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**Official Says Nixon's Deed
On Gift Was Falsely Dated**

By The Associated Press

SACRAMENTO, Calif., Jan. 25—The deed for President Nixon's donation of his Vice-Presidential papers to the National Archives was signed long after his eligibility had expired for tax deductions that he claimed for them, the California Secretary of State's office said today.

The deed was falsely dated more than a year before the date of signature, a spokesman added.

Deputy Secretary of State Thomas Quinn said that principals involved in the case had told him the deed, dated March 27, 1969, was signed and notarized more than one year later, on April 10, 1970.

A law that went into effect July 25, 1969, would have

severely limited the amount that Mr. Nixon could have claimed for a tax deduction from donation of the papers after that date.

Mr. Quinn said that the information had come from Frank DeMarco Jr., Mr. Nixon's California tax lawyer; from Mr. DeMarco's secretary, and from others.

Also, he said that his office had proof that the deed had been typed on a typewriter that was not purchased by Mr. DeMarco's law office until July, 1969, four months after the date on the documents.

The office of Secretary of State Edmund G. Brown Jr., a Democratic candidate for

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Governor, has been investigating the case because it oversees notary public activities in California.

"The deed could not have been prepared before July of 1969," Mr. Quinn said in an interview. He said that the April 21, 1969, date notarized by Mr. DeMarco was "obviously false."

Mr. DeMarco was not immediately available for comment, but he is tentatively scheduled to make a formal deposition next Wednesday in Los Angeles, Mr. Quinn said.

Mr. Quinn said that Mr. DeMarco had told the Secretary of State's office that an original deed was executed in April, 1969, before the expiration of the tax law that permitted Mr. Nixon to claim income tax deductions. But Mr. DeMarco said that he had no copies of the original deed, Mr. Quinn said. The Deputy Secretary of State added that neither the original nor any copies had been found.

The White House has disclosed that the President claimed deductions of \$482,000 over the last four years for the gift of the papers. That enabled him to pay less than \$6,000 in Federal income taxes the last three years on total income of more than \$800,000.

In releasing Mr. Nixon's tax data, the White House did not cite the deed to justify the deduction but said that the papers had been turned over in time to qualify Mr. Nixon for the deductions. However, that point has been disputed by some experts, and the matter is under investigation by the Internal Revenue Service and Congress' Joint Committee on Internal Revenue Taxation.