

Dean Vows He Won't Be 'Scapegoat'

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

Presidential counsel John W. Dean III declared yesterday that he will not allow himself to become a scapegoat in the Watergate case.

Immediately following his statement, there were reliable reports that Dean is prepared to tell a federal grand jury all he knows about the Watergate bugging and that he will allege there was a cover-up by White House officials.

Dean's assertion came less than 12 hours after The Washington Post quoted sources who said that former presidential aide Jeb Stuart Magruder had implicated both Dean and former Attorney General John N. Mitchell in the bugging of Democratic Party headquarters and in payoffs to buy the silence of the Watergate defendants. Mitchell yesterday called the report nonsense.

An associate of Dean who made it clear he was seeking to have Dean's version of events made public told The Post yesterday that Dean will implicate people "above and below" himself.

Two associates said that Dean intends to swear under oath that White House chief of staff H. R. Haldean actively participated in a cover-up to hide the involvement in the bugging of presidential aides.

Dean's declaration that he will not become a scapegoat in the Watergate case came in a statement issued through his office, apparently without the knowledge or consent of superiors in the White House.

Afterward, presidential press secretary Ronald L. Ziegler delivered what was widely regarded in the White House as a rebuke to Dean, stating that President Nixon is searching for the truth in the Watergate case, not scapegoats.

At a news conference, Ziegler for the first time made no effort to defend Dean and, to the contrary, appeared to say that the presidential counsel was no longer engaged in important work at the White House, Washington Post Staff



JOHN W. DEAN III
... preliminary hint

Writer Carroll Kilpatrick reported.

Pressed as to whether Dean was carrying on his regular duties, Ziegler said that "he's in his office . . . attending to business, of some sort."

The associates and two other sources insisted that Dean is being made a sacrificial lamb and contended that President Nixon began his personal investigation of the Watergate case only after Dean came to him last month and said there had been a cover-up.

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WATERGATE, From A1

There were also these additional developments yesterday related to the escalating Watergate affair:

- A Washington attorney said that, a day after the Watergate break-in, an unnamed client took eight cartons of materials—including plans to bug the Democrats headquarters—from the White House office of convicted Watergate conspirator E. Howard Hunt Jr. and hid them.

- The head of the Justice Department's criminal division, Assistant Attorney General Henry E. Peterson, was placed in charge of the federal Watergate investigation as Attorney General Richard G. Kleindienst disqualified himself from further involvement. Kleindienst said he withdrew, because of "close personal and professional relationships" with new suspects in the case.

- Sen. Sam J. Ervin (D-N.C.), chairman of the Senate's Watergate investigating committee, said the panel's hearings may have to be delayed if key witnesses are indicted in the near future. (Details on Page A14.)

In a statement telephoned to newspapers at 11:45 a.m. yesterday, Dean said:

"To date I have refrained from making any public comment whatsoever about the Watergate case. I shall continue that policy in the future because I believe the case will be fully and justly handled by the grand jury and the Ervin select committee. It is my hope, however, that those truly

interested in seeing that the Watergate case is completely aired and that justice is done will be careful in drawing any conclusions as to the guilt or involvement of any person until all the facts are known and until each person has had an opportunity to testify under oath in his behalf. Finally, some may hope or think that I will become a scapegoat in the Watergate case. Anyone who believes this does not know me, know the true facts, nor understand our system of justice."

One close associate of Dean said yesterday that Dean is prepared to tell a federal grand jury that whatever role he might have played in the Watergate case came as a result of orders from superiors in the White House. The associate insisted that, despite allegations to the contrary, Dean had no advance knowledge of the Watergate bugging.

"The truth of the matter is fairly long and broad," this associate said, "and it goes up and down, higher and lower. You just can't make a case that . . . this was John Mitchell and John Dean"—an apparent reference to statements by Jeb Magruder implicating the two.

"John welcomes the opportunity to tell his side of the story to the grand jury," the associate continued, adding: "He's not going to go down in flames for the activities of others."

Meanwhile, Washington attorney Peter H. Wolf added

new mystery to the Watergate investigation yesterday by saying that a client of his had taken eight cartons of materials from convicted Watergate conspirator Hunt's office the day after the Watergate break-in last June and had held on to them until just before the election.

Wolf said, that included in the boxes were the "plans to 'bug' the Watergate" as well as contributors' lists that were later "turned over by the Committee (for the Re-election of the President) in the litigation instituted by Common Cause."

In that suit, Common Cause was attempting to get the re-election committee to disclose its list of contributions made before April 7, 1972.

In his motion filed in U.S. District Court, Wolf did not identify his client other than to say he "worked for the Committee for Re-election of the President."

The lawyer also did not disclose who had given his client the orders to pick up the materials and hide them.

Wolf said the client had come to him to ask "whether he was in danger of violating any law if he had hidden in his possession approximately eight cardboard cartons containing, among other things, the contents of Hunt's desk in the White House before the FBI got there, including plans to 'bug' the Watergate."

The attorney said he had urged his client to "turn over these documents to people conducting investigations of the Watergate matter."

He said his client "indicated a possible willingness to do so and authorized me to ascertain the possibility of obtaining compensation to offset any potential harm to him."

Wolf said that his client came to him late last summer and "very shortly after this . . . I telephoned principal assistant U.S. Attorney Earl J. Silbert and received from him an opinion that he did not think my client was committing any crime."

Silbert responded yesterday that Wolf's motion was "preposterous." Silbert said Wolf's "implication that evidence of this nature would be ignored (by me) is incredible."

Silbert said the conversation last summer involved the propriety of Wolf's client turning over materials relevant to the Common Cause suit and that no mention was made of

where the materials came from.

"It was only a few days ago that Mr. Wolf disclosed to us that his anonymous client had obtained these documents from Mr. Hunt's office," Silbert said.

Wolf said his client "had been asked" by an unnamed party to pick up the cartons from Hunt's office in the Executive Office Building and "that a pass would be waiting for him at the guard entrance, that no questions would be asked when the cartons were removed from the building, and none were."

Hunt's attorney, William O. Bittman, said yesterday that Hunt "to the best of my knowledge, didn't have any documents in his office except in the safe." He said he was unaware of Wolf's allegations.

Prior to the Watergate trial in January, there were published reports that some items that had been in Hunt's office had not been among the items Dean had turned over to the FBI a week after the Watergate break-in.

Chief among the missing items were two notebooks that were understood to contain information that could be used to implicate others in the Watergate plot.

Meanwhile, Sen. Robert C. Byrd (D-W. Va.), speaking at the Washington Press Club, said yesterday that the President should fire Dean immediately and that Mr. Nixon must bear responsibility for waiting until he was "driven by events" to acknowledge that apparently some White House aides were involved in the Watergate affair.

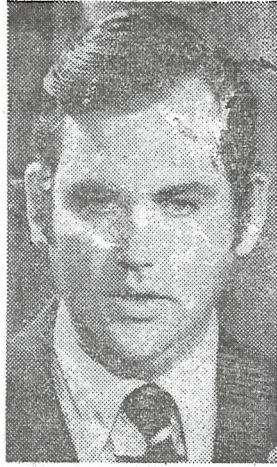
Emphasizing that he does not believe that Mr. Nixon knew of or approved the bugging incident, Byrd said that Dean should resign "out of loyalty to the President."

"But I don't think Mr. Nixon ought to wait for him to resign," Byrd said. "I think he ought to clean him out . . . It ought to have been yesterday, the day before, weeks ago."

Byrd, the Senate majority whip, was a leader in the Senate fight to prevent confirmation of the President's appointment of L. Patrick Gray III to be permanent director of the FBI. It was during the Gray confirmation hearings that criticism of Dean's role in the White House investigation of the Watergate affair was first made.

Byrd noted that the President turned over the White House probe of the incident to Dean and as late as March 28 expressed "absolute confidence" in Dean.

"I think the President has to bear responsibility for the full



RONALD L. ZIEGLER
... implies rebuke

investigation, has to bear responsibility for taking (Dean's) word at face value and bears responsibility for waiting until the last minute when he was driven by events to make the confessions he has now made—that apparently someone in the White House is involved," Byrd said.

Byrd said he believes the most damaging aspect of the Watergate case was "the apparent effort to cover it up." "I am very sorry," he said, "that events had to overtake

Mr. Nixon almost to the extent of the rug being pulled out from beneath him before he reached a conclusion that apparently most people in this country, Republicans and Democrats alike, reached a long time ago.

"I think it goes to the very integrity, not only of the office of the presidency but also of the political process itself. It's a very serious and tragic thing, and not only Mr. Nixon will suffer but we all have been hurt and will suffer therefrom."

In another development, an aide to Sen. Lowell P. Weicker, Jr., (R-Conn.) said yesterday that a locked filing cabinet in his (the aide's) office containing records of investigations into the Watergate case and related matters apparently was opened during the night.

William Wickens, a counsel to Weicker, said it was impossible to determine immediately whether anything was missing from the cabinet but that it was possible some of the records might have been photographed or copied. A Xerox machine is located about 5 feet from the cabinet, Wickens said.