

Rebozo Seen Ready to Give

By Lawrence Meyer

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The Senate select Watergate committee reached a compromise agreement yesterday with President Nixon's friend, Charles G. (Bebe) Rebozo, over two subpoenas that probe deeply into Rebozo's financial affairs and their possible connection to a \$100,000 contribution from billionaire Howard Hughes.

After a rancorous three-hour closed session during which committee members criticized assistant chief counsel Terry F. Lenzner for his conduct of the Hughes-Rebozo investigation, an agreement to turn over many documents was reportedly negotiated between Rebozo's lawyer, William S. Frates and the committee staff.

The staff is reportedly pursuing the theory that President Nixon may have

given or lent money to Rebozo to repay the \$100,000 to Hughes. Rebozo has testified that he kept the money untouched in a safe deposit box for three years after receiving it from a Hughes emissary before returning it to Hughes last June.

Informed sources say, however, that President Nixon's former personal attorney, Herbert W. Kalmbach, has testified that Rebozo told him that portions of the \$100,000 were either given or lent to President Nixon's secretary, Rose Mary Woods, and to the President's brother, Donald.

The Associated Press reported that Frates, talking to reporters after the committee session, said that Rebozo accepted the \$100,000 from Hughes to protect President Nixon from his brother, Donald.

"One of the things Rebozo was apprehensive about was accepting the Hughes

money when it was first tendered to him because he felt a similar situation had materially affected the outcome of the 1960 presidential election and the 1962 governor's race in California."

One of the issues in those two elections, both of which were lost by Mr. Nixon, was a \$205,000 loan from Hughes to F. Donald Nixon that was never repaid.

The wire service said Frates told reporters Rebozo "was trying to protect the President from Donald Nixon. That's not nice to say, but it's the truth." Frates did not elaborate.

It was not clear yesterday how much of what the subpoenas called for would actually be turned over to the committee on Monday, the day that the committee staff and Frates set for compliance.

The subpoena seeks Rebo-

zo's personal bank records, loan records, telephone toll call records, correspondence with 25 persons, travel records, credit card records, stock certificate records, investment information and canceled checks for varying periods of time, between 1968 and March 31, 1974.

The committee staff is looking into Rebozo's personal finances in connection with the \$100,000 payment from Hughes that Rebozo and President Nixon have said was a contribution to the 1972 Nixon re-election campaign, even though it was paid in 1969 or 1970.

The subpoenas also seek financial records concerning Rebozo's transactions with President Nixon and his daughter, Patricia Nixon Cox.

Specifically, one subpoena calls on Rebozo to turn over "any and all financial records of all unsecured loans to or from Charles G. Re-

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bozo from Jan. 1, 1969, to March 1, 1974, including but not limited to a loan of 65,000 from Patricia Nixon Cox to Mr. Rebozo on March 5, 1973, and a loan of \$10,000 from President Nixon to Mr. Rebozo in January or February 1973."

In addition, records relating to deposits to "any and all savings accounts" in Mrs. Cox's name also are sought from Jan. 1, 1969, through March 31, 1974.

Frates, who complained to reporters that the committee had gone so far as to subpoena Rebozo's grocery bills, reportedly objected to turning over some records past a certain date.

In addition, sources said Frates said Rebozo did not agree to turn over information concerning President Nixon's and Mrs. Cox's bank records, even though President Nixon had expressed his desire that they be made available to the committee.

Frates said Rebozo felt President Nixon deserved to have some privacy concerning his financial affairs.

Frates earlier in the day had argued with the committee that Kalmbach had improperly waived the attorney-client privilege protecting the confidentiality of Rebozo's conversations with Kalmbach. A suit filed by Frates in U.S. District Court here yesterday to quash the committee subpoenas states that Kalmbach's testimony was "factually erroneous."

Under the agreement yesterday, Frates reportedly will not press his claim that Kalmbach improperly waived the attorney-client privilege covering his conversations with Rebozo. The agreement also appears to render Rebozo's suit against the committee moot.

During yesterday's meeting, Sen. Lowell P. Weicker Jr. (R-Conn.) reportedly criticized assistant chief coun-

sel Lenzner for obtaining a ruling from committee Chairman Sen. Sam J. Ervin Jr. (D-N.C.) that the Kalmbach-Rebozo conversation was not privileged in order to force Kalmbach's testimony without giving Frates or Rebozo an opportunity to state their view.

Lenzner prepared an extensive memo for the committee, arguing that Rebozo had not asserted the privilege and had indicated that his discussions with Kalmbach about the \$100,000 were only incidental to other matters.

In a related matter, the committee voted unanimously to recall White House chief of staff Alexander M. Haig Jr. and to compel him to answer questions put to him last week during an executive session of the committee.

When Haig appeared before the committee last Thursday, he brought with

him a letter from President Nixon directing him not to answer questions on the grounds of executive privilege and national security.

The committee, however, supported Ervin's view that executive privilege could not be invoked since the questions pertained to Haig's conversations with other persons—and not Mr. Nixon—about the \$100,000.

In a related development, Dade County (Fla.) state's attorney Richard Gerstein said he is prepared to prosecute as many as 18 persons on state charges in connection with the Watergate conspiracy as soon as special Watergate prosecutor Leon Jaworski gives him clearance.

Gerstein said the Watergate conspiracy was initiated in Florida during a meeting between former Attorney General John N. Mitchell and deputy Nixon campaign manager Jeb Stuart Magruder.