

NIXON INNOCENCE AFFIRMED IN BRIEF

Document With Transcripts
Says He Was Not Liable
in Cover-Up Attempt

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WASHINGTON, April 30 —

The White House declared today that President Nixon was never criminally liable in the Watergate cover-up attempt despite damaging statements he made in conversations with key figures in the scandal.

The declaration of Mr. Nixon's innocence came in a 50-page legal argument accompanying the 1,308 pages of edited transcripts made public today and sent to the House Judiciary Committee.

"In all of the thousands of words spoken, even though they are unclear and ambiguous, not once does it appear that the President of the United States was engaged in a criminal plot to obstruct justice," James D. St. Clair, Mr. Nixon's special counsel, concluded in the brief. The brief was attached as an introduction to the volume of transcripts, which is as thick as the Manhattan telephone directory.

There was an air of deep concern at the White House as the President's assistants busily sought to cast the conversations, which they admitted were not flattering to the President,

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in the best possible light.

The legal brief, which included selected statements by the President, was released this morning. It was not until several hours later, after the White House view had been widely disseminated, that the transcripts were made public, as President Nixon promised last night in his nationally televised address.

His assistants were clearly apprehensive about how the transcripts would be interpreted. Ronald L. Ziegler, his press secretary, who usually reflects the President's thoughts, said he hoped the public would consider the full volume of transcripts and not concentrate on the meeting of March 21, 1973, in which the President and his aides discussed options for quieting the White House role in the Watergate burglary of Democratic headquarters on June 17, 1972. The transcripts cover conversations between Sept. 15, 1972, and April 27, 1973.

Viewed as Courageous

Within the White House, the release of the transcripts was viewed as "an act of courage" by the President, and the strategy, both in the legal brief and in conversations, was to depict John W. Dean 3d, the President's former counsel, as the villain in the case.

President Nixon in his television address last night said the transcripts would be embarrassing to him and would become a subject of "speculation and even ridicule."

His prophecy was fulfilled tonight when the contents of the transcripts became known and new questions were raised as to why he Nixon made public the documents.

White House officials said that, in addition to the reasons given by the President last night, it was believed that the transcripts would have leaked out, bit by bit, and depicted him in the worst possible light.

This way the President was able to control the editing of the transcripts, omitting obscenities and the names of innocent persons accused in private conversations, and to put the President's own interpretation on what the conversations mean. His action was also designed to keep the tape recordings themselves in the secrecy of the White House files.

Despite the material damaging to Mr. Nixon, official sources said, the legal brief was designed to show that the transcripts, if read in their entirety, would raise considerable doubt about his criminal involvement in the cover-up. Criminal involvement, his lawyers have

said, is needed to constitute an impeachable offense.

"Throughout the period of the Watergate affair," Mr. St. Clair wrote, "the raw material of these recorded confidential conversations establishes that the President had no prior knowledge of the break-in and that he had no knowledge of any cover-up to March 21, 1973."

As a further suggestion that Mr. Nixon may have been falsely accused of criminal acts in the cover-up, Mr. St. Clair pointed to the acquittal on Sunday of two former Cabinet members, John N. Mitchell and Maurice H. Stans, of charges that they tried to influence a Securities and Exchange Commission case in return for a \$200,000 campaign contribution.

Those acquittals, the brief said, "demonstrate the wisdom of the judicial system be utilized to determine the guilt or innocence of individuals charged with crime, rather than participating in trials in the public media."

Congratulated Dean

The legal brief attempts to put an interpretation on the President's words that would not otherwise be apparent.

For example, on Sept. 15, 1972, less than two months before the Presidential election, he congratulated Mr. Dean for doing a good job in the Watergate matter.

"By the way you have handled all this," he told Mr. Dean, "all this seems to me has been very skillful putting your finger in the leaks that have sprung here and sprung there."

The White House interpretation of the President's remark was: "This was said in the context not of a criminal plot to obstruct justice as Dean alleged but rather in the context of the politics of the matter, such as civil suits, countersuits, Democratic efforts to exploit Watergate as a political issue and the like. The reference to 'putting your finger in the leaks' was clearly related to the handling of the political and public relations aspects of the matter."

Continuing Demand

As damaging as the transcripts may be to the President, their release was not considered likely to diminish demands for the tapes themselves. For one thing, the transcripts are filled with deletions marked "unintelligible" by the secretary transcribing the tapes. These occur frequently in sentences by the President that are crucial to understanding what was being said.

A White House spokesman said every effort had been made to bring out the voices in these conversations.

"The attached transcripts," Mr. St. Clair said in the brief, "represents the best efforts accurately to transcribe the material contained on the recording tapes. Expletives have been omitted in the interest of good taste, except where necessary to depict accurately the context of the conversations. Characterization of third persons, in fair-ness to them, and other material not relating to the President's conduct has been omitted, except where inclusion is relevant and material as bearing on the President's conduct."

Mr. Nixon's language is liberally sprinkled with omissions labeled "expletives." A White House official who saw the unedited transcripts said the "expletives" were "some of the saltiest talk out of Southern California."