

Watergate Case Notebooks Missing

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A notebook and an address book that Watergate bugging conspirator E. Howard Hunt Jr. said were left in his White House office have never been received by the FBI, according to federal investigators.

Hunt's attorney, William O. Bittman, said yesterday that "the entire circumstances of their disappearance are peculiar."

Bittman said both items contained names and addresses, and that federal prosecutors had told him they hoped the books might lead investigators to other persons involved in the Watergate conspiracy.

In a sworn affidavit filed with the motion, Hunt demanded the return of the contents of his office, including "one 'Hermes' notebook and one 'Name-Finder' notebook

Democratic headquarters and given to President Nixon's counsel, John Wesley Dean III.

More than a week later, Dean turned over to the FBI all the material except unspecified items that he said were classified, according to federal investigators. The notebook and address book were not included in the material received by the FBI, the investigators said.

The purported existence of the two items came to the attention of investigators on Oct. 11, when Hunt filed at motion in U.S. District Court contending that the search of his office by White House aides was illegal.

In a sworn affidavit filed with the motion, Hunt demanded the return of the contents of his office, including "one 'Hermes' notebook and one 'Name-Finder' notebook

containing personal information..."

When investigators realized they had received no such notebooks in the material furnished by Dean, Assistant U. S. Attorney Earl J. Silbert reportedly contacted officials at the White House.

"The White House claimed they never saw the notebooks," one federal investigator familiar with the matter said. "We didn't know what to think. We still don't."

According to Bittman, he intended to call Dean and other members of the White House staff as witnesses in a pretrial hearing on Hunt's motion demanding the return of the notebooks.

"At that time we thought the FBI had them and had used them in their investigation," Bittman said. "I was going to argue that the government's whole case was tainted

because their information had come from material (the notebooks) obtained in an illegal search. I was going to call Dean and other people at the White House to show that Hunt was still using his office in June and that he had not abandoned his property in the White House."

The White House has repeatedly said that Hunt last worked there on March 29 and—based on that contention—federal prosecutors argued that Hunt's belongings represented "abandoned property" that was legally confiscated on June 19.

Bittman said the issue became moot, however, "when we found out the FBI never got the notebooks. When we asked to examine the contents of the search they weren't there. All I can say is... that the whole thing was very strange. I don't know where they went."

The role of White House counsel Dean, who conducted an investigation that President Nixon said absolved all current administration officials from involvement in the Watergate bugging, has become an issue in the confirmation hearings of Acting FBI Director L. Patrick Gray.

In its Feb. 12, issue Newsweek magazine quoted "a source close to the Watergate defense" as saying that Dean "actually removed documents" from Hunt's office that "might have led the G-men to administration topsiders." The same report said Dean received orders "to try to prevent federal investigators from tarnishing any figures in the President's inner circle."