

# Excerpts From Testimony Before the Senate

Special to The New York Times

WASHINGTON, July 17—  
Following are excerpts from the transcript of testimony today by Herbert W. Kalmbach on the 22d day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

## MORNING SESSION

SENATOR MONTROYA: It was then [June 28, 1972] that you met Mr. Dean at the Hay-Adams Hotel?

MR. KALMBACH: Yes sir. Q. And after a little conference there you proceeded to Lafayette Park. A. Yes, sir.

Q. And Mr. Dean testified as follows and I quote from his testimony. It appears on page 3,174 of the transcript:

"Mr. Dean: Well, I told him everything that I knew about the case at that time. I told him that I was very concerned that this could lead right to the President. I did not have any hard facts. I hoped that I was incorrect. I explained to him in full the seriousness of the matter. I relayed to him the fact that some records had been destroyed. I told him virtually everything I knew at that time and I think there was no doubt in his mind about the sensitivity of the situation."

Would you say this is a correct statement on the part of Mr. Dean?

A. Senator, my recollection of that conversation was simply that he indicated that he wished me—he used the word "we"—that I was being asked to raise funds for the legal defense of these people and for the support of the families.

Q. Well, did he mention possible involvement of the White House? He had already indicated to you that the President might be hurt by this. A. No, sir.

He did not. Now, it has been reported that the sum of \$450,000 was expended with respect to the Watergate defendants, including their defense and also the cover-up, and I believe that you have testified that you were responsible only for approximately \$205,000.

A. Senator, my memory is that approximately \$220,000 was the amount that was my distribution to Mr. Ulasewicz.

## Retrospective Judgment

Q. Do you know who raised the rest of the money? A. No sir, I do not.

Q. Now, as you look back in retrospect, Mr. Kalmbach, and in view of the secrecy that was imposed upon you and what you had to go through in order to develop a line of communication in carrying out your mission, do you feel that you proceeded correctly?

A. In retrospect, Senator, I feel that I, it was something I should not have been involved in.

Q. And at what point did you really become concerned, or did you become concerned at the beginning? A. No sir, I did not at the beginning.

Q. In view of the secrecy imposed upon you and the different methods of procedure that you had to resort to, didn't you try to put this as a lawyer in the proper context and come up with some grave concern on your part?

A. No sir. At the outset, it was a matter of complete and implicit trust in Mr. Dean and then in Mr. Ehrlichman. There was no question in my mind that these men would ask me to do anything improper.

Q. Now, did you feel that it was the proper thing to raise money for these defendants when there were implications that money was being used to silence these defendants?

A. No sir. I had understood at the time that Mr. Dean made the request of me, and then again, when Mr. Ehrlichman confirmed Mr. Dean's authority and the propriety of this assignment, I understood then it was for a proper purpose.

Q. Now, going into the Jones contribution, what you say was \$75,000? A. Yes, sir.

Q. And I understand Mr. Jones says it was \$50,000. Could there be a mistake here somewhere? A. Well, Senator, I can only testify as to my knowledge.

## Presidential Fund Raiser

Q. And when you approached Mr. Jones, you approached him as a fund raiser for the President, or the President's re-election, did you not? A. Yes, sir, for the re-election.

Q. Now, would you say that when Mr. Jones gave you this money, in view of the fact that he knew you were the President's emissary and that the President was running for re-election, that the money would be used for political purposes? A. Yes, sir.

Q. And it was not used for political purposes, was it? A. It was used for the legal defense of the defendants and for the families' support, yes, sir.

SENATOR WEICKER: What factors prompted you to believe that your conduct was proper and necessary? Did you assume that there was a moral obligation?

A. That was my own assumption, Senator, just based on this assignment and the request that had been given

to me by Mr. Dean that there must have been some feeling that there was a moral obligation here to be discharged.

Q. Did you feel that maybe somebody owed somebody something here, is that another way of phrasing it?

A. I had the feeling that someone in some manner expressly had directed these people to go forward on this assignment, and the assign-

ment was, as I say, stupid and illegal, idiotic but there was a feeling that as long as they had been directed to undertake this, that there was at least a moral obligation to provide for lawyers for them and for the support of their families.

## A Matter of Trust

Q. Now, as an attorney, are you telling me that you would commence activities that in effect might risk your entire career on a belief that such activities were proper and necessary to discharge a moral obligation that had arisen in some manner unknown to you?

A. Yes sir. It was a matter of absolute trust in Mr. Dean, and later in Mr. Ehrlichman. It is incomprehensible to me, and was at that time, I just didn't think about it, that these men would ask me to do an illegal act.

Q. If these activities were believed by you to be proper why was it necessary to obtain the services of Anthony Ulasewicz to distribute the money to the defendants and their attorneys? A. Again this was the procedure that I was directed to follow.

## AFTERNOON SESSION

SENATOR GURNEY: Did you receive word from Dean or LaRue to give X amount to Mrs. Hunt? A. Yes, sir, I remember that. I was told from time to time to give X amount to Mrs. Hunt.

Q. Do you remember what those amounts were and when?

A. No sir. But in reconstructing this history in trying to develop what the amounts were and to whom these funds went, my memory is that approximately \$150,000 or thereabouts went to Mrs. Hunt out of which certain of the attorney were paid and various of the defendants.

Beyond that \$150,000 there was \$30,000 that was given to Mr. LaRue in the final disbursement. Twenty-five thousand dollars was given to Mr. Bittman, I think \$8,000 was given to Mr. Liddy, as I remember it, \$1,000 to Mr. Ulasewicz, and \$1,000 which I retained and delivered to Mr. Strachan. Now that total is approximately \$220,000.

Q. If these activities were believed by you to be proper why was Mr. Ulasewicz given a code name, Mr. Rivers, and why were Mr. and Mrs. Hunt given the code name of the Writer and the Writer's wife, and Mr. Haldeman the code name of the Brush?

A. Senator, again this was just an abundance of caution in the carrying out of the assignment, the confidentiality and the secrecy of the assignment all of which gave me this on-going concern.

Q. If these activities were believed by you to be proper then why did Mr. Ulasewicz at your instructions distribute the monies to the defendants and their attorneys

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in luggage lockers at National Airport and telephone booths and counters in restaurants and in trash cans?

A. Senator, again this was in the carrying out of this assignment. I spoke to Mr. Ulasewicz and he indicated to me that the manner in which these distributions would be made was something that he would take care of and it would be better that if I didn't even know about it.

Q. I just have a few more questions. During the course of this testimony, Mr. Mitchell has testified that he

wished he had known of the \$1,110,000 surplus left over from the 1968 campaign. A. Yes sir.

Q. Now, I would like your comments about that statement. Do you have any evidence that Mr. Mitchell might have known or did know about the fact that there was a surplus in the 1968 campaign? A. Senator, I believe that I had advised Mr. Mitchell at various times that I did have funds under my control.

Q. And this would possibly account for the fact that his law partner, Mr. Evans, is one of the co-trustees of a portion of that money? A. Well, Mr. Evans was a signatory on the accounts and on the safe deposit boxes—certainly the accounts.

Q. And to the best of your recollection, there were times when you indicated to Mr. Mitchell that there were such surplus funds from the '68 campaign? A. Yes sir.

SENATOR INOUIE: Mr. Kalmbach, you are a senior member of a most prestigious law firm and among your clients, you number some of the nation's corporate giants — Marriott Corporation, United Airlines, Travelers Insurance, M.C.A., Atlantic-Richfield, Dart Industries, Great Southwest Corporation. Then you have the University of Southern California, the Nixon Foundation, the Stans Foundation. I would gather from your success that you must be a great lawyer. Therefore, like Senator Weicker, I find it extremely difficult to believe that you are not aware that illegal activities were being carried out.

If a client came to you and related the exact story that is now being related here, and he said, Mr. Kalmbach, should I raise these funds, what would you have advised this client?

#### Integrity and Honesty

A. If the client had come to me in this situation, which is wholly separate from any situation that I could believe anyone would be faced with, I would have asked him to exercise caution and make inquiries. But in my situation, Senator, I was dealing with the counsel to the President of the United States. It was a matter of absolute trust in the man's integrity and honesty.

Q. Would you relate to the committee a criminal case relating to the 1962 elections in California and the parties who were involved in this? A. Senator, my best recollection on that is that there was a matter that was filed in California. I was not involved.

Q. Who were those named in the lawsuit? A. I am certain it was Mr. Haldeman, I think was one of them. I don't know if the President was named. My recollection is that he was.

Q. Was Mr. Ehrlichman involved? A. I don't recall that his name was involved.

Q. And it is your belief that because of the trustworthiness of Mr. Ehrlichman, you were convinced that everything was proper and legal?

A. Absolutely. Q. You were in charge of the surplus 1968 funds?

A. Yes, sir. Q. These were cash funds?

A. Sir, there were one million nine in cash and \$570,000 in a checking account.

Q. Isn't it strange that when the campaign closed, the campaign committee for the President indicated that they had a debt? Why wasn't this surplus used to pay the debt?

A. Senator, I was spoken to by Mr. Stans in mid-January of 1969 and was advised that these funds were surplus and he characterized the funds as primarily from the primary campaign.

Q. But you were aware that the Nixon campaign committee of 1968 had declared that they were in debt? A. I don't recall that that was the case, Senator.

It would be my recollection that there was, that we finished that campaign in the black.

Q. Did you at any time loan a sum of \$20,000 to Mr. Ehrlichman from campaign funds? A. No, sir. I did loan Mr. Ehrlichman \$20,000 from my own funds, not from campaign funds.

Q. In retrospect, sir, as a lawyer, what recommendations would you give this committee as to possible legislation to prevent the recurrence of some of the activities in which you were involved? A. The Federal Election Campaign Act should be made clear that funds could not be used for this purpose. I think there should be, perhaps, legislation should be enacted to prohibit the use of cash.

Q. At the time you were asked to raise funds for the special assignment, were you aware that the committee to re-elect the President had an over-abundance of money? A. I was aware that the committee was — had a surplus, the fund was not running in a negative position, yes, sir.

Q. At no time did you question the propriety, at no time did you question the wisdom, of Mr. Dean. If Mr. Dean had advised you to take a certain step in relation to one of your clients, let's say United Airlines has a case before the C.A.B. and Mr. Dean says you should advise your client to do such and such, would you without question so advise United Airlines?

A. No sir, I would not have. But there was an assignment being given to me by Mr. Dean on behalf of others that he simply named as "we" and again it was a matter of ab-



The New York Times/George Tames  
Samuel Dash, left, chief counsel, and Terry F. Lenzner, his assistant, conferring during yesterday's testimony of Herbert W. Kalmbach, President's former personal attorney.



solute trust that I go forward.

### Impropriety Realized

Q. In retrospect are you now convinced that you were involved in a criminal activity? A. In retrospect now, in this testimony, realizing from what Mr. Dean has testified that this was improper, an illegal act. It is just as if I had been kicked in the stomach.

SENATOR GURNEY: Mr. Kalmbach, going back just a minute again to the, your, handling of cash in the 1972 campaign, the turnover of the cash to the committee to reelect the President and the destruction of the records. A. Yes sir.

Q. Was there anything illegal about this destruction of records? A. Not in my understanding, Senator.

Q. Wasn't the law that prior to April, 1972, there was no need to keep any records of cash raised or disbursed or held, isn't that correct? A. Yes sir, that is my understanding.

Q. Wasn't it a common practice not to keep such records? A. Yes, sir, it is.

Q. I understand from your testimony that you disbursed certain amounts of money to Mr. Segretti. This was done on the orders of whom? A. It was done on the orders of Mr. Chapin, Senator.

Q. And what did he tell you in his instructions to you?

A. This was in either late August or early September of 1971, Mr. Chapin asked me to meet with then Captain Segretti who was in the Army, asked me to meet with him to come to an agreement with him as to a compensation level and reach that agreement and begin disbursing funds to him for activities that he would be performing for the White House.

Q. In this connection was it your understanding that you were disbursing these funds which were in your control at that time pursuant to the instructions of Mr. Haldeman or under his jurisdiction?

A. Yes, sir, it was. Mr. Chapin, as I remember our conversation, did not men-

tion Mr. Haldeman but Mr. Chapin was standing, clearly standing, in the shoes of Mr. Haldeman as one of Mr. Haldeman's senior deputies.

Q. Did you ever have any discussion with Mr. Haldeman about this? A. About the disbursement of funds?

Q. To Segretti. A. I do not recall that I ever did, Senator. My recollection is clear as to my meeting with Mr. Chapin and my understanding was clear that he was speaking on behalf of Mr. Haldeman, but I do not recall that Mr. Haldeman's name was mentioned.

Q. Just one final question, Mr. Kalmbach. Did you have discussions following the break-in of Watergate down to now with the President? A. No sir.

Senator TALMADGE: Mr. Kalmbach, I want to get into an area that you have not testified on, that we have had reports in the press about it. Are you familiar with funds going into the state of Alabama during the 1970 election?

# NYTimes JUL 18 1973 Figures in Senate Inquiry

Special to The New York Times

WASHINGTON, July 17—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., North Carolina Democrat, 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.  
Rufus I. Edmisten, deputy counsel.  
Terry F. Lenzner, assistant chief counsel.

### WITNESS

Herbert W. Kalmbach, President Nixon's former personal attorney.

### PERSONS NAMED IN TESTIMONY

William O. Bittman, attorney for E. Howard Hunt Jr.  
Dwight L. Chapin, former Presidential appointments secretary.  
John W. Dean 3d, former counsel to the President.  
John D. Ehrlichman, former White House adviser.  
H. R. Haldeman, former White House chief of staff.  
Lawrence M. Higby, deputy assistant to the President.  
Thomas V. Jones, chairman of the Northrup Corporation.  
Frederick C. LaRue, former aide of Mr. Mitchell.  
G. Gordon Liddy, former White House aide convicted in Watergate break-in.  
John N. Mitchell, former Attorney General and former chief of re-election committee.  
Donald H. Segretti, accused of operating a sabotage campaign against the Democrats.  
Maurice H. Stans, former Commerce Secretary; former chief of Nixon Finance Committee.  
Gordon Strachan, former assistant to Mr. Haldeman.  
Anthony T. Ulasewicz, former aide to John J. Caulfield at the re-election committee.

A. Senator, I am familiar with funds that I disbursed in 1970 under instructions. At that time, I had no knowledge as to where the ultimate distributees would be.

Q. Will you tell us about that fund, please?

### \$100,000 Disbursal

A. Yes sir. During the 1970 period I was raising funds towards the, in the senatorial races, and also I was directed by Mr. Higby on three different occasions to disburse funds out of trust funds that I had under my control. I recall that there was a call that Mr. Higby made to me, in I think it was in late March of 1970 directing that I disburse \$100,000 to someone there in New York.

I took these funds from the box, safe deposit box, at the Chase Manhattan Bank in New York and delivered them to an individual at the Sherry Netherlands Hotel in New York.

Q. Who was the individual? A. I did not know his name, and do not know him.

Q. How did you know you gave the \$100,000 to the right man? A. I was advised at a later date that I had given the funds to the right person.

Q. Who gave you the instructions as to whom to meet and where?

A. I talked to Mr. Higby, and he instructed me, and I said that I would deliver the funds at the Sherry Netherlands hotel, and an individual then came up to me and the identification was proper, and I —

Q. Was there a password?

A. No, sir, I don't recall the procedure now but it was definite that it was the man

Q. You didn't walk into the lobby and give the first hundred thousand, give the hundred thousand to the first man you saw, did you?

A. No, sir.

Q. What was the arrangement whereby you could make the proper contact?

A. I don't recall the specific arrangements, Senator. It was simply that he — I was in the lobby, and I think I was in a particular colored suit and he came up to me and identified himself as being from someplace and I don't recall where it was.

Q. Did he have a Southern drawl? A. I don't remember it, no, sir.

Q. You didn't hear his voice? A. I heard his voice but it was not distinctive.

Q. What was the signal as to how he could identify himself to you to receive the \$100,000?

A. Well, I think the signal was that he asked me if I was, I forget whether I was, from some state, and I replied yes, or something, and that was sufficient but I don't recall the exact procedure.

Q. Do you know what the purpose of that money was for? A. I did not.

Q. Did you have any suspicions? A. No, sir, I did not.

Q. You didn't think they were going to take it somewhere and burn it up, did you? A. No, sir.

Q. Now, tell us about the next contribution that you made and the circumstances thereof. That was the first one hundred thousand? A. Yes, sir.

Q. Was that left-over money from the 1968 campaign? A. Yes, sir.

Q. Proceed, please. A. Then I think within a month, Senator, I was again asked to disburse 200,000 following the same procedure.

Q. Did Mr. Higby also request you the second time?

A. That is correct. My recollection is that I asked one of the signatories on the box, Mr. Franz Rain to take the funds to the, again to the, Sherry Netherlands Hotel, and disburse to an individual which he did.

Q. You didn't deliver the second hundred thousand? A. No, sir, I did not.

### The Third Amount

Q. All right, that is three hundred thousand. Now, tell us about the next amount.

A. Then finally there was a third communication again, I think it was from Mr. Higby directing that another hundred thousand be disbursed in the same manner, although at this time I was asked to disburse to an individual in Los Angeles in the lobby of the Bank of California Building on Flower and Sixth Street.

Q. You delivered two hundred thousand delivered the other two hundred thousand? A. That is correct.

Q. And your directions or twice and who the third time? A. From Mr. Higby the third time.

Q. Did you have any suspicion as to where that money was going? A. No, sir, I did not. I made the assumption without knowing that it was going into campaigns but I did not know which campaign.

Q. Was that not, in fact, money that was used to try to defeat Governor Wallace in Alabama in 1970?



A. Senator, I have never known this to be a fact. I think subsequent to the disbursements I heard comments to the effect that part or all of those funds did, in fact, go to that campaign but I did not know at the time and the only evidence or indication that I have had subsequent was just various comments.

Q. A man of your intelligence and ability and background certainly would not be in the business or just walking up to strangers in hotels and giving them \$400,000 for nothing, would you?  
A. No, sir.

Q. You suspected that it was going to stop Governor Wallace in Alabama, did you not? A. I did not at that time.

Q. But you subsequently suspected that? A. Yes, sir.

Q. Do you know that of your own knowledge? A. I do not know it as a fact, senator.

#### Common Knowledge

Q. It is common knowledge in the circles that raised the money and dispensed it, is it not? A. Well, I think there is a belief that part or all of it did go to that campaign but again, Senator, I would not have the certainty that that is true.

Q. You stated yesterday that you believe that this payment plan was so important because it came from Mr. Dean, the President's personal counsel. Did you, because of that, suspect that the President himself might have approved it? A. No, sir.

Q. You just took it at face value because the President's counsel himself indicated that to you?

A. Well, again, Senator, here was a man that I had been dealing with for a year and a half, or two years, at that time, a man in whom I had absolute and complete trust. He was standing, really, in the shoes of the President, on the President's legal work that a partner and I would be talking to him about. It was again without—because my own nature is that I trust my friends and trust my partners, and I had absolute trust in this man. And when he made this request of me, I did not hesitate.

Q. Did the President ever speak to you after the press had released an account of the stories involving you with Mr. Segretti in September of last year to ask you what had occurred? A. No, sir.

Q. Did the President call you after the election in November, 1972? A. Yes, sir, he did.

Q. That was after you had raised funds for payment to these defendants and other purposes, was it not?

A. It was, and it was after the election and after I had raised a substantial amount of money for the re-election campaign beginning back in November of 1970, Senator.

#### Watergate Not Mentioned

Q. What was discussed in that conversation relating to Watergate? A. Nothing.

Q. You didn't think you were performing a service for Mr. Dean, did you? You thought you were performing a service for the President of the United States, didn't you? A. Senator, I thought I was performing a

service for the people that Mr. Dean referred to as "we."

Q. Who did you think were "we"? A. I thought probably he was talking about the senior people at the committee to re-elect and possibly some of the people at the White House.

Q. You would not go all over the country, giving away hundreds of thousands of dollars in cash and engaging in surreptitious activities, for some clerk in the White House, would you?  
A. No, Sir.

SENATOR BAKER: Did the thought occur to you that there might be something odd or strange about a White House involvement or the involvement of a principal staff person, in this case Mr. Dean, in this fund-raising effort for defendants who had received prominent publicity at that time and obviously were going to be charged with a serious offense, did that raise any replies of concern?

A. Again, Senator, it did not. I knew that Mr. Dean had been very involved in matters involving the committee to re-elect, and he was probably wearing several hats but I know that he had had that association with the committee to re-elect, and I felt that here was a man who I had this trust in asking me to take on this assignment, and I did not question it. It would have been inconceivable, as I have said, Senator, for me to have believed that this man would ask me to do something illegal.

Q. That gets us to the point I would really like to inquire about, Mr. Kalmbach. You may or may not know but with other witnesses on occasion I have asked for their perception of the arrangement in a situation or even the institution of the Presidency that would cause them to act or fail to act in a particular way. Can you visualize, in that vein, any other person or situation in the whole wide world for whom you would have done this other than a representative of the White House?

A. Senator, I feel, as I look back on it, that almost certainly Mr. Dean had been asked to talk to me because the people knew of the relationship I had with this man and the relationship of trust.

Q. You see what I am striving for once again is what is there about the nature of the White House or the Presidency or of the aura that surrounds it? A. Yes, sir.

Q. That would cause you to act without question, without concern, as apparently you did, placing great reliance on the propriety of the request because of its origins, is that— A. Total reliance on the trust.

Q. Yes. You base that on your revenue for the institution of the Presidency or on your personal friendship with him or long acquaintance with either the President or Mr. Dean or was it a composite of several things? A. I think it was a composite of all those factors.

Q. Did it ever occur to you—I know you testified that you spoke to Mr. Ehrlichman about the matter to verify Mr. Dean's authority, did it ever occur to you to speak to the President about it to

find out whether he knew what was going on or did not know what was going on?

A. No, sire. I felt that in talking to Mr. Ehrlichman, I was talking to someone who would give me the assurance that I required and I did not think to talk to the President.

Q. Mr. Kalmbach, you have already testified that you have not spoken to the President about Watergate, although I believe you did talk to him the night of the election. A. No, sir, it was several days after the election.

Q. I see. Well, sometime shortly after the election?  
A. Yes, sire.

Q. Did it ever occur to you to talk to the President about this and find out what the situation was or how this situation might relate to him?

A. No, Senator. All during this period from the August-September, when I discontinued and withdrew, on through until the time that Mr. Ehrlichman left the White House I had the feeling always that these men were, Mr. Dean, Mr. Ehrlichman had the absolute trust of the President, and all I had was this concern. I had no certainty at all, Senator, that there was an impropriety. The level of concern that I had was simply it was, it bothered me to the point that I would not be involved in it but I did not know that it was, in fact, what it is, and it—all through this period, I just had that level of concern, and here was Mr. Ehrlichman, Mr. Dean continuing at the White House, and I was certain with these people there that my concern probably really was not based on anything at all, but it was sufficient for me, Senator, at that early time to desist.

Q. Now, if you didn't want to be involved any longer at that point, did the thought occur to you that if your concern was that great that there was some obligation or at least an opportunity to take this matter up with the President and see if he was aware of all these circumstances? A. No, sir, it did not. Again, I had been advised by Mr. Dean, and then Mr. Ehrlichman, that this was proper and to go forward, and frankly, my concern was based on the secrecy and these procedures, and I felt it would be presumptuous, frankly, with just rumor and just a sixth sense, to have gone to the President.

Now, I again, I have not met with the President more than four or five times other than in social gatherings over these entire—throughout this period.

Q. Were you still his personal attorney at that time? You see, I am still a little perplexed. Here we have a man who had known the President for a long time, who was his personal counsel, who accepted a job, in effect, on faith, who became concerned about it, concerned to the point that he



sought out a verification of the authority of Mr. Dean to give you this assignment, and later became so concerned that you disengaged from it.

Now surely the body, the substance, of your concern, at some point must have flickered, a warning light that there is trouble here, at least trouble, potentially trouble, for you, and did it never flicker the light that there might be trouble for the President in that respect?

A. It didn't flicker the light, as you put it, that there was trouble in that sense. There was—it bothered me, the secrecy, that was the primary thing, it was distasteful to me, this back and forth in the telephone booth. The press, the accumulation, as

you put it, Senator, the composite of several factors, but it never reached the point in my mind where I felt that I should go to the President. I had been assured first by this man in whom the President had complete trust, Mr. Ehrlichman, and earlier by Mr. Dean to go forward in this, and I thought frankly it would be presumptuous of me to take it beyond my own decision to desist.

Q. How big a problem would—I will not ask that.

I really don't think I can ask you to help me with the inquiry that I am trying to make because it, in turn, will be answered if it is ever answered by the composite of the testimony of several witnesses and my perception of their testimony. What I would really like to find out is what caused you to act in the way you did or other witnesses to act in the way they did. You have been fairly explicit in your answers in that respect.

More importantly I am trying to go find out what there is about the Presidency or the White House or the staffing of the White House that would cause, as in the case of the testimony of Mr. Mitchell, if it is accepted at its face value, a man, a public servant, a Cabinet officer to make a conscious decision not to tell the President, or in your case to be concerned, concerned to the point for many reasons that you chose to disengage from this, but never told the President, what is there about it that says, you know, "I am never going to tell this man," or "it is not something that I am going to concern him with."

## Watergate Cookbook Published in Boston

BOSTON, July 17 (AP)—Seven Bostonians have published "The Watergate Cookbook: Or Who's in the Soup?" The \$1.95 paperback contains 108 "unimpeachable" recipes for such dishes as Ellsberg's Leek Soup, Martha's Sweet and Sour Tongue, Nixon's Perfectly Clear Soufflé, Liddy's Clam Up Chowder and Mitchell's Cooked Goose.