

TESTIFIES 5 HOURS

JUN 15 1973

Nixon Not Implicated in the Conspiracy by Campaign Aide

NYTimes

By WALTER RUGABER

Special to The New York Times

WASHINGTON, June 14—Jek Stuart Magruder, the former deputy director of President Nixon's 1972 re-election campaign, told a first-hand story today of how he and other high-ranking officials had plotted the bugging of the Democrats and then tried to cover it up.

In 5½ hours of nationally televised testimony before the Senate Watergate committee,

Excerpts from testimony
appear on Pages 18, 19.

the 38-year-old Mr. Magruder confessed his own guilt and implicated a number of former Administration officials—including John N. Mitchell, John W. Dean 3d and H. R. Haldeman—but not the President.

Mr. Magruder said that Mr. Mitchell, a former Attorney General, and Mr. Dean, former White House counsel, had been among those who planned the Watergate bugging as part of a broader espionage campaign. He said that he told Mr. Haldeman, the President's former chief of staff, the full story last January.

An Early Decision

The cover-up effort was decided on almost immediately after the arrests on June 17, 1972, of five men inside the Watergate headquarters of the Democratic National Committee, Mr. Magruder testified, and among those who knew that he would lie to authorities about the case were Mr. Mitchell, Mr. Dean and H. R. Haldemann, then the White House chief of staff.

Mr. Magruder said that he had felt the President had had no knowledge of the spying operation but added that he had been afraid Mr. Nixon's re-election "would be probably negated" if the story was revealed.

Senator Howard H. Baker Jr. of Tennessee, the Republican

Continued on Page 20, Column 1

Continued From Page 1, Col. 8

vice chairman of the committee, asked Mr. Magruder whether the decision on concealing the truth should have been made by the President.

"Sir, I can't comment as to whether he did or did not or was involved in it," Mr. Magruder testified. "I had no dealings directly with the President."

The tanned witness traced for a closely listening audience what he said was the development of the conspiracy. He said that at one point it included plans to kidnap radicals and entice Democrats with "call girls" operating on a yacht in Miami Beach.

He said that a principal aim in wiretapping telephones at Watergate was to cripple politically Lawrence F. O'Brien, then Democratic National Chairman and a man "who could be very difficult in the coming campaign."

Mr. Magruder, once a rising White House figure with large political ambitions, testified readily, calmly and almost matter-of-factly about the events that finally broke his career.

Scattered through his testimony were glimpses of the personal relations and the stresses and conflicts that finally led him to tell his story in mid-April to the United States Attorney's office here.

He said, for example, that tensions shot up on March 23 when Chief Judge John J. Sirica of the United States District Court here read a letter from a convicted conspirator, James W. McCord.

McCord has indicated that it was a picture of Mr. Magruder and his family, showing them in a relaxed pose during the Watergate trial, that contributed to his decision to tell what he knew about higher-ups in the plot.

Mr. Magruder, once reported to be badly shaken by the impending collapse of the cover-up, said today that he had agreed to plead guilty to one count of conspiracy and to become a prosecution witness in the trial of others.

He has been granted immunity from prosecution on his testimony before the Senate, but this does not preclude criminal prosecution, and he told the committee today that "for those errors in judgment that I made, I take full responsibility."

As early as September, 1971, Mr. Magruder began, there were discussions with Mr. Dean on political intelligence operations. The talk began in earnest in December, when G. Gordon Liddy arrived at the Committee for the Re-election of the President, he said.

Liddy, convicted with McCord in January, was to be the Nixon organization's lawyer, but Mr. Magruder testified that Liddy and Mr. Dean and unidentified other people on the White House staff had been discussing a "broad-gauged intelligence plan."

Projects Are Described

On Jan. 27, 1972, Liddy presented his plan to Messrs. Mitchell, Dean and Magruder at a meeting in the then Attorney General's office at the Department of Justice, Mr. Magruder said.

The projects included "wiretapping, electronic surveillance and photography [of documents]," Mr. Magruder said, and there were plans "relating to the abduction of individuals."

"Mr. Liddy had a plan where the leaders [of radical groups] would be abducted and detained in a place like Mexico, and that they would then be returned to this country at the end of the convention," the witness said.

There were also the call girls, and Liddy "envisioned renting a yacht in Miami and having it set up for sound and photographs" during the Democratic National Convention there.

All this would cost \$1-million, Mr. Magruder said, and "all three of us were appalled" at the "scope and size of the project." Mr. Mitchell was said to have told Liddy to "go back to the drawing boards and come up with a more realistic plan."

The "general nature" of the first Liddy plan was relayed to Gordon C. Strachan, an assistant to Mr. Haldeman who dealt with the President's political organization.

The committee was voted to seek immunity for Mr. Strachan, but the Department of Justice has moved under the immunity statutes to delay his appearance on Capitol Hill for 30 days.

A \$500,000 Plan

Mr. Magruder said that he and Mr. Mitchell and Mr. Dean gathered again on Feb. 4, 1972, and that Liddy presented them with a \$500,000 plan, trimmed of everything but wiretapping and photography.

The four men talked over prospective "targets," the witness said, and these included the Democratic National Committee headquarters, the party's convention headquarters at the Fontainebleau Hotel in Miami Beach and Democratic Presidential campaign offices.

Either Mr. Mitchell or Mr. Dean—Mr. Magruder said he couldn't remember who it was—talked about the "potential for an entry" at the offices of Hank Greenspun, publisher of the Las Vegas Sun. He was thought to have "information relating to Senator [Edmund

S.] Muskie, then a leading Presidential contender.

Samuel Dash, the committee's chief counsel, asked Mr. Magruder about the object of the plan. At the time, the witness said, there was concern about Mr. O'Brien. He explained:

"... I think there was a general concern that if he was allowed to continue as Democratic National Chairman—because he was certainly their most professional, at least from our standpoint, their most professional political operator—that he could be very difficult in the coming campaign. So we had hoped that information might discredit him."

Despite this increasing interest, Mr. Magruder said, Mr. Mitchell still "just didn't feel comfortable" with the plan, even at the reduced level. But Liddy was encouraged to keep trying.

Sometime after the Feb. 4 meeting, Mr. Magruder testified he received a telephone call from Charles W. Colson, then special counsel to the President.

"[He] called me one evening and asked me in a sense to... get off the stick and get the budget approved for Mr. Liddy's plans, that we needed information, particularly on Mr. O'Brien," the witness said. "He did not mention... anything

about wiretapping or espionage at that time."

On March 30, 1972, Mr. Magruder said, he, took Liddy's third proposal to Key Bascayne, Fla., and discussed it with Mr. Mitchell and Frederick S. Larue, an assistant to the former Attorney General.

Liddy had cut the cost to \$250,000, with the wiretapping and photography projects retained. No one "particularly overwhelmed," Mr. Magruder said, but he quoted Mr. Mitchell as giving his approval as follows:

"Okay, let's give him a quarter of a million dollars, and let's see what he [Liddy] can come up with." Mr. Magruder came back to Washington "and notified the parties of Mr. Mitchell's approval." Liddy and Mr. Strachan were informed, the witness said.

Mr. Mitchell has acknowledged that the bugging plans were presented to him at various times, but he has insisted that he disapproved them on each occasion. The former Attorney General made no comment today.

Mr. LaRue, a Jackson, Miss. businessman, has refused to talk with reporters. He could not be reached today, nor could Mr. Strachan. Mr. Dean is expected to testify before the Senate committee next week.

The loss of the wiretapped conversations and photographs of documents in the Democratic files reached Mr. Magruder in two packages, the first one a week or so after the tap was installed in May.

Mr. Mitchell was shown the illicitly gathered information at a morning meeting, Mr. Magruder said, and the former Attorney General "reviewed the documents" and reacted as follows:

"He simply indicated that this was not satisfactory, and it was worthless and not worth the money that he [Liddy] had been paid for it. . . . There was no information relating to any of the subjects he hoped to receive. . . ."

'Lack of Substance'

Mr. Strachan came over from the White House to examine the data, Mr. Magruder said, and he, too, talked about "the lack of substance" in them.

A second tap at the Watergate worked, but the one on Mr. O'Brien's telephone did not, and early on the morning of June 17 five men under Liddy's direction broke in again to repair things.

Mr. Magruder was in Los Angeles when the news of the arrests came through later that day. He was having breakfast at the Beverly Hills Hotel, and Liddy called to say "there had been a problem the night before."

Mr. Haldeman called the next day, Mr. Magruder said, "and asked me the basic background of the break-in and what happened." The White House adviser said "I should get back to Washington immediately," the witness added.