

# 'Charges before tapes,' Nixon tells committee

Examiner News Services

CAMP DAVID (Md.) — The White House indicated yesterday it will not consider surrendering 42 taped conversations sought for the House impeachment inquiry until the Judiciary Committee defines its charges against President Nixon and specifies "what materials are wanted and why."

Press Secretary Ronald L. Ziegler issued a formal statement denying reports that the White House would turn over tapes of the 42 Presidential conversations next week.

"We continue to feel it is essential that the committee first define the charges and be specific on what materials are wanted and why."

Ziegler also assailed a report in the Los Angeles Times, attributed to congressional and other sources, that the tape recording of Nixon's now-famous March 21, 1973, conversation with former White House counsel John Dean clearly shows that the President did not — as he claims — disapprove of the payment of hush money to Watergate defendants.

"The malicious intentions of the individuals who planted this story are clear," Ziegler said, claiming that the report "cannot help but influence the White House attitude with respect to providing additional materials in the future," to the Judiciary Committee.

A recording of the Nixon-Dean conversation was one of 19 tapes provided to the committee as well as to special prosecutor Leon Jaworski.

It was reported yesterday that Nixon had decided to turn the additional tapes over to the Judiciary Committee after Senate Republican Leader Hugh Scott warned the President's Watergate attorney, James D. St. Clair, that the President "would be impeached in the House" if he defied the House committee.

A spokesman for Scott late yesterday confirmed that at a meeting Tuesday the senator had warned St. Clair of the possibility of impeachment.

The three other senators present at the

meeting were identified as Rep. Wallace F. Bennett of Utah, Robert P. Griffin of Michigan, and Bill Brock of Tennessee, all Republicans.

The spokesman said, however, that it was not Scott who is the source of the reports that Nixon will turnover the tapes.

The senators also warned St. Clair, it

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was reported, that it would cost Nixon at least 15 Senate votes if the committee cited him for contempt for refusing to turn over the tapes. The sources said there are 35 "sure" Senate votes for conviction now and that would push the total above 50.

They also told St. Clair expect further reflections "if another shoe were dropped" —if there was some new de-

velopment damaging to Nixon.

It takes a simple majority vote for impeachment — or indictment — in the House, and two-thirds of those senators present and voting must approve an actual conviction on the charge. If all 100 senators were present, it

would take 67 votes to convict.

St. Clair was said to be disbelieving when Scott and the other senators warned him about the probability of impeachment. The senators then warned him he had better "take this directly to the President," sources said.

One of the things said to have impressed the White House was a warning to St. Clair that Scott and the others probably would have to vote for conviction if the House actually cited Nixon for contempt and sent the issue to the Senate.

"It would then become an institutional struggle between the executive and legislative branches," a source said.