

JURY GETS VIEWS OF RUCKELSHAUS

He Denies to Press He Saw
'Dirty Tricks' Material

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Former Deputy Attorney General William D. Ruckelshaus said today that he could not rule out the possibility that he was told in 1970 that a Justice Department aide received documents and a tape recording allegedly obtained through the burglary of a close associate of Senator Vance Hartke, Democrat of Indiana.

But Mr. Ruckelshaus, who testified here before a local grand jury investigating "dirty tricks" allegedly carried out against Democratic political figures in Indiana in the 1970 campaign, told reporters that he was certain that he had never been shown the materials by the aide, Jerry H. Baise, or told that they had been procured illegally.

If Mr. Baise, who is now a member of the Washington law firm headed by Mr. Ruckelshaus, had told him about any materials obtained as the result of a burglary, he said, "I would have remembered that, and I also have remembered seeing the materials, and I do not."

Aide Also Testified

If he had examined such items, Mr. Ruckelshaus asserted, his suspicions about their origin would have been aroused, and "my inclination would have been to send it to the United States Attorney" here.

Mr. Baise, who testified before the same grand jury last week, said in a recent telephone interview that he told Mr. Ruckelshaus in 1970 that he had received the items. Mr. Ruckelshaus, who was head of the Justice Department's Civil Division in 1970, acknowledged today that Mr. Baise "may well have talked to me" about the matter, although he could not recall any such conversation.

Mr. Baise conceded in the interview that he had kept the documents and tape recording for the last five years, but he said that he could not recall precisely when or where he had received them, or from whom.

He insisted, however, that it had never occurred to him that the materials might have been the fruits of an illegal activity. If he had thought so, he would have given them to criminal prosecutors in the Justice Department for investigation, he said.

But, he said, he presumed that the materials were deliv-

ered to him in the hope that they might be used to damage Senator Hartke politically, and that he consequently ignored them.

Mr. Ruckelshaus, who was active in Indiana politics before joining the Nixon Administration, briefly considered challenging Mr. Hartke in 1970, but decided against it before the materials reached Mr. Baise's hands.

Mr. Ruckelshaus told reporters at a news conference after his half-hour appearance before the grand jury today that when Mr. Baise surrendered the materials to agents of the Federal Bureau of Investigation earlier this month, they were in a Justice Department envelope addressed to Stanley B. Miller, who was the United States Attorney in Indianapolis in 1970.

Intentions Discerned

That, he said, was "some evidence" that Mr. Baise's suspicions had indeed been piqued, and that he had in fact intended to turn the materials over to Mr. Miller after the 1970 general election.

Three days after the election, Mr. Ruckelshaus's appointment as head of the Environmental Protection Agency was announced, and Mr. Ruckelshaus speculated that Mr. Baise, who went with him to the E.P.A. from the Justice Department, forgot about the envelope in the confusion that ensued.

Mr. Baise's secretary said today that he would "not have time" to answer further questions about his role in the investigation.

James F. Kelley, the Chief County Prosecutor here who is in charge of the grand jury investigation, has refused all comment on any matters relating to it. But courthouse sources said today that the grand jury would decide tomorrow whether to bring charges in connection with the investigation in which Mr. Baise is involved.

Evidence Reported

These and other sources familiar with the investigation said that Mr. Kelley's investigators had received evidence indicating that the materials in question were delivered to Mr. Baise at his Justice Department office in September of 1970 by two Indianapolis men, E. Tim Wilcox, a former Republican party official who runs a detective agency here, and Earl L. Zimmerman, a former employe of Mr. Wilcox.

The sources said that there was evidence showing that Mr. Wilcox, with whom Mr. Baise was acquainted, and Mr. Zimmerman had arranged for the burglary, about a month earlier, of the Indianapolis office of Edward D. Lewis, a prominent lawyer and longtime political supporter of Senator Hartke.