

House Unit Questions Date Nixon Heard of Cover-Up

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WASHINGTON, June 18 —

The House Judiciary Committee, exploring President Nixon's possible motive in dismissing the first Watergate special prosecutor, Archibald Cox, focused today on when the President first learned of the Watergate cover-up.

Some committee members said privately they had heard evidence suggesting that Mr. Nixon may have sought to prevent the involvement of the White House in the scandal on March 17 of last year, four days before the President has said he first learned of the broad scope of the cover-up attempt.

In addition, well-placed sources reported that Charles W. Colson, the former White House special counsel, had told impeachment inquiry lawyers that he warned the President on Feb. 14, 1973, that the Administration might be jeopardized if former Attorney General John N. Mitchell did not assume responsibility for the Watergate matter.

The Judiciary Committee, beginning the sixth—and, its members hope, the final—week of closed hearings on evidence assembled by the inquiry staff, considered the issue of Mr. Nixon's knowledge of the cover-up attempt as a prelude to an examination of the dismissal of Mr. Cox last Oct. 20.

Two Democrats on the committee, Representatives John Conyers Jr. of Michigan and Robert F. Drinan of Massachusetts, said that the evidence presented indicated that to them that the White House had tried to order Mr. Cox to curtail some aspects of his investigation.

Mr. Conyers said that Mr. Cox had been given "literally direct orders not to do certain things." Father Drinan, a Jesuit priest, said that some of the orders had come from Gen. Alexander M. Haig Jr., the White House chief of staff.

Mr. Cox was dismissed for refusing to follow the President's instructions to abandon pursuit, through Federal court

Continued on Page 35, Column 1

Continued From Page 1, Col. 7

subpoenas, of tape recordings pertaining to Watergate.

The dismissal, along with the resignation of Attorney General Eliot L. Richardson and the discharge of his deputy, William D. Ruckelshaus touched off a national furor and prompted the House to begin the impeachment inquiry.

Committee members began examining the episode—later called the "Saturday night massacre"—by listening to segments totaling 48 minutes from a six-hour taped conversation on June 4, 1973.

Talk Described

In the conversation, the President reportedly described to various aides, including General Haig and Ronald L. Ziegler, the White House press secretary, what he had heard in listening to recordings of conversations with John W. Dean 3d, the ousted White House legal counsel.

Most committee members chary about commenting on the evidence because of White House criticism of leaks, refused to comment or described the June 4 tape as barely audible and inconclusive.

But two members, a Republican and a Democrat, disclosed privately that Mr. Nixon referred in the June 4 discussion to a Watergate-related conversation with Mr. Dean on March 17, 1973.

The sources said that the June 4 tape confirmed the substance of a confidential committee staff memorandum, which was obtained last week by The New York Times.

According to the memo, Mr. Dean warned the President on March 17 that officials of the President's 1972 re-election campaign were on the verge of implicating H. R. Haldeman, then the White House chief of staff, in the cover-up attempt.

Mr. Nixon allegedly replied, "We've got to cut that off. We can't have that go to Haldeman."

According to the sources, Mr. Nixon had also recalled, in the conversation with Mr. Ziegler, having been told on March 17 by Mr. Dean that the campaign officials could bring the investigation of the cover-up into the White House by linking Mr. Haldeman to it.

To that, the President reportedly replied:

"We've got to cut that back. That ought to be cut out."

Representative Charles E. Wiggins, a California Republican who is one of the President's staunchest defenders on the committee, said that the evidence indicated the President had "some inkling" of the cover-up on March 17.

But Mr. Wiggins said that "you can't blame the President for saying that he learned about it on March 21."

He added that the full details were given to Mr. Nixon on March 21 and the President had acknowledged he should have been more vigilant.

Mr. Nixon's June 4 review of the recordings took place about six weeks before the existence of the tapes was disclosed at the Senate Watergate hearings by Alexander P. Butterfield, a former White House aide who is now in charge of the Federal Aviation Administration.

Tape Quest Begins

Mr. Butterfield's disclosure was on July 17 of last year, and one day later Mr. Cox began the attempts, which still continue, to obtain Watergate recordings from the White House.

Judiciary Committee members said generally that it had not been made clear to them today exactly how the June 4 review of the taped Dean conversations related to the dismissal of Mr. Cox four and a half months later.

Some members speculated that the review, apparently to elarn what Mr. Dean might testify before the Watergate committee on June 25, might have led Mr. Nixon to the conclusion that he could not give some tapes to investigators.

According to the members' analysis, the March 17 recording, which Mr. Nixon is still withholding from the committee and the prosecutors, might undercut Mr. Nixon's contention that he was unaware of the cover-up until March 21.

Similarly, Mr. Colson's knowledge of the President's conversations about Watergate could

prove relevant to the committee's attempts to define Mr. Nixon's actions during the cover-up.

Mr. Colson, who had been one of the President's closest White House associates, agreed to cooperate with Watergate investigators when he pleaded guilty earlier this month to a charge that he had tried to obstruct justice in the Pentagon papers conspiracy trial of Dr. Daniel Ellsberg.

Judiciary Committee officials said that Mr. Colson was interviewed for several hours last Friday by John M. Doar, the special counsel on impeachment, and Albert E. Jenner Jr., the chief Republican counsel.

The officials would not disclose the substance of the interview, but other well-placed sources familiar with Mr. Colson's knowledge of the Watergate case said that Mr. Colson was prepared to describe a Feb. 14, 1973, meeting at which he reportedly warned the President of the consequences of a continued cover-up.

According to the sources, Mr. Colson had advised the President that James W. McCord Jr., one of seven convicted Watergate conspirators, was likely to implicate high-level White House and Nixon re-election

campaign officials in the Watergate matter if he received a long prison sentence.

Mr. Colson was said to have added that if the President did not persuade Mr. Mitchell and Jeb Stuart Magruder, who had been Mr. Mitchell's deputy at the re-election committee, to assume blame for the Watergate burglary, "your whole Administration will topple."

The sources said that, according to Mr. Colson, the President disregarded the warning out of a belief that it was attributable to a long-standing rivalry between Mr. Mitchell and Mr. Colson. Mr. Nixon was said to have told Mr. Colson that he would not make Mr. Mitchell a "scapegoat" and that he chose not to believe that the former Attorney General was involved.

A Likely Witness

Mr. Colson is expected to be called as a witness in the impeachment hearings after the completion of the presentation of evidence by committee lawyers and of rebuttal evidence that will be offered by James D. St. Clair, Mr. Nixon's chief defense lawyer.

His testimony could have a significant bearing on the Judiciary Committee's eventual conclusions about whether the President joined or acquiesced in attempts to obstruct the Watergate investigation.

In a confidential committee staff memorandum that became public today, the President was quoted as having said in an April 16, 1973, conversation that he was "planning to assume some culpability" in the alleged payment of hush money to another Watergate conspirator, E. Howard Hunt Jr.

According to an account of the memo published in today's editions of The Washington Post, the President told Mr. Dean in a taped discussion on April 16, 1973, that various White House officials were aware of demands by Mr. Hunt for money and of the fact that Mr. Hunt's problem had been "solved."

In both the committee transcript of the discussion and the edited transcript made public last April 30 by the White House, Mr. Nixon said that the knowledge extended to Mr. Dean and John D. Ehrlichman, Mr. Haldeman the former White House domestic adviser.

The committee transcript differed in several respects from the White House version, according to the memo. In the committee transcript, Mr. Nixon told Mr. Dean:

"But you had knowledge, Haldeman had a lot of knowledge and Ehrlichman had knowledge."

Mr. Dean replied, "That's right."

Mr. Nixon then is quoted as having said:

"And I suppose I did, I mean I am planning to assume some culpability on that."

In the published White House

transcript, Mr. Nixon did not characterize Mr. Haldeman as having "a lot of" knowledge and the alleged reference to his own culpability was as follows:

"That assumes culpability on that, doesn't it?"

The memo was one of 14 that William P. Dixon, a Democratic lawyer on the Judiciary Committee staff, wrote at the request of various Democrats on the panel. Mr. Dixon was instructed to stop the practice when the memos began leaking into print last week.

Republican Request

Several Republican members of the committee said that they had asked the chairman, Representative Peter W. Rodino Jr. of New Jersey to make the memos available to them and that Mr. Rodino had agreed.

One republican, Representative Charles E. Wiggins of California, charged that the committee staff had made "errors of judgment" about the evidence presented during the inquiry.

Mr. Wiggins said that material unfavorable to the President was "always" included in the evidence but that there had been "too many instances" in which the staff had omitted favorable information from the presentation.

Other leading Republicans disagreed, saying, as did Representative Tom Railsback Illinois, that the staff presentation had been nonpartisan and fair.

But Mr. Wiggins contended that the committee members were "at the mercy of the staff" and that "the trouble is we don't know enough to ask the right questions."