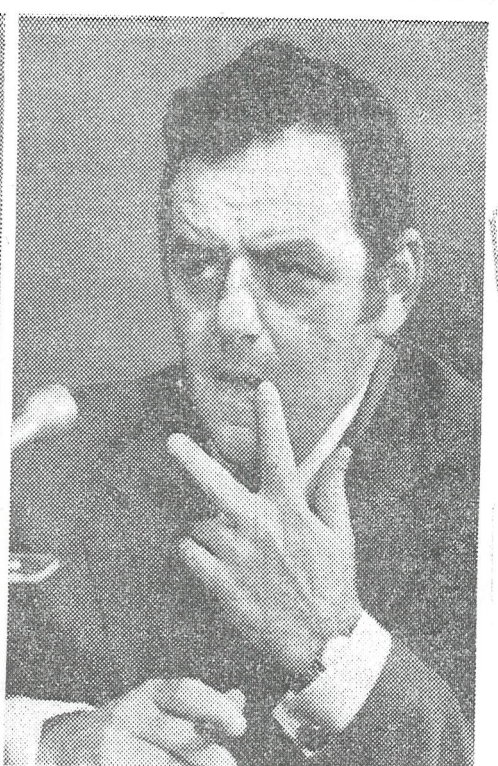


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Fred D. Thompson, left, chief minority counsel, asking a question of John J. Caulfield, right, during the latter's testimony before the Senate Watergate committee yesterday.

A Conflict Emerges at Hearing: Personal Loyalties vs. the Law

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, May 23—John J. Caulfield and Anthony T. Ulasewicz broke the law. They conceded that. They know the law.

Both had been decorated police officers in New York City, and they violated the law reluctantly. They did it out of loyalty, one to a President, the other to a friend.

So, at least, they explained today, a bit abashedly, as they described to the Senate Select Committee on Presidential Campaign Activities their roles early this year in offering White House clemency to James W. McCord Jr. in return for silence about the scope of the Watergate conspiracy.

"I place a high value upon loyalty," said Mr. Caulfield.

As the Senate's Watergate inquiry produced dramatic charges of falsehoods and crosscurrents of uncertainty about fact, the one point that seemed to emerge with clarity was that there had been many personal conflicts between loyalty and law, and that loyalty had often won.

Turmoil Acknowledged

Of course he underwent personal turmoil, Mr. Caulfield told Senator Lowell P. Weicker Jr., Republican of Connecticut. Of course he knew that the offer of clemency, while McCord was standing trial was wrong.

"But what I am saying to you, sir," he told the Senator, "is that my loyalties, and especially to the President of the United States, overrode those considerations."

Not long after he made that point, his friend, Tony Ulasewicz, took the witness stand in the marble and gilt Caucus Room of the Old Senate Office Building to make a similar point. Yes, he had agreed reluctantly to serve as a go-between in setting up clandestine meetings between Mr. Caulfield and McCord. Yes, he told Senator Daniel K. Inouye, Democrat of Hawaii, he was aware that it was wrong.

"You knew that you were an accessory to a crime?" the Senator asked.

"Yes, sir," said the retired policeman.

"But as a matter of friendship you proceeded?" asked the Senator.

"Yes, sir," Mr. Ulasewicz answered again.

Stance Evident Earlier
It was not, by the accumulating indications, an uncommon attitude.

McCord himself, in earlier testimony before the Senate panel, contended that he had burgled and bugged the Democratic party's national headquarters out of a mistaken faith in the judgment of others who were concerned about national security.

The former acting director of the Federal Bureau of Investigation, L. Patrick Gray 3d, acknowledged last month that he had destroyed documents that might pertain to the Watergate investigation because White House officials had suggested it.

The onetime Deputy Director of Central Intelligence, General Robert E. Cushman Jr. of the Marine Corps, provided Central Intelligence Agency equipment for domestic use because the request had come after all, from officials in the White House.

The former Attorney General, John N. Mitchell, kept silent about his knowledge of men who had once planned an eavesdropping expedition to the Watergate offices when to do otherwise would have meant, perhaps, helping to blemish the record of a President seeking re-election.

Nixon Explains Actions

And President Nixon, in a long document issued yesterday, declared that he had authorized wiretapping of subordinates, had involved the C.I.A. in a group preparing "evaluations and estimates of domestic intelligence" and had touched off an investigation of Dr. Dan-

iel Ellsberg's "associates and his motives" out of a concern for national security.

"To the extent that I may in any way have contributed to the climate in which [illegal or unethical campaign activities] took place, I did not intend to," Mr. Nixon's statement said.

Early this afternoon, on the Senate floor, Senator Robert C. Byrd, Democrat of West Virginia, the Democratic whip, delivered an address on "Watergate, A Crisis in Confidence."

He spoke of many things—arrogance and contempt in high offices, the frailties of men in any form of government, "an unfolding picture that bids fair to render the reputation of Machiavelli passé."

Senator Byrd spoke as well of an "opiate of complacency," of an "intoxication of easy living" and, in a sense, of the conflict among the American people between their own easy comforts and the struggle for fidelity to basic national values.

The consequences, he suggested, might well have been "a deterioration of national morality manifesting itself in many ways, the latest and not the least of which has been the Watergate case."

Truth Elusive
The public phase of the Senate inquiry into that case was in only its fourth day today. Even so, it already has become clear that the four Democrats and three Republicans on the committee are themselves faced with internal conflict.

They all speak with regularity of a search for truth, a commodity that became more difficult to discern as McCord's former lawyer, Gerald Alch, declared angrily

this afternoon that what McCord had earlier testified about him contained statements that were in some cases false and in others "twisted out of context into untruths."

Some observers have suggested that it would be easy for the Democrats to succumb to answers that seem to implicate the opposition party's incumbent White House officials, and equally satisfying for the Republican members to seize on those witnesses who support credibility in the Oval Office.

Senator Baker alluded to the conflict in a conversation during the noon recess at the hearing today.