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# Gray quoted on burning of files

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L. Patrick Gray, acting director of the FBI, was told by John W. Dean 3d, presidential legal counsel, to destroy classified documents taken from the White House safe of one of the Watergate defendants after the bugging raid, congressional sources said yesterday.

According to these sources, Mr. Gray is about to give testimony before the grand jury probing the Watergate case which will link not only Mr. Dean—the man first appointed by the President to investigate the raid on Democratic headquarters—but John D. Ehrlichman, top domestic adviser to Mr. Nixon, with the burning of sensitive papers from the safe

of E. Howard Hunt, convicted conspirator.

Mr. Gray reportedly has told Henry Peterson, assistant attorney general, appointed last week to head the new presidential investigation of Watergate, that it was in Mr. Ehrlichman's White House office on June 19, 1972—two days after four employees of the Committee for the Re-election of the President were captured at the Watergate—that Mr. Dean gave him the files taken from Hunt's safe.

Mr. Gray allegedly related that Mr. Dean's instructions—given in Mr. Ehrlichman's presence—were that these files "should never see the light of day."

Mr. Dean was said to have described them as "highly sen-

sitive, classified national security documents of political dynamite." What the files turned out to be were fabricated cables relating to the complicity of the late President John F. Kennedy in the assassination of South Vietnamese Ngo Dinh Diem in 1963. These cables apparently had been concocted by Hunt in order to discredit Senator Edward M. Kennedy if he should win the Democratic nomination.

A dossier was apparently being compiled for use against Senator Kennedy—stressing his involvement in the fatal automobile accident at Chappaquiddick in which a secretary was drowned.

The congressional sources asserted that Mr. Gray had

told Mr. Petersen that before the meeting in Mr. Ehrlichman's office he had been told of a conversation between Mr. Dean and Mr. Ehrlichman. According to his accounts, Mr. Dean had told him that Mr. Ehrlichman had said, "John, you go across the river every day. Why don't you drop these blankety-blank things in it?"

Mr. Gray reportedly "acted in blind faith," obeying the instructions of the White House counsel and burning the documents after being assured by Mr. Dean they had nothing to do with the Watergate raid.

"Mr. Gray was set up as the greatest patsy of all time, because he really didn't believe

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that people in the White House would do anything criminal or illegal," said one Capitol Hill source.

It was not until two days ago, allegedly, that Mr. Gray discovered that a request made to him by Mr. Dean that he turn to the White House FBI raw files on the Watergate investigation had at that time been turned down by both Richard J. Kleindienst, the Attorney General and Mr. Peterson.

Despite their refusals, Mr. Dean took his request directly to Mr. Gray, who apparently considered the White House counsel his superior and acceded to his request.

At the recent Senate Judici-

ary Committee hearing, Mr. Gray testified that he had turned over 82 FBI raw files to Mr. Dean, even though he admitted that the counsel had "probably lied" to agents investigating the Watergate case.

Repeatedly during those hearings, Mr. Gray said he viewed Mr. Dean as the counsel to the President of the United States and that as such he had faith that he (Mr. Dean) would indulge in no wrong-doing.

"He had blind faith—now he is surprised, shocked and bitter," said a friend of Mr. Gray.

A Justice Department spokesman, asked last night for reaction to the alleged revelations about the acting FBI director, said: "No comment."