

COLSON PLEADS GUILTY TO CHARGE IN ELLSBERG CASE AND IS EXPECTED TO AID JAWORSKI AND RODINO PANEL

MOVE IS SURPRISE

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Watergate Prosecutor to Seek Dismissal of Other Counts

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WASHINGTON, June 3 — Charles W. Colson, formerly one of President Nixon's closest aides, pleaded guilty today to a charge that he attempted to obstruct justice and influence the trial of Dr. Daniel Ellsberg in 1971.

The surprise one-count plea, worked out in the last week

Text of Colson's statement appears on Page 24.

with the office of the special Watergate prosecutor Leon Jaworski, could have major implications or President Nixon's drive to forestall impeachment.

Specifically, Mr. Colson volunteered a plea of guilty to a felony count of obstruction of justice, for which he could receive five years' imprisonment and a \$5,000 fine. In return for the plea, the Watergate prosecutors agreed to seek dismissal of criminal conspiracy indictments against Mr. Colson for his alleged role in the Watergate cover-up and his alleged participation in a 1971 burglary of the office of Dr. Ellsberg's former psychiatrist.

Plea on Other Charges

The prosecutors, in their official statement to the court today, avoided the question of Mr. Colson's involvement in the burglary of the psychiatrist's office. Instead they accused Mr. Colson of attempting directly and criminally to interfere with Dr. Ellsberg's trial, which was thrown out last year because of Government interference.

In a statement to newsmen, Mr. Colson maintained that he was not guilty of the previous

charges filed against him but said he could "in complete conscience" plead guilty to charges that he sought to obtain and disseminate derogatory information about Dr. Ellsberg and his attorneys after Dr. Ellsberg was indicted for the unauthorized possession of the Pentagon papers in June, 1971.

"As a result of this action today," Mr. Colson's statement added, "there may be speculation about my future testimony. I regret that. I can only say that I hope my testimony will be of value to the country and will contribute in some small way to bringing to an end one of the most painful periods in our history."

Although he spoke of a desire "to tell everything I know" about Watergate matters, Mr. Colson refused to discuss his future plans in any detail after his court appearance this morning. A number of highly reliable sources said later that

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the former White House special counsel would "tell the truth" to any and all questions in subsequent meetings with the Watergate prosecutors.

Similarly, Senator Harold E. Hughes, Democrat of Iowa, who has become Mr. Colson's confidante and religious associate, said in a telephone interview this afternoon that Mr. Colson "wants to be free so he can go and tell the whole story in public to the Rodino committee."

An official close to the House impeachment committee, headed by Representative Peter W. Rodino Jr., said it was "likely" that Mr. Colson's testimony would be sought before the inquiry into Mr. Nixon was concluded.

Under the plea arrangement as outlined in a letter made public by Leon Jaworski, the special prosecutor, Mr. Colson would be required to testify if needed, as a witness for the Government in any Watergate trials and — most significantly — "in any and all cases with respect to which he may have relevant information."

Reliable sources also said that Mr. Colson could no longer claim executive privilege or national security to prevent the disclosure of Presidential con-

versations. In addition, the Jaworski letter noted that Mr. Colson's pleading "will not bar prosecution for any false or misleading testimony given hereafter" — making Mr. Colson liable to perjury charges.

Members of the special prosecutor's office were unrestrained in their satisfaction at Mr. Colson's decision to plead, although none would comment for the record.

Among other things, the prosecutors now have before the Supreme Court a far-reaching plea to subpoena 64 Presidential tapes — nine of which involved conversations between Mr. Colson and the President. According to the subpoena the two men talked at least three times on June 20, 1972, the first working day after the Watergate break-in.

Mr. Colson, who is 42 years old, joined the White House staff after Mr. Nixon's 1968 election to work with special interest groups and quickly became known among other things, as a tough-talking "hatchet man."

He was known to have been closely involved with the White House's handling of the so-called milk fund case in 1971 and 1972 and the controversial merger plans of the International Telephone and Telegraph Corporation — two areas of current inquiry by the Watergate prosecutors and the impeachment panel.

Mentioned in Transcript

In the edited transcripts of high-level conversations released by the White House one month ago, both Mr. Nixon and his former chief of staff, H. R. Haldeman, repeatedly expressed concern about Mr. Colson's knowledge.

For example, the transcript for Feb. 28, 1973, shows that President Nixon, after noting that the Democrats suspected the White House of being responsible for the Watergate break-in, said that "they think I have people capable of it. And they are correct, in that Colson would do anything."

In a later meeting, Mr. Haldeman said that he did not think the Senate Watergate committee had more damaging White House material "unless they got Colson stuff — that would be the only area." The President's reply was marked "unintelligible" in the White House transcript.

One effect of Mr. Colson's decision to plead guilty to the felony count would be his disbarment, sources said. Mr. Colson was known to have earned

upward of \$100,000 a year as a lawyer before joining the White House and, upon leaving, took with him the teamsters union legal account.

A number of sources said that Mr. Colson could not begin his discussions with the Watergate prosecutors or the impeachment committee until after his sentencing on June 21, the date set this morning by Judge Gerhard A. Gesell of United States District Court.

The Colson plea came at an open hearing in the Ellsberg case called by Judge Gesell to discuss a number of "national security" subpoenas that had been sought by Mr. Colson and John D. Ehrlichman, another former White House aide, and resisted by the White House and the Watergate prosecutors.

The threat of possible dismissal in the trial over the subpoenas — raised by Judge Gesell during a hearing 10 days ago — evaporated today when the judge expressed his satisfaction with a White House compromise that would permit Mr. Ehrlichman and his attorneys to have full access to Mr. Ehrlichman's personal notes.

Only if the White House refused to supply those portions of the notes deemed relevant to the trial by Mr. Ehrlichman and the court would some sanctions be needed, Judge Gesell said. He also declared, in a reversal of a previous position, that he would permit some "national security" material to be submitted in camera to him for a determination of relevancy.

The judge's comments on the subpoena issue virtually eliminated any hope on the part of Mr. Ehrlichman and his attorney, William C. Frates of Miami, for a quick dismissal in the "plumbers" case.

Last March, a Federal grand

jury indicted six men, including Mr. Colson and Mr. Ehrlichman, for their alleged conspiracy to burglarize the Beverly Hills, Calif., office of Dr. Lewis J. Fielding, who was formerly Dr. Ellsberg's psychiatrist.

The men were part of a White House special investigations unit, known informally as the "plumbers," authorized by Pres-

ident Nixon in July, 1971, and ordered to stop leaks. Its first target was Dr. Ellsberg, who has said he provided the press with the Pentagon papers.

Mr. Colson's decision to plead guilty obviously came as a surprise to Mr. Frates and, a number of sources said, inevitably will increase the pressure upon Mr. Ehrlichman.

Asked after the court session

whether he expected other pleas to be forthcoming, Watergate prosecutor's task force on the plumbers, said to laughter, "We're open from 9 A.M. to 5 P.M."

Mr. Merrill also declared that the talks between his office and Mr. Colson prior to today's announcement were not bargaining. "We weren't giving him anything in return" for

his agreement to talk, he said.

The other remaining defendants are G. Gordon Liddy, a member of the original Watergate break-in team who has pleaded not guilty to the Fielding conspiracy but also has declared he will not testify, and two Cuban-Americans who participated in the break-in, Bernard L. Barker and Eugenio Martinez.