

Nixon May Have Claim On Tapes

EP 8/10/74

WASHINGTON (AP) — As Richard M. Nixon's lawyers disclosed Friday that 17 minutes are missing from a subpoenaed Watergate tape, a spokesman for White House lawyers said the former president may have a legal claim to those controversial recordings.

Larry Speaks, the spokesman for the White House lawyers, said the recordings of presidential conversations remain under Secret Service guard in a locked vault. He said that to his knowledge none of the Watergate material was taken by Nixon when he flew to California on Friday to begin life as a private citizen.

Jerald F. TerHorst, press secretary for President Ford, said Nixon had not signed a pardon "or any form of immunity for himself before he left office." TerHorst said the Ford administration will not use a taping system to record White House conversations.

The revelation that 17 minutes were missing from a taped conversation between Nixon and former White House special counsel Charles W. Colson was made Friday when Nixon's lawyers appeared in U.S. District Court.

In an analysis of some of the 64 taped conversations subpoenaed by special Watergate prosecutor Leon Jaworski, James D. St. Clair said the gap occurred when a tape reel ran out during a Nixon-Colson conversation on March 21, 1973. The conversation occurred the same day John W. Dean III warned Nixon that Watergate had become a cancer threatening the presidency.

St. Clair did not appear in court Friday. He flew to Boston for a weekend after announcing that his service to Nixon had ended when the Nixon presidency ended. However, TerHorst said St. Clair would remain at the White House and retain his title of special counsel to the President.

Speaks said Friday that the ultimate ownership of the White House tapes and other Watergate material remains in doubt and could become increasingly important as prosecutions of former Nixon lieutenants proceed.

The tapes of most of the 64 conversations have been turned over to Judge John J. Sirica for his private inspection to determine what portions should be delivered to Jaworski.

White House attorney John Chester delivered to Sirica on Friday papers that disclosed the 17 missing minutes.

In response to reporters' questions about Nixon's future legal representation, Chester said, "I would assume that when Mr. Nixon becomes a private citizen ... he will have his own lawyers."

Chester also surrendered another tape which Nixon's lawyers said earlier they had been unable to find.

It covers conversations Nixon had with Colson on Jan. 5 and Jan. 8, 1973.

Chester promised that the search will continue for another conversation required by the subpoena but not yet located. That is a Feb. 20, 1973, meeting in which Nixon and H.R. Halde- man discussed Jeb S. Magruder.