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**A DOUBLE DEFENSE
OF NIXON DRAFTED**

**Lawyers Planning Rebuttal
to Implications by Grand
Jury on Hush Money**

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White House lawyers are preparing a two-pronged defense against the implication in last Friday's grand jury indictments that President Nixon may not have opposed hush money payments to the Watergate defendants.

The grand jury did not say directly that Mr. Nixon had approved such payments. But one of its charges against H. R. Haldeman, the former White House chief of staff, was that he lied when he testified under oath that the President said in a meeting last March 21 that "it would be wrong" to raise \$1-million to insure the silence of the seven original Watergate burglars.

First, according to sources close to the White House, the lawyers are ready to argue that the President did use a phrase in the course of a conversation to the effect that "it would be wrong." However, they said that although he used it in the context of a proposal to award executive clemency to the defendants he was also conveying his belief that

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awarding of hush money also would be wrong.

"The President was saying that he was against clemency and the whole thing was wrong," said one person familiar with Mr. Nixon's legal defense.

Second, the lawyers are prepared to say that the payment of \$75,000 shortly after the March 21 meeting to E. Howard Hunt Jr., one of the Watergate burglars, had been set in motion before March 21 and had no connection with the meeting that lasted one hour and 40 minutes.

No Response to Indictments

So far, neither the President's spokesmen nor his lawyers have made any public response to the indictments of Mr. Haldeman and six other Nixon aides, but the charges made in the indictment have aroused concern in the White House because, if sustained, they would enhance the prospects for Mr. Nixon's impeachment.

The Watergate grand jury had in its possession a tape recording of the March 21 meeting between Mr. Nixon, John W. Dean 3d, then the

White House counsel, and H. R. Haldeman, the White House chief of staff. Presumably, the jury's charge that Mr. Haldeman lied when he said Mr. Nixon had remarked that "it would be wrong" to raise hush money was based on the information on the tape, which has not been made public.

However, President Nixon and several of his aides who have listened to the tapes have given the conversation a different interpretation than either Mr. Haldeman or the grand jury.

Mr. Haldeman, in his testimony last July, said that in the meeting Mr. Nixon, responding to Mr. Dean's report that Mr. Hunt was demanding blackmail, "asked how much money would be involved over the years and Dean said probably a million dollars—but the problem is it is hard to raise. The President said there is no problem raising a million dollars, we can do that, but it would be wrong."

'Knew They Were False'

The grand jury, in indicting Mr. Haldeman for perjury, underlined the words "but it would be wrong" and asserted that Mr. Haldeman "knew they were false."

Mr. Nixon, in his Aug. 22

news conference said that Mr. Haldeman's testimony had been generally accurate but that he had used "it is wrong" in connection with executive clemency. When Mr. Dean came to him with the proposal for raising money, Mr. Nixon said, "I said, isn't it quite obvious, first, that if it is going to have any chance to succeed, that these individuals aren't going to sit there in jail for years? They are going to have clemency: Isn't that correct?"

The President said even if money were raised for the defendants they would not be content to stay in jail, "and so, that was why I concluded, as Mr. Haldeman recalls perhaps, and did testify very effectively, one, when I said, 'John, it is wrong, it won't work. We can't give clemency and we have got to get this story out.'"

It is in that context that the President's lawyers are now saying that the President's words were directed at the over-all plan to quiet the defendants and cover up the White House involvement in the crime. Gerald L. Warren, the deputy White House press secretary, said yesterday that Mr. Nixon stood behind his statement of last August.