

Ex-Aides 'Urged Nixon to Tell All'

Washington

John D. Ehrlichman and H. R. Haldeman contended in legal papers made public yesterday that they urged former President Nixon in the summer of 1972 to make "a full and complete disclosure" of the Watergate affair.

The papers, in which the two former Nixon aides also made numerous other assertions, seek to place much of the blame for the Watergate coverup on Mr. Nixon, who cannot be prosecuted for it because of his pardon by President Ford.

Haldeman and Ehrlichman are among five former White House and Nixon campaign aides on trial in the Watergate case. They made their assertions in an effort to show that they need Mr. Nixon's testimony for their defense, saying, in effect, that Mr. Nixon would help to prove their innocence.

Judge John J. Sirica impaneled a jury of nine women and three men for the trial yesterday. The Haldeman and Ehrlichman papers had been placed under seal during jury selection, lest press reports prejudice the jurors.

Yesterday afternoon, though, the jury having been sworn and sequestered, and opening arguments scheduled for Monday, Sirica unsealed the Haldeman and Ehrlichman papers and a number of other court documents as well—including two motions by Mr. Nixon to quash subpoenas commanding his presence at the coverup trial.

Mr. Nixon, who had been subpoenaed by both the special Watergate prosecutor and by Ehrlichman — and who is apparently in the process of being subpoenaed by Haldeman — argued that

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his health prevented his appearance.

He also argued that testimony and documents sought by Ehrlichman were covered by executive privilege — the same argument he had made during the lengthy battles over subpoenas for White House tape recordings.

Sirica said that the lawyers in the case — who had also been barred from seeing the Nixon motions until yesterday — would have until Wednesday to file responses and that a hearing would be held subsequently.

A member of the Washington law firm representing Mr. Nixon said last night that lawyers there had not yet seen the Haldeman and Ehrlichman papers and that the firm could not comment on the assertions in them.

Mr. Nixon admitted last August — in a statement that led to his resignation — at least some responsibility for the coverup, saying that six days after Watergate he ordered a halt to the investigation of the break-in for political as well as national security reasons.

His defenders, however, have generally placed much of the blame on White House and campaign aides.

The Haldeman and Ehrlichman documents made public yesterday, technically, were requests to Judge Sirica for a postponement of the trial so that the two defendants could take Mr. Nixon's testimony by deposition.

The defendants, who filed their requests separately, argued that Mr. Nixon would probably be too ill to testify in person at the trial. They said that they would thus have to take depositions, but that Mr. Nixon's health prevented them from getting the depositions immediately — and that as a result since the testimony would be "exculpatory," they should not have to go to trial without first getting it.

Ehrlichman — who said he wanted to take deposition on video tape — filed his motion several weeks ago, and Sirica's office disclosed that the motion had been denied.

Haldeman filed his this week, on Wednesday, and it is pending.

Whatever the outcome, though, Haldeman's motion, like Ehrlichman's, appears to forecast the type of defense that will be presented at the trial.

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