

How Nixon Balked

At a 'Confession'

Report of Delicate Bargaining

San Clemente

Former President Nixon successfully beat back White House efforts to have him make a full and revealing statement of his role in the Watergate affair in conjunction with his pardon, a reliable source disclosed yesterday.

According to the source, Mr. Nixon was asked by President Ford's lawyers to make what the former President regarded as "a public confession of criminal guilt." He angrily refused, and subsequent negotiations between the two camps caused a delay in reaching an agreement on the eventual pardon.

Not until late Saturday night, after President Ford's representative, Benton L. Becker, a lawyer, had returned to Washington from two days of meetings here, was the conflict resolved in a series of telephone calls, according to a long-time associate of Mr. Nixon.

The former President's statement of gratitude for Mr. Ford's "compassionate act," although more forthright than any he had made previously concerning his involvement in the Watergate scandal, was described as a compromise considerably less contrite than Mr. Ford's lawyers had originally sought. Mr. Nixon, although acknowledging that "I was wrong," did not admit to any criminal acts.

The negotiations at the Casa Pacifica over the pres-

idential pardon, Mr. Nixon's White House documents and tapes and the statement to be issued by him, following a week of preliminary soundings in Washington, began Thursday night when Becker arrived at the nearby El Toro Marine Air Base aboard an Air Force plane and checked in at the San Clemente Inn, a short distance from the Nixon residence. Waiting for him was

Back Page Col. 1

From Page 1

Mr. Nixon's new Washington lawyer, Herbert J. Miller Jr.

According to the Nixon friend who described what he called "the sticky situation" over how Mr. Nixon would respond to the "free, full and absolute pardon," Becker brought with him a rough draft of what the White House would like to have Mr. Nixon say.

Philip W. Buchen, chief White House counsel for Mr. Ford, had instructed Becker to explain that a revealing statement of Mr. Nixon's Watergate role was essential, including an acknowledgment of responsibility for the scandal.

Only in this manner, Mr. Nixon and his assistants were told, could Mr. Ford's action be justified. Nothing less, it was added, would satisfy and protect members of Congress, particularly Republicans up for re-election, who had voted for Mr. Nixon's impeachment on the House Judiciary Committee or had been prepared to support the committee's impeachment bill on the House floor.

The informant, who has

visited Mr. Nixon at the Casa Pacifica several times since Mr. Nixon's arrival a month ago, said the White House representatives proposal for "a frank statement of involvement and contrition" resulted from consultations that Buchen initiated

at Mr. Ford's direction on August 30. These included advice from the special Watergate prosecutor, Jeon Jaworski, and Justice Department officials. In Washington, Jaworski said he had not been consulted about the pardon, only about how much time might elapse before Mr. Nixon might be assured of a fair trial, if indicted.

However, Becker informed Mr. Nixon and Miller that Mr. Nixon "very likely would be indicted" if no immediate pardon were forthcoming.

The question over Mr. Nixon's statement arose almost at the outset when the lawyers began their conference at the Casa Pacifica at 9:30 a.m. Thursday, with Ronald L. Ziegler, adviser and former White House press chief for Nixon, participating.

Ziegler's concern over the depth and detail of what Buchen wanted Mr. Nixon to say about the criminal aspects of Watergate brought Mr. Nixon into the conference for more than an hour.

Mr. Nixon was reported to have reacted with a display of anger, embarrassing to some of the others in the room, when he received the proposed outline brought by Becker.

It was then, according to the informed source, that he termed it a "public confession of criminal guilt" and stated that he would not issue it in that form.

The debate over the statement was broken off temporarily and the less thorny question of custodianship of the Nixon White House documents and tapes was worked out while Becker made a series of telephone calls to Buchen in Washington. Mr. Nixon signed the general pardon agreement late Friday. 6 SEP

The telephone calls continued through Friday and Saturday. A report that they included one conversation between Mr. Nixon and Mr. Ford could not be confirmed.

Ziegler, in opposing the statement as originally proposed, argued that it would place Mr. Nixon in legal jeopardy, even though he had been granted presidential immunity from federal prosecution for Watergate and other possible offenses.

He said it might, for example, lay Mr. Nixon open to difficulties in the forthcoming trial of his former domestic affairs counselor, John D. Ehrlichman, scheduled to begin September 30.

Also, Ziegler argued that it might be used as a basis for prosecutions in California or Florida where some of the Watergate transactions occurred. He said it might lead to Mr. Nixon's disbarment from legal practice in California and make difficult his defense against possible civil law suits.

The conference broke up at 4 p.m. Saturday and Becker returned to Washington with a firm agreement on the Nixon White House files and tapes but only "the general substance" of what Mr. Nixon proposed to say.

Before leaving, Becker was understood to have advised Mr. Nixon, Miller and Ziegler that Buchen still hoped for a "stronger" statement.

After Becker's return to Washington and his report to Buchen and the President, discussion of the Nixon statement continued in a series of telephone calls between Ziegler and Becker.

"Mr. Ziegler until quite late Saturday evening, was calling Washington seeking approval of further changes," the informant said.

Buchen and Becker objected to many of the requested

changes, but the final result was a compromise, less strong than the President's advisers had hoped for but going beyond what Ziegler had asked. Earlier, the White House lawyers had objected to the fact that Ziegler's drafts, while seeming to make a frank admission in one paragraph, would withdraw or soften it in a later paragraph.

At Mr. Nixon's office at

Casa Pacifica, his aides refused to accept reporters' telephone inquiries yesterday about events leading up to the pardon or Mr. Nixon's 250-word response.

New York Times