

Prosecutor Reported to Find 26 in Cover-Up Plot

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WASHINGTON, June 21—

The special Watergate prosecutors have decided that a least 26 persons, ranging from President Nixon to the original Watergate burglars, conspired to cover up the Watergate break-in, a number of sources disclosed today.

Seven of the alleged conspirators were indicted last spring. This morning, the sources said, the prosecutors gave defense counsel in the cover-up case a list of 19 unindicted co-conspirators.

President Nixon's name was on the list, as has already been reported, since the grand jury that investigated the cover-up voted to name him an unindicted co-conspirator.

Others Reportedly Named

In addition, several sources said, the list included Herbert W. Kalmbach, the President's personal lawyer; John W. Dean 3d, the President former counsel; Jeb Stuart Magruder, the deputy director of the Committee to Re-elect the President, and various other former campaign aides.

It also includes the names of the seven original defend-

ants in the Watergate burglary case, each of whom was convicted either at trial or by guilty plea for his role in the break-in on June 17, 1972, at the Democratic National Headquarters at the Watergate complex here.

The list of names—17 of which were obtained by The New York Times from various sources—contained no surprises, for all of the individuals identified had been mentioned either at the Senate Watergate hearings, in news accounts or in other proceedings related to Watergate.

However, the list was the first statement by the prosecution of its view of the scope of the cover-up.

Meeting With Defense Counsel

The prosecution declined to make the list public or to comment on it. The sources said that members of the prosecutor's staff provided the list orally at a three-hour meeting with defense counsel.

According to the sources, Leon Jaworski, the special prosecutor, said he did not want to make it public right now, because defense lawyers have asked the Supreme Court not to make public certain

court records relating to the matter.

The defense lawyers have sought to maintain the secrecy because of the danger of publicity that might prejudice their clients' chances to get a fair trial.

An unindicted co-conspirator is someone who the prosecution or grand jury believes participated in the cover-up, but who was not indicted for any of several reasons.

There might be insufficient evidence, or the prosecution may have agreed not to indict a person in exchange for his testimony. A third reason is that the alleged involvement of the individual was minimal.

Mrs. Hunt Named

Another possibility is that the purported co-conspirator is dead. The Jaworski list includes one such person, Dorothy Hunt, wife of E. Howard Hunt Jr., one of the original Watergate defendants. Mrs. Hunt died in a plane crash.

Identification of various persons as co-conspirators is important because of a rule of law called the "con-conspirator rule," which allows the prosecution to introduce statements or acts of an alleged co-conspi-

rator as evidence against the others.

The defense is entitled to a list of co-conspirators for use in preparing for trial.

Other persons on the Jaworski list, the sources said, were Frederick C. LaRue, a former White House and campaign aide, who has pleaded guilty to obstruction of justice; Paul L. O'Brien, attorney for the re-election committee; William O. Bittman, attorney for one of the original defendants; John J. Caulfield, an investigator for the campaign committee, and Anthony T. Ulasewicz, who worked for Mr. Caulfield.

The seven original defendants, all on the list, are Mr. Hunt; James W. McCord Jr., Virglio R. Gonzales, Eugenio R. Martinez, Frank A. Sturgis, Bernard L. Barker and G. Gordon Liddy.

The seven men indicted in the cover-up case are H. R. Haldeman, John D. Ehrlichman, John N. Mitchell, Robert C. Mardian, Kenneth W. Parkinson, Gordon C. Strachan and Charles W. Colson.