

EHRLICHMAN SAYS HE WAS TOLD MITCHELL CHOSE 3 SITES TO BUG; ERVIN MAY SUBPOENA NIXON LOG

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TESTIMONY GIVEN

Ex-Presidential Aide Says Magruder or Dean Was Source

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By ANTHONY RIPLEY

Special to The New York Times

WASHINGTON, June 5 — Former Attorney General John N. Mitchell personally chose three sites, including the Watergate complex, for electronic bugging of the Democrats in 1972, according to information that John D. Ehrlichman said he gathered for President Nixon earlier this year.

The information, Mr. Ehrlichman testified, was supplied to him by Jeb Stuart Magruder, who was second in command at

Excerpts from Ehrlichman's
civil deposition, Page 34.

the Committee for the Re-election of the President, or John W. Dean 3d, former counsel to the President as such, it was hearsay.

Mr. Ehrlichman's statement was taken under oath as testimony in the Democratic party's \$6.4-million damage suit against the Committee for the Re-election of the President in connection with the break-in at the party's national headquarters in the Watergate office and apartment complex last June 17.

Taken in May

The 187-page deposition was taken in private on May 22 and 23 and released today. Mr. Ehrlichman, before his resignation, was assistant to the President for domestic affairs. He was regarded as one of the most powerful men on the President's staff.

In the deposition Mr. Ehrlichman said that an electronic bugging plan had been put forward by Mr. Dean and G. Gordon Diddy, a convicted Watergate burglar, and accepted by Mr. Mitchell, who resigned as At-

torney General to head the re-election committee.

He said Mr. Mitchell had personally circled or checked off three targets on a list handed to him—Watergate, Senator George McGovern's headquarters in Washington and the Democrats' national convention headquarters at the Fontainebleau Hotel in Miami Beach.

Said He Rejected Plan

In his extensive answers to questioning by one of the Democrats' lawyers, Maurice Dunie, Mr. Ehrlichman commented on a number of major figures in the Watergate scandals, generally laying blame at the feet of Mr. Mitchell, Mr. Dean and Mr. Magruder.

Any role by the President in Watergate, if there was one, was never directly discussed in the interrogation. Mr. Ehrlichman pictured Mr. Nixon as generally unaware of the events that led up to Watergate.

However, Mr. Ehrlichman

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said, Mr. Dean had been asked, in his role of handling political matters for the White House, to watch the criminal investigation as it developed after the break-in. Mr. Dean, he said, had reassured the President's staff that there had been no White House involvement.

But when the Senate Watergate committee began its investigation, Mr. Ehrlichman said, the White House reopened its inquiry.

He said that he and H. R. Haldeman "pressed continually" for a written report on Mr. Dean's investigation and Mr. Dean said he "just couldn't get to it." Mr. Haldeman also resigned recently as a major Presidential aide.

Mr. Ehrlichman went on:

"Finally, the President said, 'We will send him to Camp David and have him hole up there until he can produce it.' So, on about the 22d of March, I guess it was, he went to Camp David. He was their for six days. He came down on the night of the 28th and delivered nothing.

"It was within 24 hours after

that that the President relieved him."

President's Suspicions

Mr. Ehrlichman added:

"The President called me in on the 30th and said, 'My suspicions [of Mr. Dean] are crystallized and I want you to get into this.'

"He said it was evident to him at that point that Dean was in the thing up to his eyebrows. The President, incidentally, had a number of conversations with Dean starting, I think, the last week in February and running through the time that he was sent to Camp David."

He said that while the President's suspicions about a cover-up were growing, he and Mr. Haldeman "generally tried to avoid learning too much" about the situation.

He said he could picture himself in the office of a lawyer for the Democrats "and being asked for something that somebody had inadvertently told me, and so I didn't run around with a butterfly net trying to collect facts" during the early stages of the President's growing suspicion about Mr. Dean.

For the most part, however, Mr. Ehrlichman's deposition dealt with matters that occurred before the 1972 break-in at Watergate.

Early "Prospectus"

He said his former assistant, John J. Caulfield, came to him 18 months before Watergate with "a prospectus for the creation of a private detective agency, [which] is about the best way I can describe it, which he proposed to have the Government go out and form."

He said the idea was to "contract with the Presidential campaign" and that he was shopping around for a sponsor.

Mr. Ehrlichman said, "I gave him this prospectus back and sent him on his way."

He said proposals for intelligence gathering went back to 1971 and a project he identified as "Sandwedge" but did not explain.

He said that when Mr. Magruder became worried about the widening Watergate investigation in early April, he outlined in detail a number of proposals that went to high officers of the Committee for the Re-election of the President.

A number of earlier proposals "would surface and die" tracing back to 1970, he said.

He said Mr. Magruder outlined a series of at least three meetings attended at various times by Mr. Mitchell, Liddy, Mr. Dean, Mr. Magruder and Frederick C. LaRue, an aide at the re-election committee.

Plan in January, 1972

The first presentation made by Liddy for "establishment of an information and intelligence gathering facility" was presented at a meeting of all but Mr. LaRue in January, 1972, he said.

"This was so grandiose and so extreme in its concept that it was rejected by the other three gentlemen out of hand," he said.

Mr. Ehrlichman said it was called the \$1-million plan. A second, modified proposal, called the \$500,000 plan, was also rejected by the same three.

The money figure related to the cost of the plans, he said.

The group was asked to work out another proposal, Mr. Ehrlichman said.

Mr. Magruder and Liddy, who were working on the plans, were not getting along and, according to Mr. Ehrlichman, Mr. Magruder said at one point that Liddy had threatened to kill him.

He was also undecided on whether to go ahead with the bugging proposals, Mr. Ehrlichman said.

At that time Mr. Magruder said to Mr. Ehrlichman that he had received a telephone from

Charles W. Colson, then special counsel to the President, urging him to go forward with the intelligence gathering operations. However, Mr. Ehrlichman said, it was his understanding that at no point did Mr. Colson recommend illegal activities.

The final plan was presented to Mr. Mitchell in Florida in March, 1972, and was for \$200,000 to \$250,000, Mr. Ehrlichman testified.

At that meeting he said, Mr. Mitchell was said to have indicated the bugging sites. He described it this way:

"This is based either on a conversation which Mr. Dean had with Mr. Mitchell—or Mr. Magruder had with Mr. Mitchell and reported to Mr. Dean—one or the other and I can't recall which."

He said it was "that the proposal for the electronic surveillance of the three locations was a written proposal and that Mr. Mitchell had actually in writing selected those premises

which were to be bugged from a number of choices."

He said he recollected that Mr. Dean told him later he had confronted Mr. Mitchell and Mr. Mitchell agreed it had happened that way.

"Do you mean that Dean told you that Mitchell had actually signed a piece of paper in which the subjects or objects of electronic surveillance were proposed, thereby indicating his approval of the project?" the Democratic lawyer, Mr. Dunie, asked.

"Not necessarily signed. But in writing indicated his choices by circling or checking or some other way selecting his choices," Mr. Ehrlichman replied.

He said that when the bugging went into effect, the reports appeared in summary form under such code names as

Gemstone, Sedan Chair, Ruby and Crystal. He said that some reports went to Gordon C. Strachan, an assistant to Mr. Haldeman.