

NYTimes SEP 20 1973
**Colson, Citing Fifth,
Balks at Questions**

By DAVID E. ROSENBAUM
Special to The New York Times

WASHINGTON, Sept. 19 — Charles W. Colson refused today to answer questions put to him by the Senate Watergate committee, claiming his constitutional right against self-incrimination.

Mr. Colson, a former White House special counsel who was a key political adviser during President Nixon's first term, is the only high-ranking Presidential aide who has been mentioned prominently in Watergate testimony and who has not testified publicly himself.

He has been accused by various Senate witnesses of a variety of roles in the Watergate cover-up and other scandals. But he has repeatedly denied any wrongdoing.

Mr. Colson's attorney and

Continued on Page 33, Column 1

Continued From Page 1, Col. 8

law partner, David I. Shapiro, told the committee this morning at the outset of a two-and-a-half-hour closed-door meeting that Mr. Colson would not answer questions now because he was a "target" of a Federal grand jury investigation and might be indicted.

The grand jury is the one here that is investigating the burglary of the office of Dr. Daniel Ellsberg's former psychiatrist and the relationship between the Nixon Administration and the International Telephone and Telegraph Corporation.

Committee officials reported that Mr. Shapiro had told them that Mr. Colson would probably know whether or not he would be indicted by that grand jury in five to 10 days.

Senator Howard H. Baker Jr. of Tennessee, the committee's ranking Republican, said Mr. Colson had indicated that he would be "not only willing but eager" to testify if he ceased being a "target" for indictment.

The purpose of today's closed meeting was to determine whether Mr. Colson would testify freely. The committee has refrained from calling wit-

nesses in public hearings when the witness would merely invoke the Fifth Amendment.

Even if Mr. Colson is indicted, there are ways that he could still be compelled to testify at public hearings. The committee could, as it did with John W. Dean 3d, grant Mr. Colson limited immunity, meaning that his testimony could not be used against him by the prosecution. Or the committee could, as it did with John N.

Mitchell and Maurice H. Stans, question Mr. Colson about matters other than the ones that were the subject of the indictment.

Mr. Colson asked the committee today to grant him immunity, but the committee voted unanimously not to do so immediately. Senator Baker indicated that the question of immunity might be considered again once the matter of the indictment was settled.

Mr. Colson refused to answer reporters' questions when he left the meeting, which was held in a small conference room next to the Senate barber shop.

Comments by Ervin

Senator Sam J. Ervin Jr., the committee chairman, remarked that "the committee would have liked to have his testimony," but that "he clearly is entitled under the Constitution to plead the Fifth Amendment."

Senator Baker cautioned against attaching "any significance to the pleading of a constitutional right."

Mr. Colson and Mr. Shapiro spent most of the morning outside the meeting room, while the Senators debated whether to question Mr. Colson today and whether to grant him immunity.

Mr. Colson has been accused by different witnesses, including Mr. Dean, the former White House counsel, of having discussed with President Nixon the granting of executive clemency to E. Howard Hunt Jr.; of having pressed Jeb Stuart Magruder, the former deputy director of the Nixon re-election campaign, to approve an espionage plan that resulted in the Watergate burglary; of having raised money that was used to break into the office of Dr. Lewis Fielding, a psychiatrist who treated Dr. Ellsberg; of having known of widespread efforts of Administration officials to obtain favorable settlement of antitrust suits against I.T.T., and of having promoted "dirty tricks" against Democratic candidates.

Mr. Colson has denied these allegations repeatedly. Last spring he voluntarily took a lie-detector test that, he said, proved his innocence.

In an interview with committee staff members last summer, Mr. Colson reportedly said that he had played no role whatsoever in planning the Watergate burglary at Democratic headquarters in the capital or in covering it up afterward.

He did, however, make one statement that contradicted those of H. R. Haldeman, the former White House chief of staff. Mr. Colson reportedly said that in a conversation last January that he and Mr. Haldeman had discussed their knowledge of meetings in Mr. Mitchell's apartment in early 1972 at which wiretapping plans were also discussed. Mr. Haldeman testified that he did not know about the meetings until sometime later.



United Press International
**Charles W. Colson after
refusing to answer questions
in closed session
with Watergate panel.**