

## No Change In Dean's Testimony

### Washington

The Senate Watergate committee publicly pressed President Nixon yesterday to make a formal reply—perhaps under oath—to the explosive charges against him by his former counsel, John W. Dean III.

During the fourth day of testimony by Dean that the President had been deeply involved in the Watergate coverup, the Democratic chairman and the Republican vicechairman of the investigating committee strongly suggested that the accusations could not be dismissed without a credible explanation from Mr. Nixon.

A presidential spokesman in San Clemees said Mr. Nixon remains opposed to answering a committee subpoena on the ground that it would be "constitutionally inappropriate." The spokesman, Gerald L. Warren, added that the President does not intend to appear voluntarily.

### RELIABLE

The committee chairman Senator Sam J. Ervin Jr. of North Carolina, told Dean that the "only reliable way to test the credibility of a principal in a criminal case was to examine him under oath, him under oath.

Asked if this was a direct call for Mr. Nixon's appearance as a witness, Ervin told reporters to "draw any deduction you want."

The vice chairman, Senator Howard H. Baker Jr. of Tennessee, told Dean later in the day that his testimony has been "mind-boggling," and that the committee would have to determine some way to "gain access to the President's knowledge" of the events that Dean said persuaded him of Mr. Nixon's involvement in the cover-up.

Dean's adherence to his charges against the Presi-

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dent — despite 40 questions posed by the White House and meticulous examination by the committee — appeared to the senators to require a forceful and convincing rebuttal.

But the White House disavowed, as a formal challenge to Dean, a long memorandum submitted to the committee Wednesday along with the questions.

### PRESSURE

The pressure for a presidential explanation grew late yesterday as Senator Lowell P. Weicker Jr. (Rep.-Conn.) charged that the White House was attempting to intimidate him and witnesses before the committee.

Weicker, in one of the more dramatic moments of the six-week-old Senate investigation, said angrily that the time has come for the White House either to "disavow" the alleged pressure tactics or to state publicly "specific charges" against participants in the senate hearings.

Ervin, in a long series of questions that he posed to Dean, suggested strongly that Mr. Nixon had violated the Fourth Amendment to the Constitution by approving — for what the President said was only a five-day period — a domestic intelligence gathering plan that called for wiretapping, burglaries and other clandestine activities.

The amendment protects citizens against unreasonable searches and seizures.

In another series of questions to Dean, Ervin in effect rebuffed the argument — presented to the committee Wednesday in a document prepared by the White House special counsel on the Watergate affair, J. Fred Buzhardt — that Dean had been the "mastermind" of the coverup, thwarting Mr. Nixon's efforts to reveal the truth to the nation.

But when Ervin asked Dean point-blank if he "knew anything that the President did or said at any time between June 17 and the present moment to perform his duty to see that the

laws are faithfully executed in respect to what is called the Watergate affair," Dean replied:

"Mr. Chairman, I have been giving the facts as I know them, and I don't — I would rather be excused from drawing my own conclusion on that at this point in time."

### FOCUS

More sharply than at any previous time in the hearings, the focus of the committee's inquiry was on what Baker described as the "central question" of what President Nixon knew about the Watergate coverup and when, as a consequence, he might have become involved in it.

Baker told a television interviewer during one of the committee's breaks that the questioning by Ervin had seemed to represent a "skillful and reasonable outline" of a potential case of "presidential malfeasance."

Baker told Dean that the former White House lawyer's description of a meeting last September 15 with

Mr. Nixon and H. R. Halde- man, then the White House chief of staff, was crucial to the inquiry.

"This is really a terribly important moment in history," Baker said of the meeting.

### CLING

But through the examination by Baker about the details of the meeting, in an attempt to sort out direct evidence from circumstantial evidence, Dean clung to his conclusions that the President was aware on that date of the coverup.

Dean maintained his conclusion was based on the President telling him "you've done a good job" handling Watergate.

The inference he drew, Dean said, was that the President was acknowledging Dean's efforts to guarantee last summer that no one in the White House was indicted or implicated in the campaign conspiracy.

Dean went on to state, however, that his impression had been bolstered by other comments that the President made at the meeting — a discussion about efforts to impede a civil lawsuit filed by the Democratic party, for one thing. He also said that he had specifically warned

Mr. Nixon that he did not know if the Watergate criminal investigation could be "contained" indefinitely.

### INTERRUPT

Baker interrupted Dean.

"Are those close to your exact words?" Baker asked.

"That is very close to my words," Dean replied, "because I told him it had been contained to that point and I was not sure that it would be contained indefinitely."

Baker told Dean that his questioning was not aimed at testing his credibility.

"It is not my purpose to try to impeach your testimony, to corroborate your testimony, to elaborate or extend particular aspects of it, but rather to try to structure your testimony so we have a coherent presentation," Baker said.

### CHALLENGE

He said that it was essential if the committee was to sort out the later responses of other key witnesses and deal with the crucial challenge that Dean's testimony posed to the President.

"Some of the allegations that you make," Baker said to Dean, "are at least prima facie extraordinarily important. The net sum of your testimony is fairly mind-boggling."

Dean calmly responded to the question, sorting out for Baker what he had testified earlier he knew first-hand from what he had inferred and what he had gained through hearsay about Mr. Nixon's role in Watergate. The senator listened intently.

Behind Dean, his two attorneys, Charles N. Shaffer and Robert C. McCandless, recorded the replies on yellow legal pads, separating in three categories the direct statements, circumstantial evidence Dean drew from contacts with the President and White House aides, and the hearsay.

But by the end of Baker's interrogation of the witness, Dean had not altered the testimony he had given all week.

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