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**Jury Hears Tape of Nixon
Ordering Limit on Inquiry**

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WASHINGTON, Nov. 11—Parts of the three White House tape recordings that led to Richard M. Nixon's resignation from the Presidency were played today to the jury in the Watergate cover-up trial.

Out of the presence of the jury but in open court, the chief prosecutor, James F. Neal, said that the tapes and the other evidence today proved "a direct agency" in which Mr. Nixon's "agents" obstructed justice at Mr. Nixon's order.

The tapes, made public last Aug. 5, contain Mr. Nixon's conversations with H.R. Haldeman, then his chief of staff and now one of the five defendants in the trial, on June 23, 1972, six days after the break-in at Democratic headquarters in the Watergate complex.

Tapes Often Faint

They show Mr. Nixon telling Mr. Haldeman to direct officials of the Central Intelligence Agency to tell the head of the Federal Bureau of Investigation to limit its inquiry into the break-in. They show that Mr. Nixon wanted the curtailment for political reasons rather than concern over national security.

The tapes, often faint and sometimes difficult to hear, were played in conjunction with testimony by Lieut. Gen. Vernon A. Walters, Deputy Director of Central Intelligence, and L. Patrick Gray 3d, then acting head of the F. B. I.

General Walters testified about getting the directive from Mr. Haldeman, in the presence of John D. Ehrlichman, then the

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chief White House adviser on domestic matters and now another of the defendants, and passing it on to Mr. Gray; Mr. Gray told of receiving it.

When a defense lawyer objected to the prosecution's line of questioning, Mr. Neal replied: "There's no other way you can show the agency—from the former President of the United States to Haldeman and Ehrlichman to Walters to Gray—and that is the obstruction [of justice]."

"It's the act itself," he added. Mr. Neal then repeated his point: "We have a direct agency from the President to Haldeman to Ehrlichman—to Haldeman and Ehrlichman—to Walters to Gray."

After a recess, the questioning was allowed to proceed the way Mr. Neal wished.

The Ford Pardon

Mr. Nixon, who was named an unindicted alleged co-conspirator in the case last March, was pardoned by President Ford on Sept. 8 for any Federal crimes he may have committed while in office. The former President has been subpoenaed by the prosecution and defense but whether he testifies depends on his health.

The other defendants in the case are John N. Mitchell, the former Attorney General and director of the Nixon re-election campaign; Robert C. Mar-dian, a former Assistant Attorney General and political coordinator for the re-election committee, and Kenneth Wells Parkinson, an attorney hired by the committee after the break-in.

Mr. Haldeman and Mr. Ehrlichman have made clear that they will attempt to shift the blame for Watergate to Mr. Nixon. Mr. Ehrlichman's chief lawyer, William S. Frates, told the jury in his opening statement that Mr. Nixon "deceived" and "misled" Mr. Ehrlichman.

The testimony by General Walters and Mr. Gray, like the tapes, was largely a repetition of what came out in the Senate Watergate hearings and the impeachment proceedings.

The story, as presented today, began at 9:30 A.M. on June 21, 1972, when Mr. Ehrlichman spoke to Mr. Gray on the telephone.

Mr. Ehrlichman, according to Mr. Gray, said that John W. Dean 3d, then a White House counsel who is now in a Federal prison, was going to conduct a Watergate inquiry for the White House. Mr. Gray, according to the testimony, was to deal directly with Mr. Dean, who was expecting a call from him.

Mr. Gray told the jury that he called Mr. Dean, who requested a meeting, held at 11:30 that morning. Mr. Dean, according to Mr. Gray, said that the Watergate affair was "extremely sensitive" and that he would sit in on F.B.I. interviews with White House staffmen.

Mr. Gray said he had told Mr. Dean at a later meeting of the various "theories" the F.B.I. was considering, including one that the C.I.A. might be involved.

C.I.A. Involvement

The C.I.A. theory, according

to Mr. Gray, was considered because of the C.I.A. involvement of some of the Watergate burglars and because the C.I.A. was known to have complex financial arrangements.

What happened in the next few days, according to the testimony, was an attempt to keep the authorities from connecting the break-in with the Nixon re-election committee.

On June 23, Mr. Nixon and Mr. Haldeman met in the Oval Office. The tape of that meeting, particularly difficult to hear, shows Mr. Haldeman talking to Mr. Nixon. He says:

"The way to handle this now is for us to have Walters call Pat Gray and just say, 'Stay the hell out of this. This is, ah, business here we don't want you to go any further on it.'"

Then came the sequence that has caused much controversy at the trial. Mr. Haldeman says a word that the prosecution contends is "Gemstone," the name of the illegal intelligence-gathering operation that led to the break-in, and that Mr. Haldeman's lawyers contend is something like "convention" or "dovestome."

At the Haldeman lawyers' behest, the jury was given a transcript bearing the notation "unintelligible" instead of Gemstone.

The transcript Mr. Nixon released in August contains nothing.

The prosecutors then put on a second tape of a Haldeman-Nixon conversation an hour and a half later.

A Slight Delay

There was a slight delay when Judge John J. Sirica noticed that one of the jurors, Mrs. Marjorie Milbourne, did not have her earphones on.

"You have to listen," he told her.

She put the earset back on.

In this conversation, Mr. Nixon was more specific about the directive to be given to the C.I.A. officials.

Mr. Haldeman, Mr. Nixon said, should tell the C.I.A. officials "this is all involved in the Cuban thing, that it's a fiasco, and it's going to make the F.B.I. and C.I.A. look bad, and it's likely to blow the whole, uh, Bay of Pigs thing which we think would be very unfortunate for the C.I.A. and for the country at this time, and for American foreign policy, and he just better tough it and lay it on them. Isn't that what you . . ."

H. Yeah, that's the basis we'll do it on and just leave it at that.

"I don't want them to get any ideas we're doing it because our concern is political."

According to the testimony, the conversation was immediately followed by a meeting among Mr. Haldeman, Mr. Ehrlichman, Mr. Walters and Mr. Helms.

As General Walters told it, Mr. Haldeman said "it was the President's wish" that General Walters inform Mr. Gray that continued investigation of cam-

aign contribution checks might lead to C.I.A. assets and undercover operations in Mexico.

Then, as both Mr. Gray and General Walters testified, the Deputy Director of the C.I.A. went to the acting head of the F.B.I.

Gray-Walters Meeting

At a meeting between Mr. Gray and General Walters on July 6, according to testimony, General Walters turned over a written statement saying that the C.I.A. had no interest. The two men, apparently assuming that Mr. Nixon was unaware of

the pressure from White House officials, agreed that Mr. Nixon should be told, and Mr. Gray ordered his inquiry into the checks to be resumed, according to the testimony.

At the Senate Watergate hearings, Mr. Gray said that he had warned Mr. Nixon on July 6, "People on your staff are trying to mortally wound you by using the C.I.A. and the F.B.I."

mony today. At a bench conference, Mr. Neal said that he was about to question Mr. Gray about the statement. Mr. Frates objected. It was agreed that the question would not be asked.

On direct examination, under questioning by Mr. Neal, Mr. Gray repeated his earlier testimony about destroying documents at the behest of Mr. Dean and with the apparent acquiescence of Mr. Ehrlichman.

On cross-examination, Mr. Frates sought to limit the effect of that testimony, getting Mr. Gray to concede that Mr. Ehrlichman had not been the one to tell Mr. Gray to halt the Watergate investigation.

Mr. Neal on redirect then sought to limit the effect of this concession.

Who had told Mr. Gray to limit the inquiry? The prosecutor asked.

Mr. Dean, the witness replied. Who had told him to talk to Mr. Dean about Watergate?

Mr. Ehrlichman, he replied. Thomas C. Green, William G. Hundley and Frank Strickler, all defense counsels, cross-examined Mr. Gray briefly.

Mr. Green and Mr. Hundley asked whether Mr. Gray had ever talked to their clients about limiting the F.B.I. investigation. Mr. Gray said he had not.

Mr. Strickler elicited a statement from Mr. Gray contradicting General Walters, that General Walters had not told him on June 23 that he had just been to the White House.

Subpoena Pending

Mr. Walters was not cross-examined today because of a pending subpoena for material that may be necessary for the cross-examination.

Mr. Haldeman's attorneys

disclosed this morning that on Friday they subpoenaed Representative Lucien N. Nedzi of Michigan, chairman of the House Armed Forces Committee's Intelligence subcommittee, calling for transcripts and other material relating to testimony and interviews before the committee by Mr. Walters, Richard C. Helms, former Director of Central Intelligence, and Mr. Gray in the spring of 1973.

Mr. Strickler explained the subpoena in court by citing a committee report that, he said, indicated "inconsistencies" in Mr. Walters's testimony on May 16, 1973, and his statements on May 23, 1973, "both as to omissions and changes in language."

Judge Sirica said he would give the prosecution time to submit a memorandum on the subject. Then, told that a lawyer for the House subcommittee was in court, he asked what the panel's position would be.

The lawyer said that, under House procedures, it was a question of what the Speaker's or the full House's position

would be. He said that a House rule prohibited a committee's production of information submitted in executive session, and that when the Congress reconvenes on Nov. 18, the subpoena is to be delivered to the speaker.

The matter was left in abeyance.

Mistrial Denied

In another development today, Judge Sirica denied the mistrial motions filed last week by lawyers for Mr. Mitchell and Mr. Parkinson following the Government's disclosure that one of its supposed witnesses, William O. Bittman, a former Justice Department official, had withheld and lied about a crucial memorandum.

The memorandum was prepared by E. Howard Hunt Jr., one of the seven original Watergate defendants, and described the "commitments" of money and pardons that had allegedly been offered to the seven men in return for their silence about Watergate.

Attorneys for Mr. Mitchell and Mr. Parkinson had contended that they had been prej-

udiced by the government's belated disclosure because their cross-examination of Mr. Hunt at the trial had been based on the assumption that Mr. Bittman was a credible witness.

Judge Sirica rejected the defendants' arguments, saying, "This was no mischievous surprise sprung on one side by the other."

"The Government promptly notified the defense of the new development," he said in a seven-page ruling, "and all parties have had time to prepare for the proffered admission of the new piece of evidence."

Rulings Postponed

Judge Sirica postponed a rulings on whether Mr. Hunt would be recalled to the witness stand and whether the memorandum was admissible as evidence. The matters had not been raised in the defendants' motions, he said, and "there will be time to consider them when they do arise."

Joan C. Hall, who was Charles W. Colson's secretary, testified that she received telephone calls in August and October of 1972 from Mr. Hunt

and his wife, Dorothy. The Hunts, she said, were seeking Mr. Colson's aid but Mr. Colson, then a White House special counsel, refused to talk to them.

Mr. Hunt was indicted in September, 1972, for having helped organize the Watergate burglary, and was later convicted. He had been hired by Mr. Colson to work at the White House.

The prosecution had said several times last week that today would be the day when the June 23 tapes were played, and that this would be the week that the prosecution got to the "important" part of the case.

As a result, the courtroom and the hallway outside were jammed. One woman stood in line crocheting a baby's jacket for a church bazaar, a "water-gate jacket," she said, a half-dozen young men and women arrived early with sleeping bags; lawyers queued up for the attorneys' spectator section.

Johnny Cash, the singer, who is a friend of Mr. Neal, the chief prosecutor, attended the proceedings.

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The New York Times/John Daly Hart
Lieut. Gen. Vernon A. Walters, left, Deputy Director of Central Intelligence, and L. Patrick Gray 3d, the former acting head of the Federal Bureau of Investigation, telling of their Watergate activities at trial yesterday.