

Garment Protests Haig Quiz

Prosecutors Link Tape Gap To Nixon Stand

By George Lardner Jr.
Washington Post Staff Writer

Watergate prosecutors suggested yesterday that there was a direct link between a series of White House mishaps with the Watergate tapes and President Nixon's subsequent attempts to withhold the recordings from the courts.

Assistant Watergate Special Prosecutor Richard Ben-Veniste voiced the suspicions late yesterday afternoon in cross-examining White House chief of staff Alexander M. Haig Jr.

White House lawyers quickly objected to the line of questioning. Acting White House counsel Leonard Garment protested what he called the apparent innuendoes about Mr. Nixon's short-lived proposal in mid-October to produce only a summary of his subpoenaed Watergate conversations.

Ben-Veniste pointed out that Mr. Nixon and top White House officials already knew—when the compromise was broached—that two of the subpoenaed discussions could not be found.

They were also aware, Ben-Veniste told U.S. District Judge John J. Sirica, that the President's personal secretary, Rose Mary Woods, had apparently wiped out five minutes of conversation on another tape.

The White House has contended that it was not aware until mid-November that the erased recording was also covered by the Watergate grand jury's subpoena. White House lawyers said they discovered at the same time that a total of 18¼ minutes had actually become obliterated.

The long erasure has yet to

be explained. It wiped out a discussion of the Watergate scandal between Mr. Nixon and then White House chief of staff H. R. Haldeman on June 20, 1972, just three days after discovery of the break-in and bugging of Democratic National headquarters here.

Judge Sirica called a halt to yesterday's lengthy hearing when questioning turned to the President's proposed out-of-court "compromise." The judge told Ben-Veniste to try again in the morning in light of the White House protests that the new line of inquiry was irrelevant.

The exchange concluded a whirlwind day of testimony that included a command performance by Miss Woods.

Put back on the witness stand late yesterday morning at Judge Sirica's direction, she flatly contradicted earlier testimony by two White House lawyers about a Nov. 14 meeting they had regarding the 18¼-minute erasure.

Mr. Nixon's courtroom advocate, Samuel J. Powers of Miami, had just told the court that he and White House special counsel J. Fred Buzhardt had just discovered the long gap on the evening of Nov. 14 while they were monitoring the suspect recording in a White House office.

Powers said Miss Woods—who has contended that she could have erased only five minutes at most—came into the room shortly afterwards.

"She was shocked about it,"

See TAPES, A9, Col. 1

TAPES, From A1

Powers testified. "She couldn't understand how it happened." He said she then left, brought back her Uher recording machine and demonstrated how she mistakenly pressed the wrong button while reviewing the tape for Mr. Nixon last Oct. 1—during a five-minute phone call.

In testimony last week, Buzhardt also said that Miss Woods brought the machine to the two lawyers for a quick demonstration.

Miss Woods denied it yesterday.

"I was in there (with the lawyers) only two or three minutes," she said. "I did not even sit down . . . I cannot remember bringing a tape re-

corded into that room at any time . . . All they told me was that there was a meter of some sort" that showed the 18-minute gap, she said.

Subsequently told Haig to get her own lawyer, Miss Woods also testified that she thought White House attorneys had been representing her untidily as recently as Thanksgiving. She said she particularly recalled a meeting with Buzhardt, Powers and Garment early on Nov. 8 before she went into court and told Judge Sirica that she took every "possible precaution" with the Watergate tapes she had summarized for the President.

Buzhardt has said he did not give Miss Woods any advice and only poked his head in

to testify only about subpoenaed recordings and documents at the Nov. 8 appearance. She had been told by Haig and Mr. Nixon in early fall that the subpoena did not cover the June 20 Nixon-Haldeman conversation.

Judge Sirica urged Miss Woods before she left the witness stand to search her mind for any relevant information she could think of.

"The only thing the court is concerned about," the judge told her, "is we want to find out the truth—what caused this 18-minute and 15-second gap. Was it by accident? Was it by some action by somebody . . . to cover up something if that is the expression, to prevent justice from being done?"

that she remain available for a final appearance if necessary. "The first thing you know, I'll be on trial," Sirica quipped.

Miss Woods stepped down from the witness stand after assuring the court that she had no knowledge of any tampering or intentional obliteration of any of Mr. Nixon's secret tapes.

Haig testified next, declaring that the President was "incredulous" on being told Nov. 15 that the erased Watergate tape had been subpoenaed after all.

The White House chief of staff said he told the President that Buzhardt had changed his mind the night before and concluded that the con-

troversial recording would have to be surrendered to the courts.

"They told me not to volunteer anything," Miss Woods said. "That I should answer the questions 'yes' or 'no' and just don't get into a lot of discussion on anything."

Miss Woods' newly hired lawyer, Charles S. Rhyne, alluding to the Nifon-Haldeman tape of June 20, then asked her whether she had been advised in any way "not to discuss non-subpoenaed matter."

"I don't believe that came up," Miss Woods replied. She said she already was under the impression that she was

"It doesn't matter who it hurts," Sirica told her. "I'm not saying I don't believe you. I haven't made up my mind one way or another." But he added, "this is the greatest forum you'll ever have any opportunity to speak at. This is the time to do it. This is not a trial."

Miss Woods responded by saying she felt she was being tried "by the jury of newspaper, radio and media people. She reminded Sirica of news stories this week reporting that the judge was dissatisfied with her testimony.

"I'm telling you I did not make that statement," Sirica told her. But he indicated he indicated that he had suggested to White House lawyers

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Watergate grand jury subpoena until the following week when the 18¼-minute blank was finally reported to Judge Sirica.

In between Haig's initial reports to the President on Nov. 15 and the disclosure to the judge six days later, the President assured Republican governors in Memphis that they need not worry about any more bombshells in the Watergate case.