their own illegally participated in the break-in of the Watergate Democratic National Committee, and Mr. Magruder swore to me that neither he nor anybody higher than Mr. Liddy in the campaign organization or at the White House had any involvement whatsoever in Watergate, at the Watergate break-in, and reinforced that by saying, "Doesn't that sound like something stupid that Gordon would do?" And you have to know Mr. Liddy. I agreed with that.

He said, "I want to assure you now that no one did." He said, however, he said, "there is a problem with some of the money." He said, "Now, Gordon was authorized money for some dirty tricks, nothing illegal," he said, but nonetheless, "things that could be very embarrass-



The New York Times

Hugh W. Sloan Jr., former treasurer of the Finance Committee to Re-elect the President, with his wife before the start of yesterday's Watergate hearings.

ing to the President of the United States and to Mr. Mitchell and Mr. Haldeman and others. Now, your name was brought up as someone who can count on to help in this situation." And I asked what is it you are asking me to do, and he said, "Would you corroborate a story that the money was authorized for something a little bit more legitimate-sounding than dirty tricks. Even though the dirty tricks were legal, it still would be very embarrassing."

He said, "You are aware that the Democrats have filed a civil suit against this committee." I said, yes, I have read that in the paper. He said, "Do you know what immediate discovery is?" I said I do not. They may get immediate discovery, which means they can come in at any moment and swoop in on our committee and take all of the files and subpoena all of the records and you know what would happen if they did that.

A Scene Conjured Up

I conjured up in my mind that scene and became rather excitable and knew I didn't want to see that. So I said, well, be specific, and he said, well, you were in charge of the surrogate campaign, you were very concerned about radical elements disrupting rallies and so forth, and I said yes, and he said suppose that we had authorized Liddy, instead of the dirty tricks, we had authorized him to infiltrate some of these radical groups.

He said, how could such a program have cost a hundred thousand. And I thought very quickly of a conversation I had with a young man in California in December, as a matter of fact, and I said, Jeb, that is very easy. You could get 10 college-age students or 24- or 25-year-old students, people, over a period of 10 months. Mr. Magruder had prefaced his remark by saying from December on. And I said, you can pay them \$1,000 a month, which they would take their expenses out of that, and I said that is \$100,000. I said that is not very much for a \$45-million campaign. And he said, no that is right.

He said, would you be willing, if I made that statement to the F.B.I., would you be willing to corroborate that when I came to you in December and asked you how much it would cost, that that is what you said? That was

the net effect, the net of his question. I thought for a moment and I said, yes, I probably would do that. I don't remember saying yes, but I am sure I gave Mr. Magruder the impression I would probably do that and that was the end of the conversation.

Q. Later, did you tell the F.B.I. what Mr. Magruder asked you to tell them? A. Yes, sir, I did.

Q. What did you tell the Federal grand jury? A. The same thing.

Q. Were you a witness at the trial of the seven defendants who were indicted in the Watergate case? A. Yes, sir.

Q. And did you give the same account? A. Yes, sir, I did.

Q. Did Mr. Magruder ask you to make any other statements which you knew to be false?

A. Yes, sir, he did. Shortly after that, he asked me to, if I would increase the amount of money that I was going to say that I gave to Mr. Liddy, and I said, no, I would not do that. He said, why not?

I said, because I just absolutely, I did not give him that amount of money and I will not say I gave him that amount of money.

I said, the conversation that you are asking me to relate, I can conceive of it happening because I would have told you that in December if you had asked me. And that is a strange answer, but that is the answer I gave him. And I would not increase the amount of money. He wanted me to say that I gave Mr. Liddy \$75,000, when in fact, I had given him some \$30,000 to \$35,000—\$32,000.

Mr. Thompson: What caused you to go to [the United States Attorneys]?

A. Mr. Magruder called me in New York [on April 9], where I was employed, and stated that things were not looking too good for him. He said that things are getting a little hot down here. He

said, well, I will keep you up to date, or keep you up to speed, or words to that effect.

He called me on Wednesday, on April 11, and said, Bart, if I were you, I would call Paul O'Brien, who was one of the lawyers for the committee, and tell him to call Earl Silbert and go down and tell Earl what you know.

I said, Jeb, you realize you are asking me to, in effect, put one of your feet in a six-foot-deep hole.

He said, yes, I know that, but, he said I got you into this and, he said, the least I can do is help you get out of it.

So I called Mr. O'Brien on the telephone.

Committee Lawyer Called

This was on April 11. I told him I wanted him to call Mr. Silbert and that I wanted to go talk to Mr. Silbert.

Mr. O'Brien's response to me was, now, what do you want to do a stupid thing like that for?

I said, well, I just do.

He said, well, why don't you come in and see me on Friday, the 13th, and we will talk about it?

So I did and we—during the afternoon, Mr. O'Brien alternately said, gee, I don't know whether you have a problem here or not. He was very tired, he in fact fell asleep a couple of times during our conversation.

I don't say that jokingly. The man was exhausted, in my opinion. I was not.

So, he said, well, I think maybe we ought to get another opinion here. So he called Mr. Parkinson on the telephone and there was brief pause and he said, yes, I will tell him that. So he said, Parkinson thinks you should tell the truth.

I said, yes, that is what I called you about two days ago.

He said, well, I do not know what to tell you. I just, we still need—and he hemmed and hawed.

He then got a phone call from Mr. Magruder who was over at his attorney's office. They conversed briefly and I—he said, yes, I will tell Porter that; that is a good idea.

So he hung up and he said, you go over and talk to Magruder's lawyer. At this point, I did not have any counsel except Mr. Parkinson and Mr. O'Brien. He said, you go over and talk to Magruder's lawyer and see what he thinks you ought to do.

So I went over to the office of Mr. James Sharp and spoke briefly with him, I would say no more than ten minutes.

I explained very quickly what I have just explained to you gentlemen here and he looked at me rather incredulously and he said, my God, you are an ant, he said, you are nothing. He said, do you realize the whole course of history is going to be changed?

I said, no, I didn't realize that, but I knew what my worries were.

He said, now, if Mr. Magruder is going to do down and talk to the Federal prosecutors, he said, we would certainly give you the courtesy of going down first.

I said, I would appreciate that very much.

The following ^{14 APR} Saturday afternoon, the next day, when I ran into Mr. Magruder across from St. John's Church at 5 o'clock in the afternoon, among other things, he told me that he had been to the U. S. Attorney's office that morning, Saturday morning. I was rather stunned by that.

I said, how did that happen?

He said, well, Jim Sharp called me last night, said that he had set up an ap-

pointment with Earl Silbert for 8:30 this morning and instructed me absolutely not to call anybody or discuss it with anybody. I am sorry, he said.

Q. What did Mr. Magruder tell you on the 14th besides what you already related?

A. Mr. Magruder told me he had just come from a meeting at the White House and that it is all over, he said, and I said, what do you mean, it is all over? He said, it is all over, the President has directed everybody to tell the truth. Those were his exact words. He said I had a meeting with Mr. Ehrlichman and I told him the whole story and, boy, was he really shocked, words to that effect. He also told me that he had been to the Federal prosecutions that morning. He also told me that there were going to be several indictments and listed off a series of names, a number of names, people that he thought would be indicted.

Q. When is the first time you talked with Mr. O'Brien and Mr. Parkinson about this false story concerning the \$100,000 to Mr. Liddy?

A. Mr. Parkinson [called] and we set up an appointment, I believe it was for 4 o'clock in the afternoon of March 28.

I had occasion to talk to Mr. O'Brien before I went to Mr. Parkinson's office. Mr. O'Brien said he did not think I had a problem. I think that was the way he put it. I went to see Mr. Parkinson.

I believe he had my trial testimony in front of him. I am not certain of that, however; I cannot be certain. But I do remember him sitting back and he said, well, all you have done, you have just embellished a little, that is all, you have not got a problem. He said, you have nothing to worry about.

Q. Did any of the prosecutors ever ask you if Magruder had tried to get you to perjure yourself? A. No, sir.

SENATOR ERVIN: Now, did you consult a lawyer friend of yours after you were asked by Magruder to lie? A. Yes, sir, I did.

Q. And did he tell you—you asked him what he would do under the circumstances, and he said he would probably lie for the President?

A. Those words were not used, Mr. Chairman.

Talk With Mitchell

My friend said to me—I think he was speaking rather rhetorically. He said, what difference does it make whether the money was authorized for this purpose or this purpose if what they are apparently saying is that Liddy diverted funds and went off and did something illegal? If one thing is going to embarrass the President and the other one is not, he said, I would not do it for Mitchell and I would not do it for Haldeman, but I would do it for the boss. And that is the feeling I had at the time.

Q. He was a member of the Committee to Re-elect the President? A. Yes, sir.

Q. I think, under these circumstances, you ought to divulge that. A. His name is Curtis Herge.

Q. Did [Mr. Magruder] say he had talked to Mitchell about the matter in addition to talking to Ehrlichman? A. Yes, sir, I think he did.

Q. And he told you that Mitchell had told him that he was going to deny complicity to the end? A. Yes, sir.

SENATOR BAKER: Did you ever have any qualms about what you were doing, about the propriety of hiring these people for the dirty tricks or whatever it was? I am probing into your state of mind, Mr. Porter.

A. I understand. I think

the thought crossed my mind, Senator, in all honesty, that I really could not see what effect it had on re-electing a President of the United States. On the other hand, in all fairness, I was not the one to stand up in a meeting and say that this should be stopped, either, so I do not—I mean, there is space in between. I kind of drifted along.

Q. Now, you have reached now precisely that point that I would like to examine and I intend to examine it with other witnesses as this hearing proceeds. A. O.K.

Q. Where does the system break down when concern for what is right, as distinguished from what is legal, is never asserted or never thought about and you do not stand up and say so? At any time, did you ever think of saying, I do not think this is quite right, this is not quite the way it ought to be? Did you ever think of that? A. Yes, I did.

What did you do about it? A. I did not do anything.

Q. Why didn't you? A. In all honesty, probably because of the fear of group pressure that would ensue, of not being a team player.

SENATOR BAKER: What caused you to abdicate your own conscience and disapproval, if you did disapprove, of the practices or dirty tricks operation?

First Meeting in 1946

A. Well, Senator Baker, my loyalty to this man, Richard Nixon, goes back longer than any person that you will see sitting at this table throughout any of these hearings. I first met the President—

Q. I really very much doubt that, Mr. Porter. I have known Richard Nixon probably longer than you have been alive, and I really expect that the greatest disservice that a man could do to a President of the United States would be to abdicate his conscience.

Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, June 7 — Following are the names of individuals who figured today in hearings by the Senate select committee on the Watergate case:

COMMITTEE MEMBERS

Sam J. Ervin Jr., Democrat of North Carolina, chairman.

Herman E. Talmadge, Democrat of Georgia.
Daniel K. Inouye, Democrat of Hawaii.
Joseph M. Montoya, Democrat of New Mexico.
Howard H. Baker Jr., Republican of Tennessee.
Edward J. Gurney, Republican of Florida.
Lowell P. Weicker Jr., Republican of Connecticut.

COMMITTEE COUNSEL

Samuel Dash, chief counsel and staff director.
Fred D. Thompson, chief minority counsel.
David M. Dorsen, assistant chief counsel.

WITNESSES

Hugh W. Sloan Jr., former treasurer of the Committee for the Re-election of the President.

James R. Treese, attorney for Mr. Sloan.

Herbert L. Porter, scheduling director, Committee for the Re-election of the President.

PERSONS NAMED IN TESTIMONY

James W. McCord Jr., convicted participant in Watergate break-in; free on \$100,000 bail while awaiting sentence.

John N. Mitchell, former Attorney General.

John W. Dean 3d, former counsel to the President.

G. Gordon Liddy, former White House aide, convicted of conspiracy, burglary and wiretapping in the Watergate case; in jail.

H. R. Haldeman, former White House chief of staff.

Maurice H. Stans, former Commerce Secretary, former chairman of the Finance Committee to Re-elect the President.

Jeb Stuart Magruder, former deputy director of the Committee for the Re-election of the President.

Kenneth W. Parkinson, chief attorney for the Committee for the Re-election of the President.

Paul O'Brien, attorney for the Committee for the Re-election of the President.

Curtis Herge, aide at the Committee for the Re-election of the President.

Earl J. Silbert, principal Assistant United States Attorney.

A. I understand, Senator. I first met Mr. Nixon when I was 8 years old in 1946, when he ran for Congress in my home district. I wore Nixon buttons when I was 8 and when I was 10 and when I was 12 and when I was 16. My family worked for him; my father worked for him in campaigns, my mother worked for him in campaigns. I felt as if I had known this man all my life—not personally, perhaps, but in spirit. I felt a deep sense of loyalty to him. I was appealed to on this basis.

Q. Do you know a Mrs. Duncan? A. I know Martha Duncan.

Q. Who was she? A. She was my secretary for a short period of time.

Q. Did she ever type up any documents that you knew to be stolen documents? A. Yes, sir.

Q. What happened then? Tell me a little, illuminate that a little bit. What tinge of conscience came into play when you instructed your secretary to type a copy of stolen documents?

A. I am not sure of any tinge of conscience, Senator. I had been told by others in the campaign that this kind of thing was a normal activity in a campaign.

In my opening statement I said that I had never been involved in a political campaign before and I had not. These things were all new to me and I accepted them for what they were.

Q. That is a terrible indictment of politics. Being a politician, I am really distressed to hear that. Are you telling me, in effect, it was your opinion that this sort of think went on in politics with Democrats and Republicans and it was fair game and it might bother your conscience a little but it had to be done? A. That is exactly what I felt, Senator.

Q. How do you feel now? A. Well—I am not sure that they have stopped.

Devastated by Experience

Q. What would you do now? A. I would not become involved in any way, shape or form.

Q. What brought about the change? Where is this real emergence of human instinct for decency in politics? A. Again you are asking me to give a moral judgment. In my own personal case it has devastated me personally and that is reason enough for me never to do it again. I can't answer for the others.

Q. Can you tell me, Mr. Porter, how we might ventilate the structure of campaigning, how we might expose to the fresh breeze of conscience and personality the organization of a Presidential campaign so that young men and old men assert their sense of right or wrong instead of doing so and so because someone told them to? A. I think you are doing a damn fine job right now, Senator.

Q. Do you have any other suggestions? A. I have often thought we had too much money.

SENATOR INOUE: Mr. Porter, after the Watergate trial, you sought a good Government job, did you not?

A. Yes, sir, I did.

Q. And when Mr. Malek through the White House was not helpful, you went to Mr. Larue and told him, "Listen, Fred, you know what I did at the trial. I have been loyal. I do expect to be treated better than anyone else, but I don't expect to be treated worse." And Mr. Larue said, "I know, I will contact John." Did this happen? A. I think basically, yes. Q. Who is "John"? A. I presume that is John Mitchell.