

## Colson Pleads Guilty in Ellsberg Case, Boding Trouble for Nixon, Former Aides

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WASHINGTON—Charles Colson's guilty plea to a Watergate-related charge bodes trouble on several fronts for President Nixon and his former top assistants.

Colson, at one time Mr. Nixon's special counsel and chief hatchet man, pleaded guilty to a one-count criminal information charging that he obstructed justice in the trial of Pentagon papers figure Daniel Ellsberg.

Both Mr. Nixon and the four remaining defendants in the pending "plumbers" trial could well be hurt by Colson's admission that the White House investigation of Mr. Ellsberg was a politically motivated effort to "defame" the man who leaked the Pentagon papers to the press, rather than a genuine attempt to stop national security leaks.

Beyond that, Colson's promise to cooperate with the special Watergate prosecution force offers the prospect of a valuable new source of information on a number of the most serious allegations before the congressional impeachment inquiry. For, in addition to the plumbers' activities, Colson apparently knows a good deal about the Watergate cover-up, campaign dirty tricks, the International Telephone & Telegraph Corp. affair and the political contributions by dairy cooperatives.

Indeed, Colson said following his plea yesterday that "no matter who it may help or hurt" he wants "to be free to contribute" to the resolution of what he called "one of the most divisive and bitter controversies in our nation's history."

### Possible Witness

Special Prosecutor Leon Jaworski said Colson has agreed to "immediately provide statements under oath" and to "produce all relevant documents in his possession upon the request of the Watergate special prosecution force." Further, Mr. Jaworski said in a letter to Colson's attorney, "he may be required to testify as a witness for the United States in any and all cases with respect to which he may have relevant information."

In addition, Colson is almost certain to be called as a witness by the House Judiciary Committee. The impeachment investigators can be expected to question him very closely about just how much President Nixon had to do with the campaign against Mr. Ellsberg. The President has said that he set up the plumbers unit and ordered it to stop national-security leaks following publication of the Pentagon papers. But he has denied prior knowledge of the September 1971 burglary of the office of Mr. Ellsberg's psychiatrist.

Yet the crime to which Colson pleaded guilty was considerably broader than just the planning of the burglary. He confessed to "devising and implementing a scheme to defame and destroy the public image and credibility of Daniel Ellsberg and those engaged in the legal defense of Daniel Ellsberg, with the intent to influence, obstruct and impede the conduct and outcome of the criminal prosecution then being conducted in the United States District Court for the Central District of California." Part of this scheme was the effort "to obtain, receive and release confidential and derogatory information from the psychiatric files of Daniel Ellsberg, for the purpose of publicly disseminating said information," the criminal information says.

Assistant Special Prosecutor William Merrill told the court that the prosecution had evidence of a Colson conversation with an unidentified individual in which Colson stated "that the charges against Mr. Ellsberg should be tried in the newspapers." Mr. Merrill said the obstruction of justice also included the release to the press of a "scurrilous and libelous memorandum" about one of Mr. Ellsberg's attorneys.

After last year's disclosure of the plumbers' activities against Mr. Ellsberg, a federal judge dismissed the Pentagon papers case against him.

### Other Charges Dropped

In agreeing to the guilty plea, the special prosecution force dropped all other pending criminal charges against Colson. He had been facing trial June 17, along with four others, on one count of conspiring to violate the psychiatrist's constitutional rights. In addition, he was charged with one count each of conspiracy and obstruction of justice in connection with the cover-up of the June 1972 break-in at Democratic headquarters in the Watergate office building. The guilty plea "will also dispose of all potential charges" against Colson that might arise out of the special prosecutor's investigation, Mr. Jaworski said in his letter. He added,

however, that it doesn't bar prosecution "for any false or misleading testimony given hereafter."

Among those remaining under indictment in the plumbers matter is Mr. Nixon's former chief domestic aide, John Ehrlichman. He's charged with approving the operation that led to burglary of the psychiatrist's office and with lying to investigators about it later. Colson had been charged with transferring \$5,000 from one of the dairy cop funds to finance the clandestine operation. Mr. Ehrlichman is also a defendant in the Watergate cover-up case, along with former Nixon Chief of Staff H. R. Haldeman, former Attorney General John Mitchell and three other former Nixon associates.

In a statement read to a surprised courtroom, Colson said he had been moved to plead guilty in part by some remarks of Judge Gerhard Gesell during pretrial hearings last month. The judge's contention "that if this is to be a government of laws and not of men, then those men entrusted with enforcing the law, whatever their motives, must be held to have intended the natural and probable consequences of their acts" had "a profound effect" on him, Colson said.

### Further President's Aims

He added that his motive in disseminating derogatory information about Mr. Ellsberg "was to neutralize" him as an antiwar spokesman "in order to further the President's aims for ending the Vietnam war." He explained that it didn't "matter" to him that he could be influencing Mr. Ellsberg's trial and it was "this callousness to the rights of a defendant under a criminal indictment that gave rise to the crime to which I am now pleading."

He added that "I now know what it is like to be a defendant in a celebrated criminal case." The experience "has taught me to care about the rights of criminal defendants and to understand how those rights can be jeopardized," he told the court.

Later Colson told reporters that "whether at the time certain actions seemed totally justified and indeed essential to the national interest is not the issue." All the defendants in the plumbers case have tried to justify the burglary on national security grounds.

If he had continued to fight the two indictments against him, Colson said, he "would have been necessarily concerned with protecting my position in the trials." And he said "that would have limited my ability to tell everything I know about the Watergate and Watergate-related matters." For example, he noted that he was unable to testify before the Senate Watergate Committee because of a threatened indictment.

In what was perhaps a reference to the impeachment inquiry, he declared that "the prompt and just resolution of other proceedings, far more important than my trial, is vital to our democratic process."

Judge Gesell set Colson's sentencing for June 21. He could receive as much as five years in prison and a \$5,000 fine. Colson told reporters he had requested prompt sentencing because he didn't want anyone "to even question whether my testimony might be affected—even subconsciously—by the impact it might have on the court."

White House Press Spokesman Gerald Warren didn't have any comment on Colson's guilty plea. Mr. Nixon's Watergate attorney, James St. Clair, told reporters his own reaction was one of "surprise."