

7 Ex-Nixon Aides Indicted In The Watergate Coverup

First in A Series of Charges

Washington

A federal grand jury indicted six former Nixon administration officials and a Republican campaign lawyer in the Watergate cover-up case yesterday and submitted a secret report containing findings on President Nixon's alleged role.

It was the most sweeping single indictment of former government officials in U.S. history and represented only the first in a series of charges to be returned by Watergate-related grand juries here.

(Carl Bernstein and Bob Woodward reported in the Washington Post that informed sources said the secret report described the jury's belief that President Nixon was involved in the conspiracy to obstruct justice.

(Several sources said the grand jury considered indicting the President but decided not to do so after Special Prosecutor Leon Jaworski concluded that the Constitution precludes the indictment of an incumbent President. For Bernstein and Woodward's story, see below.)

Charged with conspiring to obstruct justice in the Watergate investigation were H. R. Haldeman and John D. Ehrlichman, formerly Mr. Nixon's two top assistants; ex-Attorney General John N. Mitchell; former White House aides Charles W. Colson and Gordon C. Strachan; Robert C. Mardian, former Justice Department internal security chief, and Kenneth W. Parkinson, an attorney hired by the Nixon re-election campaign to handle Watergate matters.

Haldeman, Ehrlichman, Mitchell and Strachan also were charged with one count each of actually obstructing justice and lying to either FBI agents, grand jurors or the Senate Watergate com-

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mittee about their knowledge of the coverup.

Colson and Parkinson also were charged with one count each of obstructing justice.

In handing up the 24-count indictment to U.S. District Judge John J. Sirica, grand jury foreman Vladimir N. Pregelj also presented him with a sealed brown envelope bearing a red-and-white address label.

Though no comment was made in court about the envelope's contents, it was learned that it contained the grand jury's findings about Mr. Nixon's alleged role in the case plus a recommendation on how to handle the material. Some expect Sirica eventually to forward the report to the House Judiciary Committee, which is considering impeachment of the President.

Sirica, with spectators in the packed courtroom straining forward in their seats, broke the envelope's seal with a letter opener and removed only what seemed to be a cover letter.

After reading the document for less than a minute, Sirica said the envelope would be "held in custody in a safe place," until he decides what to do with it.

Assistant Prosecutor Richard Ben-Veniste stepped forward to present Sirica with a bulging brown briefcase that he said contained material referred to in the

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secret report. Sirica accepted it along with a sealed envelope containing the key to the briefcase.

Watergate Prosecutor Leon Jaworski told Sirica the case could require "three or four months" to try. The judge, noting that Mitchell already is on trial in federal court in New York, set arraignment of the defendants for a Saturday, March 9.

Sirica also imposed an unusually stringent gag order on out-of-court comments by the special prosecutor's

staff, the defendants and their lawyers and all who are subpoenaed at witness, as a means of helping assure a fair trial.

The judge cautioned grand jurors to refrain from talking to others about their work and, without explanation, said it was expected the jurors "might be asked to return in two weeks."

Responding to the grand jury's action, Mr. Nixon said it indicates the courts are moving to resolve the matter. He said he hoped the trials of those accused "will move swiftly to a just conclusion."

The indictment charged that a broad and intensive effort was made by the former high administration officials to obstruct the Justice Department's investigation of the June, 1972, Watergate break-in.

Tactics employed in this coverup, the grand jury said, were concealment of evidence and destruction of relevant documents — including the secret Gemstone files from the wiretaps on Democratic National Committee telephones in the Watergate office building.

The alleged conspirators also sought and received secret FBI reports on the investigation, pressured the Central Intelligence Agency to provide funds for the original suspects, raised more than \$500,000 from other sources for these defendants, promised them executive clemency and other benefits to remain silent and lied to official authorities, the jury charged.

In reciting meetings, plans and "overt acts" to accomplish this alleged conspiracy, the grand jury assigned a far greater role to Mitchell than had previously been revealed in Senate hearings on the Watergate case.

Mitchell faces the heaviest potential sentence under yesterday's indictment — 30 years imprisonment and \$42,000 in fines. Next is Ehrlichman, 25 years and \$40,000; Haldeman, 25 years and \$16,000; Strachan, 15 years and \$20,000; Colson and Parkinson, 10 years and \$10,000 each; and Mardian, five years and \$5,000.

Mitchell was pictured as having encouraged the destruction of incriminating Nixon campaign documents,

approving an unsuccessful plan for the CIA to provide funds for the original Watergate defendants and asking former White House counsel John W. Dean III to obtain FBI investigative reports for Parkinson.

The jury also charged that Mitchell, in early January, 1973, asked Dean to have an intermediary offer executive clemency to James W. McCord Jr., one of the original Watergate suspects who was then about to stand trial. This offer — but not its origins — was revealed in Senate testimony last year.

The indictment further said that last March 21 — shortly after Dean had told the President all he knew about the Watergate coverup — Mitchell authorized Frederick C. LaRue, a top campaign official, "to make a payment of approximately \$75,000 to and for the benefit of E. Howard Hunt Jr. (one of the defendants)."

The next day, according to the grand jury, Mitchell met with Ehrlichman, Haldeman and Dean at the White House, and Mitchell assured Ehrlichman that Hunt "was not a 'problem' any longer."

Mitchell had resigned as Mr. Nixon's campaign director on June 30 — about two weeks after the Watergate break-in — citing domestic pressures as his reason. The indictment alleged he continued to play a leading role in the coverup even afterward.

The grand jury charged that Ehrlichman lied to it on two occasions last May

about his knowledge of G. Gordon Liddy's role in the Watergate wiretapping and in denying that he (Ehrlichman) had approved a fund-raising effort by Herbert W. Kalmbach, the President's personal lawyer, on behalf of the original defendants.

Haldeman, according to the indictment, ordered Strachan, his aide, to destroy key documents "on or about June 18, 1972" — a day after the original Watergate arrests.

Later, Haldeman approved the use of a White House campaign fund of \$350,000 to "make additional payments to and for the benefit of the defendants."

Furthermore, the grand jury accused him of lying to the Senate when he testified last year that "no one, to my knowledge, was aware that these funds involved either blackmail or 'hush money' until this suggestion was raised in March of 1973."

Haldeman also lied, the grand jury said, when he testified that Mr. Nixon had told Dean last March 21 that "it would be wrong" to raise \$1 million to keep the Watergate defendants silent.

Strachan was accused of lying when he said he decided on his own to return the \$350,000 Haldeman-controlled fund to LaRue, who then disbursed it to defendants or their lawyers. The grand jury, however, did not allege who might have instructed Strachan to take the money to LaRue.

Colson was accused of acting as a conduit to the White House for Hunt's money demands. The grand jury also said Colson on Aug. 29, 1972, "had a conversation with John W. Dean III during which Dean advised Colson not to send a memorandum to the authorities investigating the Watergate break-in."

The grand jury implied that Ehrlichman participated in the Watergate coverup partly out of fear that Hunt might reveal secret operations of the White House "Plumbers" unit, to which Hunt had once belonged and Ehrlichman had directed.