

Dean Pleads Guilty in Deal; Will Aid the Prosecution

By LESLEY OELSNER

Special to The New York Times

WASHINGTON, Oct. 19 — John W. Dean 3d, the former counsel to President Nixon, pleaded guilty today to plotting

Text of Dean's statement appears on Page 20.

to cover up the truth about the Watergate break-in.

He made his plea as part of a bargain with the special Watergate prosecutor Archibald Cox, under which Dean agreed to be a prosecution witness in future proceedings against alleged participants in the cover-up — including, potentially, against President Nixon.

Immunity Fight Ends

Mr. Cox allowed Dean to plead guilty in Federal District Court here to a single felony count of conspiracy to obstruct justice and defraud the United States, punishable by a maximum five-year prison term and a \$10,000 fine, with sentencing deferred until the bargain is kept.

Mr. Cox also promised not to prosecute Dean for any other Watergate-related crime, reserving only the right to prosecute the lawyer for any perjury that may occur in the future.

In return, Dean gave up his long fight for total immunity from prosecution, and he pledged his "complete cooperation" with the Cox prosecution.

Dean is considered the crucial witness against a number of former high officials in the White House and in the Nixon re-election campaign, including John N. Mitchell, the former Attorney General, and H. R. Haldeman and John D. Ehrlichman, former Presidential aides.

Beyond that, he is the key witness in any potential proceeding against the President.

In his testimony before the Senate Watergate committee last June, Dean swore that Mr. Nixon had participated in the cover-up of the break-in at the Democratic national headquar-

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ters on June 17, 1972.

Dean told the committee that the president had said that \$1-million would not be too much to pay for those arrested for the break-in to keep them silent. The President, Dean went on, knew also that executive clemency had been promised in return for silence.

Dean said that Mr. Nixon had congratulated him on the "good job" he had done in limiting the authorities' investigation of the break-in.

This testimony has been denied and the prosecutor's search for confirmation has led to the confrontation between the President and the prosecutor over the White House tape recordings of conversations between the President and other persons.

It is not entirely clear that Dean will be permitted to be a witness if those tapes are not turned over. A Federal judge in New York hinted yesterday that without the tapes, he might bar Dean as a witness in the obstruction of justice trial of Mr. Mitchell and Maurice H. Stans. Mr. Cox declined comment on the issue today, saying he wanted to see precisely what the judge had said.

The contours of the Cox-Dean bargain began to unfold this morning in the courtroom of Chief Judge John J. Sirica of the Federal District Court here. By 10 A.M. the room was filled with participants and with persons who had been forewarned that something was about to happen.

Six Acts Tied to Dean

Mr. Dean's attorney, Charles N. Shaffer, read into the record a letter dated yesterday in which Mr. Cox formally offered the bargain: The Government would "accept a guilty plea" to the single count to "dispose of all other potential charges which might otherwise arise out of the investigation of the so-called Watergate incident and the alleged cover-up."

Judge Sirica read the formal charges. The conspiracy to thwart the investigation, the judge read, was carried out in various ways, as follows:

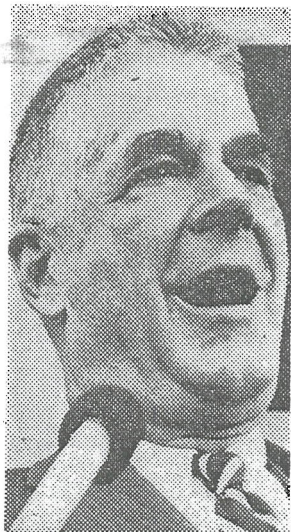
- ¶ Suborning perjury.
- ¶ Giving and concealing evidence in the trial before Judge Sirica last winter of the men arrested in the break-in.
- ¶ Offering clemency to the defendants.
- ¶ Paying to keep the arrested men silent (James F. Neal, the assistant prosecutor largely responsible for the Dean case, later put the payments at \$450,000).
- ¶ Asking the Federal Bureau

of Investigation for information. ¶ Attempting to get the Central Intelligence Agency to provide the money for the payments.

In furtherance of the conspiracy, Judge Sirica continued, Dean had committed six specific acts. Among other things,

the judge read, Dean had asked the deputy director of the C.I.A. whether the agency could use "covert funds" to pay the bail and salaries of the arrested men.

The list of overt acts itself indicated the additional crimes for which Dean could have been prosecuted. One act, for instance, was his meeting with Jeb Stuart Magruder of the Nixon campaign staff to arrange for Magruder's perjured testimony before the grand jury, an act that could have led to Dean's prosecution for suborning perjury.



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Archibald Cox, Watergate prosecutor, leaving court in Washington after John W. Dean 3d pleaded guilty yesterday.

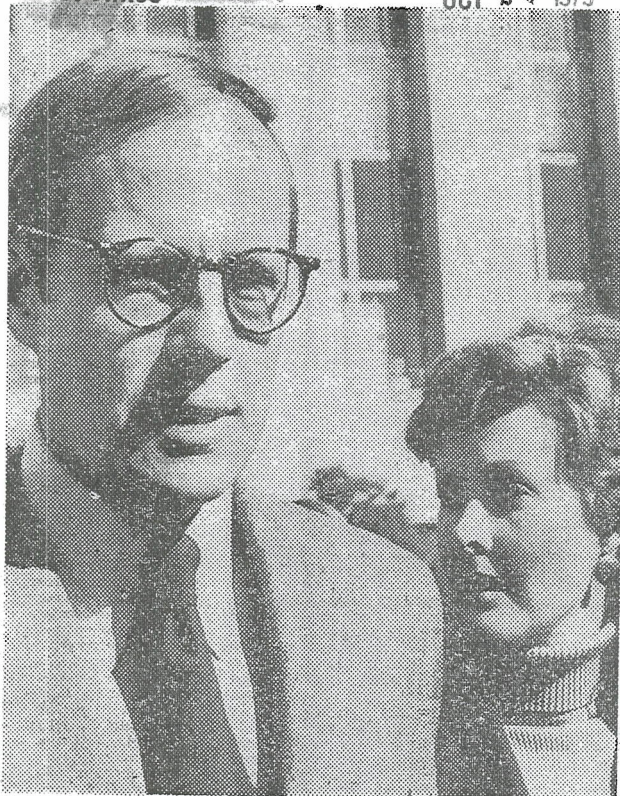
The charges read, Judge Sirica called in Mr. Neal to sum up the evidence against Dean. Mr. Neal, who resigned today, for personal reasons, noted that the co-conspirators included both Magruder and Frederick C. Larue, special assistant to Mr. Mitchell, both of whom have already pleaded guilty to the conspiracy, as well as "others" unnamed.

Both Mr. Neal and Mr. Shaffer said that the prosecution had made no promises to Dean regarding sentence. Then, after Judge Sirica asked the defendant the customary questions regarding the voluntariness of the plea, the clerk took over. "How do you plead?" he asked.

"I plead guilty," Dean replied.

President Nixon dismissed Dean last spring. At that point and for months to come, the lawyer held out for a full grant of immunity from prosecution before he would agree to testify, saying he refused to be made the "scapegoat." The Senate gave him immunity from prosecution based on the use of his Senate testimony, but Mr. Cox held out, insisting on the bargain that Dean accepted today.

In a written statement distributed after court recessed, Dean explained, "Events have resolved that matter, and I have confidence that I cannot and will not be made the scapegoat." He said, though, that he probably could have escaped conviction on "legal technicalities," but that that would have been a "shallow victory."



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John W. Dean 3d leaving Federal Court in Washington with his wife after he pleaded guilty to conspiracy.