

Nixon Told Early Of Impeach Peril

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Washington

A deeply worried President Nixon was told in April, 1973, that John W. Dean's disclosures might lead to his impeachment "on the ground that you committed a crime."

Mr. Nixon reacted by working out a story to protect himself.

"I have got to put the wagons up around the President," Mr. Nixon was heard telling top aide H. R. Haldeman on a tape recording of April 25, 1973, played yesterday for the Watergate cover-up trial jury.

Ironically, what seemed to concern Mr. Nixon most was that Dean might have taped a conversation a month earlier, on March 21, when they discussed the blackmail money demands being made on the White House by convicted Watergate burglar E.

Howard Hunt Jr.

"I just wonder if the son-of-a-bitch had a recorder on him," Mr. Nixon said. "I didn't notice any, but I wasn't looking."

The playing of four recordings, none made public previously, ended the government's use of tapes as its chief witness against Haldeman, John D. Ehrlichman, John N. Mitchell, Robert C. Mardian and Kenneth W. Parkinson — all charged with conspiring to cover up White House involvement in the Watergate affair.

Dean, who had been the President's counsel throughout the Watergate turmoil, had gone to prosecutors early in April, 1973, to tell his story.

Part of that story was that Mr. Nixon had said in the March 21 conversation that

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there would be no problem in raising a million dollars to keep the Watergate defendants quiet.

In the first of three April 25 conversations played for the jury, Ehrlichman told Mr. Nixon, "I think it's entirely conceivable that if Dean is totally out of control and if matters are not handled adroitly that you could get a resolution of impeachment in the Senate."

Mr. Nixon said: "That's right."

Ehrlichman continued: "On the ground that you committed a crime and that there is no other legal process available to the United States people other than impeachment. Otherwise, you have immunity from prosecution."

"Right," said Mr. Nixon.

Ehrlichman said, "You get down to a point where you've got John Dean prancing in there and saying the President said this and the President said that . . . I think the only way that I know to make a judgment on this is for you to listen to your tapes and see what actually was said then, or maybe for Bob (Haldeman) to do it or somebody. See what was said in there and then analyze how big a threat it is."

Mr. Nixon sent Haldeman to listen to the March 21 tape, and the recording of Haldeman's report to Mr. Nixon was played for the jury.

"Well, I say though that . . . we can get the money," Mr. Nixon said.

"Okay, but you didn't do it," Haldeman replied. "You're drawing Dean out on what he's talking about here."

Mr. Nixon: "You have to know exactly what he has."

Haldeman: "And the conclusion, in fact, was don't do it. You can't do it."

Mr. Nixon, with a sigh responded, "It's not a good

story, best we can . . ."

Haldeman said. "You're trying to see how far it goes . . . you do that all the time but that doesn't mean that your statement is . . ." The rest of the words are unintelligible.

"I said a million dollars," Mr. Nixon responds. "With a million dollars . . . clemency . . . that's an incriminating thing. His word against the President's."

Together the President and Haldeman go over the Hunt demand again.

"You said, 'We could get the money, we can get it in cash. I know where it could be gotten but the question is who can handle it,'" Haldeman related.

Haldeman recalled for Mr. Nixon that he had said that Dean's major problem was to control Hunt "because he knows so much . . . you said you've got to keep the cap on the bottle that much . . . either or let it all blow right now."

Mr. Nixon's response at that point was: "That's not a bad line for me at that point, is it? Political or is it gonna come down."

Haldeman: "I don't think so. You're smoking him out on what he thinks the alternatives are."

Mr. Nixon: "Yeah."

Haldeman: "You're pumping him."

Haldeman told Mr. Nixon that he had told Dean that he was not sure clemency could be delivered for the Watergate defendants, particularly not before the 1974 elections.

"Dean said it may further involve you," Haldeman told Mr. Nixon and added, "You said yes and it would be then it's wrong."

Mr. Nixon responded: "That's not bad."

Haldeman again stresses that the clemency never happened and that Mr. Nixon would not be vulnerable on the point and Haldeman suggests that the Nixon statement, "We've got to keep the cap on the bottle, we've got to take care of Hunt" would raise many questions.

"You may be pushing him there to find out whether he has set up a system of delivery and all that, which he

didn't," Haldeman warns.

And Mr. Nixon responds, "What I'm really setting up there, putting the best light on a bad situation, is basic, basically, I'm saying 'well, get the money but we should try to cut it off and so forth but how do you do it.'"

By then Mr. Nixon has come around to the idea that the cover story should be that he was trying to draw out Dean, "trying to get the facts, the truth."

A few hours after the March 21 conversation, Hunt received an envelope with \$75,000. Two days later Hunt, who had pleaded guilty in the Watergate affair, was given a provisional sentence of more than 35 years, later reduced to 2½ to 8 years.

Toward the end of the conversation Mr. Nixon still wasn't clear on what he had said no to in the March 21 conversation. "I said that's wrong, didn't I, wrong on clemency . . ." he said to Haldeman.

"No, the chief of staff replied, "you said getting the money was wrong."

That phrasing caused both Mr. Nixon, in the last months of his presidency, and Haldeman a great deal of trouble. In public statements Mr. Nixon defended the quotation by saying he was referring both to clemency and money for Hunt. In one news conference he said "I know what I meant."

In fact, on April 25, Haldeman told Mr. Nixon that in his listening to the tape, "I don't think you felt that clemency was wrong. I think you felt you had some justification for clemency on Hunt."

Again the President and Haldeman talked about the March 21 conversation and Mr. Nixon said, "I have got to put the wagons around the President on this particular conversation."

In early evening Mr. Nixon telephoned Haldeman and talked about the possibility of Dean's having a tape recording.

Haldeman tells Mr. Nixon that if Dean had no tape recording he would have to rely on his own records and Mr. Nixon replies, "On that we'll destroy him. It's his

word against . . . the President's."

And then the President says, "Who the hell is going to believe what he's going to say now and he's saying it now for what purpose? He's going to be of course saying,

'well, they're making me the scapegoat and all the rest, and therefore I'm going to tell all.'

Mr. Nixon said, "If he's going to have this pissing contest . . . all right, bring it out and fight it out and

it'll be a bloody Goddamned thing . . . and we'll survive and some people you'll even find (unintelligible) in Mississippi you'll find a half dozen people that will be for the President."

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