

NYTimes MAR 13 1974
**Grand Jury Believed Firm
On Date for Hush Money**

By SEYMOUR M. HERSH
Special to The New York Times

WASHINGTON, March 12—
The Watergate grand jury concluded that a disputed hush money payment to the attorney for E. Howard Hunt Jr. was made on the evening of March 21, less than 12 hours after a White House meeting involving President Nixon, sources close to the investigation said today.

The sources said that specific testimony fixing the date and time of payment—which has been challenged by the White House—was provided to the grand jury by Frederick C. LaRue, the former Republican re-election committee official who served as go-between in hush money payments.

In an interview with The New York Times yesterday, James D. St. Clair, Mr. Nixon's attorney, pointedly drew attention to a chart published after the Senate Watergate committee's hearings last summer in which Mr. Hunt placed the final

date of payment as March 20. Mr. Hunt was one of the Watergate burglars.

Mr. St. Clair also explicitly referred to what he characterized as a discrepancy between "sworn testimony" before the Senate committee citing March 20 as the date of payment and the cover-up indictment handed down earlier this month that listed March 21.

Mr. St. Clair's point obviously was that if the payment did take place on the 20th, it could not have been authorized as a result of the March 21 meeting attended by the President.

During their Senate testimony, Mr. Hunt and Mr. LaRue expressed vagueness about the precise date of the payment—the last delivery of hush money to Mr. Hunt's attorney, William O. Bittman.

As the President's attorney,

Continued on Page 27, Column 1

Continued From Page 1, Col. 7

Mr. St. Clair was not restricted in his comments by the gag rule imposed two weeks ago by Judge John J. Sirica of the United States District Court here on all parties cited in the Watergate cover-up indictments.

The Times's sources, who have been extremely reliable in the past but did not wish to be quoted by name because of the

judge's order, conceded Mr. LaRue's vagueness before the Senators but said that the delivery date of March 21 cited in the indictments had been, in the words of one official, "very firmly established by the grand jury."

Problem for Lawyer

"That's one of the problems a defense lawyer has," one source said in a reference to Mr. St. Clair. "He doesn't know all that the prosecutors know."

"They can firmly establish the March 21st date in many ways," he added.

Another closely involved official noted that the White House's attack on the delivery date was not surprising "because they know that the guts of the conspiracy case revolves around the March 21 meeting with the President and the payment of \$75,000 to Hunt."

The March 1 cover-up indictment of seven former White House and re-election committee officials, including top Presidential aides, H. R. Haldeman and John D. Ehrlichman, cited

four overt acts beginning with the March 21 meeting and culminating with the cash payment to Mr. Bittman.

The New York Times and The Washington Post have reported that the grand jury concluded in a still-secret report given to Judge Sirica that President Nixon was implicated in the cover-up.

A key factor in the conclusion, reliable sources made clear in telephone interviews today, was Mr. Nixon's role on March 21. In a news conference

last week, the President acknowledged that he had been told by John W. Dean 3d, the former White House counsel, that hush payments were being made to the Watergate break-in team.

Mr. Dean testified to the Senate committee and before the grand jury, sources said, that he had told the President of the cover-up and had also presented Mr. Hunt's threat to expose the burglary of the office of Daniel Ellsberg's former psychiatrist and other

"seamy" details of his activities with the secret White House "plumbers" unit unless he received more hush money.

But Mr. Dean, in his initial Senate testimony, mistakenly placed the date of that conversation with Mr. Nixon as MRCH 1/8 3/8, 1/8 & 7/8 3/8. Sources have told The New York Times that Mr. Dean subsequently told Senate investigators and the Watergate grand jury that the conversation took place on March 21.

In his interview, Mr. St.

Clair took careful note of the Dean discrepancy, and suggested that the former White House counsel was "no longer part of the prosecution's case" in the Watergate cover-up. Earlier, Mr. St. Clair and Senator Hugh Scott of Pennsylvania, the Senate Republican leader, had publicly attacked Mr. Dean's credibility.

Other sources close to the investigation characterized Mr. St. Clair's remarks about the delivery date of the \$75,000 and his renewed suggestions

about Mr. Dean's credibility as a shrewd attempt to "Get Dean scarred before he can be used" in a public trial.

"If they [the White House Attorneys] can prove that the act of delivering the \$75,000 took place before the March 21 meeting, they're in the clear," one official noted. "If the payment was on the 20th, they're home free."

The official said that Mr. St. Clair and his staff apparently did not know what date for the delivery of the \$75,000 had