

# Retold Agnew Tale Disputed

By John F. Wackensell  
Washington correspondent

It was one of those quotable lines that takes on a life of its own and it seemed to give the Justice Department's position on whether the Justice Department Vice President Spiro T. Agnew.

Attributed to Assistant Attorney General Larry E. Peterson, the remark was: "We've got the evidence. We've got it cold."

As revealed by CBS news correspondent Fred P. Graham on Sept. 22, the statement had been made by Peterson to Agnew's lawyer, and was repeated a few days later. Graham's report said the quotation came from "a source close to the news program."

The story was repeated and then corrected, but it changed a little with each repetition.

Las Folles James Beaton of the New York Times, in a story describing Agnew's anger at alleged Justice Department leaks, said "Mr. Beaton was quoted by Mr. Graham as saying, 'We've got the evidence. We've got it cold.'"

This account was then in the newspaper that Peterson made the remark directly to the CBS news man. If that were true, it would be a strong confirmation of Agnew's complaints about prejudicial publicity.

In the second retelling yesterday, also in the New York Times, columnist William Safire put it this way:

"We've got the evidence. We've got it cold." This was what Assistant Attorney General Larry E. Peterson

sen told CBS reporter Fred Graham on Sept. 22 about the case against Vice President Agnew. That leak of prejudicial publicity by the Justice Department officials against the investigation would have cost the Vice President, but he could not get a fair trial and asked him to turn to Congress for vindication.

In this version Peterson was portrayed unmistakably as having spoken directly to Graham.

Yesterday, Graham, saying he wanted to present all three variations on his original report, wrote the editors of the Times pointing out that "my broadcast, which quotes Henry Peterson as saying anything to me and did not imply that Mr. Peterson had disclosed the Agnew case with me in any way." Graham enclosed a transcript of his broadcast.

It was checked by telephone at Martha's Vineyard. The source for his version of the Graham transcript was an interview with Agnew. Safire said his version was Beaton's story and Agnew's speech Saturday in which he denounced Peterson.

Beaton's story did not mesh with CBS, Safire said, because the Justice Department's failure for three days to deny the Beaton account is a tacit admission of its inaccuracy.

At the White House, deputy press secretary Gerald R. Warren said the Justice Department had given assurances that Peterson was not the source of the leak. And Peterson was saying he never made the quoted remark to the Agnew lawyers or anyone else. The meaning of talking to a reporter.