

Tape Shows Nixon Ordering 'Line' on Watergate Payments

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WASHINGTON, Nov. 20 — President Nixon directed in April, 1973, that his aides put out a "line" in which they would all say that they had indeed raised money for the seven original Watergate defendants but that the purpose was to keep the defendants from talking to the press, not to keep them from telling the truth to the authorities.

This directive, issued to John D. Ehrlichman on April 14, was heard on a White House tape recording played today at the Watergate cover-up trial.

Mr. Ehrlichman is one of the five defendants on trial on charges of conspiring to obstruct justice in the original Watergate investigation through such means as payments to the Watergate burglars in return for their silence.

The Nixon directive was deleted from an edited transcript of the conversation that Mr. Nixon released last spring.

Portion of Talks Disclosed

In the newly disclosed portion of the conversation, Mr. Nixon and Mr. Ehrlichman, then his chief domestic affairs adviser, agreed that the ongoing Watergate investigation was a special case. It involved, they both said, "the king of the mountain."

Then Mr. Nixon told his aides how he wanted the payments to the Watergate burglars explained, urging a "straight damned line."

"We weren't trying to shut them up," he said, in explaining the "line" that was to be taken, "We just didn't, we didn't want 'em to talk to the press."

"Yeah, yeah," Mr. Ehrlichman said.

"That's perfectly legitimate, isn't it?" Mr. Nixon said.

The jury at the Watergate cover-up trial heard recordings of eight other White House conversations today as well.

All nine conversations took place in mid-April, 1973, the time when the cover-up was beginning to unravel under pressure from the forthcoming Watergate hearings, increased news coverage, and the decision of several participants to tell the truth to the authorities.

The conversations are between Mr. Nixon and either or both Mr. Ehrlichman and H. R. Haldeman, then his chief of staff and now a defendant in the cover-up case.

In the series of meetings, the men discuss various "scenarios" they could use to explain Watergate and their own actions. Two of these conversations show the men still discussing the new "line" on the payments several days after the initial Nixon-Ehrlichman discussion.

Mr. Nixon expresses his concern in these two conversations about Mr. Haldeman's and Mr. Ehrlichman's knowledge of the payments, and appears worried that the new line might not be adequate.

Like the Nixon-Ehrlichman conversations about the "line" on the Watergate payments, the eight other conversations were all included, to some extent, in the set of transcripts that Mr. Nixon released last spring in an effort to stave off the pending impeachment investigation.

And, as in the case of the Nixon-Ehrlichman conversation, the portions of the tapes that were played today, and the transcripts that the prosecution made of these portions, showed that Mr. Nixon had deleted a number of other items as well.

Deletions in Transcripts

Some of the deletions were minor, involving, for example, the replacement of various obscenities with less offensive words.

Other deletions were larger, and, in terms of evidence about the cover-up, seemingly more significant. The White House transcript of an April 16, 1973, conversation among Mr. Nixon, Mr. Ehrlichman and Mr. Haldeman, for instance, deleted several minutes of conversation.

At one point in the deleted section the men were discussing the money payments to the burglars. Mr. Haldeman said that John W. Dean 3d—then Mr. Nixon's counsel and now a Government witness—had come to his office several times and that "we'd go through this whole thing."

Mr. Haldeman adds, "I spoke to you of this a couple of, of these, times at least."

The impact of this statement is unclear though because Mr. Haldeman subsequently said that he had told Mr. Dean to "put the whole thing out," meaning, presumably, to make it public.

Importance of Disclosure

The disclosure of Mr. Nixon's directive on April 14 to Mr. Ehrlichman regarding the new "line" to be used to explain the payments to the defendants thus seemed most significant.

There has been extensive testimony at the trial to the effect that the payments were made to keep the original Watergate defendants from telling the truth—to "keep them on the reservation," as Mr. Dean put it in his testimony.

There has also been testimony to the effect that Mr. Haldeman and Mr. Ehrlichman were at least aware of this purpose.

Mr. Nixon's directive to Mr. Ehrlichman came during a late-night telephone conversation on April 14. Several hours earlier, according to a tape played

at the trial yesterday, Mr. Nixon told Mr. Ehrlichman and Mr. Haldeman that he would give "full pardons" before he left the Presidency to various Watergate participants, apparently, the seven original Watergate defendants.

Mr. Nixon had made his remark about pardons in the course of a discussion about a news-article that appeared that day: that an investigator for the Senate Watergate committee named Harold Lipset had once pleaded guilty to a reduced charge in a wiretapping case and had received a suspended sentence.

In his telephone conversation that night, Mr. Nixon referred to the Lipset case again, calling him, as he had earlier, "Lipschitz."

Investigator Discussed

"If Lipschitz gets off with a—" The first sentence of an exchange that was deleted from the Nixon transcript, the President says, "If Lipschitz gets off with a—"

"Yeah," Mr. Ehrlichman interrupts.

Mr. Ehrlichman laughs.

"—and, and, and getting a suspended sentence," Mr. Nixon continues, "what in the name of Christ is this all about? Well, what it involves, of course, we have to be fair, it involves, uh, the highest . . ."

"The king of the mountain," Mr. Ehrlichman says.

"The king of the mountain" Mr. Nixon agrees. The conversation proceeds:

EHRlichman. Yeah.

PRESIDENT. "—the, uh, trying to keep, uh, suppress the facts and so forth. I do, and I think you thought I was sort of, sort of being facetious about saying get everybody, all these people and this includes LaRue, and Mardian and of course, uh, of course Kalmbach. Uh, they've gotta have a straight damn line that, of course we raised money. Be very honest about it. But, uh, we raised money for a purpose that we thought was perfectly proper.

E. Um hum. Uh hum.

P. But we didn't want to shut 'em up. These men were guilty.

E. Yeah.

P. Right?

E. Right.

P. And uh, they are, we weren't trying to shut them up, we just didn't, we didn't want 'em to talk to the press."

E. Yeah, yeah.

P. That's perfectly legitimate, isn't it. Or is it? Legitimate not to want them to talk to the press?

E. I think it is, uh, I, I don't have a perfect understanding

of the, of the law on that and I . . .

Mr. Nixon appears to refer back to this exchange in two of the other conversations heard today, both on April 17—the first with Mr. Haldeman, the second with both Mr. Haldeman and Mr. Ehrlichman.

Strategy Weighed

In the first of these two conversations, Mr. Nixon told Mr. Haldeman to sit down with Mr. Ehrlichman and "do some hard thinking about what kind of strategy you are going to have with the money."

Then, in a previously undisclosed portion of this tape, Mr. Nixon said, "That's got to be something perhaps better than, say—well either one of the defendants can talk to the press and I don't, what in the hell the strategy is I think you ought to talk about that."

He added that he was "a little concerned" about "the last bite or two," the payment of \$127,000.

In the subsequent meeting, Mr. Nixon asked his two aides in a previously disclosed portion whether they had "given any thought to what the line ought to be—I, I don't mean a lie—but a line, on raising the money for these defendants?"

"Because," he added, "both of you were aware that was going on, you see—the, the raising of

money—you were aware of it, right?"

"Yes, sir," came the answer, from—it could not be identified—either Mr. Haldeman or Mr. Ehrlichman.

Mr. Ehrlichman said subsequently that his own purpose regarding the money was indeed to keep the defendants from talking to the press. Then he added, "Before I get too far out on that, uh, I want to talk to an attorney. . . ."

The three other defendants in the trial are John N. Mitchell, the former Attorney General; Robert C. Mardian, a former Assistant Attorney General, and Kenneth W. Parkinson, an attorney for the Nixon re-election campaign.

In another development at the trial today, Herbert J. Miller Jr., Mr. Nixon's attorney, reported to Judge Sirica on the arrangements for the examination of Mr. Nixon by a panel of court-appointed doctors.

Mr. Miller said that the doctors hoped to arrange to conduct their examination next Monday.

Mr. Miller said—and Judge Sirica ultimately agreed—that all details of that examination of Mr. Nixon and his medical records should not be made public.

Judge Sirica said that his law clerk, D. Todd Christofferson, had spoken to one of the doc-

tors, and that it was understood that the doctors would report their conclusions as to whether and when Mr. Nixon would be able to give testimony in the case but that they would not have to make public a long explanation.

It was agreed by the court that should the court's doctors call in other specialists to examine Mr. Nixon he would not have to bear any such costs.