

NY TIMES JUN 28 1974
**ST. CLAIR ASSERTS
DEAN'S TESTIMONY
BACKS PRESIDENT**

**Lawyer Tells House Inquiry
Ex-Aide Supported Nixon
on Hush Money Issue**

By **JAMES M. NAUGHTON**
Special to The New York Times

WASHINGTON, June 27 —

Persistent Nixon's defense attorney cited sworn testimony by John W. Dean 3d in attempting today to convince the House Judiciary Committee that the President had committed no wrongdoing that would justify his impeachment.

Republican members of the committee disclosed that James D. St. Clair had buttressed his defense of the President by emphasizing that Mr. Dean had told the Senate Watergate committee last year that the question of a Watergate hush money payment was "left hanging" in a crucial discussion with Mr. Nixon.

Mr. St. Clair underscored the testimony by the ousted White House legal counsel as the President's lawyers began presenting a rebuttal to evidence given by impeachment inquiry lawyers in 18 days of closed hearings that ended last week.

Concessions Still Sought

Meanwhile, Republicans on the committee insisted that the Democrats would have to make concessions on the witness list for the inquiry, an issue that stirred a partisan battle Tuesday night. [Details on Page 14.]

In another development related to Watergate, a jury was sworn for the trial of John D. Ehrlichman, the former Presidential aide, and three other defendants accused of conspiring to break into the office of Dr. Daniel Ellsberg's former psychiatrist. [Details on Page 15.]

Judiciary Committee Republicans generally endorsed the statement of Representative Hamilton Fish Jr. of upstate New York that Mr. St. Clair offered no new evidence today but had used available material in "making the President look good."

Representative Robert McClory of Illinois, the second-ranking Republican, told reporters that "the committee staff's presentation was more impartial." But he said that Mr. St. Clair "did not feel the same obligation to present evidence unfavorable to the President."

Objections From Democrats

Democrats on the panel objected strenuously and persistently in the day-long closed hearing, however, to what they contended were attempts by Mr. St. Clair to draw unwarranted conclusions from familiar evidence.

Moreover, several Democrats said, and Mr. St. Clair later confirmed, that he had not listened to all of the Watergate tape recordings that Mr. Nixon has refused to surrender to the impeachment inquiry.

Democrats sought, heatedly but unsuccessfully, to bar the use by Mr. St. Clair of excerpts from the edited White House transcripts, arguing that Mr. St. Clair could not vouch for their accuracy.

The committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, overruled the objections, however, saying that he would be "very liberal" in permitting the

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White House to offer its rebuttal.

The key point of Mr. St. Clair's initial presentation was, by general agreement of Democrats and Republicans, his concentration on charges that the President had approved or tolerated the payment of \$75,000 of alleged hush money to E. Howard Hunt Jr., a convicted Watergate burglar, on March 21, 1973.

Testimony by Dean

In his opening statement to the Senate Watergate committee last year, Mr. Dean said that he had discussed the hush-money payment with the President on March 13 but that "there was no further discussion of the matter and it was left hanging" when the meeting ended.

Mr. Dean, who was testifying from memory, is said to have conceded following publication of the edited Watergate transcripts that the discussion took place on March 21, rather than eight days earlier.

One Republican, Representative Charles E. Wiggins of California, said that he was concerned because the statement by Mr. Dean had not been included in the evidence presented earlier by the committee lawyers.

According to Mr. Wiggins, unraveling Mr. Nixon's role in the March 21 payment is the "key element" in the impeachment proceeding.

Mr. Wiggins and other Republicans also said that they had been impressed by evidence Mr. St. Clair presented to counter charges that the President had been aware of, and had done nothing about, false testimony by subordinates at Senate hearings in 1972 on the confirmation of Richard G. Kleindienst to be attorney General.

I.T.T. Versions Disputed

Mr. St. Clair told reporters he had offered material to rebut suggestions that Mr. Nixon had been aware that Mr. Kleindienst had been untruthful in his testimony about White House intervention in a Government antitrust action against the International Telephone and Telegraph Corporation.

Mr. Wiggins said that the rebuttal had been contained in an article in The New York Times in which Mr. Kleindienst contended that his testimony had been truthful. Mr. Kleindienst pleaded guilty last month to

the misdemeanor charge of having failed to testify "fully and accurately" at his confirmation hearings.

Representative George E. Danielson, Democrat of California, said after the hearing that he had not found "any persuasive evidence" that would challenge the inquiry staff's presentation.

"I won't say it's not there," Mr. Danielson added, "but I sure as hell didn't see it today."

When the hearing began, Democrats raised a flurry of objections, one after another, to Mr. St. Clair's attempts to read his presentation into the inquiry record.

Possible C.I.A. Role

One Democrat said that there was a mass of evidence indicating that the White House sought to hamper the Federal Bureau of Investigation's initial queries about the Watergate burglary by suggesting the involvement of the Central Intelligence Agency. The Democrat said that Mr. St. Clair had sought to suggest that the F.B.I. rather than the White House had initiated concern about a C.I.A. connection.

After repeated Democratic protests to Mr. St. Clair's presentation, Mr. Rodino ruled that members could reserve the right to object when the White House completed its case and should not keep interrupting.

Representative Elizabeth Holtzman of Brooklyn and several Democratic colleagues said they had also objected repeat-

edly to Mr. St. Clair's use of transcripts when he could introduce recordings as the "best evidence."

Miss Holtzman said:

"I don't know how we can let that continue if [Mr. St. Clair] is in fact sincere, and the President is sincere, in wanting to have us reach a judgment on the best evidence."

She said that if the White House had a recording that "exonerates the President, I for one would like to hear it."

Representative Walter Flowers, Democrat of Alabama, told reporters that Mr. St. Clair had told the committee he had only "spot-checked" various tape recordings, in an attempt to ascertain their accuracy, and had not listened to most of them in their entirety.

Mr. Nixon has defied subpoenas for tapes of 147 conversations. But transcripts that the Judiciary Committee staff has made from 19 other recordings Mr. Nixon has yielded contain numerous variances from the published White House transcripts of the same discussions.

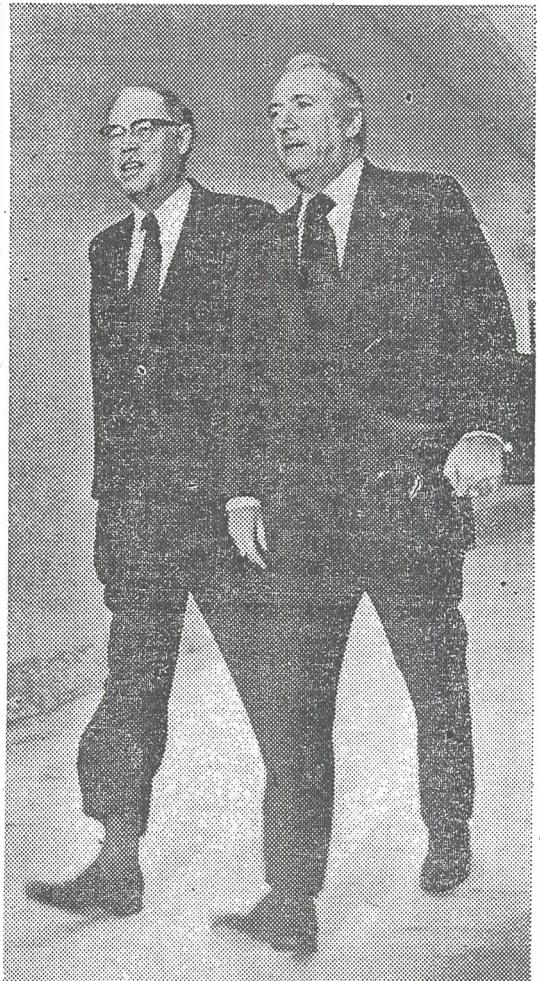
Mr. Flowers said that Mr. St. Clair had told the committee he had not found fault with its own transcripts but that, in the White House lawyer's view, there were few substantive differences.

"I don't necessarily agree with that," Mr. Flowers said.

The hearing today was the

latest indication that partisan differences among committee members, largely subdued in the seven months since the inquiry began, are emerging sharply as the panel nears the final, decisive stage of weighing the evidence.

Some of the party-line splits spilled out of the closed hearing room today.



Left: James D. St. Clair, the President's attorney, arriving for yesterday's hearing of the House Judiciary Committee. Center: John M. Doar, special counsel to

the committee on impeachment, arriving. Right: Peter W. Rodino Jr., right, committee chairman, and Edward Hutchinson, ranking Republican, after a House vote.

Photographs for The New York Times by GEORGE TAMES

Partisan differences among committee members, largely subdued in the seven months since the inquiry began, continued to become evident as the Judiciary Committee neared the final and decisive state of the investigation.

Democrats and Republicans argued angrily at the closed meeting today about Mr. St. Clair's presentation and, in some cases, carried the dispute into the open.

At one point, Representative John F. Seiberling, an Ohio Democrat, was telling reporters in a hallway near the hearing room that he intended to raise a formal objection to what he said was Mr. St. Clair's improper characterization of evidence.

A Republican committee member, Representative David W. Dennis of Indiana, interrupted Mr. Seiberling to declare:

"A majority [of Democrats] has been nit-picking all morning. Now that we're presenting the President's side — or St. Clair is — we're going by the rules of evidence."