

Sirica Holds Dean Papers Brought From Bank Vault

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WASHINGTON, May 14— Chief Judge John J. Sirica of the United States District Court here took possession today of papers purportedly relating to the Watergate case despite a request by the White House that they be returned. p.u. 2d graf beginning "The papers were"

The papers had been taken from the White House by John W. Dean 3d, the ousted Presidential counsel, and placed in a safe deposit box in a suburb bank. The White House, arguing that they belonged to the President, had demanded their return.

Judge Sirica ordered, however, that they be turned over to his clerk and that copies be made available both to the prosecution in the case and to the Senate committee investigating it. He acted after a brief hearing that was attended by Mr. Dean, who looked pallid and exhausted.

The contents of the documents were not disclosed. Mr. Dean said in his original motion asking Judge Sirica to take custody of them that they had some relation to the Watergate episode. Later, investigators reported that they had no bearing at all on the question of possible Presidential involvement in the break-in at Democratic headquarters on June 17, 1972.

Judge Sirica questioned both Mr. Dean and one of his lawyers, Charles N. Shaffer, about the security classification carried by the documents. Mr. Dean said they were classified "top secret handled via commit channels." Experts in classification at the State and Defense Departments said that no such classification existed.

The word "commit"—short for communications intelligence—is sometimes applied to such documents, and Mr. Dean may have meant to use it instead of "commit."

At the White House, meanwhile, Ronald L. Ziegler, the Presidential press secretary, threw into further confusion the question of an internal investigation supposedly carried out by Mr. Dean last summer.

Time and Newsweek magazines both reported yesterday

that Mr. Dean had said recently that he had produced no report for the President and was

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"flabbergasted" at Mr. Nixon's comments of last Aug. 29. On that day, Mr. Nixon said that Mr. Dean's investigation "indicates that no one in the White House staff" was involved in the Watergate break-in.

To Avoid Prejudice

Asked for comment today, Mr. Ziegler said he could not reply because any answer might prejudice the civil liberties of persons involved in the investigation. But that did not stop the flow of questions.

Finally, Mr. Ziegler said that he would stand on the President's speech of April 30. In that speech, Mr. Nixon made no reference to an internal investigation or to Mr. Dean. He said only that the "appropriate Government authorities"—presumably the Justice Department and the Federal Bureau of Investigation—had given him "repeated assurances" that no members of his Administration "were in any way involved."

What about the earlier statement, Mr. Ziegler was asked.

That, he said, was "based on the information available to us at the time." Was he disavowing specifically the President's reference to an investigation? He would not comment.

A White House source familiar with the matter said subsequently that to a degree the problem was "semantical"—that is, it turns on what constitutes an investigation and what constitutes a report. Neither he nor Mr. Ziegler would

give any clear-cut assurances that there was, in fact, the kind of formal investigation Mr. Nixon referred to last August.

On another Watergate topic, Mr. Ziegler expressed the White House's "concern" about the possibility that the Senate committee hearings, which are scheduled to begin Thursday, might interfere with the work of the Watergate grand jury.

He stopped short of proposing that the hearings, headed by Senator Sam J. Ervin Jr., Democrat of North Carolina, should be postponed until the grand jury had finished its job.

But that appeared to be the burden of his remarks. He



Associated Press

John W. Dean 3d, left, and Frank McCandless, lawyer, at bank in Alexandria, Va., to remove papers from safe.

said at one point that "very careful consideration should be given to how the committee proceeds" by its members, lest due process be impaired. He added that members of the White House staff might have expressed this view to the committee, but added that he was not certain.

On Capitol Hill, the staff of the Senate committee devoted most of the day to interviewing E. Howard Hunt Jr., one of the seven Watergate conspirators.

At the same time, H. R. Haldeman and John D. Ehrlichman, who resigned as White House aides last month, appeared before the grand jury. Mr. Ziegler said this morning that they were still at the White House, two weeks after their resignations, "helping with the transition."