

Dean's Implication of Nixon Traced

By Jack Anderson

The dramatic story can now be told how President Nixon came under investigation by the original Watergate prosecutors. They laid the groundwork a year ago for the present impeachment proceedings.

The sequence began in mid-April, 1973, when ex-White House counsel John Dean gave prosecutors Earl Silbert, Seymour Glanzer and Donald Campbell fragments of the Watergate documents and put together a coherent account.

Sources close to the investigation, however, say Dean carefully kept the President out of his confessions until the last week of April. Then Dean, as part of his plea bargaining for a deal for himself, played his big ace.

His attorney, Charles Shaffer, notified the prosecutors on April 23 that Dean "could deliver the President," our sources report. They were given an outline of the testimony that Dean later delivered, implicating President Nixon in the Watergate cover-up.

Up to that moment, the prosecutors had believed the Presi-

dent was not involved. They had provided Assistant Attorney General Henry E. Petersen, therefore, with the complete details of their investigation for relay to the President.

Because of the possibility that the President had been a party to the crimes they were investigating, the prosecutors decided they had to shut off the flow of information to the White House.

They had a showdown with Petersen over this on the night of April 25.

They contended that the President was now a suspect and could no longer be told what was going on inside the grand jury.

The shocked Petersen insisted they had no business investigating the President. In any event, he said, he could never withhold information from the President of the United States.

The following day, Petersen impressed his views on U.S. Attorney Harold Titus, who stood between him and the prosecutors on the ladder of authority.

"We have to draw the line," Petersen told Titus. "We have no mandate to investigate the President."

The next link in our story is provided by the White House tapes. President Nixon got wind that Dean was implicating him in the Watergate crimes and summoned Petersen to the Oval Office the evening of April 27.

"We have gotten a report," said the President, "that, ah, that really we've got to head them off at the pass. Because it's so damned, so damn dangerous to the Presidency. . . Information indicating that Dean has made statements to the prosecuting team implicating the President. . . Now, Henry, this I've got to know."

Petersen agreed to try to find out what Dean was telling the prosecutors. But Petersen warned apologetically that he was having trouble with prosecutors.

"We had a kind of crisis of confidence night before last. . . ." he said, "whether or not they were at ease with my reporting to you. . . ."

But the President was adamant. "If Dean is implicating the Presidency," snapped Mr. Nixon, "we are going to damned well find out about it."

He insisted that Petersen phone the prosecutors from the

White House and find out what Dean was telling them. Petersen obediently put through the call and learned that Shaffer had approached the prosecutors with an offer of evidence against the President.

Our sources say the prosecutors agreed with Petersen that they had no authority over the President. They even drafted a memo giving their opinion that, legally, the President couldn't be indicted but could only be impeached.

They thought it was their duty, however, to get all the facts about Watergate. So they went ahead with their efforts to get Dean's evidence against the President. They were in the process of preparing the evidence to lay before the grand jury when the Watergate investigation was taken away from them and turned over to a special prosecutor.

But the special prosecutor picked up where they left off. The record was made before the grand jury and turned over to the House for an impeachment inquiry, as they had recommended.