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Dean Asks Immunity for Testimony

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Washington

White House counsel John W. Dean III, has told federal prosecutors he will not testify about the alleged wrongdoings of his colleagues John D. Ehrlichman and H. R. Haldeman without being granted immunity from further prosecution, sources close to the Watergate case said yesterday.

Dean's refusal to testify before the grand jury without an assurance of immunity would put him in opposition to President Nixon. The President said on April 17 that no individual holding "a position of major importance in the administration should be given immunity."

Dean's stand also poses an immediate problem for the three assistant U.S. attorneys prosecuting the case — whether or not to indict and attempt to convict Dean now and grant him immunity after conviction to learn what he knows of misconduct by higher officials in the White House.

That procedure, which was followed during last

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year's original Watergate investigation, could delay for months the inquiry into the roles of Haldeman and Ehrlichman.

Dean's attorney, Robert C. McCandless of Washington, refused to comment on the report that his client is seeking immunity.

APPROACH

Dean is known to have approached federal prosecutors in early April — before the recent avalanche of disclosures — and told them some details of his role in the espionage and bugging activities.

Dean's friends and associates have told newsmen that he has evidence linking both Haldeman and Ehrlichman to a project to obstruct the federal inquiry into the break-in last June at the Democratic National Committee headquarters in the Watergate complex.

It apparently was one of Dean's disclosures to the prosecutors that led to Thursday's revelation that L. Patrick Gray III, the acting director of the FBI, had destroyed documents belonging to a Watergate participant after a meeting with Dean and Ehrlichman in the White House.

DELAY

The prosecutors have refused to discuss any aspects of the grand jury proceedings, but other sources said that the lack of testimony from Dean and another key witness, Jeb Stuart Magruder, the former deputy director of the Committee for the Re-election of the President, has apparently delayed the investigation.

In his statement on the Watergate inquiry last week, Mr. Nixon said there have been "major developments" in the case, a remark that was widely taken as a reference to pending indictments.

Haldeman is known to be under the current grand jury investigation to determine whether his office had a role in the initial bugging operation or in any subsequent attempts to obstruct

the inquiry.

In addition, the grand jury is trying to learn whether some of the information obtained through the illegal wiretaps was transmitted to the White House.

TESTIMONY

There is some evidence that the grand jury, despite the lack of direct testimony from Dean and Magruder, is proceeding with its case against Haldeman. Thursday it heard testimony from Hugh W. Sloan Jr., a former re-election committee official, who has acknowledged sending \$350,000 in cash to Haldeman's office on the day before the new federal campaign spending law went into effect. The money was never reported, as required by federal law.

It could not be learned whether Magruder has appeared before the grand jury. His attorney, James J. Bierbower, denied a report that his client is seeking immunity, but he refused to rule out the possibility that Magruder might have appeared before the grand jury and invoked his Fifth Amendment right against self-incrimination.

MITCHELL

Magruder reportedly has told the federal prosecutors that former Attorney General John N. Mitchell and Dean approved the bugging of Democratic headquarters during a series of meetings in early 1972. Mitchell and Dean have denied it, and one knowledgeable source said the question of who authorized what would eventually "have to be decided by a jury."