

New Nixon Quote Dated Before Event

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A White House transcript of a purported March 22, 1973, Presidential conversation referred to by White House lawyer James D. St. Clair before the House Judiciary Committee Thursday showed President Nixon commenting on an event that did not occur until March 23.

Although it is not clear in the transcript presented by St. Clair to the Judiciary

Committee whether Mr. Nixon is talking about Watergate conspirator E. Howard Hunt Jr. or G. Gordon Liddy, Mr. Nixon said: "That, uh, judge gave him 35 years."

However, no defendants in the original Watergate case were sentenced by Chief U.S. District Judge John J. Sirica until March 23, 1973, one day after the date of transcript that St. Clair read to the Committee.

Hunt was given a provisional sentence of 35 years in prison by Sirica on March 23. Liddy, who is the only person discussed in the March 22 transcript immediately before President Nixon made his remark about the 35-year sentence, received a prison term of six years and eight months from Sirica on March 23.

On March 23, Sirica made public a letter written to him by Watergate conspirator James W. McCord Jr., in

which McCord charged that perjury had been committed at the Watergate trial the preceding January and that higher officials of the Nixon Re-election Committee were involved in the Watergate break-in. McCord's letter signaled the beginning of the end of the Watergate cover-up.

The White House yesterday declined to comment on the apparent discrepancy "The transcript speaks for

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itself," a White House spokesman said. "We won't expand on it."

In his impeachment inquiry defense summation before the Judiciary Committee Thursday, St. Clair used a portion of a March 22 conversation between Mr. Nixon and White House chief of staff H. R. (Bob) Haldeman in an effort to buttress St. Clair's contention that Mr. Nixon had not approved payments of "hush money" to Hunt on March 21.

The 2½-page portion quoted by St. Clair in his summation came from a one-hour, 24-minute Presidential conversation that the Judiciary Committee has tried in vain to obtain from the White House. Mr. Nixon refused to turn that tape and other materials over to the Judiciary Committee on the grounds that he already given the Committee "the full story of Watergate."

According to two Judiciary Committee members who were present, St. Clair interpreted the March 22 conversation as showing that President Nixon had not approved blackmail payments to Hunt or other Watergate defendants. This contention has been the heart of St. Clair's defense of Mr. Nixon in the impeachment proceedings.

However, the transcript portion cited by St. Clair shows Mr. Nixon approved the payment of money, but not blackmail to Hunt. "We do it out of compassion," Mr. Nixon said in the transcript.

One Democratic member of the Judiciary commented yesterday that the transcript, "instead of exonerating him (President Nixon), it's damaging because it shows the guy really is aware, because it shows he had knowledge" that money was paid to the Watergate defendants.

The transcript portion made public yesterday by the White House, purportedly of a conversation dated March 22, 1973, begins in the following manner:

Haldeman: Well—what's the (inaudible)—still the Cubans seem to be the least matter of concern—they're fanatics — and they don't seem to be really too concerned about their (inaudible) and their needs are fairly minimal. And Dean confirms that Liddy—

Liddy is enjoying—Liddy's in jail—he didn't stay out. He just said I want to start serving my term. And he's at Danbury and thoroughly enjoying it. It's a little strange.

President: That uh judge gave him 35 years.

Haldeman: As long as he thinks they are going to be of some help to him some day then he thinks (inaudible) has five kids. And all he is concerned about is that there is enough income to take care of his kids and that's being taken care of right now by his father.

President: Damn it. When people are in jail there is every right for people to raise money for them. (inaudible) and that's all there is to it. I don't think we ought to (inaudible) — there's got to be fund — I'm not being — I don't mean to be blackmailed by Hunt — that goes too far, but for taking care of these people that are in jail — My God, they did this for — we are of compassion . . .

When Sirica sentenced the Watergate defendants on March 23, he gave Hunt a provisional sentence of 35 years in jail, the maximum under the law for the crimes to which Hunt already had pleaded guilty. Sirica later reduced Hunt's sentence to 30 months to eight years and fined him \$10,000, after Hunt cooperated with several Watergate investigations.

Liddy, who has five children, also could have received a maximum of 35

years in prison and a \$40,000 fine, but Sirica gave Liddy a final sentence of six years and eight months to 20 years in jail and fined him \$40,000.

The White House transcripts of President Nixon's conversation with White House counsel, John W. Dean III on Wednesday, March 21, 1973 showed that the conversations that day turned at several points to speculation about the sentencing of the Watergate defendants, with President Nixon being told the sentencing would occur on Friday and that Sirica could give maximum sentences of 50 years. No 35-year reference was made in the March 21 transcript.

"You see, the point is, the reason that time is of the essence, we can't play around with this, is that they're going to sentence on Friday," Mr. Nixon said. "We're going to have to move the God damned thing pretty fast. See what I mean?"

Later in the day, in another conversation with Dean, Haldeman and presidential domestic adviser John D. Ehrlichman, Dean again reminded Mr. Nixon that sentencing would occur on Friday. Dean told Mr. Nixon that Sirica could give the Watergate defendants "provisional sentences" that could be "horrendous."

Discussing the maximum sentences the defendants could receive, Mr. Nixon asked Dean if the maximum was not 30 years imprisonment. Dean told Mr. Nixon that the maximum was "about 50 years."